

Village of Walden
Zoning Board of Appeals Meeting
August 27, 2025

Chairperson:	Brenda Adams	Present
Members:	Christine Scieurca	Present
	William Sestrom	Present
	Scott Barilli	Present
	Lisa Mazzella	Absent
Alternate Members:	Amalie Thomas	Present
	Jerred Sanusi	Present
Building Inspector:	Robert Wallner	Absent
Village Attorney:	Ivan Bonet	Present
Secretary:	Anisetta Valdez	Present

Chairperson Adams - Called the Zoning Board meeting to order at 6:30pm with the Pledge of Allegiance.

I. APPROVAL OF MINUTES

July 16, 2025 Minutes

Chairperson Adams: *Introduction of the board members.* Has everyone had a chance to read the minutes?

Motion to accept made by Member Sestrom. Seconded by Member Barilli. All ayes. Motion carried.

II. BOARD'S BUSINESS

A. PUBLIC HEARINGS

A.1 Pleasant Avenue/Hillside Avenue – c/o LP Builders Associates II, LLC
3 lot subdivision – Area Variance for Road Frontage Requirement

Lulash Pepaj: Basically, this is five partial lots that meet all setbacks – buildable lots. I'm not sure when it was Hillside Road, the building sold the roads and these four lots became landlocked. Two of the lots I can use, three I can't. I wanted to shrink the lots and make a driveway, it could be shared or each can be 12ft driveway and we can make it a half circle so that emergency services can still access the houses. I went to the Planning Board and no one seemed to have any issues. Only one question was made by the lawyer who recommended I come here.

Chairperson Adams: The Planning Board was supposed to send us a letter, they did not. I will read the notice and then we will open the public hearing. I did not receive anything that said they were for or against the project.

Lulash Pepaj: So you haven't heard from the Planning Board? Did the lawyer make any comments?

Chairperson Adams: Yes, we have comments from the attorney and no, we have not heard from the Planning Board. We will deal with this tonight. There may be questions, but we will work with you.

Lulash Pepaj: I have no issue with anyone saying anything. I just missed two months [of work on this project].

Chairperson Adams: *Reads notice*

Motion to open public hearing made by Member Scieurca. Seconded by Member Sestrom. All ayes. Motion carried.

Member Scieurca: New lot lines, the lots are not all buildable. Also, wouldn't it behoove the builder to make it a private drive with a maintenance agreement between the owners. The first one, Lot 5, if it already

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exists, so I guess I'm just not understanding the ... As the ZBA we can't provide solutions. I'm just wondering why Lot 1 is the only road.

Member Barilli: *Inaudible*

Lulash Pepaj: We can do a 12ft driveway or an easement. Not just one person would own it. This has to have an easement.

Member Sanusi: Someone has to own it though. With an easement, they would still have to own it. On an easement if someone is injured, can they blame the property owner? So if Lot 3 gets injured on Lot 1, even with an easement, that would be on Lot 1.

Lulash Pepaj: There would be an agreement there so they wouldn't just be on their own. Each one will have their own driveway and parking. This would be like Oak Street.

Chairperson Adams: But this isn't a street.

Lulash Pepaj: Correct, so each would have their own parking. There would be zero impact.

Member Sanusi: I have a legal question. How can you have a driveway that's owned by one person but used by all? Based off the drawing, Lot 2 or 1 owns that property.

Member Barilli: I have seen it. So it was a question about the houses, they will meet setbacks?

Lulash Pepaj: Yes.

Member Barilli: So that one that's there has Lot 5 has access to Pleasant Ave? So all we're doing is connecting these lots.

Lulash Pepaj: Yes. When you look at the existing building, we aren't touching that house. It's a single-family home, no commercial use. At one point it was something else.

Chairperson Adams: Where does the drive go? On the left.

Lulash Pepaj: That belongs to them and the house has parking on the back. So if you're looking at the existing house, this was a drive but now what's here, the drive is here.

Chairperson Adams: But proposed Lot 3 makes it so there's no setback.

Lulash Pepaj: If you look here, it's 50ft. I have enough room to move it.

Chairperson Adams: You're making this house non-conforming. And here is all trees and various things that would have to come down.

Lulash Pepaj: This is almost shared. Yes, some would have to come down to make room.

Member Barilli: Does this sidewalk go all the way across?

Chairperson Adams: And there's a storm drain there.

Member Sestrom: Can we get a map detailing the houses and drives?

Lulash Pepaj: I have to detail all of that.

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Chairperson Adams: I have a question for the attorney. And Attorney Wilson had a preplanned vacation so she could not be here tonight. So I would ask Mr. Bonet, or we can wait for Ms. Wilson, so it's my understanding that the village can make a stricter law but we can't reduce it.

Attorney Bonet: [That's correct.]

Chairperson Adams: So we may not have jurisdiction to make this determination.

Attorney Bonet: *Inaudible*

Chairperson Adams: Village code says 50ft, but NY state law is different, so we may have an issue beyond our ability.

Lulash Pepaj: Who raised that question? Where did that law come from?

Chairperson Adams: We have to do our research. Is there anyone here to speak?

Mary Ellen Matise: 54 Gladstone Ave; It's impossible for us to address because we can't see it.

Chairperson Adams: Our building inspector is not here or we would have it on the monitors.

Wenda Heaney: 14 Ridge Ave; This makes sense that if we don't have a legal street, it can't be buildable. It was different times, and things went back and forth.

Chairperson Adams: It's not a street at this point which is the problem.

Mary Ellen Matise: In regard to if it was a street, the building department does have a list and we can see if it was deeded to the village.

Chairperson Adams: Anyone have any questions?

Elaine Bezue: 32 Pleasant Ave; I was wondering if they can make it a road all the way to the thruway?

Chairperson Adams: We can't say if they can or not.

Elaine Bezue: With the wall that's there, they can't go down Pleasant. So my concern is that the parking is going to be worse. So they could park in their own driveways?

Member Sciurca: They are supposed to have their own driveway. And the process of building to village specs is not cost-effective.

Motion to continue the hearing made by Member Barilli. Seconded by Member Sestrom. All ayes. Motion carried.

Keith Hunter: 67 Oakland Ave; [Lulash Pepaj] is a great builder and he's made Oak Street look beautiful. So he would never do anything to damage the village.

A.2 117 Orchard St. – c/o Saar Family, LLC
Area Variance – Increase in “nonconformity” – adding stories above grade; increase in bedroom count; off-street parking requirement.

Chairperson Adams: I'll read the public notice. Mr. Saar, I have one question. The variance is for a three-bedroom house, and I received this which says five bedrooms.

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Oren Saar: No, that's not existing.

Chairperson Adams: So the living room is open to the

Oren Saar: This is a 3d image so it shows the ceiling to show the layout from the inside. So if it's confusing, I'll say disregard it.

Member Sanusi: So there are two doors so it's not quite right.

Chairperson Adams: Tell us what you want to do.

Oren Saar: My name is Oren and I live in New Jersey. And this is my tenth project in Walden and I just like to find buildings that are vacant for a long time and I want to redevelop them. So we want to make it a 3-bedroom with two floors. It is non-conforming so we can't improve it without a variance. So I can use the existing footprint, but I do not think this would be helpful to the area because three bedrooms would be best for a family.

Chairperson Adams: Were you aware when you bought it?

Oren Saar: No. Once I got into the property and I saw what was there I spoke to [the Building Inspector] and we discussed options. So I think the best thing to do is demolish it and start from scratch to make it better. We demolished it but [the Building Inspector] could not tell me if I could get approval. I would still do the same thing, but here we are.

Member Sestrom: Where would the parking be?

Oren Saar: A lot of the houses do not have on-site parking or garages. There is enough parking on this street, and there's enough kerbside on my lot to accommodate the family. Also, from a two-bedroom to a three-bedroom will not increase the number of cars.

Member Sestrom: So there would be no off-street parking?

Oren Saar: That's correct.

Member Sanusi: The property is right on the river, the house that was there was small, have you reached out to any engineers about the hillside?

Oren Saar: So I did send everything to [the Building Inspector] to put on the monitors and I did talk to an engineer to see about a retaining wall, and we got a GML. I want to keep the same footprint and I think this is why it was built this way so we are just adding the second story with the extra bedroom.

Chairperson Adams: As a developer, it would be smart to check before you buy. So it's not a bad concept, but it is alot.

Oren Saar: From my perspective, one extra story is a simple thing to do. I don't think it would be a problem with the neighborhood; it would be better for everyone.

Motion to open the public hearing made by Member Sestrom. Seconded by Member Sciurca. All ayes.
Motion carried.

Wenda Heaney: One, if they declare no parking on the street, where are they going to park? Two, I had a house built next to me that really doesn't fit but it was approved and as a homeowner I did complain but just because some people think it's better doesn't make it better.

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Kerron Barnes: 120 Orchard St; I'm across from the site in question and I have a number of questions but first I see that most of our homes are two stories so I don't think it would be against the character. So the house is below the grade by 10 or 12ft because they excavated. So it wouldn't be higher. The second is who would live there? It could be up to four cars so I don't know what they are looking at. As I recall this property had a small driveway, so would that be eliminated? It's a somewhat busy street because the school is there, which doesn't make it busier, but the school buses have to kind of thread their way through. So it seems to me that the parking does need a closer look. So is there a site plan?

Chairperson Adams: He is going to build in the same footprint so there won't be any parking.

Sidebar while Member Sanusi showed the siteplan to Mr. Barnes.

Chairperson Adams: Oren is a developer so he would not be living there, it would be sold.

Kerron Barnes: When they demolished the house, they brought in an excavator and they broke up a lot of the blue stone so I think they should fix it.

Chairperson Adams: I appreciate that you know a little about building.

Kerron Barnes: It is nice to see.

Becky Pearson: What's in the basement? It's unfinished. What size are the bedrooms?

Oren Saar: Bedrooms are: 242sq ft, 124sq ft, 163ft for a total of 1918sq ft building.

Shows the prints on the computer

Explaining the layout and site plan

Becky Pearson: How far from the street are you?

Oren Saar: The front is 6.2 ft, the back is 25 ft so that's ok. The lot ends directly to the right. A few things – Kerron the basement would be unfinished so the one story will have one bedroom and a kitchen. I think once we make it a 3-bedroom you would have a family that would live there long term. So that's why I'm trying to do it this way. You mentioned the broken sidewalk so we would like to fix that.

Kerron Barnes: May I amend my comment. The lot my house sits on is 30ft wide so I live on a non-conforming lot and when it snows, if there's 2" of snow, you have to park off street.

Amalie Thomas: A couple of things to consider, I think it's a good thing when a developer wants to increase the square footage. My question is, you've already thought about if you were to keep it and keep it a two-bedroom so what are the difference in taxes?

Chairperson Adams: That's not a question that we can ask. What is the pleasure of the board?

Member Sciurca: Is there a reason you wouldn't use the kerb cut to your advantage? I think it's wonderful when developers want to take homes like this and make them liveable again. I would just suggest to keep in mind what the other homes look like.

Sidebar

Member Sestrom: I would like to see off-street parking.

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Oren Saar: I would like to sell it to a family that wants to be there long term. I will sit with my architect and [the Building Inspector] to look at it and work with what is there.

Chairperson Adams: We have a rule in the village that says that the building will have to be more non-conforming and we have rules to make it so that he can keep it the same so it goes against the village code. You would only have 18ft, where we need 28ft and there is a history of fires in this area. So we would have to grandfather in the footprint but throw out all other rules.

Motion to keep the public hearing open made by Member Sestrom. Seconded by Member Sanusi. All ayes. Motion carried.

B. FORMAL APPLICATIONS

C. OTHER BUSINESS

Chairperson Adams: I have requested that we go back to the old way of doing things.

III. COMMUNICATIONS

IV. EXECUTIVE SESSION

V. ADJOURNMENT

Motion to adjourn made by Member Barilli. Seconded by Member Sestrom. All ayes. Motion carried.

RESPECTFULLY SUBMITTED
Anisetta Valdez, Zoning Board Secretary