

**Village of Walden
Planning Board Meeting
January 21, 2009**

Present: Chairman Stan Plato
Members Jay Wilkins
Edmond Leonard
Michael Ciardullo
James Fitzsimmons
Ron Gainer

Also Present: Dean Stickles, Building Inspector
Kevin Dowd, Village Attorney

Regrets: John Duffy

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

1. Approval of the minutes – December 17, 2008.
Michael Ciardullo and Edmond Leonard made corrections.
Becky Pearson stated that she would like the minutes to clearly state that she is neither for nor against clustering.
**Michael Ciardullo made a motion to approve the minutes.
Seconded by Jay Wilkins.
Motion carried.**

2. Boards Business
 - A. Formal Applications
 - A.1 The Overlook at Kidd Farm, Site Plan, Subdivision

Ron Gainer explained that the board can now officially declare itself lead agency. He said that the board could also make a positive SEQRA declaration.

Stan Plato asked Kevin Dowd if the board has to list all of the reasons that they are giving a positive declaration if they choose to do so.

Kevin Dowd said that the board should list all of the major reasons which have the potential for environmental impact.

Ron Gainer explained the package including the draft scoping document that himself and the applicants engineer completed for them. He said that after the board makes a positive

declaration they will have to decide if they wish to conduct formal public scoping of the document.

Edmond Leonard made a motion to adopt lead agency in regards to SEQRA.

Seconded by Michael Ciardullo.

All ayes.

Motion carried.

Kevin Dowd explained that, once you take all the input from all of the involved parties and interested agencies and the public, the board will make any necessary changes to the draft scope and give the applicant the final scope.

Ron Gainer said that once the board deems the scoping document complete there will be a separate set of hearings.

Mike Ciardullo made a motion to issue a positive declaration to SEQRA and that a draft of the environmental impact statement will be prepared.

Seconded by Edmond Leonard.

All ayes.

Motion carried

Ron Gainer said that the public hearing should be set for the next meeting.

Kevin Dowd said that before the board goes for a public meeting they would need to discuss the draft scoping document. He stated that he has a few changes to the document.

Stan Plato asked what changes Kevin Dowd has.

Kevin Dowd stated that the acreage should be consistent throughout the document. He said that the soil content is out of place and that it may not be relevant. He stated that he would like clarification between agricultural areas and agricultural districts. He said that the Village of Walden meter plan should be changed to a comprehensive plan. He also said that the reference to rivers should be deleted.

Stan Plato said that he would like to hear from the applicant's consultants before they move forward.

Gerald Jacobowitz said that he would just like to move things along and start work.

Brian Paz said that they appreciate the opportunity but they would appreciate it if they could start to receive comments from the public so that the project can begin to move along.

Gerald Jacobowitz said that he has no objection to the 2 page document.

Stan Plato asked Kevin Dowd what the next step would be.

Kevin Dowd explained that the next step would be to send the document to all involved agencies and all interested agencies and to make it available to the public. He said that the board should set the date for the public hearing tonight. At the hearing the board will take all comments from agencies and the public.

Stan Plato said that he would like to accept the draft and send it to the agencies and set the hearing for March so that the board can review the comments before the hearing.

Ron Gainer said that the board cannot get lead agency comments before public comments.

Gerald Jacobowitz told that board that the decision would not be made until the meeting following the hearing.

Stan Plato asked if there was a time limit on reaching the final scoping document.

Ron Gainer said that the requirement is 60 days and that the board is on pace to meet this requirement.

Michael Ciardullo asked how the public is informed that these documents are available for them to view.

Kevin Dowd said that it will be advertised in the newspaper, it will be available at the Village offices and at the library and it will be posted on the Village website.

Next meeting to be held on the third floor.

Edmond Leonard made a motion to adopt the draft scoping document for Overlook at Kidd Farm with the provisions made by Kevin Dowd.

Seconded by Michael Ciardullo.

Motion carried.

Kevin Dowd said that the public should be able to continue to make comments up to 10 days after the public hearing.

Stan Plato asked if that should be included in the resolution.

Edmond Leonard made a motion to set the public hearing for review of the draft scoping document for February 18th at 7:30pm.

Seconded by Jay Wilkins.

All ayes.

Motion carried.

Stan Plato asked Ross Winglovitz how many units would be in the conventional layout.

Ross Winglovitz said that there would be 225 units.

**B. DISCUSSION ITEMS: Joint Meeting of Village Board of Trustees and Village Planning Board,
Kidd Farm Discussion**

Present:	Jim Politi	Village Manager
	Becky Pearson	Village Mayor
	Mary Ellen Matise	Deputy Mayor
	Mary Jean Norman	
	Roy Wynkoop	
	Richard Hurd	
	Susan Rumbold	
	Marcus Millspaugh	

Susan Rumbold made a motion to open the joint meeting with the Village Planning Board.

Seconded by Mary Ellen

Motion carried.

Ross Winglovitz presented the plan for Overlook at Kidd Farm without clustering. He stated that the site is 37.372 acres and it includes 5 tax lots and 3 zoning districts. He showed that the property is primarily zoned townhouse, this zone encompasses approximately 28.1 acres. 4.6 acres is zoned R3 and there are 4.7 acres along 208 zoned OLI that he is proposing to develop as 4 commercial lots. 204 townhouses were proposed with clustering, with a pure density calculation there will be 268 townhomes and 13 units in the R3 zones.

Becky asked to clarify what the calculations consist of if they include slope.

Ross Winglovitz said that the village zoning laws do not require slope to be included in the calculation. He stated that the main entry on Coldenham road with pond and waterfall in front to create an inviting entry to the site. He said that the roads would be private.

Becky Pearson asked Kevin Dowd if the roads could be changed from private to Village roads at any time.

Kevin Dowd said that the roads would have to be to Village specifications before they could be changed.

Ross Winglovitz said that the roads would be difficult to change. He said that the water pressure would have to be tested further. He continued to explain the sewage system and drainage. He explained that ponds will be created for storm water to collect in.

Kevin Dowd asked if the ponds would have fences around them

Ross Winglovitz said that he does not want to but that he would meet criteria. He showed renderings of the projected townhomes.

Dean Stickle asked what the maximum height of the buildings are.

Ross Winglovitz said around 29 feet.

Edmond Leonard asked if the rendering was an accurate depiction of the pitch of the roof.

Ross Winglovitz said that at this point this is his best projection.

Mary Ellen pointed out that the trees would not be 40 feet tall. She asked what the landscaping would look like.

Ross Winglovitz said that the site has been designed to preserve the tree line and that landscaping will be part of the final project.

Edmond Leonard asked if the units at the highest point would be above the crest of the hill.

Ross Winglovitz said that they would be at the top of the hill but they would not be higher than the trees that will be at the highest point of the site.

Becky Pearson said that the townhouse law states that there cannot be garages in the front.

Brian Paz clarified that the law states that the distance from the street has to be different if there are garages from the front as opposed to garages in the back. The minimum distance from the street if the garage is in the back is 20 feet and 24 feet if the garage is in the front.

Stan Plato asked if the two-story units have basements.

Ross Winglovitz said that the basement is under the whole house except for under the garage.

Edmond Leonard asked if soil and rock samples had been taken.

Ross Winglovitz said that they have not taken any samples yet.

Mary Ellen Matise asked if the buildings will have vinyl siding.

Ross Winglovitz said that there would be vinyl siding, vinyl shutters and some stone.

Edmond Leonard said that he does not think that it is attractive when a row of townhouses are all the same color vinyl.

Becky read the law that states that no more than two townhouse units can have the same siding.

Mary Ellen asked how much earth moving is anticipated.

Ross Winglovitz said that they would create a graded plan for that. He said that whatever they move they would try to keep on site.

Becky Pearson asked what the slopes would be.

Ross Winglovitz said that they would do a complete analysis once they do the grading plan.

Gerald Jacobowitz said that only 5 acres will be disturbed at a time.

Stan Plato pointed out that the plan is still a work in progress and that the final plans would meet the requirements.

Ron Gainer reminded that this is the applicant's proposal.

Ross Winglovitz showed a plan which did not include clustering the numbers are 225 units consisting of 214 townhomes and 11 single family lots.

Kevin Dowd said that the purpose of clustering is to allow a larger number of units in a smaller area so as to preserve natural landscape.

Richard Hurd clarified that clustering compresses density in the occupied area to gain open space.

Stan Plato clarified that with calculations the maximum number of units is 268, the conventional plan includes 225 units and the plan with clustering includes 204 units.

Mary Ellen Matise asked if there are laws to protect the open space from development if clustering is allowed.

Gerald Jacobowitz said that stipulations can be incorporated into the approvals.

Becky Pearson pointed out the area where townhouses are planned is zoned R3.

Kevin Dowd said that the application is asking for clustering in that R3 zone.

Mary Ellen asked what the 11 units would change to if clustering were allowed.

Brian Paz said 28. He said that they are not looking to increase density or increase the number of units.

Michael Ciardullo clarified that the clustering only applies to the R3 zone.

Brian Paz said yes. Allowing clustering does not mean that the project is granted a blanket cluster.

Kevin Dowd said that the village board would set the parameters for the cluster.

Richard Hurd asked if it would be easier for the R3 area to be added into the current townhouse zone. He asked if we get the same 20% set aside regardless.

Ross Winglovitz said yes to the 20%.

Brian Paz said that rezoning would limit the units to 204 instead of 268. He said that zoning would also preserve the wetlands that would otherwise be developed.

Mary Ellen Matise asked if anything would have to be changed in the townhouse law if they allowed clustering.

Kevin Dowd said that nothing would have to be changed, that the clustering would only affect the R3 zone.

Becky Pearson cited a case and asked if the board can make a clustering law that includes taking the roads out of the clustering.

Ross Winglovitz said that the conventional law does that.

Becky Pearson asked about sidewalks from the village to the development on Coldenham road.

Kevin Dowd said NYS law states that you cannot force the developer to make improvements off site.

Brian Paz asked if there was any questions about the letter that he composed. He explained that the proposed project complies with the Village's comprehensive plan.

Susan Rumbold asked if the inside of the lower cost townhouses are the same as the others.

Brian Paz explained that the width of the unit will be slightly narrower and there may be differences in the cosmetic finishes of the units. The exterior will remain the same.

Kevin said that the applicant will have to know if the Village does not want to own the water and sewer mains. He stated that the Village will be able to react faster if they have access should an emergency arise.

Richard Hurd asked if they would be paying for water and sewer.

Jay Wilkins asked what the advantage of the Village maintaining the main.

Mary Ellen asked why the Village should repair the mains and repair any damage to the roads if the roads are private.

Marcus Millspaugh asked if the village would be charging individual water meters.

Marcus Millspaugh asked if there could be an agreement with the homeowners association about maintenance of the water main.

Stan Plato said that he thinks that the Village Board should examine this issue.

Becky Pearson asked if the basketball courts would change recreation fees.

Ross Winglovitz said that he would like to have an idea from the Village Board about their decision concerning clustering.

Becky Pearson asked how the drainage would be managed.

Ross Winglovitz said that the road would take the water. There will be catch basins.

Edmond Leonard asked the Village Board what the decision was with central Hudson.

Becky Pearson said that they are supposed to have a meeting tomorrow.

Stan Plato said that he thinks that clustering has a positive impact.

Richard Hurd said that he agreed.

Michael Ciardullo motioned to adjourn.

Seconded by Jay Wilkins.

Meeting adjourned 9:40pm.

Respectfully submitted,

Lisa Dore