

**Board of Trustees of the Village of Walden
Joint Meeting with the Planning Board and Zoning Board of Appeals
February 3, 2015**

Mayor Maher called the regular meeting of the Village of Walden Board of Trustees to order at 6:30 pm.

On roll call the following were:

Present:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Willie Carley
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Planning Board	Stan Plato, Chair
	Lisa Dore

Zoning Board	Brenda Adams, Chair
	Rebecca Pearson
	Faith Moore
	Carolyn Wesenberg

Absent:

Planning Board	Jason Trafton
	Brian Sebring
	John Ramos
	Jay Wilkins
	Zac Pearson

Zoning Board	Greg Raymondo
	Oscar Alleyne

Also Present:

Tara Bliss, Village Clerk
David Donovan, Village Attorney
Dean Stickles, Building Inspector

Mayor Maher thanked Trustee Hoffman for taking the lead on the Tri-Board meetings by way of setting the agendas and creating this great forum for discussions.

Discussion Items

Recommendation for Next Joint (Tri-Board) Meeting

Trustee Hoffman explained that the next Tri-Board meeting dates will be set at the Reorganization Meeting on April 7, 2015. He just wanted to make sure that no one had any objections to holding them prior to a Board Meeting as we have in the past. Hearing no objections we will announce the specific dates at the Reorganization Meeting.

Planning & Zoning Boards – Annual Training Certification, Records & Course Offerings, Disclosure Forms

Clerk Bliss reminded everyone that each member is required to do 4 hours of training/continued education per year (from April 1st to April 1st). She stated that some members signed up for OCMFP spring classes but did not bring in their completed certificates; just a reminder that the trainings do not count without a certificate. She sent out an email to everyone showing what she has to date for everyone.

Planning & Zoning Boards - Appointments

Trustee Hoffman indicated that both Brenda Adams and Jason Trafton have appointment terms are up on April 1st. He encouraged them to let the Village Manager know if they would like to continue when their terms are up.

Planning & Zoning Boards - Minutes

Trustee Hoffman wanted everyone to know that all minutes that have been approved are posted on the Village website.

Stan and Brenda added that the last minutes have been excellent.

Applicant Guidelines & Potential Policy Adjustments

Trustee Hoffman explained that we previously discussed this topic of physically noticing properties so that surrounding properties can visually see there is a suggested change before the Board. Unfortunately he was planning to get together with Brian Sebring and Jay Wilkins so that they could make a suggestion to the Board on this and we haven't been able to do that yet. He asked Stan Plato to give a background on the topic.

Stan Plato commented that he doesn't know what's going on with that, it's been a year at this point and nothing has been done yet.

Trustee Hoffman replied that initially when we spoke we weren't certain of the interest and at the last meeting in September the Board said they wanted recommendations as to what we think is sufficient, take a look at what other municipalities do, find out how it is structured, who puts up the signs, who pays for the signs, and other things like that. To try and find out what you were envisioning when you recommended it.

Stan asked if Mr. Dickover could do some of that research for us. He feels it is a great idea.

Trustee Hoffman explained that Stan had asked for ZBA fee/escrow to be added to the agenda. Essentially there are two separate items here; the ZBA fees and an escrow. Right now there is a fee of \$250 to the applicant that basically covers the administrative costs of the building department for mailings and whatnot. In some instances this fee is sufficient and in other instances the costs are higher and the Village is paying those fees. We had discussed perhaps that we might need to increase the fees. Currently the Planning Board works off an escrow account but the ZBA does not. He wanted to hear how the Planning and Zoning Boards felt about this topic.

Stan stated that he never knew what their budget was but he has since found out that Dean is responsible for setting the budgets.

Manager Revella explained that the fee for the Zoning Board issue is that the times the fee doesn't cover the costs we wind up billing the applicant after the fact and there are times when the Corporation ends up folding or leaving the Village so we end up eating those

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fees that go unpaid. If we had an escrow for applicants as he is suggesting, whatever that fee may be; \$500 depending on the applicant. It would at least cover those fees and whatever they don't need in the escrow would be returned to the applicant.

Mayor Maher said that would speak to Stan's concerns about not knowing the budget.

Manager Revella replied that this is a fee and escrow and Stan is asking about what the Planning Board can charge for consultants and such; what is their budget. The Zoning Board has a different issue about charging the consultants fees for them and not recuperating the funds. The question is how to recuperate those funds. One suggestion would be to increase fees or to have an escrow account for applicants.

Trustee Bowen asked how long we would hold the escrow.

Manager Revella replied until the application is resolved.

Trustee Bowen asked if someone is rejected, we keep it.

Manager Revella replied no, whatever is unused gets returned to the applicant.

Becky Pearson asked if that would be for every applicant or certain types of applicants.

Attorney Donovan replied that highlights the issue with the Zoning Board. The common practice is that you do this and pay fee plus the applicant fee. You may get an applicant such as Hannaford that you might want to do an escrow for but you could also get someone who wants to put a deck on that is too close and needs 2 feet to do that where you wouldn't want to have to charge them the escrow fees. The problem is you can't treat people differently. You may have a different type of fee schedule but you cannot omit certain class of homeowners/business owners.

Manager Revella suggested that maybe there is a \$250 fee for all applicants and something larger for an applicant that is trying to get a subdivision for example. You could charge "x" amount of say 1-3 lots, and then "x" amount for 4-6 lots and so on and so forth.

Brenda Adams stated that it costs a lot of money to go before the board and as far as she knows we haven't used a lot of consultants as of this date. Once you've paid the necessary postage fees it gets quite costly to the applicants.

Trustee Hoffman replied that the costs of the applicants get passed onto the Village and the initial fee of \$250 gets consumed quickly.

Brenda asked what gets paid out of that money.

Manager Revella replied we pay for the Attorney and the Engineer if you have one at the meeting.

Becky stated that there are a lot of times that the Zoning Board doesn't have an Engineer and we don't send them back to the Planning Board and then we aren't exactly sure if we need an Engineer. Would that fall into the escrow part?

Trustee Hoffman replied yes. That \$250 application fee gets consumed quickly by the time you need an Engineer you may already be deeper into the application process and need more funding and the Village is covering that cost.

Mayor Maher suggested we need a meeting to figure out the costs are. Would that be accurate Sean?

Trustee Hoffman replied we don't keep a record of those fees, the applicant is usually charged a flat fee.

Manager Revella replied that the attorney's fees are charged out of the applicant's \$250 fee and any overages are billed to the applicant separately.

Mayor Maher suggested a separate meeting be had with a representative from each Board.

Manager Revella stated there is already something in place for the Planning Board. The Zoning Board is the only one with the issue at this point.

Brenda added she wasn't thinking the attorney were being billed for each application she thought it was a retainer type situation but if you break it down every month that does make sense and it is expensive.

Trustee Hoffman recapped the discussion and stated that he would try to get together with representatives from the Boards, Dean, and Peter about the budget and the fee suggestions.

Attorney Donovan added that he could give some legislation that is used by his other clients in the Town of Newburgh and Town of Chester to help.

Planning & Zoning Boards - Budgets

Trustee Hoffman explained the previous topic we just discussed covered this one, it was all tied together.

Brenda is it one budget or split out between them.

Manager Revella replied no, we will work on that.

Roundtable Discussion

None.

Public Comment

None.

Adjournment

Trustee Hoffman moved to adjourn. Seconded by Trustee Bowen. All ayes. Meeting adjourned.