

Village of Walden
Zoning Board of Appeals Meeting
December 1, 2016

Chairwoman:	Rebecca Pearson	Present
Members:	Faith Moore	Absent
	Carolyn Wesenberg	Present
	Gregory Raymondo	Present
	Mary Ellen Matise	Present
Alternate:	Dan Svarczkopf	Present
Building Inspector:	Dean Stickles	Absent
Village Attorney:	Robert Dickover	Present
Secretary:	Tara Bliss	Present

Chairwoman Pearson - Called the Zoning Board meeting to order at 7:30pm with the Pledge of Allegiance.

1. **APPROVAL OF MINUTES:** None at this time, but they should be ready shortly.

2. **BOARD BUSINESS**

A. **PUBLIC HEARINGS:**

A.1 **25 South Montgomery Street (continued)**

B. **FORMAL APPLICATIONS:**

B.1 **25 South Montgomery Street, Use Variance**

Chairman Pearson stated we got the response from the County which only said it was up for a local determination.

Raymond Zingale, Pine Bush Realty Properties and representative for the applicant, gave an estimate of work to be completed if it is approved as a 3 family. Take off two boilers and electrical services if it's a 1 family so it's around \$100,000. If we don't get the approval he will not do the work and will sell it as a 1 family for \$50,000-\$60,000. He won't sell it as a package deal with the adjacent property. It is a pre-existing driveway there so the property isn't really needed as there is a curb cut and an approved driveway there. He did do some research on comps in the area for homes at 2,950 square feet which is the square footage without the basement and there is nothing else comparable in the area of that size.

There were no other questions from the Board at this time.

Member Matise made a motion to declare the Village of Walden Zoning Board of Appeals as lead agency for purposes of a SEQRA review for the 25 South Montgomery Street, Use Variance. Seconded by Alt. Member Svarczkopf. All ayes. Motion carried.

Member Raymondo made a motion to conduct an uncoordinated review for the 25 South Montgomery Street, Use Variance and type as unlisted action. Seconded by Member Wesenberg. All ayes. Motion carried.

The Board and the Attorney reviewed the short form EAF aloud and found no issues and made no changes or suggestions. They answered all questions in Part 2 as No finding that the proposed action would not result in a significant adverse environmental impact.

Village of Walden
Zoning Board of Appeals Meeting
December 1, 2016

Member Wesenberg made a motion for Negative Declaration under SEQRA for the 25 South Montgomery Street, Use Variance. Seconded by Alt. Member Svarczkopf. All ayes. Motion carried.

Attorney Dickover suggested the Board review the 4 factors associated with a use variance and make their findings with respect to each.

Chairwoman Pearson reviewed the 4 factors aloud:

a. Can the applicant realize a reasonable return, provided that lack of return is substantial, as demonstrated by competent financial evidence?

Chairman Pearson stated that the Board saw no real financial hardship and the property would have a nice return on the property.

b. Is the alleged hardship related to the property in question unique and does it not apply to a substantial portion of the district or neighborhood?

Chairman Pearson stated that the Board did not feel there was a financial hardship and the neighborhood is a single family neighborhood and should stay that way.

c. Would the requested use variance, if granted not alter the essential character of the neighborhood?

Chairman Pearson stated that the Board felt that indeed it could.

d. Has the alleged hardship been self-created hardship?

Chairman Pearson stated that yes it was because it was purchased as a single family home right from the listing itself.

Member Wesenberg made motion to close the Public Hearing for 25 South Montgomery Street, Use Variance. Seconded by Member Matise. All ayes. Motion carried.

Member Wesenberg, made a motion to deny the 25 South Montgomery Street, Use Variance as requested. Seconded by Member Raymondo.

Roll call vote: Chairwoman: Rebecca Pearson Yes

Members: Carolyn Wesenberg Yes

Mary Ellen Matise Yes

Greg Raymondo Yes

Alternate: Dan Svarczkopf Yes

All Ayes, Motion Carried

C. DISCUSSION ITEMS:

D. INFORMATION ITEMS:

E. CORRESPONDENCE:

3. COMMUNICATIONS:

4. EXECUTIVE SESSION:

MEETING ADJOURNED: 7:51 pm

RESPECTFULLY SUBMITTED

December 1, 2016

Tara Bliss

Zoning Board Secretary