

Village of Walden
Zoning Board of Appeals Meeting
August 3, 2017

Chairwoman:	Rebecca Pearson	Present
Members:	Carolyn Wesenberg	Present
	Gregory Raymondo	Absent
	Mary Ellen Matise	Present
	Dan Svarczkopf	Present
Building Inspector:	Dean Stickles	Present
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:

Member Svarczkopf made a motion to approve the May 4, 2017 minutes. Seconded by Member Matise. 3 ayes, 0 nays, 1 abstention (Member Wesenberg). Motion carried.

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

A.1 160 Old Orange Avenue, Area Variance (Continuation)

Dennis Lynch, of M.A. Day Engineering representing the applicant Taconic Innovations, presented the proposed plan and reviewed aloud for the Board. This was before the Board in February and the Board extend it for 3 months. They are looking for approval for fencing around the perimeter of the property which would be done after the parking lot improvements have been made. Fences are not permitted in this zone so they are seeking a variance at this time for the fence and will then go to the Planning Board for the site plan approval.

Chairwoman Pearson asked about the color of the chain link, will it be black or silver.

Mr. Lynch replied it is proposed to be black.

Chairwoman Pearson didn't know if the Planning Board had said anything about the color or not. She feels black would look better or even green. Will pass that onto the Planning Board. Would be prettier all black or fading into the greenery.

Member Matise agreed it would be better if the color were consistent.

Mr. Lynch replied that he will pass that onto the applicant.

Member Matise asked if this will increase the parking there.

Mr. Lynch confirmed.

Chairwoman Pearson asked if the gate will open from right to left or left to right. Most cars come off of 208 and make a right into that building you would get out of the roadway quicker if it is going from right to left so they can scoot in and get off the roadway faster out of traffic and any firetrucks that might be in the area.

Member Svarczkopf replied that the speed that it will opens matters more than the direction.

Chairwoman Pearson disagrees. If you are in the right lane and it opens you can get out of the way faster.

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Member Wesenberg feels the same, her biggest concern is the fire trucks.

Mr. Lynch replied that it would be similar to the Wappinger's Falls location where the gate for the most part is open unless they are closed.

Chairman Pearson confirmed the sign is moving out of the Village right of way.

Mr. Lynch confirmed that the existing sign is in the right of way and we are proposing to move it back.

Attorney Dickover commented that in his memo from January this is actually an area variance although it was a use variance when it first came to you which means it needs to meet the 5 criteria, you need to declare yourself as lead agency, and type it as an unlisted action. So once you hear from the public, close the public hearing, and then go through the short form EAF you can move forward.

There were no members of the public present for any comments on this project.

Member Wesenberg made a motion to close the public hearing for the 160 Old Orange Avenue, Area Variance. Seconded by Member Seconded by Member Svarczkopf. All ayes. Motion carried.

B. FORMAL APPLICATIONS:

B.1 160 Old Orange Avenue, Area Variance

The Board reviewed the short form EAF aloud.

Member Svarczkopf made a motion for Negative Declaration under SEQRA for the 160 Old Orange Avenue, Area Variance. Seconded by Member Matisse. All ayes. Motion carried.

Attorney Dickover stated that the County 239 referral was made it was one for local determination with no other comments. If the Board feels they have enough information they can review the 5 factors and perhaps make a determination this evening.

The Board reviewed aloud the 5 factors associated with an Area Variance:

a. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

Chairwoman Person spoke for all by answering no.

b. Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?

Chairwoman Person spoke for all by answering no.

c. Is the requested area variance substantial?

Chairwoman Person spoke for all by answering no.

d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chairwoman Person spoke for all by answering no.

e. Was the alleged difficulty self-created?

Chairwoman Person spoke for all by answering no.

Member Svarczkopf made a motion to approve the 4 foot fence with the condition that the gate open from right to left with the chain link fence preferably in a matching color or green for 160 Old Orange Avenue, Area Variance. Seconded by Member Wesenberg.

Roll call vote: Chairwoman: Rebecca Pearson Yes
Members: Carolyn Wesenberg Yes

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Mary Ellen Matise	Yes
Greg Raymondo	Absent
Dan Svarczkopf	Yes

All Ayes, Motion Carried

Member Svarczkopf made a motion to authorize Chairwoman Pearson to sign the finalized decision without all members reviewing the document. Seconded by Member Wesenberg. All ayes. Motion carried.

- C. **DISCUSSION ITEMS**: None
- D. **INFORMATION ITEMS**: None
- E. **CORRESPONDENCE**: None
- 3. **COMMUNICATIONS**: None
- 4. **EXECUTIVE SESSION**: None

MEETING ADJOURNED: 7:54pm

RESPECTFULLY SUBMITTED
August 3, 2017
Tara Bliss
Zoning Board Secretary