

**Village of Walden
Zoning Board of Appeals
April 5, 2012**

Present: Chairman James Corbett
Members Brenda Adams
Carolyn Wesenberg
Becky Pearson

Also Present: Jay Myrow, Village Attorney
Dean Stickles, Building Inspector

Regrets: David Ohlmer

Chairman James Corbett called the meeting of the Village of Walden Zoning Board of Appeals to order at 7:30pm.

1. BOARDS BUSINESS

A. APPROVAL OF MINUTES

The board would like the minutes to contain more detail.

Carol made a motion to table the approval of the minutes.

Seconded by Becky Pearson

All ayes.

Motion carried.

A. PUBLIC HEARING

A.1 15 Grandview Avenue

James Corbett read the notice of the meeting.

41 mailings were sent out

34 were returned

The applicants provided the board with photos to show where they would like to install a pool.

Becky Pearson confirmed that the pool is 52 inches tall and that the retaining wall is 2 feet tall. She asked Dean Stickles what fencing would be required.

Dean Stickles said that no fence is required because it is an above ground pool. He continued to explain that if the property is 10 feet wide the pool must be centered.

Brenda Adams confirmed that in order to center the pool the retaining wall would have to be removed.

James Corbett made a motion to open the public hearing.

Seconded by Brenda Adams.

All ayes.

Motion carried.

Carol Wesenburg made a motion to close the public hearing.

Seconded by Becky Pearson.

All ayes.

Motion carried.

A.2 2 South Montgomery Street

James Corbett read the notice of the meeting.

34 mailings were sent out.

26 were returned.

The applicant, from Orange County Realty Development, explained the purpose of their non-profit affordable housing. She explained that she feels that they have a better chance of renting out units if they are zoned residential.

Sam Leiberman, architect for the applicant, showed the proposed plans. The current playground will be turned into extra parking spaces.

The applicant said that the second floor is 1192 square feet and the first floor is 1553 square feet. She said that when she purchased the property she did intend to ask for a use variance to create the space as residential rental units. They are funded through HUD and Rural Preservation, as well as some fundraising.

Brenda Adams asked if the company is going to apply for property tax exempt status.

The applicant said that she is not currently property tax exempt and that she is not yet sure if she is going to apply for this status.

Jay Myrow suggested that the applicant submit evidence to support her case.

Sam Leiberman explained that the reason that the Walden Daycare was not successful is because they were not able to rent out the property as two separate residential apartments.

James Corbett said that it is a single family house and, subject to Dean Stickles verifying that fact, it can be rented out as such. He said that he would like to see some financial projections for the property.

**James Corbett made a motion to open the public hearing.
Seconded by Brenda Adams.
All ayes.
Motion carried.**

Kevin Dowd recommended that she go to the planning board to request an area variance to waive some of the required parking spots.

Jaime Powers, 15 Grandview Avenue, asked if there was any way to make a wall to create more parking.

The applicant has agreed to leave the public hearing open until the next meeting so that she can return with more evidence.

**Becky Pearson made a motion to leave the public hearing open until the next meeting
Seconded by Brenda Adams.
All ayes.
Motion carried.**

**James Corbett made a motion to declare a type 2 action under SEQRA.
Seconded by Carolyn Wesenberg.
All ayes.
Motion carried.**

**Brenda made a motion to approve the application.
Seconded by Becky Pearson.
All ayes.
Motion carried.**

James Corbett welcomed the new attorneys. He reminded the board that they have to complete their required class work.

**James Corbett made a motion to adjourn.
Seconded by Brenda Adams.**

Meeting adjourned 8:50pm.

Respectfully Submitted,

Lisa Dore