

**Board of Trustees of the Village of Walden  
Joint Meeting with the  
Planning Board & Zoning Board of Appeals  
Tuesday, October 15, 2019 6:00 P.M.  
One Municipal Square**

Mayor Rumbold called the Tri-Board Meeting of the Village of Walden Board of Trustees to order at 6:00 pm.

On roll call the following were:

Present:

Mayor	Sue Rumbold
Deputy Mayor	Faith Moore
Trustees	Larry Kraus
	John Ramos
	Brian B. Sebring
	Daniel Svarczkopf
	Lynn E. Thompson
Planning Board	Stan Plato, Chair
	Lisa Dore
Zoning Board	Becky Pearson, Chair
	Christine Scieurca
	Brenda Adams
	Mary Ellen Matise
	Greg Raymondo

Not Present:

Jay Wilkins  
Zac Pearson  
Jason Trafton  
John Thompson  
Philip Hopkins

Also Present:

John Revella, Village Manager  
Marisa Kraus, Village Clerk  
Kelly A. Kelly, Village Treasurer  
Dave Donovan, Village Attorney

**Discussion Items**

**Annexation**

**Chairwoman Pearson:** I feel that annexation, not necessarily the projects that are before you, but as a whole, should and could be talked about as a group. I have strong feelings that we have definite limits to this Village and whether you want to expand those limits. I think hearing what type of zoning you think it should be. Maybe get a report from the manager. I think those discussions really should be happening. There are things on the table possibly right now that could make a big difference in how the Village would be in the future. I think that those should happen for even more into the future. How you're going to plan? What you want to do? Those are things that as a group, as

a board, I believe that we should be looking at. For example on 52 east, 40 acres that are there. Your zoning is a lot denser than what the Town of Montgomery is. Can your services supply that? Can our services do that without increasing the services and more money for the taxpayers? Do you maybe want to set up a new law for it? Whether you want, instead of 2 acre lots, which is in the town, maybe you want to set up a 1 acre lot zone. I think that really needs to be looked at as a whole Village. How far you want to expand? Those are the things that the board should be discussing. If you're going to be annexing in and you're going to have a lot more homes and property lines. 40 acres. There are more acres on the River Road. You have to think about what you want that to be.

**Member Matise:** I think the idea of buffer zones is an old idea, is a good idea or a bad idea? Maybe. Maybe not. Because then it extends development beyond the buffer zone area. Maybe we need to pay attention to where green spaces should be in relationship to expansion.

**Chairwoman Pearson:** It's not just planning for today. It's planning for the future of your children, your grandchildren and where this Village will be in maybe 20, 30 years from now. And it is setting that plan. Your legislative body does that. You're the people who make those laws. I think that the board really should be looking deeply into it before you make any decisions on annexation. I don't think you've done a plan for that. I think the manager can put together a report and talk about a sewer plan. He can talk about properties that might be coming into the Village. He might be able to talk about what we might like to see if you are going to annex in. Coming from the zoning part, people are going to come to us and want to put things in and we don't have anything that's going to protect us.

**Mayor Rumbold:** When you do our Comprehensive Plan, you're dealing with what's inside our borders.

**Manager Revella:** We also discussed annexation. That's what we were talking about last week and we'll talk about again at the next meeting.

**Mayor Rumbold:** Did you have an in-depth discussion?

**Manager Revella:** We had a discussion in the 2012 part and more recent. Talked about trying to keep it the largest lot size possible. Obviously, the committee was open to other ideas. I'm sure the board as well, if there is something coming in that made sense then, it could happen, but we're looking more at R3 on the annexations that are coming in as vacant space.

**Chairwoman Pearson:** But you can create a new law. You can have a one acre lot, if you want that to happen on the outside of this Village. If you're really thinking of expanding the Village limits then we have to talk about services, more police services, more DPW, more equipment. Does your water and sewer expand that far? And the zone that you want to be at the time you annex.

**Member Adams:** I agree with Chairwoman Pearson on knowing what the zoning is going to be before something is annexed. I would guess that the people who are asking you to annex assume they're going to be the same as what the Town has them zoned as. Well, you have one commercial and I would think that's going to stay commercial or light industrial. The property across the street, what's that zoned for the township?

**Manager Revella:** Usually when they come in, they come in with an annexation zoning proposal. When the person comes in with the application, they will apply for a certain zoning or will have an

agreement between the board and the applicant as to what zoning would be allowed and the uses that are allowed in that zone. Some of the uses in B4 in the Town, aren't uses B4 in the Village. But in this case, they seem to coincide, but there'll be other ones that don't.

**Member Adams:** You know what you have on one side. The other side, does that mean you haven't received the formal application, yet?

**Manager Revella:** We have, but we haven't discussed the opportunity.

**Member Matisse:** R3 is 20k square foot lot. My understanding is that that's a residential zone on the north side of 52. Under the Town, it's residential with septic and wells. Under the Village it would be residential with municipal water and sewer.

**Chairwoman Pearson:** Maybe you want to create a law with a larger lot size.

**Member Raymondo:** Should have a plan before we decide to annex the property. Should know what we want to do and how we want to develop it. What are the benefits to the Village?

**Chairman Plato:** How big do you get before you're considered a City?

**Manager Revella:** You can be as big as the County, but it doesn't make you a City. You have to apply to the State to become a City.

**Mayor Rumbold:** We have the population now to be considered a City.

**Chairman Plato:** What are the advantages and disadvantages?

**Manager Revella:** As a City, there are different funding opportunities. CBDG is one. Sales tax. We would just have City Tax. No Village or Town.

**Mayor Rumbold:** Any thoughts on the annexation?

**Chairman Plato:** Not really.

**Member Adams:** Has the Town told anyone why they're willing to give up this property? They're losing some revenue.

**Mayor Rumbold:** I really don't know of any cases where they've said absolutely not.

**Manager Revella:** The Town is not in the business of doing that. They are there to help the residents that live there if they can't offer the services that a Village or City could. So, in a whole they don't really oppose annexation petitions. They still get some revenue from taxes.

**Member Matisse:** Then why doesn't the Village ask American Lumber if they want to annex.

**Manager Revella:** They're in. Their main building is in the Village.

**Chairman Plato:** And now they're doing an expansion and they're doing it in the Village because it's easier to work with.

## **Planning Board Projects**

**Chairman Plato:** We still have Kidd Farm. And Falcon Crest. Which the board's concern is more about the visual impact of the three story building.

**Manager Revella:** Do you have an expansion for Ampac before you, right now?

**Chairman Plato:** No. We do have American Lumber doing 2 additions on their existing warehouse. The other thing I want to bring up, the Planning Board had a thing where the Village Board passed down to us to look at a zoning change. Somehow the applicant wasn't billed. I don't know how we fund who was responsible when that's passed out for us to look at, with our experts and who pays for that. It was a little embarrassing, but we got through it.

**Manager Revella:** Usually you set up an escrow when you start.

**Chairman Plato:** It was passed to us for recommendation on zoning, should that come down from the Village with the escrow already set in place?

**Attorney Donovan:** I don't know how the Village works administratively in that regard, but there's a mechanism in the code for escrow to compensate professional consultants. I can tell you that it's legal to do that. I can tell you as a mechanism in the code to do that. In terms of, should it be the Planning Board? Should it be Village Board? I can't answer that question.

**Chairman Plato:** I think this is something that will probably happen again sometime. Should be prepared.

**Manager Revella:** I would say that before you entertain an application, even a referral, you would try to set up an escrow for whatever it might be, because your consultants would better tell than what we would, what kind of escrow you might need.

**Chairwoman Pearson:** All that expertise is not paid for?

**Chairman Plato:** There were a lot of extra fees on it. A lot of different ideas on the property.

**Trustee Svarczkopf:** The question wasn't that it should have an escrow, it's who sets it.

**Mayor Rumbold:** Doesn't the applicant still have to present an application to the Planning Board? If we refer it to the Planning Board, they don't have to have an application?

**Chairman Plato:** I don't think so.

**Attorney Donovan:** If there's an application for a zone change, that petition is referred to the Planning Board for their review and report back to the Village Board.

**Mayor Rumbold:** But if they're using their attorney, their experts, they would have to establish an escrow knowing what their fees are.

**Attorney Donovan:** The code provides for payment of professional consultants. Who in the Village is responsible to set that up? That's an administrative issue that I don't get involved in.

**Mayor Rumbold:** I would think the board that it goes to, because they know what their fees would be. You're saying that there have been charges incurred because of that?

**Chairman Plato:** An applicant comes to Village Board and asks to look at a zoning change. You pass it to the Planning Board. In our review of it, even if the applicant wasn't there, we have to look at a lot of different things. We have legal and engineering expenses. I think if the Village Board is passing it down, with that should come down, the escrow to handle that.

**Manager Revella:** The only thing is that it's hard for this board to know how in depth you would look at that particular application. What your consultants feel is appropriate. So before you initiate that review, you set that escrow at that time.

**Member Scieurca:** You said that the quote provides for an escrow to be set up; does it provide a standard amount? Could the board provide for a standard amount?

**Chairman Plato:** I think that's reasonable.

**Member Matisse:** Protection of water resources. I don't know if we want to go beyond what we have. We border the Wallkill with a lot of private property. Some industrial properties. The Tin Brook. The Wellhead Protection is outside of the Village. I know we have some provisions in the Comp Plan.

**Manager Revella:** Besides MS4?

**Member Matisse:** Yes. Say somebody comes before the Zoning Board and wants to do a major change to their lot and borders on the Tin Brook and Wallkill. Should that have more stronger law than a property that's not adjacent to waterways?

**Manager Revella:** I think that's important. When you get an application for permits from the Building Dept., they do runoff studies, barriers or drainage at least those waterways.

#### **Public Comment**

None

#### **Executive Session**

None

#### **Motion to Adjourn**

Trustee Ramos motioned to adjourn the meeting. Seconded by Trustee Sebring. All ayes. Meeting adjourned.