Planning Board Meeting

August 17, 2026

Meeting Minutes

In Attendance:

Chairperson:	Zac Pearson	Present
Members:	Chris Batson	Present
	John Thompson	Present
	Douglas Campbell	Present
	Leslie Dotson	Present
Alternate Members:	Jerry Hanen	Present
Village Attorney:	Maria Donovan	Present
Village Engineer:	John Queenan	Not Present
	Kristen O'Donnell	Present
Recording Secretary	Angel Rodriguez	Present

Chairperson Z. Pearson called the Planning Board meeting to order at 7:30PM.

- Pledge of allegiance
- Approval of minutes for July 20, 2026

Z. Pearson: Can I get a motion to approve June's minutes?

- Member J. Thompson, motion to approve the minutes for July 20, 2026.
- Motion to accept 2nd by member C. Batson
- Vote: 6-0

- Board's Business
  - Public hearings:

    - **35 North Street**

Project Description: Site consists of three existing tax parcels, two are vacant lands and one contains an existing single-family dwelling. The applicant proposes a minor subdivision to create one additional residential lot and adjust the lot line between lot 305-14-12 and 305-14-16.1 so that the line no longer runs through the dwelling.

Z. Pearson: First on the agenda is the continuation of the public hearing for 35 North Street.

Shawn Arnott, Project Engineer: We've submitted our responses to a hearing comment and to John's last comment.

Anything else specifically that you want to address?

Z. Pearson: I read the comments. I still have one question, just hoping you can clear it up. What is the limits of disturbance along the western crop line? I know that's where you wanted to start. Is that going to protect the trees.

Shawn Arnott, Project Engineer: I have a few pictures. Were they submitted?

Z. Pearson: No.

Shawn Arnott, Project Engineer: No, Okay. There're maybe one or two limbs that may have to be trimmed in order to get the houses constructed. A registered landscape architect would know better, but I don't think that we're going to impact the roots.

Z. Pearson: I saw in your comment response too, one of the other main comments we heard from the public was the drainage, and you talked about putting the roof leaders out towards….

Shawn Arnott, Project Engineer: Yeah, all the roof leaders are going to connect to the roadway drainage, and we added the swale.

Z. Pearson: The swale between the neighbors to the east.

Shawn Arnott, Project Engineer: Correct

Z. Pearson: Chris and John didn't have anything further at this point?

Kristen O'Donnell, Village Engineer: No, those are the two items that we discussed with the trees. He didn't have any issues. He did suggest that you could continue with the public hearing, but if there was nothing new, then he suggested that closing the public hearing would be fine.

Shawn Arnott, Project Engineer: I'm sorry, there was one more item. John's office was going to look into the property line issue.

Kristen O'Donnell, Village Engineer: Yes. So, he did speak to our survey department. Essentially, the recommendation was that if you have a current survey, which this application does, that would be the survey of record, and if the neighboring property owner were to dispute that, then they would need to retain a surveyor themselves and dispute it. The applicant has a survey signed by a New York State licensed surveyor, the village or our office has no reason to believe that it was not okay.

Z. Pearson: We had spoken at previous meetings about where that line was taken from. Remember, there were double pins, and the applicant had taken the most conservative approach by using the nearest pin to have the offset still meets where he's looking to place the house. If it swings in the favor of the neighbor, potentially with the survey if there was a dispute, you guys would be covered either way.

Shawn Arnott, Project Engineer: The building line is covered.

Z. Pearson: Correct**.** Okay. So, with that, I'd like to continue public hearing.

- Chairperson Z. Pearson: Do we have a motion to continue public hearing?
- Motion to accept 1st by J. Thompson, 2nd by C. Batson

- Vote 6-0

Mr. Duffy, 42 Center Street: I'm a little hard of hearing so I think I got it. The property markers are ok, is that correct?

Z. Pearson: So, just to update what Kristen said. They've got a survey signed and sealed by a licensed surveyor in the state of New York. If you're going to dispute that, you would have to hire your own surveyor to dispute the line, plus or minus, whichever way it is. There are two sets of pins. So, based on their surveyor's interpretation of the pins, the deed and everything that they've got to do professionally to establish where that property line is, they've done that. If you dispute it, you would have to hire your own surveyor to say, hey, I think the lines are on the other set of pins. Regardless of that, I believe that they've taken the conservative approach by setting a proposed house on that lot further away from the nearer property line to you, such that if it were found in favor in the other way, they would still have a code conforming line, if that makes sense.

Mr. Duffy, 42 Center Street: I understand. Okay. So, it should be okay, correct? And I heard the swell being mentioned?

Z. Pearson: Between your lot and the lot next to you, there would be a swell to move the water. Yep.

Mr. Duffy, 42 Center Street: And I just wanted to – I know we've been here several times and discussed different things about village code and submitting things in writing, signed by neighbors, but this one, I think it kind of hits home. This is section 305-60b. It's a site plan review consideration of neighborhood characteristics and compatibility. Planning Board review must – let me say shall, not must – consider whether proposed development is incompatible with the existing neighborhood, including impacts on neighborhood character, density, scale, visual appearance, buffers, and the overall use and enjoyment of surrounding properties. This includes evaluation of whether the project would significantly alter the established residential character of the neighborhood. And that says why it matters. Even if individual lots are zoning minimums, which I think you've decided to tell us, the Planning Board must evaluate whether the project, as a whole, would fundamentally change the character of the neighborhood, including increased density – obviously, three houses, it does – loss of open space – sorry, the whole space is lost – increased traffic, especially during construction, and changes to the visual and environmental setting that defines the existing community. And then further down, request the Planning Board review. It says, before final approval, neighboring property owners respectively request that the Planning Board make explicit findings on the record that the proposal complies with all the applicable facility requirements, with particular attention to things like drainage, grading, traffic, preservation, and replacement of mature vegetation, required tree preservation, and clearing plans. Sorry, I know there's a big issue about some of the trees, and I'm not quite sure whether the decision has been made, but that's another thing we're supposed to look at. Conventional zoning complies with each proposed lot. Compatibility with existing neighborhood character and scale overall impacts on use, enjoyment, safety, and welfare of surrounding properties. Of course, you don't have three houses to burn up my property when it is going to change to be enjoyable on my property. Attention should be given to Section 260-19C, and whether the required engineering analysis demonstrates that additional runoff will not overload existing downstream drainage facilities, whereas such conditions as this approval should not occur until adequate corrective measures are provided. The Planning

Board is fervently requested to evaluate the proposed development in its totality, which would result in a material alteration of the established neighborhood character, including density, visual environment, and residential scales, as required under Section 305-60b. That's where I understand that the lots are in compliance with the offset but putting three houses on the lots in that area of the neighborhood, will definitely impact the character of the neighborhood. I would like that on the record that this must be considered by the board. Thank you.

Z. Pearson: Thank you. Anyone else from the public?

Mr. Amrhein, Applicant**,** 35 North Street: Richie has been working with me behind the scenes since I started this, and he keeps telling me that's the process, you're in good hands, they know what they're doing, and I've done that. Now, as far as the trees go, I ran that by him. He said that New York State clearly states that any tree, any branch hanging over your property can be cut at the property line straight up.

Z. Pearson: We're not worried about the tree. We're worried about the overall health of the tree. I'm talking about the question that was asked at the public hearing about the construction of the house on the lot along that property line. Are they going to affect the trees that are either on the line or close to the line? We're not talking about limbs; we're talking about the tree itself.

Mr. Amrhein, Applicant**,** 35 North Street: Okay. And so, the tree, I asked him about the liability for me. He said if the tree was a decayed tree, the tree was rotted, you would have a liability. If you didn't take it down and it fell on their house, which is very close to their house, you would be responsible. But if the tree's a healthy, good tree, you wouldn't be responsible. And it's a healthy, good tree. And when I heard, at the meeting before this one, that it might have to come down, which I don't think it does, I was as shocked as the other people who wanted to keep it up. And the other thing is if I was the Duffy's, and I lived in the house they lived in, with that 130-foot tree towering over my house, I would be pleading with them to take it down if it was their tree. So, you know, you see the weather lately. We're seen July 4th, and you see all these trees coming down on houses. I never want that to happen to them.

Z. Pearson: That tree's coming down, right? The big one?

Shawn Arnott, Project Engineer: So, the last time I spoke to John, he may want the services rerouted. The only reason we're going to take that tree down is because the services are going to be going through it. But I understand that the water services may be rerouted based on the builder's request.

Z. Pearson: Fair enough.

Mr. Amrhein, Applicant**,** 35 North Street: I think that's all the input I have. Thank you.

Z. Pearson: Anyone else from the public?

Mr. Duffy, 42 Center Street: They're saying that the pine tree will be coming down?

Shawn Arnott, Project Engineer: John had mentioned last time that they may allow the services to come from the street rather than….

Kristen O'Donnell, Village Engineer: So, we're talking about rerouting new services from North Street?

Shawn Arnott, Project Engineer: Yes

Kristen O'Donnell, Village Engineer: He did not give me an update on that.

Shawn Arnott, Project Engineer: So, it depends on the final rerouting of the water services. If the water services do come off North Street, then they will leave the tree. Thank you.

Z. Pearson: Anyone else from the public? Can I get a motion to close the public hearing?

- Chairperson Z. Pearson motion to close public hearing
- Motion to accept 1st by C. Batson, 2nd by L. Dotson
- Vote 6-0

Kristen O'Donnell, Village Engineer: Mr. Chairman, you want to ask them to wave the 62-day requirement, if you close the public hearing?

Shawn Arnott, Project Engineer: could we not make that tonight?

Kristen O'Donnell, Village Engineer: Do you have a SHPO Letter?

Shawn Arnott, Project Engineer: I don't.

Kristen O'Donnell, Village Engineer: I think, especially if we're talking about rerouting utilities, the SHPO letter would need to be completed and the final review of utilities. I don't see anything else. There is nothing else outstanding, but let's just get Queenan's eyes on the utilities.

Shawn Arnott, Project Engineer: So, can we not make the 62-day and try to get it in for next month? So, can we?

Kristen O'Donnell, Village Engineer: Did you submit it to SHPO?

Shawn Arnott, Project Engineer: Yes.

Kristen O'Donnell, Village Engineer: We should probably have it next month, I would think so.

Z. Pearson: So, can we wait the 62-days, but can we have our side draft up a potential resolution for next meeting, and do it all in one shot? We've done that before, correct?

M. Donovan, Village Attorney: We can do that.

Z. Pearson: Where we have a circulated draft. We'll work with John. John will be back. We'll get everything in final form. Does that make sense?

Shawn Arnott, Project Engineer: Yes.

Mr. Duffy, 42 Center Street: Will they be on for the next meeting, and when?

Z. Pearson: Yes, they'll be on the September meeting, Okay.

Mr. Duffy, 42 Center Street: Okay, thank you.

- **<u>8 Oak Street</u>**

Project Description: To convert the upper commercial space into four one-bedroom apartments. The ground floor will remain as a commercial space.

Alex Pepaj: My name is Alex. I'm the brother. As per my understanding, we have the notes from John about the required parking space for the four (4) units and the commercial spaces. The only thing we're discussing is the traffic. We had a meeting with D.O.T. for a potential curb cut onto Main Street. We didn't see an issue at all and expect to file for the permits. But it is a process. It is a New York State Road, so it will take a little bit longer. They didn't shut it down per-say.

J. Thompson: New York State said you can cut out onto Main Street? One way? One way in and coming out on Oak Street?

Alex Pepaj: Correct. In on Main and out on Oak Street. So basically, coming in on the right-hand side.

J. Thompson: So, what about making a left onto that parking lot? What I'm saying is if someone is coming south on 52, can they make a left into the parking lot? By Lilo's, and you make a left.

Alex Pepaj: It's going to be right in only

Z. Pearson: No, there's no way they can make it a left. They're going to have to design it. We're going to have to see it.

J. Thompson: Okay, right. I got it.

Z. Pearson: They have a lot of... Based on what I saw, they have a lot of planning provisions still to make. And this will be part of it. My guess is if they talked to the D.O.T., and what their designer would likely present to us, would be a one way in not like a T-intersection. No left turn.

Alex Pepaj: We also have a brief preliminary study of the traffic pattern. The engineering survey is based on the IT Institute of Traffic Engineers. It's estimated that from the four units of peak times in the morning will be two trips. Two trips in the afternoon. This is the residential part. The commercial part is maybe between five to seven peak times in the morning and in the afternoon. So given the size and the parking, it's not... the impact in fact, it's very minimal. Coming in from the Main Street and going out, probably estimated to be like three, four times in the morning. Three, four times in the afternoon. These are peak hours.

Z. Pearson: So, a couple of things. First, we didn't get an updated memo from our engineer because you guys submitted plans that didn't address anything we talked about. So, at a minimum, we're going to need to see the plans updated. Update the plans, update the zoning table, which needs to be shown. At the last meeting, our point to you guys was: if you're going to go to the zoning board and you're going to go for a variance for the number of units above, get the plan in a position where this is the plan you're going after to make sure that we're only going to send you there once. So, you do it all in one shot. And if you're going to update the plans, make sure the plans are updated to show what your guys' intention is with the D.O.T. so that our engineer can see it, we can understand what's going on, and get a better feel for what you guys are really going to do.

Alex Pepaj: Bring it to you guys, or after we go to the zoning board, is it better to come here first?

Z. Pearson: Yeah, come back to us. Based on the comments from the last time, there was one little table in the drawing, but we're looking for what your site plan is going to be. Now that you guys have talked to the D.O.T, if you're going to cut an entrance, tell us what that is. If you're going to make any other improvements, show us, and show us the zoning that it meets. Because if there's anything in this code that you guys don't hit, we already know you don't hit the units above. Right? You need to go there for that. But if there's anything else, that would be the time to go there and say, I'm looking for a variance for this and that, whatever those things are. I think you should have John's last memo, right? If you're doing a traffic study, be sure to submit that. I'm sure our guys would want to look at that.

Alex Pepaj: We just got that e-mail today

Z. Pearson: Make sure you address the concerns, get those plans back to us, and make sure you've looked at all the zoning stuff. We'll have a discussion about it, and then from there the zoning board can have a say.

J. Thompson: So, the parking and everything must be shown there, right?

Z. Pearson: Yes. So, for parking, you have commercial space downstairs, that's X number of spaces. You have X number of units above; that's X number of spaces. Show us the calculus. Okay.

Alex Pepaj: Okay. Alright.

Z. Pearson: We'll see you next month. Thank you. Ok, Can I get a motion to close the Planning Board

- Chairperson Z. Pearson motion to close the Planning Board meeting
- Motion to accept 1st by J. Hanen, 2nd by J. Thompson
- Vote 6-0

Z. Pearson: Can I get a motion to open the Architectural Review Board

- Chairperson Z. Pearson motion to open the Architectural Review Board
- Motion to accept 1st by J. Thompson, 2nd by L. Dotson
- Vote 6-0

- **<u>73-77 West Main Street</u>**

Project Description: Sign Submission

Z. Pearson: First on the agenda is 73-77 West Main Street sign application

Ahemed Ali Hassan, Applicant: Applicant describes the inside layout of the deli/grocery.

Z. Pearson: Are there any questions from the board?

J. Hanen: I can't quite tell from the picture, but the sign, is it illuminated?

Ahemed Ali Hassan, Applicant: The light sits on the balcony.

J. Hanen: So, is it externally lit?

Ahemed Ali Hassan, Applicant: Yes.

J. Hanen: A question for us in general. What type of sign is it called? Is it an awning sign?

Ahemed Ali Hassan, Applicant: I'm not lighting up the door, but it is on the same side

J. Hanen: It's just a logical, technical question for us. It appears to be an awning.

Ahemed Ali Hassan, Applicant: Yes.

Z. Pearson: I think the dimensions work out. What's the material of the sign? Is it aluminum?

Ahemed Ali Hassan, Applicant: Yes.

J. Thompson: Okay, guys. I like the sign. Don't get me wrong. It meets all codes and everything like that. However, the building itself, the front of the building, is there going to be any improvements to the building?

Ahemed Ali Hassan, Applicant: Yes, we have a design. We have to do the paperwork and get the permits and inspected to make improvements.

J. Thompson: I have a major problem with that building. This is me talking. I'm not speaking for the board. Okay. We've got that awning, that black awning out front. Absolutely terrible. Absolutely terrible. Now, I appreciate you want to put a deli in there. I like it. I really do. I like to have a nice deli and go in and get a cup of coffee or whatever. But the front of that building looks atrocious. You've got the black awning in front, which would be your main entrance. It's terrible. You've got around the side where you're going to have your second sign just to the left of that. That awning is absolutely terrible. And the door, I don't even know what happened. It looked like an atomic bomb hit that door. Go ahead. Who are you?

Sy Mujovic, Real Estate Broker: Hi. I'm Sy Mujovic.

J. Thompson: You're the owner?

Sy Mujovic, Real Estate Broker: No, I'm not the owner, I'm the real estate broker. These are the tenants. We should just be supportive. It's been empty for a long time.

J. Thompson: I understand that. No, I'm supportive of the sign. I'm supportive of the business. I like it. But I'm sorry. It's going to be like the email that I sent. It's like putting lipstick on a pig. All right? And I don't like it. I want the building fixed. I would think they would want the building fixed.

Sy Mujovic, Real Estate Broker: No one is arguing here. I just wanted to make a point.

J. Thompson: Oh, okay. Well, I'm just making my point of view first, and then you can answer my questions about fixing the building. The concrete on the sidewalk is all broken. I mean, they can have the greatest food in the world. So… Go ahead.

Sy Mujovic, Real Estate Broker: We're going to go to the building department. I'm going to tell the client. There are no violations. The awning, we have it insured because it overlaps the sidewalk. And the building department also knows about that. Are you aware of that?

J. Thompson: I'm aware of that. That is a violation. Matter of fact, I looked on my phone as of March… It's… March of 25….

Sy Mujovic, Real Estate Broker: The Village of Walden is insured. You can stop by and see the insurance. So, if that's and issue with the awning, we can definitely…why not make the town better?

J. Thompson: All right. Fix the awning.

Sy Mujovic, Real Estate Broker: That's why we're here, right? You're going to fix the… We want to see a business here.

J. Thompson: You're going to fix the awning, right? Is that what you're telling me?

Sy Mujovic, Real Estate Broker: What do you recommend? Do you want it out, or what do you want?

J. Thompson: That's not for me to tell you what to do. All I'm telling you is that the awning… You know, when you put an awning up, it's not there for life. And that's the original awning that Marty Sudani redid in front of that building.

Sy Mujovic, Real Estate Broker: Okay. So, you're recommending…it would look nice like a new awning. Okay. I'm going to pass the message to the owner.

J. Thompson: Oh, please do. You can also pass the message, being that we're talking about codes and stuff. The garbage cans, okay, that are facing the road… We're getting ready to have Harvest Fest, and all those people are going to be looking at those garbage cans. Are they supposed to be there? I mean, this is a business district. Are they supposed to be out on the street? I don't think so. I'll answer that question for you. I'll save you the answer. They've got to be moved.

Sy Mujovic, Real Estate Broker: Where do you recommend they be moved?

J. Thompson: Out of sight. They shouldn't be out front.

Sy Mujovic, Real Estate Broker: So, inside?

Ahemed Ali Hassan, Applicant: Bring them inside, and when it's garbage day you want them to be put out?

J. Thompson: When it's garbage day, you bring them out to the side of the road. They get picked up. They get empty, and then you got to bring... I don't care if you got to bring them back through the driveway. All the way out in the back there. They shouldn't be out on the street for a plain view.

Ahemed Ali Hassan, Applicant: We have to bring them back. We have a nice space for them in the back

J. Thompson: Well if you have a nice space, in police work we call that a clue. So put them there.

Ahemed Ali Hassan, Applicant: Okay.

J. Thompson: I can't vote on this until the building gets improved.

L. Dotson: On the plus side they did fix, repoint and reset those bricks under the window.

J. Thompson: Brickwork, which is good. Did you see the sidewalk? The sidewalk is all broken.

Z. Pearson: Which side? Front side? That's the state highway.

J. Thompson: No, it's right up against the building

Sy Mujovic, Real Estate Broker: That's not the owner's part of the sidewalk. That's the village

D. Campbell: If the sidewalk is in such bad condition, it would behoove to contact whoever is responsible for it and ask it to be fixed. Because to me, it's a liability for your business if your customers, patrons, are going to slip and break an ankle coming in and out of your establishment. I mean, granted, there's nothing you did wrong, but you don't want to cause any injury. Not that you're out there breaking up the sidewalk either.

Ahemed Ali Hassan, Applicant: We plan to fix up the front, the side. We will get permits and fix what we can.

J. Thompson: When do you plan on opening? When would you like to open?

Ahemed Ali Hassan, Applicant: We got the lease and now we are trying to fix it up. We have to get permits.

Z. Pearson: If they are already getting building permits, they don't have to come back to us.

J. Thompson: No, no I get it. I mean, even where the signs are going to be…of course they've got it covered. There's all two-by-fours hanging out. It looks terrible. The sign is good. I have no problem with the sign, and that's what you're here for. I get it.

Z. Pearson: There're no improvements to the awning, you're just going to slap the sign on it. That's our current proposal.

Sy Mujovic, Real Estate Broker: Yeah, so we went to the building department. We did all our due diligence. They said it should be okay, and to just get a sign permit for the sign application, and this is why we're here.

Z. Pearson: can the building department make them fix the awning? We can't.

J. Thompson: I believe so. We can't. We can't do anything. We're here for the sign.

Z. Pearson: We're here for the sign. It's the building department, right?

Sy Mujovic, Real Estate Broker: Feel free to have Kathy reach out to us.

Z. Pearson: Well, it's enforceable by her, it's not enforceable by us.

J. Thompson: Hey, Sy, what's your title in this? You're the…

Sy Mujovic, Real Estate Broker: I'm a real estate broker. We'd like to see, you know, this up and running. It's been closed up for a long time. So, we're looking forward to working with the town. Whatever Kathy recommends is fine. We're just here for the sign. It's not the location.

Z. Pearson: I don't have a problem with the sign because we can't do anything otherwise.

L. Dotson: I agree. I hear what John is saying.

Z. Pearson: I do too. The sign is a sign. They're not doing anything to the site besides putting a sign on the building, right?

J. Thompson: So, that side door, you're not going to do anything to it?

Sy Mujovic, Real Estate Broker: Oh, I recommend that that gets painted.

J. Thompson: Oh, you think?

Sy Mujovic, Real Estate Broker: I'm not the owner of the building.

J. Thompson: I know, I know. But if you're the real estate broker and if you're trying to get people in there and trying to do things, wouldn't you want to make that improvements to the building?

Sy Mujovic, Real Estate Broker: I don't control their bank accounts. I can recommend what needs to get done. So, that's just the right answer. Anything that Kathy recommends that's needed with what the town wants, that's all I can looking into.

L. Dotson: I don't know… I don't know if they just started to make the improvements because they had interest in it being shown. I mean, I would love to see that used and see the windows cleaned.

Z. Pearson: I agree.

Sy Mujovic, Real Estate Broker: We can get professionals to clean the windows.

J. Thompson: I'm not going to lie here, okay? You don't remember me, do you?

Sy Mujovic, Real Estate Broker: No.

J. Thompson: You and I talked, and I asked about those windows, and you told me you were going to clean them, and you never did.

Sy Mujovic, Real Estate Broker: Oh, so you remembered me this whole time?

J. Thompson: Yeah. Oh, I never met you. I talked to you on the phone.

Sy Mujovic, Real Estate Broker: Really? I don't remember that.

J. Thompson: Oh, I do.

Sy Mujovic, Real Estate Broker: Okay. So, I don't own the building. I'm just a broker.

J. Thompson: Now you're just a broker.

Sy Mujovic, Real Estate Broker: Yes, if you want…

J. Thompson: Why didn't you make recommendations to clean up the building?

Sy Mujovic, Real Estate Broker: I actually have them there right here. If you want…

J. Thompson: Sy, you're good. I'd like to make a motion on this. I accept the sign.

- Member J. Thompson motion to accept the Architectural Review Board Sign application

- Motion to accept 2nd by L. Dotson
- Vote 6-0

Sy Mujovic, Real Estate Broker: Thank you. Have a good evening.

J. Thompson: I'll be talking to Kathy tomorrow.

- Adjournment
  - Chairperson Z. Pearson motion to adjourn this public meeting
  - Motion to accept 1st by C. Batson, 2nd by L. Dotson
  - Vote 6-0