

Village of Walden
Planning Board Meeting
August 04, 2014

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Absent
	Brian Sebring	Present
	Lisa Dore	Present
	Jason Trafton	Absent
Alternate Members:	John Ramos	Present
	Zak Pearson	Absent
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:

Chairman Plato – Approval of minutes for 06/02/14 and 06/18/14, the Board could not approve these minutes meeting because members were absent when the minutes were taken. I believe we have the same problem tonight with 06/02/14 minutes. Minutes from 06/18/14 and changes/additions/deletions?

Attorney Dickover – Made a few typo corrections.

**Member Sebring made Motion to accept Planning Board Minutes of 06/18/14
Seconded by Member Dore, with all members voting yes.**

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

B. FORMAL APPLICATIONS:

B.1 10 Scofield Street, Site Plan Approval, Proposed Business

Chairman Plato – Did the Board take any action on SEQRA on this?

Attorney Dickover – No, the Board has a memo from PB Engineer Gainer dated 07/03/14 the Board has not done any typing or any SEQRA.

PB Engineer Gainer – Building Inspector Stickles has the corrected EAF been filed? As of 07/03/14 we identified some corrections that were necessary for the EAF

Building Inspector Stickles – I have gotten no new information on this. It was sent to Orange County and you have the referral. The last time the applicant was here the Board was waiting to determine whether the use was allowed or not the Board determined that when the applicant wasn't here now he is back.

Chairman Plato – Now SEQRA and Public Hearing can be scheduled.

PB Engineer Gainer – The Public Hearing is discretionary.

Attorney Dickover – If the Board feels they have a reasonably complete application at this point you could declare yourselves to be Lead Agency for purposes of the unlisted action. If there is another involved agency then you would have to be a coordinated review. **But no other involved agency comes to mind so you can determine to do an uncoordinated review, declare yourselves Lead Agency and type the action as unlisted. A motion to that effect could be made by a member of and moved to vote.**

**Alt. Member Ramos Made Motion as stated above by Attorney Dickover
Seconded by Member Dore, All Ayes / Motion Carried**

Chairman Plato – The Board has the completed short form EAF, part 2 has been filled in I don't recall the Board doing that?

Attorney Dickover – I don't believe that the Board has reviewed that as a Board.

Attorney Dickover – The EAF application dated 08/04/14 we can amend this as we go and make your determination. (The Short form EAF was reviewed 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.

Chairman Plato – **I'd like a motion that the Board adopts a Negative Declaration regards to this project.**

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

Attorney Dickover – That completes your SEQRA review on the project.

Chairman Plato – I talked before about having some ammunition on site. I was trying to think why you would have that because you talked about having dummy ammo to train.

Efrain Oyola – It would be available for sale with the transaction I would be dealing with it is not the primary reason it would be just storage.

Chairman Plato – So you would have the ammo stored there and take it to a testing site.

Efrain Oyola – Yes, there is no reason for live ammo to be on the premises.

Alternate Ramos – What is the amount of ammo you would have on premises at any given time?

Efrain Oyola - Minimal amount needed for the individual transaction being done and it is secured in an appropriate type safe along with a security alarm and monitoring system, which notifies the Village of Walden Police as well as myself immediately. I also took over the apartment in the building upstairs just for piece of mind and security purposes.

Member Sebring – What about black powder?

Efrain Oyola – I don't deal with black powder.

Member Sebring – Most of the time when your door is open you have an appointment coming which has be prescheduled, other than that you're closed?

Efrain Oyola – No, I'm always there, things might come up or I might get a phone call and I can say come on over. I keep myself available with other parts of the business too, paperwork filing, background checks, etc. There won't be advertising like the yellow pages or signs etc. Most of my transactions are online sales, some through references from previous customers. I try to keep it discreet; I don't want to be married to the business either.

Alternate Ramos – I would also like the applicant to provide a risk assessment to the Fire Department so in case of an emergency in that structure or an adjoining one the Fire Department is aware of what is stored there and they can be prepared better.

Efrain Oyola – Yes, that sounds very reasonable and the safe is fire proofed too.

Alternate Ramos – Will you provide us with an amended copy of your licenses and permits to reflect the change in address?

Efrain Oyola – You should have a copy of the State Dealers License with the new address, the ACF just met with me on to through the facility I am expecting the amended license to come within the week or two and ATF to submit the license within the next few days. As soon as I get it I will supply a copy. I also have a letter the Board requested from the current property owner.

Building Inspector Stickles – Just for the record all of the licenses he has are from 3 Northgate not for 10 Scofield Street.

Member Sebring – Are the licenses renewable.

Efrain Oyola – The Dealers licenses renews the end of January every two (2) years so it will be do in 2016 and I will get a packet approximately five (5) months prior from the County Clerk. The AFT in every three (3) which I just renewed May of this year, even though I am amending it, it will be due May of 2017 and I will get that packet in December or January prior to the renewal. The Village of Walden Chief of Police gets a copy of the both Applications State and Federal Licenses.

Chairman Plato – Attorney Dickover should approval be based on those two (2) being current?

Attorney Dickover – I would not do that. You don't require doctors and lawyers etc. to maintain their licenses, it's really a subject that's outside the Boards jurisdiction and the authorities will close him down faster that we ever could.

Efrain Oyola – The licenses are specific to the address premise itself.

Attorney Dickover – The Board needs to determine if you need a formal Site Plan, I believe you have a submitted floor plan. If you're satisfied that is all that is required then a motion to waive the formal Site Plan elements normally required by your ordinance and then perhaps a discussion if you want to have a Public Hearing and if so then scheduled it.

PB Engineer Gainer – The current requirements are sited in section 305-60G as Attorney Dickover indicates requires a final Site Plan. Normally the Site Plan if there is any abbreviated information that is not entirely none compliant you waive those requirements for showing water supplies, sanitary sewage, drainage things of that sort. In this instance there's not even a Site Plan on file so you don't have any material as to what the site looks like. As I understand it the building occupies a substantially large tax parcel but you do not even have a survey to illustrate a plan on which to take an action.

Efrain Oyola – I stopped by the County and all I could find with the County's help was a tax map, which gave me a parcel block and lot number. But they couldn't give me something more specific such as the square footage of the building or back yard, where the electrical or sewer lines etc, nothing specific could be found here for this building or in Goshen. Does anyone have recommendations as to where or who would have it?

PB Engineer Gainer – So currently the only thing that has been filed with the application is a hand drawn layout and floor plan of the building.

Chairman Plato – And there are not changes externally?

Efrain Oyola – None.

Chairman Plato – To have a full Site Plan does that really do anything for the Board on this application?

PB Engineer Gainer – No, as I understand it the building occupies substantially the entire parcel.

Member Sebring – So nothing could ever be changed then.

Chairman Plato – I would like a **motion that we waive the Site Plan requirements that PB Engineer Gainer pointed out in his 07/03/14 correspondence to the Board.**

**Member Dore Made Motion as stated above by Chairman Plato
Seconded by Alternate Ramos, All Ayes / Motion Carried**

Chairman Plato – We are not required to have a Public Hearing but I think this is one that would be appropriate for a couple of reasons. 1. With people when there are firearms they get concerned. I think it could stop some of those concerns hopefully and 2. If there are some legitimate concerns about it I think the Board would want to know. I would recommend that we have a Public Hearing.

Member Sebring – I agree that we should have a Public Hearing.

Chairman Plato – I would like a **motion to schedule a Public Hearing for 08/20/14.**

**Alternate Ramos Made Motion as stated above by Chairman Plato
Seconded by Member Dore, All Ayes / Motion Carried**

C. DISCUSSION ITEMS:

D. INFORMATION ITEMS:

E. CORRESPONDENCE:

3. COMMUNICATIONS:

4. EXECUTIVE SESSION:

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

MEETING ADJOURNED: 8:15pm

RESPECTFULLY SUBMITTED
August 04, 2014
Nancy LaMancuso
Planning Board Secretary