

Village of Walden
Planning Board Special Meeting
April 5, 2010

Present:

Chairman	Stan Plato
Members	Jay Wilkins
	Michael Ciardullo
	John Duffy
	Jose DeJesus

Also Present:

Dean Stickles, Building Inspector
Kevin Dowd, Village Attorney
Ron Gainer, Engineer

Chairman Stan Plato called the meeting of the Village of Walden Planning Board to order at 7:30pm.

1. APPROVAL OF MINUTES

Michael Ciardullo made a motion to approve the minutes of January 20, 2010, February 1, 2010 and February 17, 2010.

Seconded by Jose DeJesus.

All ayes.

Motion carried.

2. Boards Business

A. FORMAL APPLICATIONS

A.1 40-42 Hepper Street, Site Plan, Special Exception Use

Michael Ciardullo made a motion to grant special exception use.

Seconded by Jose DeJesus.

All ayes.

Motion carried.

Jose DeJesus made a motion to accept the conditional site plan as submitted.

Seconded by Michael Ciardullo.

All ayes.

Motion carried.

A.2 3 Cherry Street, Site Plan

Jay Wilkins made a motion to adopt lead agency with an unlisted action.
Seconded by Michael Ciardullo.
All ayes.
Motion carried.

Jose DeJesus made a motion to declare a negative declaration with regards to SECOR.
Seconded by Michael Ciardullo.
All ayes.
Motion carried.

Michael Ciardullo made a motion to wave a public hearing.
Seconded by Jay Wilkins.
All ayes.
Motion carried.

Jose DeJesus made a motion to grant conditional final approval.
Seconded by Michael Ciardullo.
All ayes.
Motion carried

Conditions include payment of all applicable fees, bring all signs on premises to meet village requirements, 7 copies of site plan with changes, stripe the parking lot.

A.3 Agotaras Properties, LLC, 6 Lot Subdivision

Larry Marshall used a map to show the changes that were made to the plan. The new plan includes a total of five lots which is one less than it previously was.

Stan Plato asked how much of the wetlands are affected.

Larry Marshall said that the new plan does not affect any of the wetlands.

Ron Gainer suggested moving the driveway for lot 3 so that it goes through lot 1 instead of lot 2.

Michael Ciardullo asked the homeowner from the adjacent property if he has anything to add.

John said that he hopes that the new owners are aware that they are adjacent to an agricultural use and that they don't try to change the use of his property.

Larry Marshall said that it would be included on the parcel map.

Michael Ciardullo made a motion to adjourn the Planning Board Meeting.

Seconded by Jose DeJesus.

All ayes.

Motion carried.

Michael Ciardullo made a motion to open the architectural review board.

Seconded by Jose DeJesus.

All ayes.

Motion carried.

A.4 88 West Main Street

The new tenants would like their sign to be approved. The sign will be going into an existing sign box in front of the building.

Jay Wilkins made a motion to approve the new sign.

Seconded by Jose DeJesus.

All ayes.

Motion carried.

Jose DeJesus made a motion to close the architectural review board.

Seconded by Jay Wilkins.

Meeting adjourned 8:10pm.

Respectfully Submitted,
Lisa Dore

RESOLUTION GRANTING SITE PLAN APPROVAL TO THE TRANSFORMATION LIFE CENTER TO OPERATE A RETAIL THRIFT STORE AT 3 CHERRY STREET.

WHEREAS, the applicant, the Transformation Life Center, has made application to the Planning Board of the Village of Welden for site plan approval to permit the operation of retail thrift store at 3 Cherry Street; and

WHEREAS, the applicant has submitted a site plan prepared by Howard Weeden, PLS dated February 2, 2010, revised February 8, 2010, consisting of 1 page, an application for site plan approval undated, and a Short Environmental Assessment Form dated January 12, 2010; and

WHEREAS, on April 5, 2010, the Planning Board waived the need for a public hearing on the grounds that the building on the site is existing and that no construction is contemplated on the site ; and

WHEREAS, on April 5, 2010, the Planning Board declared itself Lead Agency under SEQRA for this unlisted action and issued a Negative Declaration thereon; and

WHEREAS, the Planning Board does wish to grant site plan approval to the Transformation Life Center to permit the operation of a retail thrift store at 3 Cherry Street.

NOW, THEREFORE, be it resolved as follows:

1. That the Planning Board does hereby grant site plan approval to the Transformation Life Center to operate a retail thrift store for the sale of clothing and furniture in accordance with the plans and specifications heretofore submitted and approved by the Planning Board upon the following terms and conditions:
 - a. That the applicant stripe the parking lot in accordance with Village specifications.
 - b. That the applicant provide the Planning Board with 7 additional copies of the site plan.
 - c. That any sign the applicant wishes to display on the property shall meet Village Code requirements.
 - d. That the applicant pay any outstanding fees due and owing to the Village for the review of its application.

Upon a motion made by Member DeJesus, seconded by Member Ciardullo, the foregoing resolution was adopted as follows:

Chairman Stan Plato	Aye
Member John Duffy	Absent

Member Jay Wilkins	Aye
Member Mike Ciardullo	Aye
Member Jose DeJesus	Aye

Dated: April 5, 2010
Walden, NY

RESOLUTION GRANTING SITE PLAN APPROVAL TO SANDRA GRIFFIN TO OPERATE A BEFORE AND AFTER SCHOOL PROGRAM AT 40-42 HEPPEL STREET.

WHEREAS, the applicant, Sandra Griffin, has made application to the Planning Board of the Village of Walden for site plan approval to permit the operation of a before and after school program at 40-42 Hepper Street; and

WHEREAS, the applicant has submitted a site plan prepared by Gary Williams, LLS dated May 28, 2009, revised January 28, 2010, consisting of 1 page, an application for site plan approval undated, an application for a Special Exception Use Permit undated and a Short Environmental Assessment Form dated September 26, 2008; and

WHEREAS, the applicant was referred to the Zoning Board of Appeals as the property had been granted a variance with conditions which conditions affected the ability of the applicant to use the property for the proposed use; and

WHEREAS, the Zoning Board of Appeals modified the conditions of the previous variance so as to allow the applicant the ability to pursue this application; and

WHEREAS, on February 1, 2010, the Planning Board conducted a public hearing on the application at which all persons interested were allowed to speak; and

WHEREAS, on February 17, 2010, the Planning Board declared itself Lead Agency under SEQRA for this unlisted action and issued a Negative Declaration thereon; and

WHEREAS, on April 5, 2010, the Planning Board granted a Special Exception Use Permit to the applicant to operate a before and after school program on the site; and

WHEREAS, the Planning Board does wish to grant site plan approval to Sandra Griffin to permit the operation of a before and after school program at 40-42 Hepper Street.

NOW, THEREFORE, be it resolved as follows:

1. That the Planning Board does hereby grant site plan approval to Sandra Griffin to operate a before and after school program in accordance with the plans and specifications heretofore submitted and approved by the Planning Board upon the following terms and conditions:

- a. That the applicant construct the improvements shown on the plan specifically the handicap ramp and play area in accordance with the plans and any building code requirements.
- b. That the applicant pay any outstanding fees due and owing to the Village for the review of its application.

Upon a motion made by Member DeJesus, seconded by Member Ciardullo, the foregoing resolution was adopted as follows:

Chairman Stan Plato	Aye
Member John Duffy	Absent
Member Jay Wilkins	Aye
Member Mike Ciardullo	Aye
Member Jose DeJesus	Aye

Dated: April 5, 2010
Walden, NY

RESOLUTION GRANTING A SPECIAL EXCEPTION USE PERMIT TO SANDRA GRIFFIN TO OPERATE A BEFORE AND AFTER SCHOOL PROGRAM AT 40-42 HEPPEL STREET.

WHEREAS, the applicant, Sandra Griffin, has made application to the Planning Board of the Village of Walden for a special exception use permit to operate a before and after school program at 40-42 Hepper Street; and

WHEREAS, the applicant has submitted a site plan prepared by Gary Williams, LLS dated May 28, 2009, revised January 28, 2010, consisting of 1 page, an application for site plan approval undated, an application for a Special Exception Use Permit undated and a Short Environmental Assessment Form dated September 26, 2008; and

WHEREAS, the site proposed by the applicant is located in an MX Zoning District where such uses are permitted by special exception use permit; and

WHEREAS, the applicant was referred to the Zoning Board of Appeals as the property had been granted a variance with conditions which conditions affected the ability of the applicant to use the property for the proposed use; and

WHEREAS, the Zoning Board of Appeals modified the conditions of the previous variance so as to allow the applicant the ability to pursue this application; and

WHEREAS, on February 1, 2010, the Planning Board conducted a public hearing on the application at which all persons interested were allowed to speak ; and

WHEREAS, on February 17, 2010, the Planning Board declared itself Lead Agency under SEQRA for this unlisted action and issued a Negative Declaration thereon; and

WHEREAS, the Planning Board does wish to grant a special exception use permit to Sandra Griffin to permit the operation of a before and after school program at 40-42 Hepper Street.

NOW, THEREFORE, be it resolved as follows:

1. That the Planning Board makes the following findings pursuant to §148-50 of the Code of the Village of Walden:

- a. That a before and after school program (day care) use is specifically authorized as a special exception use in the MX District.
 - b. That the proposed use is in harmony with and promotes the general purposes and intent of the Zoning Code of the Village of Walden in that the project provides for the orderly development of the site, protects the established character of the Village and enhances the value of land in the immediate vicinity of the site.
 - c. That the site is sufficient, appropriate and adequate for the use.
 - d. That the use of the premises will not prevent the orderly and reasonable use of adjacent properties and adjacent use districts.
 - e. That the present site is particularly suitable for the location of such a use in the community.
 - f. That the characteristics of the proposed use are not such that they would be unsuitably near a church, school, theater, recreational area or other place of public assembly.
 - g. That the proposed use has adequate access facilities for the estimated traffic from public streets and sidewalks so as to assure public safety and avoid traffic congestion.
 - h. That adequate provisions are made for the collection and disposal of storm water runoff from the site.
2. That the Planning Board does hereby grant a special exception use permit to Sandra Griffin to operate a before and after school program in accordance with the plans and specifications heretofore submitted and approved by the Planning Board upon the following terms and conditions:
- a. That the applicant construct the improvements shown on the plan specifically the handicap ramp and play area in accordance with the plans and any building code requirements.
 - b. That the applicant pay any outstanding fees due and owing to the Village for the review of its application.

Upon a motion made by Member Ciardullo, seconded by Member DeJesus, the foregoing resolution was adopted as follows:

Chairman Stan Plato	Aye
Member John Duffy	Absent
Member Jay Wilkins	Aye
Member Mike Ciardullo	Aye
Member Jose DeJesus	Aye

Dated: April 5, 2010
Walden, NY