

Village of Walden
Planning Board Meeting
December 16, 2019

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

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

1. APPROVAL OF MINUTES:

Member Thompson made a motion to approve November 18, 2019 Minutes. Seconded by Member Wilkins. All ayes. Motion carried

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

B. FORMAL APPLICATIONS:

B.1 126 North Montgomery Street, Falcon Rest, Conceptual Plan

Chairman Plato: We had discussed quite a few years ago and I don't know what happened to it, on a project this size, requesting for a sign to be put up so the community knows what's being planned for that area. I think this is a perfect one to do that on.

Building Inspector Stickles: The sign was when you had a public hearing. The public hearing notice was to be placed on a 24 by 30 sign so everybody knew what was going to happen. It wasn't the product itself.

Attorney Dickover: Typically that kind of requirement is found in the Village Code. An additional notice or posting is required for public hearings.

Chairman Plato: I think we should look at getting that in the Village Code, because a lot of these projects, we don't get a turn out from the public, because they don't see the paper. They don't know what's going on.

Building Inspector Stickles: The people who are abutting all these projects do get the mailings.

Chairman Plato: But there's other people that would like to be involved also.

Building Inspector Stickles: Could you require the applicant to do it?

Attorney Dickover: Well, the local law is when they're adopted to put the burden on the applicant to do it. My observations of where it's gone, is that it often causes problems when you come to the public here and people come in and say the sign is facing south, it should be facing west. It's a big piece of property, needs to be in three or four places instead of just one. You get into these crazy additional notice requirements and then become traps for the unwary. If you get a developer or an engineer's representative coming in and doesn't know the local legislation. They forget to do it. Then you've got public hearings that are scheduled and are not properly noticed. It's obviously a question for the local

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legislature here to decide whether or not you want to implement that. And if the board wants to make recommendations, it's in your authority to do so.

Chairman Plato: How does the rest of the board feel?

Member Thompson: I like it. I've seen similar sites. I think they're fine in addition to the mailing. It's just another tool to notify the people.

Chairman Plato: I think the public doesn't really get the notification.

Larry Marshall: Is this something that the board is considered implementing on this project?

Chairman Plato: No, not necessarily on this. It came up years ago and we talked about implementing it and we haven't had a project come along except maybe a townhouse project, but nothing's come along that would be of that size made. I think we should put that maybe on the agenda to discuss and see if we present it to the Village Board.

Engineer Queenan: There's a mix of comments, concerns and stats.

Chairman Plato: I think we should schedule a formal site visit.

Building Inspector Stickles: We can put a notice in the paper.

Chairman Plato: I think we should settle on a date and notice it. The public has to be noticed if there is a meeting off site.

Mr. Donnelly: The general public gets to see the site?

Attorney Dickover: You have to publish it. Put out a public notice that there's going to be a visit at the property. The applicant does have the right to deny access to the public.

Mr. Donnelly: The place is full of debris, fallen trees. I don't want to be adversarial. I think is a liability issue because there's nothing really graded. I'm not saying it hasn't been done; I'm just a little reluctant to have people walking around in a site that's so rough.

Attorney Dickover: Would you have an objection to the board members?

Mr. Donnelly: No, of course not. You came and did a walkthrough.

Chairman Plato: That walk through was really prohibited from really discussing anything about it.

Attorney Dickover: This would have to be the same way. No discussion. No decisions made. Bring it back to here to have a discussion.

Chairman Plato: We could discuss it here.

Larry Marshall: You would have to have minutes.

Attorney Dickover: Only if there is discussion.

Chairman Plato: Most of us have visited the site. As long as we openly discuss it here and then that's fine. So, I don't think it's needed. I just want to make sure we stay within the bounds. We have a list here. We had you do the balloons and I don't think it did anything for me, looking at the site and seeing how tall

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that building is going to be. Seemed like it was just out of character for that area. I know the landscaping is going to take quite a while to grow.

Member Pearson: Kind of what I thought it would look like.

Mr. Donnelly: It's a whole. Have any of you ever been on that property? When you go in there, it's full of debris. It's a hole in the ground that nobody knows is even there, because you see a driveway, a road going to nowhere. And you go back to a place where there is all this garbage. That's a big hole in the ground. Zac, by the way, you said that it doesn't need to be cut. It needs to be cut five feet in the back. Also, when we had spoken, you mentioned those trees. I had Larry design that retaining wall so we could leave those trees rather than having to slope down. Now we could leave a good portion of those trees in the back corner where those people's houses are.

Member Pearson: The most mature trees on the site were around the outside.

Larry Marshall: We had talked about the large mature trees along the property line. And when we were standing out on the site, it was a general thought that a majority of them were coming out. That's actually not true. Majority of them are staying. We went around the edges of the site, located each of the trees, eight inches in diameter or greater. I would say 75% of them are remaining.

Chairman Plato: You'll be clearing a lot.

Larry Marshall: I understand that. I was surprised at how close the larger ones are to the property lines.

Chairman Plato: We had talked about providing a plan showing the trees of a certain size, did you get a chance to do that?

Larry Marshall: We couldn't get them located and on the plans for this submission. They'll be on subsequent submissions.

Member Pearson: Did you do the northern property line too?

Larry Marshall: We did both sides. There's not really many there.

Member Pearson: There were a couple of big ones, but when we walked past quickly, it looked like they were either on the line or just over it. Just be curious to see what it's like there.

Chairman Plato: I appreciate that there were the balloons. Except when I start looking at the site and seeing the balloons, a lot of those trees are gone. It's hard to get a representation of what it would be.

Larry Marshall: Understood. That's why we had the photographer take in and provide the red enhancement.

Member Pearson: The grading associated with this, did you run an earthwork? Is this a balanced site? Is there an export or import?

Larry Marshall: I'll have to get back to you on that.

Member Pearson: I'm looking at this big fill in the front, I'm just wondering, is all that fill because you're cutting and everything's balanced?

Larry Marshall: It's close. It's not a significant cut. We have to create something flat out of something that's not. We have to bring the material from the back to the front.

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Member Pearson: If the earthwork was looked at and if that's the reason that this pad is set at this elevation is because of earthwork?

Engineer Queenan: If you need to bring material in to do the plan, then maybe it would make sense to lower the pad.

Larry Marshall: I'll get back to you with an actual figure. I'll tell you how much we're going to cut. We don't want to artificially raise site. We can even add it to the plan.

Member Pearson: Still in contract with the Sparks?

Mr. Donnelly: Yes. I shrunk the building, so you don't really have a retaining wall there. Need to do some kind of swale. Now that we have taken that down to get the water to not run towards her house. We'll take that into consideration when we do that.

Chairman Plato: My concern has been the visual impact of the building and it really hasn't changed.

Mr. Donnelly: I'm confused because coming down Route 52; you have to turn your head to look to the right, look up the hill. There are no sidewalks. I don't know how many people actually look up the hill when they drive down the road. It's no taller than any other house. It's going to be landscape beautifully.

Member Pearson: It's a scale too. Its single family homes.

Mr. Donnelly: But it's 55 and older. If you put a development in and 14 lots in there. You have three or four bedroom homes. There are people in this community can't afford their homes. They want to live here. They can't walk up and down the stairs because they're older. That's why there's a 100 people waiting at every location. I'm not bringing in undesirable people. This is for the community. It's blowing my mind that I'm having such resistance on something that I'm not asking for an area variance or a height variance. I'm not asking for anything other than approval to build housing for our people, like our community and people that could live here. Dealing with the same thing in Chester. We have a community that's falling apart. It has a lot of issues going on and trying to do something positive that's going to bring Sugarloaf back and I'm getting pushback from people. I'm a little frustrated because this is not asking for just three bedroom apartments. I'm asking for 55 and older. There is no place for people to live in our community. Our downtown is empty. Empty storefronts. Maybe it's not going to make it perfect, but it's going to help. We want our churches and store full. If we don't bring people into our community, we are not going to have a community. Now, people are leaving, our kids have no place to go. It's not only this board, it's a lot of boards that have this negative outlook on growth. This is a Village. It fits with the Village. Maybe it's a bigger building than the Village wants to look at, but it's in a blink of an eye and once it's landscaped it will be beautiful.

Chairman Plato: I understand your frustration. I think anything that goes in, we have to make sure that it fits in the community and it's the right thing.

Mr. Donnelly: It fits in the community because we don't have it. We don't have enough housing. If every single one of our communities that are 55 or older or even regular housing, you can't get it. It doesn't exist. How can we grow our community if you don't let anybody build anything that can bring people to our community? We're not putting a load on the school system. It's going to pay taxes instead of a sand pit.

Larry Marshall: We have our marching orders from John. List of items that we need to address. We will continue to review with the plans with SHIPPO as well as DOT. What is the board looking for that's beyond what's been provided us to us this evening?

Chairman Plato: Show the trees that are staying. I think that the more trees you keep, obviously, the better. Landscaping, I want Jason to take a look at that too. The thing with the landscaping, I know you'll

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do what's right, but the initial landscaping is not the best landscaping because it all has to grow. How is going to look initially?

Larry Marshall: Right. Today we haven't received any comments on what we've proposed, so we'll welcome any comments.

Engineer Queenan: Reviewed the landscaping plan. It was upgraded since our last submission, but it's still basically trees along 52 trees. Trees at the access drive.

Chairman Plato: I'm just concerned. How does a look initially? How will it look in five years?

Engineer Queenan: Landscaping is difficult because your vision is different than mine. So, it is a balance. But I think if we get the trees that are going to remain, we'll be able to incorporate that into the plan. Lighting plan does look better. There's no throw off the property now. That seems to have been cleaned up and resolved.

Larry Marshall: We pulled those fixtures in. That helped with the spill over that we had.

Member Pearson: We've seen in the field that the big stuff was on the outside.

Larry Marshall: The only problem that I have is that my surveyors aren't very good at identifying trees without their leaves. We're going to note the size and whether it's a pin oak or red oak. It will give you an idea and then if you do walk the site you can identify it and say, that's the tree that's noted on the plans.

Chairman Plato: We had we talked about what size tree should stay.

Larry Marshall: We looked at anything larger than 8 inches. We had talked out on the field and thought we talked about 12. On our own accord, we went down. There's not a ton there. There are some very large trees there. There's a 2 foot diameter trees and larger. But when you start getting down to 12 inch size you're measuring at breast height, not like you're looking at the base. There's not really a ton there. We're incorporating a wall. Pulling the grading back. Add it on to the existing conditions plan and the demolition plan. You will know which trees were being removed and which one will remain.

Mr. Donnelly: If there's anything in the backyard, I don't know if you'll be able to see much of the building at all through the trees, even without leaves.

Chairman Plato: I think the view from the trailer park and also the front. I think on the housing side, you're gonna be down.

Member Pearson: As you go west on Liberty, there's the one house across from the corner, those people are going to be looking at it. Other than screening and leaving what trees you can there.

Member Wilkins: Can you put a ribbon around the trees that are going to remain?

Larry Marshall: I don't think that would be a problem. We can put a green ribbon around the trees that are going to stay and a red ribbon around the ones that are going to be removed.

Engineer Queenan: Need to see a basic rendering of what the building would look like.

Chairman Plato: I think we had that. I don't know if it's been updated with the landscaping.

Mr. Donnelly: The plan that they have, those are the colors that I like.

Chairman Plato: You don't have that with you?

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Larry Marshall: I don't. I'll bring it for the next meeting.

Engineer Queenan: I believe the plan could be circulated to the county for 239, if it has not already been done there.

Chairman Plato: I thought there was a variance required. Do we circulate before the variance?

Attorney Dickover: I don't think there's a variance any longer.

Engineer Queenan: The garage? Did we resolve that?

Attorney Dickover: Wasn't resolved, was it? We talked about it.

Chairman Plato: I wouldn't let that stop that from sending it to the County.

Engineer Queenan: I think to get their input would be beneficial.

Attorney Dickover: It's up in the air as to whether or not they need a variance or whether or not you're going to convert it to a use to make it pre-existing.

Engineer Queenan: There was the Sparks lot and then it was the maintenance garage being converted. Technically, you would need a five foot.

Larry Marshall: If you leave it there, it would require a variance.

Mr. Donnelly: We'll go to the ZBA.

Larry Marshall: Is that something that can occur simultaneously?

Attorney Dickover: Sure.

Engineer Queenan: They need a zone change from the board for the density proposed.

Attorney Dickover: That's from the Village Board.

Engineer Queenan: Correct. The variance is the other zoning issue.

Chairman Plato: Should that stop us from sending it to the county?

Attorney Dickover: No.

Member Pearson made a motion to refer applicant to the Zoning Board of Appeals. Seconded by Member Wilkins. All ayes.

Member Wilkins made a motion to adjourn Planning Board Regular Meeting. Seconded by Member Thompson. All ayes. Motion carried.

B.2 12 Main Street, Architectural Review, Sign(s)

Chris Lewis: We're presenting tonight the 2 building signs for the bank. They are identical. They're not illuminated. It's an aluminum panel with the cut quarter inch aluminum plate letters mounted to the face of it. Painted colors to work with the building. The sign itself is the Oyster color and the letters for Wallkill Valley Federal Savings and Loan will be green.

Building Inspector Stickles: 1 will face Ulster Ave and 1 will face Main St.

Member Wilkins made a motion to approve the building signs in Oyster color with green Walkkill Valley Federal Savings and Loan lettering. Seconded by Member Thompson. All ayes. Motion carried.

B.3 150 Coldenham Road, Architectural Review, Sign(s)

Applicant not present

B.4 70 Oak Street, Architectural Review, Sign

Cyndi Hunter: We are asking for approval to affix signage to the office building located at 70 Oak Street. The signs will be lit with black goose neck fixtures above the signs. Our intention is to match the Thruway. We would like one sign facing our parking lot, which is easily visible when you descend Oak Street towards the Thruway. We would also like an identical sign to be affixed to the building facing Franco's. 2 signs altogether.

Building Inspector Stickles: This property is allowed to have one sign. It faces only one street. And in the past, you have given the Chiropractor who had this property before, the one sign coming down Oak Street on the side of the building. It's up to your judgment if you want to allow the other sign and not make him go to the Variance procedure to have it.

Member Thompson made a motion to approve the application as submitted for the 2 signs on both sides of the building. Black background with Antique White for the lettering with the Hunter logo would be an orange splash. Seconded by Member Wilkins. All ayes. Motion carried.

Member Wilkins made a motion to close the meeting. Seconded by Member Pearson. All ayes. Motion carried.

C. DISCUSSION ITEMS:

D. INFORMATION ITEMS: None

E. CORRESPONDENCE: None

3. COMMUNICATIONS: None

4. EXECUTIVE SESSION:

5. MEETING ADJOURNED at 8:16pm

RESPECTFULLY SUBMITTED
Marisa Kraus, Village Clerk
Planning Board Secretary