



Zoning Board of Appeals
September 13, 2016
Regular Meeting

Present:

Maurice McCormick, Chairman
Kate Provencher
Danny Ramirez
Michael LaMountain
John Huber

Kelly Best, Secretary
Mr. Novitsky, Applicant
Stewart Linendoll, ZBA member

Chairman McCormick opened the meeting at 7 pm by reading the following Legal Notice for a Public Hearing per the request of Greg Novitsky to construct an attached garage to his residence per Article 355 Attachment 2 for property located at 42 Whipple Way, Altamont, NY 12009 TMN 37.14-5-23, zoned R-20. The public hearing was scheduled for tonight and plans were available for inspection at the Village Office during regular business hours.

Mr. Novitsky stated he moved into his home in 2005. He stated that there was an attached single car but the last owners had converted it into a daycare room. He is extending the porch and wishing to add a 20' by 24' attached garage. A variance of 7' feet is requested in the rear set back.

The Board reviewed the plans submitted and a memo from the Building Inspector stating that there would be no variance required for the construction of the porch.

Mr. Novitsky stated that the roof line of the garage will line up with the roof line of the porch.

The Board stated that the plot plan should have had true measurements. Mr. Novitsky stated that the fence is in 2 feet from the property line. Mr. Novitsky presented a copy of a drawing he made to the board. A copy was made for official records. Mr. Novitsky also stated that the new garage will not be as high as the house but will be higher than the old garage.

The Board then asked if there were any comments, emails, or telephone calls from neighbors. It was reported that there is none. The Chairman pointed out that there was no one from the public in attendance.

The Board stated that they wanted a plot plan with accurate measurements from Mr. Novitsky and it should indicate where the fence, pool and shed are located. Mr. Novitsky stated that he had installed the pool after he had applied for the variance. He did get a building permit for the pool. Applicant

replaced existing fence with new fence – he got a building permit for that also. He also said shed was there when he purchased the home. He stated that shed was a good 20 feet off the property line.

The Board asked about grading between the houses. They were concerned about runoff from rain. Mr. Novitsky stated that the water currently pools between the two houses. The Board informed the applicant that he would have to control the runoff. The applicant stated the current runoff flows to the ditch on the side of the house then along the back of the property to the storm water drains.

The Board inquired about lighting. The applicant stated that he would just have a spotlight shining down on the driveway. He was not planning on installing any additional lighting. The applicant stated that the former owner had installed a big bay window where the old garage door was and that there were two nice lights there. He intended to leave them there.

The Board stated that they needed actual drawing with true measurements.

The Board stated that the variance requested is $\frac{1}{2}$ of the required set back. They considered it a large variance request. They referred to the comprehensive plan which encouraged detached garages in the rear of the property. They also stated that this was not a visually pleasing as an attached garage in this case.

The Board referred to the roof line and stated some liked the different facades and staggered roof lines. Mr. Novitsky stated that the new porch will tie in the roof line across the front of the house. He stated the porch will be 6 feet wide.

The Board asked Mr. Novitsky to provide drawings with accurate measurements of the property specifically showing measurements from the street to the front of the new garage and from the side yard property line to the garage. He was asked to include the location of the pool, fence and shed with accurate sizes and locations. He was also asked to indicate how run off water will be controlled. The Board asked him if he could have this ready to present to the Board on Tuesday, September 27, 2016. Mr. Novitsky stated he could.

Chairman McCormick made a motion to continue the Public Hearing on Tuesday, September 27, 2016 at 7 pm. Board member Huber seconded the motion. All in favor.

Board member Ramirez made a motion to approve the minutes from May 2016. Board member Provencher seconded the motion. All in favor.

Old Business:

Board member Provencher discussed the landscaping, dead bushes and missing bushes which were specifically mentioned as a condition of the Haines Variance and Special Use Permit to have a fence in the front yard of a corner lot. She stated that there has been no follow up on enforcement of these conditions.

It was also pointed out that the landscaping included in the same type of Variance and Special Use Permit for the Efaws on the corner of Western and Gregg was very nicely maintained.

The Board did discuss the landscaping on the corner of Schoharie Plank and Main Street. The owners also were granted a Variance and Special Use Permit for their fencing on a corner lot. The Board stated that although the property owners try to maintain the landscaping there may be some salt damaging them due to winter street plowing.

The Board discussed the screening that was a condition of a Special Use Permit granted to Stewarts which the Board has asked the Zoning Administrator to follow up on and the Board has yet to see it completed or receive feedback from Zoning Administrator.

The Board also stated that they were curious on the status of the property on the corner of Thatcher Drive and Main Street. They were informed by the Secretary that they should email the Zoning Administrator at any time to get updates on these issues.

Chairman McCormick made a motion to adjourn the meeting. Board member Ramirez seconded the motion. All in favor.

Respectfully Submitted

Kelly Best