

Village of Walden  
Planning Board Meeting  
August 15, 2018

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Present
	Lisa Dore	Absent
	Jason Trafton	Present
	Zac Pearson	Present
Alternate:		
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Present
Village Engineer:	John Queenan	Present
Secretary:	Tara Bliss	Present

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Chairman Plato - Called the meeting to order at 7:30pm.

**1. APPROVAL OF MINUTES:**  
Tabled

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:** None

**B. FORMAL APPLICATIONS:**

**B.1 77 East Main Street, Stewarts Shops, Site Plan Amendment**

Jack Fowler, Stewart's Shops, explained that he resubmitted the sign to a scroll sign that we can change remotely from the inside instead of an internally lit sign. He got comments from the County who would like to see storm water protection on the map which we will add. They would also like to add a containment system to minimize potential leaks for fuel. He thinks they mean grooves in the concrete or we have also done an outflow that makes the catch basin act like a water separator. So we can show that if anything gets in there we find that what gets in there is pollution from customers dripping oil than we do from fuel. As far as taking down the canopy and putting it back up is that still a question?

Building Inspector Stickles explained that when the original approval was done it was the old code which was 25 feet from the roadway but it only talked about the pumps and pump islands it did not talk about the canopies so he doesn't know how to proceed from there.

Attorney Dickover explained that by code if they need to take down an existing non-conforming structure and replace it with a new one your code does not allow for that so it would require a variance. There is no way that it can be moved back further to comply.

Mr. Fowler replied it is back at 29 feet and we need 50 feet. It is currently 28 feet when but we are done it will be 29 feet.

Member Pearson asked if the other gas stations are 50 feet.

Chairman Plato doesn't think any of them are.

Building Inspector Stickles replied that is correct as they were all approved under the old code which was 25 feet.

Attorney Dickover stated that the canopy wasn't called out as an exemption.

Chairman Plato asked if it got destroyed in a wind storm could it be replaced in kind.

Attorney Dickover replied he is not sure, he would have to look into that, there may be an exception.

Village of Walden  
Planning Board Meeting  
August 15, 2018

Chairman Plato stated that 50 feet would not work.

Mr. Fowler added that we looked at other options but couldn't fit it and the traffic flow there is pretty good.

Chairman Plato stated that we have to send to the ZBA for an area variance but we can send with recommendations.

Attorney Dickover replied that it would be an area variance as the use is permitted on the site and would be held to the 5 factor criteria for an area variance.

Member Trafton stated they are trying to make it a safer structure.

Member Pearson stated that everything about it does make sense.

Mr. Fowler added that the new tanks will last 30 years and this canopy will not so we want to replace it so it too will last.

Chairman Plato confirmed we will send the applicant to the Zoning Board of Appeals and then come back to the Planning Board. We will draft a letter that says that we are in favor of this for practical and safety purposes.

**Member Wilkins made a motion to draft a letter to the ZBA stating that we are in favor of granting the area variance for 77 East Main Street, Stewarts Shops for both practical and safety purposes. Seconded by Member Trafton. All ayes. Motion carried.**

Attorney Dickover clarified that they don't have to send this back out to the County as it is the same application.

Building Inspector Stickles stated he will send him an area variance application and get you on the September 6<sup>th</sup> ZBA agenda. If they act that night he could possibly come back to the Planning Board on the 10<sup>th</sup>.

Chairman Plato would also like to send something to the Village Board about the 50 foot set back as nothing along there is conforming so we will likely see this with each property there.

**B.2 83 East Main Street, Proposed Offices**

Applicant not present.

**B.3 78 Oak Street, Rear Building, Site Plan Amendment**

Tim Horton, Property Manager, presented a drawing for the proposed changes they would like to make to the existing bank. They are proposing to replace the façade as they have a potential tenant to rent that space. Also they are trying to re-divide the warehouse space in the back of the property under the Anytime Fitness building. He also can address the sign concerns made at the last meeting. The Smokers Choice and Laundry Mat have own designs. Smokers Choice is using their corporate logo on the sign so we believe they have the right to do that.

Chairman Plato Take logo and say it's a corporate logo and use it.

Mr. Horton replied that they have 61 regional locations and this is their logo used nationally. And in terms of the Laundry Mat they are willing to discuss what you would like to do with that.

Chairman Plato stated that they would like to match the other signs in terms of color and font.

Mr. Horton replied that he will discuss that with the Laundry Mat owner. He presented the proposed plans including information on parking, landscaping, and the sidewalk. He also gave the proposed sign for the truck parts store that they would want to put above their entrance door. Please keep in mind this is hidden from the rest of the plaza but we can match the design to match the rest if you would like.

Chairman Plato asked if the existing shed is staying.

Village of Walden  
Planning Board Meeting  
August 15, 2018

Mr. Horton replied yes the Thruway uses it for maintenance supplies for the Thruway, Barry uses it.

Engineer Queenan asked about the proposed striping on the back are you proposing to make it one way. Are you doing anything with the dumpsters? You talked about that last time.

Mr. Horton replied no, just restriping that the yellow is just the area we are proposing to do work in. The potential tenant is proposing a jewelry and gift store with local and handmade items. And we are not looking to move the dumpster.

Engineer Queenan stated that normally this is put in a scalable plan dimensioning everything out and showing that the parking meets the code. Basically bring this to scale. It doesn't have to be a full set of plans just a focused in plan on the areas you are amending and showing what you are doing and it should be done to scale. Also when the Board receives a sign it says colors, sizes, and materials proposed to be used.

Mr. Horton replied that he was looking for ideas on the signs that is why he left that out. They are proposing 3 by 3 signs in 2 locations: one at the main entrance and one at the entrance off of Albany Ave. It is 3 by 3 similar to the one that is currently over by Franco's and Auto Zone for Anytime Fitness now, which is just pushed down into the ground so they would like it up a bit higher.

Engineer Queenan stated that the sign locations should be on the proposed site plan. So you need to get the most recent map and put everything on there and then do zoom-ins in the areas that you want to redo around the Bank and the warehouse to tie it all together. Whatever site work you are proposing such as removing the drive thru at the old bank needs to be noted on the amended plan.

Member Wilkins added that there are issues with the way the current entrance into the plaza is and he thought we amended it the last time they were here. The right lane should be turning right or going straight and the left lane goes left only.

Attorney Dickover stated that if it is on the amended site plan it is in violation.

Chairman Plato summarized that you want the right entrance lane to go straight and to the right and the left lane left. Make sure site plan says that.

Attorney Dickover added that if you take care of it now there are no extra fees. If not you will be looking at enforcement from the building department.

Chairman Plato summarized that he just needs to put it all on the plans and make it one set of plans.

Mr. Horton stated he understood.

**C. DISCUSSION ITEMS:** Chairman Plato stated that due to Labor Day we are meeting on the 10<sup>th</sup> next month so we may not need the 19<sup>th</sup> meeting, we will discuss that on the 10<sup>th</sup>.

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

**3. COMMUNICATIONS:** None

**4. EXECUTIVE SESSION:** None

**5. MEETING ADJOURNED at 8:02 pm**

RESPECTFULLY SUBMITTED  
Tara Bliss, Village Clerk  
Planning Board Secretary