

Village of Walden  
Planning Board Meeting  
October 21, 2019

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Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Absent
	Lisa Dore	Present
	Jason Trafton	Present
	Zac Pearson	Present
Alternate:	John Thompson	Present
	Phil Hopkins	Absent
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:**

Member Thompson made a motion to approve August 19, 2019 and September 16, 2019 Minutes. Seconded by Member Pearson. All ayes. Motion carried

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:**

A.1 None

**B. FORMAL APPLICATIONS:**

**B.1 One American Way, Site Plan Amendment**

**Engineer Queenan:** The first portion is the EAF, which I think is just the function of using the mapper. Just cross-referenced some of the answers that need to be changed based on the mapper. The rest of them, on the site plan themselves, still have the wrong zoning listed. The bulk table still doesn't reflect the correct values. There's really nothing significant here. 2 questions. Are you proposing any light fixtures? I wasn't sure if any grading was necessary.

**Jim Van Houten:** No.

**Attorney Dickover:** The elevation standards have been under a magnifying glass. I can't make out the heights and the height of the building that's being proposed.

**Ken Valk:** The back is the exact same height as the other building.

**Engineer Queenan:** I couldn't make it out, either. I think at the previous meeting, you had said 20.

**Ken Valk:** Back when it is 20 on the low end and then be 20 plus 80 inches.

**Building Inspector Stickles:** 22 feet in height.

**Engineer Queenan:** One of my comments was to list on the site plan, the square footage and the height.

**Attorney Dickover:** Right now the bulk table shows that a variance might be required.

**Engineer Queenan:** I think that's one of the existing buildings.

**Attorney Dickover:** 37.5 feet is the existing building.

Village of Walden  
Planning Board Meeting  
October 21, 2019

**Engineer Queenan:** Get the bulk table. The side yard is also showing less than 30, but it's to the existing building. I want to note that these are values that the existing building, they are preexisting nonconforming conditions and then they should have a column for which would meet the values of the bulk table.

**Attorney Dickover:** There's a question for the Building Inspector, because the existing buildings, 29.1 Feet from the back property line. If that is our front yard, I guess it's a side yard, doesn't meet the requirement and you're expanding the size of a nonconforming building.

**Engineer Queenan:** I think it's less than the threshold is.

**Attorney Dickover:** That's the question for the Building Inspector. I haven't researched it. Did you look at it and determine that a variance isn't required?

**Engineer Queenan:** I looked at it and I don't think he meets the threshold for the expansion. And the expansion does not make it any worse.

**Attorney Dickover:** It doesn't increase the size of the non-conform. But can you increase in nonconforming building by 10%?

**Engineer Queenan:** I think the requirement is 20%.

**Attorney Dickover:** The elevations that were presented, we're going to need those plans submitted so that they can be read.

**Ken Valk:** The height comes out exactly the same. So, there's no wind drift, snow or anything.

**Attorney Dickover:** You told us before that the building was going to be 28.5 feet. That was me. Mr. Sweeney, did that be high?

**Ken Valk:** Yes.

**Attorney Dickover:** And this one is the same?

**Ken Valk:** No, it's 80 inches higher.

**Attorney Dickover:** Reviewed Short Form EAF.

**Engineer Queenan:** We did get the 239 county referral back. Said there's no intermunicipal impacts. At your August meeting, you did vote to waive the Public Hearing.

**Chairman Plato:** Those two items would 12b and 13a.

**Engineer Queenan:** 13a is a standard response.

**Attorney Dickover:** We have the elevations. This new set for the front building, I don't know if it's sufficient for your purposes. Had this set of schematics of the back building that was given to us.

**Member Trafton:** It says it's only conceptual. But under the comments there are dimensions.

**Chairman Plato:** You should get some better plans. So, we know the dimensions. Whoever is doing the building should have the plans that give you all those dimensions.

**Attorney Dickover:** For ARB purposes, you want to see what this building is going to look like. Colors, size, windows, doors.

Village of Walden  
Planning Board Meeting  
October 21, 2019

**Ken Valk:** Everything is the same as the back building.

**Chairman Plato:** But we need for the records.

**B.2 126 North Montgomery Street, Falcon Rest, Conceptual Plan**

**Larry Marshall:** We have prepared a preliminary lighting and landscaping plan. As well as detailed site plans showing drainage, storm water and a lot of details that are customary to this type of development. We have received the comments from the Village Engineer. Majority of them are technical in nature, but we are working through them and we'll have some revised plans addressing the majority of those concerns for the next submission time frame. I know the board has asked for rendering visual analysis of the site plan. Lou and I have been working on flying balloons on the site. Unfortunately, they're just not visible at this point in time. We need to wait a little bit longer. We actually tried three times. One time we got rained out. One time we thought we couldn't, because simply because the wind was too high. And then third, when we actually got out there and started getting a flight, it just became apparent that we weren't going to be able to physically see the balloons because they were completely screened by the canopy of the trees. We need to wait for the leaf off conditions, and I think we're pretty close to that. Hopefully, in a week or two, we can fly those balloons. We have a couple of them. We'll be able to move them around. We're proposing to fly them in each of the corners of the building and take pictures from as many of the viewpoints that the board has concern. Along 52, along Liberty Street. Then will actually go on to the trailer park property and take pictures back that way.

**Lou Donnelly:** Have hired a guy with a drone. So, once we set the borders to the right altitude, we'll fly the drone right down 52. We'll fly the drone right up the highway, right up the street and from all the angles, we'll be able to get it. I don't really think you will see, because the trees in the backyard of the people's properties are so tall. I don't know if you'll even see the building with the leaves gone. Certainly couldn't see it with the trees full. The side where the houses are is basically the base of the foundation.

**Larry Marshall:** We have all the corners and buildings staked out with the exception of the interior corner, with actual dimensions to the proposed height of the building. Based upon this finish floor elevation. If the board wishes to go take a look at that and get a visual reference for where the building corners are going to be and the height of the buildings. That's a 35 foot max height accounting for the grade that's occurring on site. The south easterly corner is almost at grade. It's visually up 35 feet. The north westerly corners, is well below grade. We just need a little bit more time to get that done. I ask if the board wishes to go through each and every comment we can. I really only have a couple come a couple of questions to get some clarifications.

**Member Pearson:** I think the one thing other than the visuals was the access for emergency vehicles.

**Larry Marshall:** We'll run that through and make the appropriate adjustments if we need to. Obviously, with the site plan that we provided, we have about 50% more parking than what's required by zoning code. We do have some flexibility in removing some parking if necessary, to make some areas a little bit more friendly to the fire trucks. Does the board know the largest vehicle the fire company has?

**Chairman Plato:** What we've done in the past is, once you have it to about the extent that you have it, is give it to the fire department, have them go through it and determine what they can run it. I'd like to have the fire department sign off on it.

**Larry Marshall:** Is that something that Dean takes care of?

**Building Inspector Stickles:** I take care of it.

**Larry Marshall:** One comment was regarding no loading into the space provided. Is there a village code that requires loading spaces for apartments?

Village of Walden  
Planning Board Meeting  
October 21, 2019

**Engineer Queenan:** Is there a specific code? No, but you're going to get deliveries though.

**Larry Marshall:** I'll be honest with you, John. I went to a ton of apartment complexes, but I've never seen a dedicated loading zone. It's kind of a unique request. If it's required, we have the ability to put it in.

**Engineer Queenan:** There were no designated loading zones. If someone has moving truck or UPS, there's no place for them to park without being in the way of anyone.

**Lou Donnelly:** We'll set up in front of the access doors, 14 foot wide.

**Larry Marshall:** What I was concerned about is having it like commercial loading zone.

**Engineer Queenan:** No, I don't think you're going to have tractor trailers there. Just the box trucks.

**Larry Marshall:** One of the other questions, the lighting plan that was provided. You had mentioned that you didn't want any light spill over. You want to see that 00?

**Engineer Queenan:** Yes.

**Lou Donnelly:** We're going to remove the parking spaces at the top that you recommended. I would like to keep as much parking as we can. You can never have enough parking.

**Engineer Queenan:** Which is fine. It's the 10 spaces in the front. You come off that entrance drive, it's not an ideal spot for backing out. There's also no entrance shown there.

**Lou Donnelly:** We might put something on the end there. There'll be stairwells at the ends of the building for easy access.

**Larry Marshall:** The only other question that I had was, John, you've raised a concern over the potential need for a variance for the existing garage that's on the parcel. If there's a need for that and the board requires a referral, we'd like to get that referral.

**Lou Donnelly:** To be honest with you, if it is a problem, I'll take it down and if I could, put something else in the back of a building that's more suitable. If that's going to be a sticking point or an issue, I'd rather not have to go to the ZBA to get a variance, because it's not really a practical building.

**Engineer Queenan:** I think what triggers it is that it was a garage for the house and now you're converting it basically to a maintenance facility for the complex. It would need to meet the setbacks for accessory use. It's right on the line.

**Lou Donnelly:** We can knock it down and put up something that's newer and more suitable.

**Engineer Queenan:** You're converting the house down there to a senior office building?

**Larry Marshall:** It's just an office for the building itself. It's not a separate office. It's more for when people come to sign their leases and things like that.

**Engineer Queenan:** It's an accessory office.

**Larry Marshall:** Does that require the parking? We have parking back there, but do you want to see all those calculations?

Village of Walden  
Planning Board Meeting  
October 21, 2019

**Engineer Queenan:** Yes, you would have to show that a vehicle can park there, turn around and get out. I think you should label it as the office. You have more than enough parking.

**Lou Donnelly:** We're going to have an office in the building itself, that's going to handle the operation, but not the billing or any kind of the management part of it.

**Chairman Plato:** So, not dealing with the residents.

**Lou Donnelly:** Correct. That will be in the building itself.

**Larry Marshall:** I read through John's comments. We've been working on it and everything else seems pretty customary. We'll get the paperwork clarified, the EAF fixed. We hope to have the balloons flown in a week or two.

**Member Pearson:** Still in contract with the Sparks parcel?

**Lou Donnelly:** My daughter is going to live there.

**Engineer Queenan:** On the on the balloon test, the board will probably like to be notified when they go up.

**Larry Marshall:** We'll put them up and pull them down. They'll be up for as long as the video. They're 5 foot balloons and we're flying them into the trees. We just have to have a clear day that doesn't have wind.

**Attorney Dickover:** John, you might not have the October 1st, DOT letter. They have some comments of things that they're asking the applicant to address.

**Larry Marshall:** I will say for the record, the woman from the DOT states that there's insufficient safe distance. I don't believe that she is correct in that at all. I will double check that. But that would be immediately a red flag for us when we measured it. It's a 25 mile per hour zone going one way and a 30 mile per hour going the other way. The site distance requirements for an intersection is less than 330 feet. I'm not sure where she's coming from. I just want to make sure that when the board does have the opportunity to read it, I don't believe that that statement is correct.

**Engineer Queenan:** I think she was just confused, also in the note, you have limited by vertical curve. I think reading your chart, she might have been a little confused.

**Larry Marshall:** We always put the limiting factor regardless of whether or not you see a thousand feet or whatever. We always put what's limiting it so that people identify whether it's roadside brush, vertical, horizontal, whatever the reason is. We'll get that clarified. But we will provide Dean with the date and the time will be flying the balloons. Going to do 2 at a time.

**Lou Donnelly:** As far as the trees, I'm open to whatever kind of trees that you prefer.

**Larry Marshall:** Trying to find something that's going to look good now and later.

**Building Inspector Stickles:** I still need a special exemption application.

**Larry Marshall:** I'll get that to you by the end of the week.

Member Trafton made a motion to close the Planning Board meeting. Seconded by Member Dore. All ayes. Motion carried.

Village of Walden  
Planning Board Meeting  
October 21, 2019

**B.3 81B West Main Street, Architectural Review Board, Sign**

**Member Pearson:** The sign matches the other signs there.

**Member Trafton:** It's all the same font and everything.

**Member Dore:** What's with the stuff in the window?

**Building Inspector Stickles:** Everything that is in this picture that I have in the folder, meets the code for square footage.

**Member Dore:** I think the sign on top looks good.

Member Thompson made a motion to approve sign. Seconded by Member Trafton. All ayes. Motion carried.

**B.4 123 East Main St, Building #1, Architectural Review Board, Sign**

Tabled

**B.5 81 East Main Street, Suite #2, Architectural Review Board, Sign(s)**

**Khadija Hashimi:** Looking to open a Bakery and need an approval for the sign, it will say Calculated Confection. Chestnut and gold colors.

**Chairman Plato:** You're going to have a full bakery?

**Khadija Hashimi:** Yes. Well, I'm not going to start with bread. It will just be cakes and cookies to start with and hopefully add.

**Member Pearson:** I think it looks good.

**Member Dore:** Is there an eat-in area?

**Khadija Hashimi:** There's going to be 8 seats.

**Building Inspector Stickles:** This is for both the sign that goes on the building and the small sign that goes into monument.

Member Dore made a motion to approve the sign. Seconded by Member Thompson. All ayes. Motion carried.

Member Pearson made a motion to close Architectural Review Board. Seconded by Member Trafton. All ayes. Motion carried.

**B.6 Approval of Invoice – Dickover 323222, Overlook at Kidd Farm**

Member Pearson made a motion to approve invoice 323222 for \$20.00. Seconded by Member Dore. All ayes. Motion carried.

Member Dore made a motion to close the meeting. Seconded by Member Pearson. All ayes. Motion carried.

**C. DISCUSSION ITEMS:**

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

Village of Walden  
Planning Board Meeting  
October 21, 2019

3. **COMMUNICATIONS:** None

4. **EXECUTIVE SESSION:**

5. **MEETING ADJOURNED at 830pm**

RESPECTFULLY SUBMITTED

Marisa Kraus, Village Clerk  
Planning Board Secretary