

Village of Walden  
Planning Board Meeting  
November 5, 2018

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Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Present
	Lisa Dore	Absent
	Jason Trafton	Absent
	Zac Pearson	Present
Alternate:	Vacant	
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:**

**September 19, 2018**

Member Pearson moved to approve the minutes for September 19, 2018. Seconded by Member Wilkins. All ayes. Motion carried.

**October 1, 2018**

Member Pearson moved to approve the minutes for October 1, 2018. Seconded by Member Wilkins. All ayes. Motion carried.

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:** None

**B. FORMAL APPLICATIONS:**

**B.1 78 Oak St, Architectural Review Board, Signs, Satellite Building, Parking Lot, Rear Building**

John Joseph, presented for the directional signs. Trying to match it up to be consistent with the rest of the signs. The laundry sign as well. It's not lit.

Building Inspector Stickles said we discussed 2 meetings ago and were all in agreeance. They just had to put in an application for it.

Mr. Joseph mentioned the Volvo sign. Scraped all the material back there, has been seeded and hay was put down.

Chairman Plato asked about any ideas on the Corp Logo.

Attorney Dickover said that you have allowed them to keep it.

Member Pearson said that he saw one in Middletown and it is the same.

Chairman Plato questioned if anyone can come in with a corp sign.

Attorney Dickover said that you're heading down that path.

Member Wilkins wanted to confirm that it's only for parts and not repair.

Mr. Joseph said that's right. Wants to stay true to that blue Volvo logo color. Volvo blue.

Member Wilkins approved the signs. Seconded by Member Pearson. All ayes. Motion carried.

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Mr. Joseph added that Franco doesn't like loose ends. Is clear that he wants to put a roof over the outside area.

Building Inspector said that he never got that far. He came in with a plan to put on a roof. Then he wanted to take dumpster and move it.

Mr. Joseph said that he is tired of looking at the broken dumpster. We are replacing the enclosure for him. Wants to move it away and cut it into the hill and stub in there. Alternatively replacing the vinyl fencing. Can we replace it as is without increasing the size?

Chairman Plato questioned if it's damaged, does he have to come back in.

Attorney Dickover said they can withdraw it or the board can deny it.

Engineer Queenan stated that he never put the dumpster on his application.

Mr. Joseph said he is gonna pursue it.

Attorney Dickover recommended to table it until the March meeting.

Chairman Plato confirmed just the dumpster.

Attorney Dickover said that the application is pending for a year.

Chairman Plato agreed to table it.

Building Inspector Stickles asked if they are gonna make it look similar to Mavis.

Mr. Joseph said that it's gonna be vinyl fencing, but instead of metal it's gonna be one brown enclosure in the same spot.

Building Inspector Stickles said that he doesn't have a problem with that.

**B.2 Overlook at Kidd Farm, Site Plan Subdivision**

Jerry Jacobowitz, in anticipation of meeting, Attorney Dickover sent over an 8 page check list. It's perfect. It lays out everything. There are a few items that we should discuss together. 5 items here, would like to make it ok for the Village Engineer to respond. 2<sup>nd</sup> is to authorize a referral to the OC Planning Dept. In their letter they said to get back to them. Wanted to see more about that. Authorize a submission with 30 days to review and will address whatever their concerns were.

Chairman Plato said there was a discussion on page 6. \$5k on statement for future traffic control.

Mr. Jacobowitz said the OC Planning Dept. under 239lm. We need to take care of the DEC extension of the sewer approval. Did submit to SHIPPO. Was submitted and approved. Just need the original. Another item, will be giving a strip of land along Coldenham Rd for the highway dept. to give them an offer of dedication. They're inquiring an interest in some property. All the other items that require something, yellow is for applicant, orange is for the developer. An approval here will be in condition of the approval. Nothing there that's new. Need to pin down the order of sections. 1-6 resolution allows us to not go in consecutive order. 1 and 2 will be the ends present plan. It accelerates things. The developer's agreement is at certain stages. But if they're gonna do 2 initially on the 2 ends, it's not final yet. We have someone who is seriously interested. They're doing their due diligence. They require us to reply. HOA by laws with numerous terms and conditions. Attorney General has to approve. All documents opposed on homeowners. Conveyance and restrictions. Offering plan and disclosure haven't been done yet. Have to

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decide what the house is gonna look like. That's particular to the developer. Will take care of it in the next 30 days. With affordable housing, big issue was that we have 42 shown and only have to do 21. How is that gonna be easy. A map one of the sheets is the affordable housing on the plan. Some buildings are with 4 and some with 2 and some with 1. 2 and 4, any one of them would be the same review on building permit application. Building Inspector Stickles is gonna keep track in his office. Plan shows where they should go. Could say no, get rid of 21 of them. That limits their choice. As long as there's a way how many can go in one building. It's easy enough to have the map designate 42. Building Inspector Stickles will look at that.

Chairman Plato said that comes under the developer. Once he comes in from his approval, which ones are affordable housing or not.

Mr. Jacobowitz said that they choose more than what we need to do, but takes away some flexibility. He had a chance to choose between 2.

Building Inspector Stickles said that he would like to have it on the plan, which ones have the flexibility.

Mr. Jacobowitz stated that they can only choose unit 3 or 4.

Building Inspector added then that's what you got.

Mr. Jacobowitz said that they can pick either of those.

Building Inspector Stickles said that he would much rather have you nail down which the 21 are gonna be. If something has to change then it can come back to the board to decide.

Mr. Jacobowitz said that makes it more flexible for the buyer. You approve this map. They're the ones and all they can do choose between 3 or 4 in that building.

Engineer Queenan said that he agrees with Dean. This is a project that's gonna go for years, quite complex. Just easier to eliminate the number of units. Any changes that come, he can come back.

Attorney Dickover said to issue the units that are going to be marketed. They are not gonna meet the 24 frontage. On the plan are 20 foot frontages. Variances are gonna be required.

Mr. Jacobowitz said that the zoning change covered that. Go from 20 to 10, it covered that.

Attorney Dickover stated that he didn't read it that way. As of now they don't meet the requirements.

Mr. Jacobowitz thought it was covered. Why do we have an issue about a variance? Raised a question to why it was submitted to him on page 3, why that material was presented to the board. A letter referring to the Tin Brook Pump Station. Letter D, one of the resolutions that have been passed. The subject to consent order about the plant because that letter says the village is in compliance. Asked the Village Manager for a letter for DEC consent order and there is no issue because the village has complied. How do I approve that? I need letter from the engineer or manager saying it's not an issue anymore.

Chairman Plato asked if it says the extension expired in 2 years.

Mr. Jacobowitz said the approval needs to be extended. The village is under consent. I don't believe there's an issue about the consent order. This is easy enough.

Attorney Dickover said the letter about the Tin Brook was submitted that the village was in compliance.

Mr. Jacobowitz asked if they could tell him whether or not the village was in compliance. Response was

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that the Tin Brook Pump was taken care of.

Engineer Queenan added that it's complex. Village is currently in compliance with everything. He was looking for DEC extension that there's no violation. Getting extension renewed.

Mr. Jacobowitz said that if they give us an extension, there's no issue. Not ours for the village to take care of.

Engineer Queenan said that you got it once and we were under our consent order.

Attorney Dickover said that whether or not with conditions, it's up for review and board approval. Don't know if you have anything to send to DEC.

Engineer Queenan said that you apply to DEC. It's up to them.

Dickover added that gonna need their full plan.

Engineer Queenan stated already applied for the whole thing. It will come through with that.

Mr. Jacobowitz thinks that's all. Would like to get on the meeting schedule in December. Shoot for getting everything under control.

Engineer Queenan said to submit the latest plans. Will have meeting with Dean. Mention what phase is gonna go.

Mr. Jacobowitz stated 1 and 2. But it could change. Need to get input from developer if its 1 and 2.

Member Wilkins added that Dec 3<sup>rd</sup> would be a work session. And then the 19<sup>th</sup>.

Mr. Jacobowitz said that he will let Dean know when we get a little further. Shoot for having complete package as we can. Will check on the local law.

Chairman Plato questioned the submission for OC Planning.

Attorney Dickover stated he didn't see why it can't go there.

Mr. Jacobowitz asked what they have. Hard copy or on a disc. Will get that coordinated with Dean to make sure the package is what they like to have.

Member Wilkins made a motion to . Seconded by Member Pearson. All ayes. Motion carried.

Member Wilkins made a motion to adjourn. Seconded by Member Pearson. All ayes. Motion carried.

**C. DISCUSSION ITEMS:** None

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

**3. COMMUNICATIONS:** None

**4. EXECUTIVE SESSION:** None

**5. MEETING ADJOURNED at 8:15 pm**

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RESPECTFULLY SUBMITTED  
Marisa Kraus, Village Clerk  
Planning Board Secretary