

Village of Walden  
 Planning Board Meeting  
 April 7, 2014

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Present
	Brian Sebring	Present
	Lisa Dore	Absent
	Jason Trafton	Present
	John Duffy	Present
Planning Board Engineer	Ron Gainer	Present
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Present
Secretary:	Nancy LaMancuso	Present

Stan Plato - Called the Planning Board meeting to order at 7:30pm

**1. APPROVAL OF MINUTES:**

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:**

**B. FORMAL APPLICATIONS:**

**B.1 78 Oak Street, Proposed New Building**

Planning Board has received Orange County Department of Planning review dated 03/07/14 and PB Engineer Gainer's Technical Review on the revised site plan drawings dated 04/07/14.

Chairman Plato – PB Engineer Gainer my notes said we adopted Lead Agency last meeting and Unlisted Action Uncoordinated Review and also requested a Long EAF. I think we should have a Public Hearing on this. Building Inspector Stickles if this is on for April meeting 04/16/14 this would be the only thing on the agenda and there are a lot of things to do and that doesn't give the Board enough time before the Public Hearing, so what I propose to do is cancel the meeting next Wednesday and have the Public Hearing for the first Monday of May the 5th at the work session if that is ok with everyone.

**Member Wilkins Made Motion to hold the Public Hearing at the May 5<sup>th</sup> Work Session Meeting Seconded by Member Sebring, All Ayes / Motion Carried**

Attorney Dickover – We need have a SEQRA determination to proceed with the Public Hearing, let's review PB Engineer Gainer comment in his Technical Review. He had suggested that you accept the short form EAF and your notes conform to my notes, show that at the last meeting the Board requested the long form.

Chairman Plato – So you're basically asking do we really need the long form EAF.

Attorney Dickover – Well that may be something for the Board to reconsider. The Board previously declared itself Lead Agency and resolved Negative Declaration on the entire shopping center. This application comes before the Board as an amended Site Plan application, your prior determinations and Negative Declaration on the full Site Plan are actually still controlling. You can certainly go through and set yourselves down that plan to do another environmental assessment but it would seem that your prior findings unless you find an environmentally significant impact as a result of this project the position you're really in is to adopt your prior Negative Declaration.

Chairman Plato – I agree because there is no real impact, do you agree PB Engineer Gainer?

PB Engineer Gainer – That's fine, the point I had originally recommended the long form EAF was merely because the applicant hasn't specifically defined expected customer activity, vehicle activity and those things that might be of interest to the Board.

Attorney Dickover – That's part of the review, I was about to suggest the Board could review the short form EAF tonight and make a determination but I think in the absence of perhaps an amended SWPP (Storm Water Pollution Plan), parking impacts and some of the other items and you also mentioned the visual impact of the roof on neighboring residences. I think the Board needs to be a little bit more cautious as you approach this, maybe your request for a long form EAF is appropriate and if it is you need to make a determination either based on it or make a new Negative Declaration or resolve to adopt your prior one finding no additional environmental impacts.

Chairman Plato – If we are going to do a long EAF then I think we really don't have a choice but to make a new determination after that.

Attorney Dickover – Or based upon its review the Board would adopt your prior findings determine if there are no negative environmental impacts from your new review.

Chairman Plato – What impacts are we talking about, possible traffic, roof visibility, SWPP (Storm Water Pollution Plan).

PB Engineer Gainer – Yes just ask the applicant to confirm that the SWPP (Storm Water Pollution Plan) would be reviewed and updated if necessary.

John Joseph - presented amended Site Plan for review and discussion, BIO retention area, parking, additional traffic, plantings etc.

Attorney Dickover – The Board can review this for SEQRA purposes at the work session in May and schedule the Public Hearing for the regular meeting in May.

Chairman Plato – Attorney Dickover is there a reason we couldn't adopt the short EAF?

Attorney Dickover – That's at the Board's discretion to use the short form or the long form on this, it's an Unlisted Action.

Chairman Plato – We've done an EAF before, I don't know what else the long form will show us.

PB Engineer Gainer – That's fine, it just gives the Board additional information.

Chairman Plato – Part of the Site Plan approval is to mitigate some of the items which would be the screening. So is there a reason the Board couldn't make a Negative Declaration tonight?

Attorney Dickover – PB Engineer Gainer are you comfortable enough with the technical information that's been provided?

PB Engineer Gainer – Yes.

Attorney Dickover – If we come up with something as we go through it the applicant can answer the question(s) tonight. The Board needs to be reasonably satisfied that they've seen enough technical information.

Chairman Plato – Yes, I think we have. It's amended Site Plan not a new Site Plan and as you said before if something comes up at the Public Hearing the Board can revisit it.

Attorney Dickover – This is a Site Plan amendment, **78 Oak Street, construction new retail Auto Parts store**, we can amend this as we go and make your determination. (**The Short form EAF was review by the Board and changed/corrected accordingly by the Board**).

Chairman Plato – If any member of the Board disagrees or has a comment please speak up.

Attorney Dickover – **If the Board is inclined you could resolve a resolution that based upon the information and analysis within and the supporting documentation that the proposed action will not result in any significant adverse environmental impacts, this can be a motion.**

**Member Wilkins Made Motion as stated above by Attorney Dickover  
Seconded by Member Sebring, All Ayes / Motion Carried**

Chairman Plato – **I would like a motion to set the Public Hearing for May 5<sup>th</sup> 2014 @ 7:30pm.**

**Member Sebring Made Motion as stated above by Chairman Plato  
Seconded by Member Wilkins, All Ayes / Motion Carried**

PB Engineer Gainer – I suggest John Joseph meet with Building Inspector Stickles soon and review the issues and identify appropriate revisions.

John Joseph – Reviewed and discussed landscaping, plantings and maintenance, retaining wall behind proposed Auto Zone, parking and curbing.

Member Wilkins – Is there room for another pad?

John Joseph – No I don't think so.

Attorney Dickover – PB Engineer Gainer one of the comments you had was the County Department of Planning mandatory review.

PB Engineer Gainer – John Joseph touched on that early, he presented to the Board what their landscape buffer was shown to the 2011 accrued project he'll add that to this plan so the mandatory comment will be addressed and that will satisfy it and that will be reflected on the amended Site Plan.

Attorney Dickover – When you add the BIO retention area note could you make reference to the previously approved Site Plan, the date of it and that it was approved, so that there is a reference between the two Site Plans and the dates accordingly.

**C. DISCUSSION ITEMS:****C. 1 Continuing Education**

Chairman Plato – At the Tri-Board meeting it was discussed continuing education requirements, needed are 4 hours per year. Attorney Dickover you were volunteered to possibly give us an hour of continuing education. Can we start on May 5<sup>th</sup>, anyone have any objections to starting then? None noted.

Attorney Dickover – Reviewed some topics that might be of interest to the Board and made some suggestions. He will prepare accordingly for one (1) hour of training on May 5<sup>th</sup> after the meeting.

**D. INFORMATION ITEMS:****E. CORRESPONDENCE:****3. COMMUNICATIONS:****4. EXECUTIVE SESSION:**

**With no other matters in front of the Planning Board, Member Wilkins made a Motion to adjourn, Seconded by Member Sebring, with all members voting yes.**

**MEETING ADJOURNED:                      8:30 pm**

RESPECTFULLY SUBMITTED  
APRIL 7, 2014  
Nancy LaMancuso  
Planning Board Secretary