

Village of Walden  
Planning Board Meeting  
October 1, 2018

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Present
	Lisa Dore	Present
	Jason Trafton	Absent
	Zac Pearson	Present
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Present
Village Engineer:	John Queenan	Present
Secretary:	Marisa Kraus	Present

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Chairman Plato - Called the meeting to order at 7:30pm.

**1. APPROVAL OF MINUTES:**

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:** None

**B. FORMAL APPLICATIONS:**

**B.1 83 East Main Street, Proposed Offices**

Linda Harrison, representing Little Britain, LLC-applicant, came before the Planning Board to seek approval for a proposed office in a vacant building that was previously a body shop. There were no changes to the property but she brought in a site plan showing items that were requested at the previous meetings.

Chairman Plato asked if it was determined when the building was built.

Building Inspector Stickles said it shows in the memo that it was built in 1955.

Member Wilkins stated zoning took effect in 1958.

Chairman Plato asked Engineer Queenan if he had a chance to review to plans.

Engineer Queenan said no but he is working with Charlie Brown's office and the bulk table along with the parking schedule is now shown, as previously requested.

Chairman Plato asked if SEQR was completed.

Attorney Dickover replied the SEQR process has been completed.

Chairman Plato asked if a negative declaration was completed.

Attorney Dickover stated that it has been completed and asked Village Engineer Queenan if anything they asked for is missing.

Engineer Queenan replied no.

Chairman Plato asked if they determined if it has to be paved or not.

Building Inspector Stickles commented that he can't find anything in the rules that make you pave it.

Member Pearson said they are not changing the curb cut.

Chairman Plato stated they asked for the existing utilizes which currently do not show.

Member Pearson asked if it can be approved with it as a condition.

Chairman Plato agreed.

Member Wilkins explained to Mrs. Harrison that with the condition she does not have to come back before the board, and if they have no record it can still be done.

Engineer Queenan commented they can take a good guess where they exit building and hope it is in a straight line.

Chairman Plato summarized he would like a note added stating it does not show because of there being no record and not because it was missed.

Member Pearson made a motion to approve the application and to present the now amended plan with the condition that a note be added stating the location of the existing utilities service lines are not shown because there are no records available. And further the motion that it can reduce to writing for the chairman's signature upon review by the building inspector and the Chairman. Seconded by Member Wilkins. All eyes. Motion carried.

**B.2 78 Oak Street, Rear Building & Old Bank Building Site Plan Amendment**

John Joseph explained that Smokers Choice is a 55 regional chain store and all of their signs, including on their website, are the same colors. He would like to keep the current Smokers Choice sign as is, and move on to discussing changes needed for the Laundromat sign. The reason for the signs being different from the rest of the plaza is because it took him a long time to have tenants in those spaces, and when they were finally rented he had them take care of their signs on their own

Chairman Plato asked Attorney Dickover if he researched about corporate signs.

Attorney Dickover replied he did not because he was not tasked with that.

Mr. Joseph explained they own a distribution and at one time supplying the Thruway with their wholesale business. Since the thruway shut down Hannaford doesn't care about that business. It was not his first choice but the space sat vacant for a long time.

Member Dore asked what they sell.

Mr. Joseph replied they sell cigarettes, electronic cigarettes, vapes, etc.

Chairman Plato said what was previous discussed is it's a corporate sign, but you can have a one office business and it can be a corporate sign and have it trademarked.

Mr. Joseph replied that Smokers Choice told him that it was trademarked in this instance, but he has not researched it. As far as the Laundromat he has no excuse for.

Chairman Plato commented that is looks so good down there but not with the two signs.

Member Dore Lisa suggested that there are different reds the sign can be changed to.

Mr. Joseph pointed out that the colors are the same as True Value

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Member Dore replied that True Value was an exception because it's trade mark, and the same goes for AutoZone.

Mr. Joseph responded that overall the signs were done tastefully. If the objection is that strong, he will do what he has to do to make them change it.

Member Pearson commented he understands the sign for Smokers Choice because of their many locations but he cannot understand the sign for the laundromat.

Mr. Joseph asked the board if the laundromat came before the board for their signs.

Chairman Plato responded that they did not and they just put it up.

Mr. Joseph commented that he would like to leave the Smokers Choice sign as is because it as legitimacy, but he will pay to have the laundromat sign changed.

Member Pearson asked what the approval said that all of the signs had to be

Chairman Plato answered that all of the signs had to be the same with the exception of TrueValue, which is trademarked, and Hannaford and AutoZone because they are corporate.

Building Inspector Stickles commented that he was under the impression that all of the signs in the area had to be the same and match. It would've been easier to change one or two of them in the interim if somebody came and asked.

Mr. Joseph went on to discuss the vacant bank. He said it's been vacant for four (4) years. He may or may not have a tenant yet but is looking to remodel it because he wants to finish the plaza off.

Member Wilkson asked the board what they want to do regarding the sign for Smokers Choice

Chairman Plato responded that since they have 55 stores he does not have a problem with it. As far as the laundromat sign, it needs to be changed.

Chairman Plato said they will still need to go through the formal application for the signs to keep them there.

Mr. Joseph said that he will come back and make an application to keep the Smokers Choice sign and change the laundromat sign.

Chairman Plato asked if there is anything else to discuss.

Mr. Joseph said he wants to discuss the site plan for the vacant bank. Assuming the tenant he has in mind rents the space, he would like the building to have a similar red color like Franco's Pizzeria and beige and have the sign match the rest of the stores.

Member Dore asked how many square feet the space is.

Mr. Joseph replied it is 2,400sf.

Member Dore responded that seems like a lot for a jewelry store.

Mr. Joseph explained that he wants to give prospective tenant 1,000sf to start since they never had a store front. John is hesitating to have someone go in right away because he carefully picked the current tenants in the plaza and it has been very successful. He would rather have the building sit vacant than

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have the stigma that it failed. He asked to start the approval process for the site plan in the event he finds a tenant.

Mr. Joseph discussed the site plan with the Board.

Engineer Queenan said he needs to show striping for the handicap accessibility zone.

Chairman Plato stated that they will make the decision of the sign during the architectural review.

Village Engineer Queenan confirmed that everything else previously requested is now shown on the plan.

Chairman Plato asked Attorney Dickover if they need to do a SEQR in regards to an amended site plan.

Attorney Dickover responded that they should review the short form and reaffirm the prior negative declaration. He stated that they are going to reaffirm the status as lead agency.

Member Wilkins made a motion to reaffirm the Village of Walden Planning Board in conjunction with SEQR, and to type the 78 Oak Street, Site Plan Approval as an unlisted action for an uncoordinated review. Seconded by Member Dore. All eyes. Motion carried.

Attorney Dickover reviewed the Short Form EAF parts 1 and 2.

Member Wilkins made a motion for approval to issue a Negative Declaration since there are no adverse environmental impacts as a result of this project. Seconded by Member Dore. All eyes. Motion carried.

Mr. Joseph asked for the approval of the site plan changes. He said he will bring in the application for the sign when he comes back as a separate application.

Building Inspector Stickles summarized that it would be a good idea to approve the space as a retail store. If the perspective tenant does not work out and another tenant rents the space as retail use, the only application needed in the future would be to change the sign.

Chairman Plato added that the applicant would have to come back, for example, if the use of the space changes from retail use to restaurant. He asked what he would like to do.

Mr. Joseph responded that he would like to get it approved for retail use with the understanding that he would have to come back for the building permit, sign, and outside facade.

Member Wilkins made the motion to approve the space as proposed retail use.  
Seconded by Member Dore. All eyes. Motion carried.

Member Wilkins made a motion to adjourn. Seconded by Member Dore. All eyes. Motion carried.

**C. DISCUSSION ITEMS:**

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

**3. COMMUNICATIONS:** None

**4. EXECUTIVE SESSION:** None

**5. MEETING ADJOURNED at 8:22 pm**

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RESPECTFULLY SUBMITTED  
Marisa Kraus, Deputy Clerk  
Planning Board Secretary