

Village of Walden
Planning Board Meeting
July 15, 2015

Chairman:	Stan Plato	Absent
Members:	Jay Wilkins	Absent
	Lisa Dore	Present
Acting Chairman	Jason Trafton	Present
	Zak Pearson	Present
Alternate Members:	John Ramos	Present
	Re Hagele	Present
Planning Board Engineer	Ron Gainer	Present
Building Inspector:	Dean Stickle	Present
Village Attorney:	Robert Dickover	Present
Secretary:	Nancy LaMancuso	Present

Acting Chairman Trafton - Called the Planning Board meeting to order at 7:30pm

1. APPROVAL OF MINUTES:

Acting Chairman Trafton – Approval of minutes for 04/15/15, 05/04/15 and 05/20/15.

Alternate Member Ramos made Motion to accept Planning Board Minutes of 04/15/15, 05/04/15 and 05/20/15 Seconded by Member Pearson with all members voting yes.

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

B. FORMAL APPLICATIONS:

Building Inspector Stickle – Anytime Fitness has requested to modify and or change the front entrance that was designed and approved by the Board on Site Plan.

Bruce Kline owner/applicant – The building was supposed to have a restaurant that was to be rented in the front, which is happening and there was going to be any area/deck outside for people sit outside. I don't want a hangout so I would like to just build a handicap ramp in the same exact spot with a landing on the bottom, a 6ft area on top coming out the front door with the ramp down to the parking lot. It's going to be the exact same spot that the deck is now. I would all be up to code with the handicap regulations.

Engineer Ron Gainer – Are you putting plantings in front, it's not being shown on this Site Plan.

Acting Chairman Trafton – For the Boards purpose we have to have something definite of exactly what you are going to do, with dimensions etc.

Member Hagele – Yes, the Board needs a drawing showing exactly what the handicap ramp is going to look like, dimensions, plantings, etc.

Building Inspector Stickle – Does the Board have problem with constructing that, however if there is a field change that needs to be made that it is made and shown on a later drawing?

Engineer Ron Gainer – The applicant does have to provide a complete as built at the end of the project, that was a condition of the approvals at the Thruway.

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Building Inspector Stickles – That was part of the approval for this.

Member Hagele – You're thinking about coming out in front of the door and building a landing and having a set of steps coming down from that landing and then off of that landing having a ramp coming down to a landing and then a ramp going perpendicular to the street. That's all going to be built in wood basically with the same detailing. That makes a lot more sense.

Bruce Kline – Yes, I can get a sketch made but I don't want to hold up the progress of opening the business.

Member Hagele – If you would agree to have an as built of it and agree to do some plantings. You have created some big open areas now that aren't the deck. It might make sense to do some plantings in there. I personally don't have a problem with the design change. I think it's actually better.

Member Pearson – It actually makes sense to do it that way.

Bruce Kline – I have 20 cameras linked into the police department. I don't want a potential problem of having kids hanging out there at night. Gyms I've put in have always cleaned up areas because there are people there all the time, it's a 24 hour gym anyone who hangs out is told to leave, and so it will clean up that whole area.

Acting Chairman Trafton – Building Inspector Stickles what were you saying?

Building Inspector Stickles – I asked if the Board had a problem that if this did not work that there would be a field change and after the field that the applicant would bring back an as built drawing of what was constructed, as per the code and per the Boards requests, Engineer Ron Gainer would look at it also.

Attorney Dickover – The problem the Board has is that you approved Site Plan already showing that the plan is in progress that what's approved. The applicant is now asking to change that, technically it requires an amended Site Plan. The applicant is saying he doesn't want to wait, but if the Board feels that his request is reasonably that the Board is willing to defer your approval authority to Building Inspector Stickles and Engineer Ron Gainer you can allow it to go through as field change subject to their approval and a condition that they provide an as built after it is constructed. But the Board is deferring your discretion and decision making on the items to your consultants.

Member Pearson – The bottom line is you're still getting steps and still getting a ramp.

Attorney Dickover – If the Board is comfortable with deferring your discretion making authority on those issues to your consultants you are free to do that. I'm hearing something about landscaping and if that is something that the Board wants to be a condition to deferring your approval authority to consultants make that condition of their review and approval in the field change.

Member Hagele – And think about what it is going to take to maintain plantings back there.

Engineer Ron Gainer – It is a challenging site.

Bruce Kline – It will be a lot cleaner than it is now.

Member Hagele – How about a fancy bike rack?

Bruce Kline – You've got it.

Member Dore – That's a good idea, I like that.

Attorney Dickover – **A motion to waive construction of the entrance as shown on the approved Site Plan in favor of a field change to be approved by Building Inspector Stickles and Engineer Ron Gainer based on the changes described here tonight.**

**Alternate Member Ramos, made motion as stated above by Attorney Dickover
Seconded by Member Dore, All Ayes, Motion Carried**

B.1 55 Main Street, Site Plan Approval

Kevin Brodie, architect with Mystery Design – Relations is doing a renovation to 55 Main Street, interiors and some brick repointing, some roof tar paperwork, some new sidewalks and part of the renovation they would like to provide an emergency generator for the elevators. Right now there's 27 units of senior housing and they want to make sure they can get out of the building in case of an emergency, power outage etc. The generator is 60KW generator and would be connected to hallways, emergency lighting, heat and the elevators. It would be natural gas. We have to locate it fairly close to the electrical panels in the electrical room, which is located at the rear of the building, in one of the parking spaces near the boiler room. It would remove 1 parking spot, right now there are 22 parking spaces so there would 21 parking spaces remaining. It is adjacent to the municipal parking lot which has 54 parking spaces, 90% to 95% of the people don't have vehicles so there really is no problem with parking. We are proposing to erect a 6' high PVC fence in an off which color with a double gate at the end for access to the emergency generator, which will sit on a pad which is roughly 6" high. The top of generator will stick out approximately 4-6" above the fence, but standing at grade level you probably won't even see it.

Engineer Ron Gainer – The unit is totally enclosed.

Kevin Brodie – It does do a self-test once a week, its 84 decibels and self-tests for about 15 minutes.

Member Hagele – You can set when that self-test time would be, so it's not going to be 2am in morning.

Kevin Brodie – No, it will probably be in the afternoon.

Building Inspector Stickles – Just for reference the Village of Walden's goes off Thursday mornings at 9am and you can hardly hear it, it runs 15-20 minutes and then shuts itself off.

Member Trafton – Yes, it is pretty quiet.

Alternate Member Ramos – Beside the elevators etc., is there any lifesaving equipment that is used by any of the senior residents that will tied to that generator?

Kevin Brodie – Not that I am aware of. That type of equipment would usually have battery backups.

Engineer Ron Gainer – What type of silencing do you have on the exhaust?

Kevin Brodie – It does state is on the paperwork you have, it would be the F182 letter which has a muffler on it, 86 decibel average. The quieter units have a lot of cost and a lot of bulk to the units so at that point we would have to take out additional parking spaces and leave 3ft of clearance to the housing by code and by manufacturer requirements.

Acting Chairman Trafton – Building Inspector Stickles does this have any effects on their parking requirements for the building?

Building Inspector Stickles – No, because they are within the parking district. The only question I have is that it is not going to block the entrance to the furnace rooms that existing there in the back now, is it?

Kevin Brodie – No, it would be in front of the blank spot, which is where the dentist office is.

Acting Chairman Trafton – What about snow removal?

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Kevin Brodie – They do have snow blowers that they use on the sidewalks and around there. So I would assume they would use their own plows to do the parking lot and then their snow blowers to do the driveway and clear around the unit.

Engineer Ron Gainer – I chatted informally with Building Inspector Stickles we haven't done any formal. There are very minor site issues, the loss of 1 parking space, it's in a municipal district there's no impact to that. It is a Site Plan on Main Street which is a State Highway so our assessment with Building Inspector Stickles we need to a referral to Orange County Planning. It would be in your interest to wait formal Site Plan review, and wait for the Orange County referral. In respect for procedures for the Site Plan a Public Hearing is discretionary.

Attorney Dickover – All that plus the Board still has to do a SEQRA review. This is an emergency backup unit is that right? It's not going to run all the time?

Kevin Brodie – Yes, it's an emergency backup unit and will not run all the time. It would be used in a sever power shortage.

Attorney Dickover – Is there a reason why it's in the middle of the parking area instead of at the end?

Kevin Brodie – We can put it in the handicap parking space because of EDA regulations state they have to be as close as possible and those are existing parking spaces so we didn't want to touch those handicap parking spaces. We could move it next to the handicap parking spaces but we didn't want to create a situation for a handicap van for example that might need to pull in there, because it is such a tight area up against the fence.

Attorney Dickover – The issue about removing snow in there, you're going to create 2 stall and they are just going to get plowed in.

Kevin Brodie – They do go out there now with a snow blower and do the whole walkway and there is the garbage area near there also so they have to clear those 2 spaces. We could slide it further over I guess.

Member Hagele – The further distance it is the less efficient it will be because of the greater distance.

Acting Chairman Trafton – Also the stairwell from the Lodge upstairs comes down in that area.

Kevin Brodie – The garbage dumpsters on rollers are in the area for the residents and the truck pick up is better there. Also we have to take into consideration there is an entry door in the back to part of the building and the walkthrough from the municipal lot to Main Street.

Attorney Dickover – For the purposes of proceeding, I gather from the discussions the Board is going to entertain this as an amended Site Plan application. For SEQRA purposes you need to declare yourselves Lead Agency Type the Action as unlisted, you can do that at this point.

**Member Hagele, made motion to declare Lead Agency and Type this as an Unlisted Action
Seconded by Member Dore, All Ayes, Motion Carried**

Attorney Dickover – This does require a 239 referral, Engineer Ron Gainer will attend to that. The next decision is whether or not the Board wants to waive the Public Hearing.

Member Hagele – If it has to be referred then there is a time lag involved anyway.

Attorney Dickover – You have to wait 30 days after the date of that referral to the county before you can take action on the application.

Acting Chairman Trafton – Any other questions/comments by the Board regarding a Public Hearing?

Member Hagele – I don't think there would be any public outrage.

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Acting Chairman Trafton – The area behind 55 Main Street is all private and owned by the Cedars

**Alternate Member Ramos, made motion to waive the Public Hearing
Seconded by Member Pearson, All Ayes, Motion Carried**

Attorney Dickover – The applicant is going to amend the drawings and bring them back to the next meeting August 3, 2015 and the Board will continue this application then. If you have the Orange County reply back by then the Board can take action on this.

Acting Chairman Trafton – We will leave the generator where it is already planned to go.

Member Dore – Does the unit have central air attached to it?

Kevin Brodie – Each unit has its own air conditioner through the walls. No it would not keep the air on; it's for real emergencies, ice storms in the middle of winter, keep the elevators usable etc., to do the whole building would take a much larger unit.

Acting Chairman Trafton – Any other questions/comments by the Board? None noted.

**Member Pearson, made motion to close the Planning Board
Seconded by Alternate Member Ramos, All Ayes, Motion Carried**

B.2 Overlook at Kidd Farm, Extension of Preliminary Approval

Building Inspector Stickles – The applicant will not be here tonight, they're stuck in court in New Jersey.

Member Hagele – They are just asking for an extension.

Attorney Dickover – The Board gave an extension approximately 90 days ago. This applicant has been moving forward obtaining their administrative approvals which was a condition to their approval so I would suggest to the Board that another extension is appropriate. Absent any indication that there have been any changes in zoning rules, state regulations or conditions in the neighborhood, that the Board might be aware if you're an approval of the application would be in order. I would recommend that the Board give it a firm date so the applicant knows when they have to apply again. Perhaps for the purposes of hearing from the applicant on the status you might want to hear from them within 90 instead of 6 months from now, to find out what they have done and what they are doing to move forward. Building Inspector Stickles is telling us that this extension expired on July 1, 2015, the Board did not have a meeting in so the application request is still timely but if you give them 90 days from July 1st it would take them to October 1st, you can give the applicant that day of October 1st on the recommendation if they need another extension that they appear before the Board prior to the expiration. So they would be in front of the Board in September with information regarding the application and or getting another extension from July 1st.

Member Hagele – The letter is not dated should we arbitrarily call it July 1st letter?

Attorney Dickover – Their letter requesting an extension is undated, it is believed that it was received prior to the July 1st expiration date and the Village of Walden office copy is not date stamped I am a bit reluctant to give it an actual date.

Acting Chairman Trafton – We will name it undated letter, so it specifically says we don't know when the date of the actual letter is?

Engineer Ron Gainer – Or the Board just acknowledge that the applicants filed the letter asking for the extension and the Board grant the 90 days from July 1st, keep it simple.

**Alternate Member Ramos, made motion to approve Overlook at Kidd Farm request for an Extension of their approvals to October 1, 2015
Seconded by Acting Chairman Trafton, All Ayes, Motion Carried**

Acting Chairman Trafton – Open the Architectural Review Board.

B.3 123 East Main Street, Architectural Review Dunkin Donuts Pole Sign

Building Inspector Stickles – On the original Site Plan that was approved there was an old sign that was approved to be placed on the site, however the night that they came before the Board for the colors of the building and the sign on the building this item was left out.

Member Hagele – This is going in the location that was approved already?

Duncan Cameron, Dunkin Donuts construction representative – Our proposal for the pole sign I neglected to go over those details the last time we met, so we are back with this application (handed out drawings to the Board). These are following the Dunkin Donuts corporate standards; we are talking approximately a 16' high from ground level to the top of the sign, approximately 24sf face on each side.

Member Hagele – Building Inspector Stickles does that meet zoning?

Engineer Ron Gainer – What about illumination?

Duncan Cameron – I've been told there is no internal illumination. Am I allowed to have stop lights on the sign?

Member Hagele – It says here illumination.

Duncan Cameron – The stipulation will be non-self-illuminated; it's just a question of direction of how I can put light on the sign. Square footage is a question, the color is not the bright orange it's a dark bronze paint and also in speaking with Zachary Doufekias owner Frosty Freeze we would also like to have some kind indication of the Tin Brook Plaza maybe putting something on the pole as well to identify it. In speaking with Zachary Doufekias he would also like that if that is ok with the Board.

Building Inspector Stickles – The Board would have to see that.

Member Hagele – We would have to be sure that it would not block any visibility if it were mounted lower.

Duncan Cameron – Once I understand the parameters I can provide Building Inspector Stickles or the Board with cut sheets of what we are actually go to put into production on this.

Building Inspector Stickles – Everything being proposed is fine.

Duncan Cameron – I would like that area stand out on its own, like Tin Brook Plaza or something like that.

Alternate Member Ramos – Where do you propose to hang the Tin Brook Plaza sign?

Duncan Cameron – Based on the concerns of the Board discussed tonight, obviously the higher the better. I would like to make it extend out further than the Dunkin Donuts if I can, possibly wider because if it sits under it might get lost. I want to make it something of a presence.

Member Dore – Almost like a street sign just kind of hanging off of it.

Member Hagele – Before we weigh in on that we should check the sign ordinance first and make sure we are not exceeding the square footage.

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Building Inspector Stickles – We might have to look and see if that is even allowed.

Engineer Ron Gainer – You can always come back in with a new application and illustrate that sign.

Acting Chairman Trafton – What are your thoughts on the lighting?

Duncan Cameron – The conduit is at the base, generally speaking it would be easier for me but I don't think it would be effective if I had on the ground shining up, the problem is that I think it will hit more neighbors. It's a big distance to go up, the alternative is having some spots like on the building that are relatively small and look pretty good. This is all custom work. My proposal would be to have 2 or 3 spots on the top of the sign itself.

Acting Chairman Trafton – So you are going to come back with a detailed drawing?

Duncan Cameron – I would like to submit it, yes.

Engineer Ron Gainer – You can just approve the sign as is and if the applicant wants illumination he can come back later.

Duncan Cameron – That's fine, that would be very helpful. We would like to open before the end of the month.

Member Dore – What materials are you using?

Duncan Cameron – I'm going to do the wood look and I'm going to build a box.

Member Hagele – Is it going to have steam curlicues on the top? That's going to have mounting more than one light is more of a design trick.

Duncan Cameron – I know, but for now I'm going to go with this and make sure I have the wiring done and then come back to the Board and show you what I would like to do, to tie it all in.

Sam Liebman architect for Frosty Freeze / Dunkin Donuts – I suggested that Duncan Cameron come with this to give the Board a general idea and get your impute before finalizing it. The Board has been very helpful in the past with the layout of the site and with this as long as you see the concept whatever other things the Board might want to have changed or included can be discussed like at a work session.

Acting Chairman Trafton – Can I have a **motion to approve this sign as located on the plans presented tonight with the substitute of all weather composite materials, external illumination to be placed after completion of the sign.**

**Member Dore, made motion as stated above by Acting Chairman Trafton
Seconded by Alternate Member Ramos, All Ayes, Motion Carried**

Acting Chairman Trafton – Anything else before the Architectural Review Board? None noted.

**Alternate Member Ramos made motion to adjourn the Architectural Review Board
Seconded by Member Pearson All Ayes, Motion Carried**

C. DISCUSSION ITEMS:

Building Inspector Stickles – I had asked everyone on the Board to go down and look at the metal siding on the Thruway where the fitness center is. If you remember it was to be bronzed, there was a unique mistake made that it seems to almost match the existing and the owner would like to know if the Board would like to have it stay as it or have it painted bronze? It's a very good match.

Member Hagele – There's absolutely no reason to change it.

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Acting Chairman Trafton – What about the top.

Building Inspector Stickles – At the top the applicant is going to fix the metal and paint that metal on top to match the bronze color, so the whole wall will match.

Acting Chairman Trafton – I think everyone is in agreement that it looks better and he is going to match the top triangle to the wall. That makes sense.

D. INFORMATION ITEMS:

E. CORRESPONDENCE:

3. COMMUNICATIONS:

4. EXECUTIVE SESSION:

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

MEETING ADJOURNED: 830pm

RESPECTFULLY SUBMITTED

July 15, 2015

Nancy LaMancuso

Planning Board Secretary