

**Board of Trustees of the Village of Walden  
Joint Meeting with the Planning Board and Zoning Board of Appeals  
September 16, 2014**

Mayor Maher called the regular meeting of the Village of Walden Board of Trustees to order at 6:30 pm.

On roll call the following were:

Present:

Mayor	Brian Maher
Deputy Mayor	Sue Rumbold
Trustees	Bernard Bowen
	Sean Hoffman
	Edmond Leonard
	Gerald Mishk

Planning Board	Stan Plato, Chair
	Jason Trafton
	Brian Sebring

Zoning Board	Brenda Adams, Chair
	Rebecca Pearson
	Greg Raymondo
	Faith Moore

Absent:

Trustee	Willie Carley
Planning Board	John Ramos
	Jay Wilkins
	Lisa Dore
	Zac Pearson
Zoning Board	Carolyn Wesenberg
	Oscar Alleyne

Also Present:

Tara Bliss, Village Clerk  
David Donovan, Village Attorney  
Dean Stickles, Building Inspector

Mayor Maher presented a plaque to Tara Bliss for the 9/11 Memorial Service from Senator Larkin's office.

Mayor Maher thanked Trustee Hoffman for taking the lead on the Tri-Board meetings by way of setting the agendas and creating this great forum for discussions.

**Discussion Items**

**Recommendation for Next Joint (Tri-Board) Meeting**

The next Tri-Board Meeting is Tuesday, February 3, 2015 beginning at 6:30pm prior to the regular Board of Trustee meetings in the Bradley Assembly Room, 3<sup>rd</sup> Floor Municipal Building. The next meeting dates will be set at the Reorg Meeting on April 6, 2015.

## **Planning & Zoning Boards – Annual Training Certification, Records & Course Offerings, Disclosure Forms**

Clerk Bliss reminded everyone that each member is required to do 4 hours of training/continued education per year (from April 1<sup>st</sup> to April 1<sup>st</sup>). She stated that some members signed up for OCMF spring classes but did not bring in their completed certificates; just a reminder that the trainings do not count without a certificate. OCMF should have their fall schedule out soon and it will be forwarded to everyone, the dates are October 20<sup>th</sup>, October 27<sup>th</sup>, November 13<sup>th</sup> for the evening classes and the Full day class is October 10<sup>th</sup>. Let her know if anyone would like to join Brenda and Carolyn for the Free Placemaking Committee tour with the Orange County Citizens Foundation this Saturday 9/20 in the Village of Montgomery from 9-11:30am. The tour and class count for 2 hours of Continued Education.

Becky Pearson added that the Zoning Board had a great meeting from our Attorney this spring and it was the best class they have taken in a while.

## **Planning & Zoning Boards - Appointments**

Trustee Hoffman indicated that both Brenda Adams and Jason Trafton are up on April 1<sup>st</sup>. He encouraged them to let the Village Manager know if they would like to continue when their terms are up.

## **Notices/Posting of Property**

Trustee Hoffman stated that Stan had brought up an issue that came up again this summer about auto zone where residents indicated they didn't see the notice in the paper or receive individual notices only heard by word of mouth about the public hearing. Stan had suggested posting of properties with signs at the property in the past and it thought it a good idea to bring it up again.

Stan Plato added that it came up again for Franco's. He also recommended sending it via certified mail but also in regular mail. For Franco's no public showed up at all. The mailings have to be sent out at least 5 days before the public hearing that the applicant sends out. If they don't do the mailings they don't have a Public Hearing. 5 days is a tight time frame and he would like to see it increased to 10 days perhaps.

Attorney Donovan stated that other municipalities go so far as to post the maps and plans on their websites for the ease of public viewing. No motion is needed to add this information to the website. If there is a standard package for applicants then it would be easy to put that up. When it comes to changing the time frame from 5 to 10 days that would need a local law to change to 10 days. Town of Newburgh has actually gone to posting properties and how big it can be and where the property is located for the general public. Most paces don't have that but this is an exception.

Dean Stickles and Clerk Bliss to work out details of website posting.

Trustee Mishk added that as a recent applicant he had to scramble to meet deadlines as it takes 2 weeks at least to get addresses of properties to notice from the town and you have to pay for that list from them. He was able to work with Dean to get them out but if he had to wait for the town he wouldn't have made the deadline.

Clerk Bliss mentioned the capability of the BAS program on our website where people can put in an address or section block and lot number to get the name and address of the current occupant.

Mayor Maher asked if we can amend the application to include that information that it is that easy to get instead of waiting for the town.

Stan Plato replied he hadn't heard that before and has been looking for feedback from the Planning Board applicants on the process and any hiccups with it.

Dean Stickles said we can amend the application and give it to them ahead of time. His office could do it but it would take him time to do for each applicant.

Attorney Donovan stated that a lot of times it is suggested that the municipality generates the list so that there are no omissions. Generally there is a fee for these lists that are generally given through the Assessor's Office.

Mayor Maher suggested that Trustee Hoffman, Dean Stickles, John Revella, and Brian Sebring from the Planning Board all get together to work with Attorney Donovan on details of the law to include the dimensions of the sign details and the mailing date change. He also asked Clerk Bliss to discuss with John about Code Red usage as well.

### **Accessory Apartments**

Brenda Adams stated that in April 2013 they proposed a draft LL for this idea and the Board discussed it but it dropped off the agenda. Is the Village interested in doing something like this or is it a dead issue?

Mayor Maher replied he thought it was a dead issue.

Trustee Leonard said that the problem with the law in the municipalities who have a similar law are when the ownership changes. Maybe we need to look at it again.

Brenda Adams agreed that it is a complicated issue and regulation would be difficult but it keeps coming up at their meetings.

Trustee Hoffman thought when it was last discussed was that we were somewhat apartment rich and were not interested in going any further with it.

Becky Pearson asked if it ever went to the Planning Board for review.

Dean Stickles stated that originally it was meant for a large house for a senior who could rent it out so they wouldn't lose their home.

Mayor Maher asked if we could put a need restriction on something like this.

Attorney Donovan stated that would be difficult to enforce and impose that limitation.

Deputy Mayor Rumbold stated that the Board felt that the 924 apartment units we already have are plenty not to mention the illegal units out there. Another concern was the costs to

the residents as well as other reasons such as parking space limitations or the prospect of illegal 2 family houses which is why it went off the radar, not just one or two reasons.

Trustee Mishk stated that he recently applied for an eco-cottage which is a temporary building for the life of the senior. He has also forwarded several laws to Dave for him to look at. He thought the Board was going to follow up on this.

Jason Trafton commented that if the point is to ease financial hardship this would be more of a cost to them.

Faith Moore stated that there are 13 other municipalities that have this type of law which doesn't mean ours would have to be the same. She was looking at it as an accessory exception not just for a senior home owner. It's more cost effective to put in an apartment at her home rather than putting them in a nursing home. If there was an accessory unit exception we could make a decision on this perhaps. She wanted to know if there was a way to have room for some exceptions.

Deputy Mayor Rumbold asked where you draw the line with the exceptions. She feels this would be putting the Zoning Board in a position to play "God". We are asking for trouble with a slippery slope of making exceptions.

Attorney Donovan added that this is a use variance and a difficult process to go through. If the Board wanted to do this it would take legislation to make that change.

Roll Call:

Trustee Mishk – Aye

Trustee Hoffman – Nay

Deputy Mayor Rumbold – Nay

Mayor Maher – Aye

Trustee Bowen – Nay

Trustee Leonard – Aye

Mayor Maher explained we are tied so we will therefore need to take another vote at a later date when the entire Board is here which we will do at a later date.

### **Acceptable Colors for Buildings & Signs Policy from Planning Board**

Trustee Hoffman explained that the Planning Board made a resolution and if they wanted to enforce it would need a law.

Stan Plato explained that they have been using historic colors out of Benjamin Moore colors available for signs. We had two applicants come and some of the colors in their logos are not available in that color scheme. They were colors of our country: red, white, and blue which is why the resolution was made.

Attorney Donovan stated that these are guidelines, not statutes therefore no law is needed.

### **Roundtable Discussion**

Brenda Adams asked when we would be getting new Zoning Maps from the County. The ones we have are from 2007.

September 16, 2014 (Tri Board Meeting)

Clerk Bliss stated she has called about getting updated ones at Dean's request. Have not gotten a response to date.  
Mayor Maher stated he would make a call to help expedite that.

Becky Pearson asked about posting of minutes of Zoning/Planning Boards online.

Clerk Bliss will work with Dean Stickles to get them up to date as she does not have them but will happily post them.

Stan Plato asked about the status of exclusionary zoning vs inclusionary zoning.

Trustee Hoffman stated it was discussed at the comp plan meeting but didn't move forward.

Mayor Maher explained that was approved but they group could not find enough veteran women in our area to fill the home and wanted to move women from the city which didn't fall in line with their funding.

#### **Public Comment**

Mary Ellen Maise, 21 Clinton Street, stated that if you want to know how many illegal apartments we have, just count mailboxes and compare with list.

#### **Adjournment**

Mayor Maher moved to adjourn. Seconded by Trustee Hoffman. All ayes. Meeting adjourned.