

Village of Walden  
Planning Board Meeting  
April 19, 2021

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Present
	Lisa Dore	Absent
	Jason Trafton	Absent
	Zac Pearson	Present
	John Thompson	Present
	Jennifer C. Muehlen	Present
Alternate:	Basil Stewert	Present
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Present
Village Engineer:	John Queenan	Present
Secretary:	Marisa Kraus	Present

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

**1. APPROVAL OF MINUTES:**

Member Wilkins made a motion to approve the February 22, 2021 and March 15, 2021 Minutes. Seconded by Member Thompson. All ayes. Motion carried.

Member Thompson made a motion to adjourn Planning Board meeting and open the Architectural Review Board. Seconded by Member Muehlen. All ayes. Motion carried.

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:**

A.1

**B. FORMAL APPLICATIONS:**

**B.1 26 East Main St, Architectural Review, Sign**

Member Thompson made a motion to approve sign as submitted. Seconded by Member Wilkins. All ayes. Motion carried.

**B.2 49 Main St, Architectural Review, Sign**

Member Wilkins made a motion to approve sign as submitted. Seconded by Member Pearson. All ayes. Motion carried.

Member Thompson made a motion to adjourn Architectural Review Board and reopen Planning Board meeting. Seconded by Member Wilkins. All ayes. Motion carried.

**B.3 78 Oak St, Hannaford, Site Plan Amendment, Signage**

**Ryan Morrison:** Hannaford is going through some small changes at a lot of their stores in the way they provide services. You'll know that a lot of the Hannaford's in the area, they're trying to provide contactless service. Of course, with the pandemic that kind of expedited things. They've started this process about 2 years ago. They had planned to roll it out a lot slower, but are kind of speeding through their stores to try and provide contactless service. The way they provide the service is you would order your goods online, they would tell you the time to come pick it up. You would show up in the parking lot at a designated space. On that space in front of it, there would be a sign there with a telephone number that you call or text. You text that number and that would tell you associate in the store you're outside waiting for your groceries. The associate would bring the groceries to you, put them in your trunk, and then would finish the transaction with an iPad. That way there's minimal contact, people don't have to walk in the stores. Some people like it to speed it up. Other people like it to just kind of separate themselves. How we plan on changing the existing site plan was to provide some "Hannaford To Go" parking spaces. There is a

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total of 6 parking spaces that we're proposing be switched over. Their Hannaford To Go designated spaces at peak times, they do get used for other uses, but we try to keep them designated. There may be three people coming in and out swapping spots. The way we direct traffic to those Hannaford To Go parking spaces is typically we provide 1 sign on the building and then a couple of small signs in the parking lot. Basically telling people whether to make a left or right, get them to the spot and then the 1 sign on the building is above the door where an associate would come out. It's a fairly small sign, 18 square feet. While we're doing these, we're also taking the time to do some other brand updates. Some of them are like ADA compliance updates. This parking lot may have been striped 15 years ago. Since then, signage has been updated in New York State. New York State has a required sign for an ADA signage. So, we're showing that on the plan as being updated. Another standard that Hannaford has been doing is providing 1 or 2 spots in each parking lot for expectant mothers or young families. We're also proposing to add a sign in the parking lot that designates 1 spot just outside the ADA parking spots for expectant mothers or young families. Help those folks get to the door easier. The other proposed changes on site is there's a pylon sign at the parking lot entrance. I drove down there just as you enter the parking lot and you'd be looking down at the building, there's one pylon sign standing up. Right now it just says the logo on it. They wanted to update that to start advertising that there's Hannaford To Go there. You'll see there's a small change where they shrunk the logo and just added Hannaford To Go underneath it. Overall, we think these are pretty small changes, but we understand that having a sign to the building, requires us to at least come talk to you guys.

**Chairman Plato:** The no contact, is there an extra charge for that?

**Ryan Morrison:** I don't believe so.

**Member Thompson:** Shop Rite doesn't do it.

**Member Muehlen:** I think there's a minimum order.

**Ryan Morrison:** Our request would be that we could waive the site plan process. Typical process, we would ask that we would have a public hearing. So, if we could wave a public hearing given the minor nature of this project.

**Attorney Dickover:** It's an amended site plan application, I think you can waive it. It's a type 2 action for SEQR purposes also, so you don't need to do any environmental review. Signage may be required as an ARB review in that district. So, at some point you need to put it on your ARB schedule. I think the other thing was, John, I don't know if you've got a chance to review this yet, but the parking needs to be consistent, at least with what was previously approved and you've got some directional changes maybe going on that site too.

**Ryan Morrison:** We're providing some directional signage strictly to direct the Hannaford To Go spaces only.

**Engineer Queenan:** There's no change in the direction of flow.

Member Thompson made a motion to waive the public hearing. Seconded by Member Wilkins. All ayes. Motion carried.

Member Wilkins made a motion to approve the proposed signs as submitted. Seconded by Member Thompson. All ayes. Motion carried.

#### **B.4 Orange County Transit, Site Plan**

**Anthony Mirando:** Quick update on where we are on the application and some other items. On April 6th, it's not necessarily for this Board, but I figured that I'd update you. The Board of Trustees considered the extension request and sewer and water timeframes, and they did grant additional time extending out into

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the middle of August. Since then, we've submitted a letter to you with a number of other documents updating you on the status of outside agency work. That's been going on with the County, with the Village DPW, as well as the State DOT. I can give you an additional update beyond just my letter, which is that on April 15th, I believe, we received a response from the County DOH with a number of items to address in technical nature. As it turns out, because they reviewing materials from a couple months ago, we've actually addressed a lot of the stuff that they pointed out. Zach has already started to coordinate a resubmittal with them, and updated the plans to address the additional points that they raised. We also provided some information on how Zach has come to his disturbance calculations and some other items related to that. With that in place, as far as how we see it, we're open to talking tonight if the board had any specific comments on additional paved areas.

**Member Wilkins:** There has been a stop work order on the project for some time. Why is the bus company continuing to do work there on their own?

**Anthony Mirando:** The bus company is not doing work there on their own since there's been a stop work order.

**Building Inspector Stickles:** John and I were down last Thursday to do a septic tank inspection on the property, and it does appear that there have been some more additional grading done on these 2 lots. Now, whether it was done recently or within the last month or so, there has been some trees cut down and there have been some grading.

**Anthony Mirando:** This is news to me. We'll follow up on that.

**Zach Peters:** I think the last time that we had come in was right after the workshop meeting with John and Dean and reviewed the comments from DPW as well as some other comments that John had at the time. We have incorporated those into this plan. Updated some notes on the details that Fred Perna had wanted. We relocated some of the water sewer lines on our site, specifically to relocate the pump station and the meter. That was a request from Fred. John and I also talked about relocating our proposed pump station as opposed to a separate pump station which we were able to do by shifting the main pump station, making it a little bit deeper. Everything else is pretty much what we had talked about before the Board last time. We did look at changing the lighting, easterly portion of the site, as John had recommended, so that the proposed lighting fixtures, I think are 18 feet high. Those fixtures are going to be an area of light as opposed to a spot light type fixtures and they're going to be downward facing. As a result of that we're proposing to remove 4 lighting fixtures, 2 light poles. It was the ones I think there was some discussion about a few months ago closest to the eastern property line. As we discussed, the lighting in the existing portion of the site is going to remain. We didn't have any changes proposed there. The other comment that we talked about last time was about accessible parking. We located that, the closest proximity to where the offices are going to be. That area is all proposed to be paved with an access walkway and a ramp up to the site. That's the area we talked about several times with entrance that has some potholes and there's some tracking that the Board was concerned about. What we're proposing to dig that up to provide a stable sub base in the area that seems to be the concern and extend that back. It will be reset and then paved at that existing interface. Based on the site inspections that we completed, it appears like that's the primary area of concern. Everything else seems pretty stable. We are continuing to propose to pave the access drive through the site. But I don't believe there are any issues with stability on that. I think the only other 2 changes we made are we talked about the storage container that is existing now that sort of sticks out perpendicular. We're just going to relocate that. I think it will make it easier. It's going to be a 10 foot separation to the property line. Then as part of that, with the trailers gone, we're showing another area that's going to be designated for snow storage.

**Member Wilkins:** The buses are stored right now on the east side of the property, I also see a commercial dump truck or trailer.

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**Zach Peters:** There are 2 tractor trailer trailers that were left on the site and the owner indicate approximately 10 years ago from a prior tenant. He relocated them previously, I think the end of last year is what he had said. When you lined up all the busses there, they're basically parked against that property line. They have been on the site for a long time.

**Member Wilkins:** Once the plan is approved, the buses on the east side will be moved?

**Zach Peters:** Yes. The large busses are proposed to be moved from where the berm is to this is this area \*referred to map\* So, they end up being I think I looked at, it was about 80-85 feet from the property line.

**Member Wilkins:** How many busses in total?

**Zach Peters:** Total proposed is 156 large busses and 117 small busses. Right now there are 85 large busses and 100 small busses.

**Chairman Plato:** Now, my understanding is that this is all going to be paved?

**Zach Peters:** We're proposing to pave the emergency drive to designate emergency path through the site. There'll be some resurfacing of the entire site, but that would be on top of the material that's already there.

**Member Wilkins:** I think the last time we required the entire parking area be paved.

**Chairman Plato:** I thought all the aisle ways would be paved and it doesn't show that.

**Zach Peters:** I think we discussed that as an option in the beginning and that was before I think we've done anything. I think the primary concern was for emergency accessibility through the site. We had come up with paving this pathway.

**Anthony Mirando:** I don't think we were ever required to pave the whole site and I don't think we ever agreed to pave the whole site. I think it was that we have to go back and look at the disturbance. We wanted to evaluate that and we submitted some information on that tonight. I'd love to look at the plan together. And if this particular areas that we think need to be paid for a particular reason, let's have a conversation. I know the applicant is not looking to push back on that, but there's a balance. Paving the entire site raises new issues. We don't want to ignore those in the short term and we certainly don't want to be obstinate to the board. If there are more areas that you suggest to be paved, let's discuss.

**Member Wilkins:** I thought that we all had agreed the entire property lot would be paved. There wouldn't be any question about the blacktop being picked up with plowing.

**Member Pearson:** We did ask the question, how are you going to protect the edge of the asphalt?

**Anthony Mirando:** Absolutely, and we did answer the question.

**Engineer Queenan:** It was also discussed about options here. You were going to go back to the applicant and see what you can come up with.

**Anthony Mirando:** Yes and 1 of the big questions was disturbance and how much. That was the focus of it. We can talk about options now. If there's a particular area that we really want to see paved, let us know.

**Engineer Queenan:** When we started there was nothing to be paid. So, we got to that fire access drive and it's always been kind of a Board concern, how do we stripe this? How do you keep order here? You added the guide rails in between the parking areas. But I still don't know how you keep order here without

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striping. Dean and I walked it. They do a good job of parking. But you get busses that the first guy starts on an angle and the next is on an angle.

**Chairman Plato:** I thought at one time they talked about putting posts in to designate parking areas.

**Engineer Queenan:** We did and then they proposed a guiderail. There's a guiderail right that will go down the center so they know the limits when they back up, but there's still no striping.

**Chairman Plato:** The other thing, too, is I can understand paving for emergency vehicles, but why not the normal traffic all the time?

**Anthony Mirando:** We're happy to talk more about it. But when you're putting asphalt down on the whole property, it's a lot of asphalt. It's a balance of putting asphalt down on the entire site versus additional potential runoff, additional potential asphalt near the pond in the back. But I can tell you that the applicant is happy to have a conversation about it. And if there is more paving to be done, let's do it. Is the recommendation that they pave the entire site? It doesn't seem like there's a whole basis for that, but we're not trying to slow down.

**Chairman Plato:** What about storm water runoff?

**Engineer Queenan:** It's a fine line. They're considering what they have there as compacted gravel. Essentially, it's almost impervious. There has to be a balance. I don't know, maybe we stripe something possible that you pave where passenger cars are going to go versus the busses that can sit out in the middle of the yard?

**Anthony Mirando:** There's ways to do it.

**Chairman Plato:** If it stays the way it is with the dirt, you got that coming out on to the road.

**Engineer Queenan:** And it's constant maintenance.

**Zach Peters:** I don't want to spend more of my client's money than we have to. If we're talking about additional paving, 1 of the things that I'm thinking about on the way over was, if we have this emergency designated aisle was essentially paving what would be this portion on the north side and then here and then the employee parking and leaving what would essentially be a few of the small bus parking spaces and majority, if not all of the large bus spaces. The existing gravel area, that would stay gravel. But we would pave all of the passenger car spaces, some of the large bus spaces on this side and some of the smaller bus spaces. Then we could stripe.

**Attorney Dickover:** We have been listening to it since probably October, maybe August of last year and hearing what Zac just said, the concern seems to me are 1, cars tracking dirt and mud out on the highway. So, if they paved the first I don't know how many number of feet to the entrance areas that would run off in that area. If they paved that section, that would address that concern. If they're willing to pave where the employees or parking, that would give orderly parking there so they don't have passenger cars all over the place. And if they paved the other 2 areas that Zach indicated, the large bus parking that remains unpaved and unmarked. This site is going to have a site manager. Somebody is going to be responsible to make sure these busses fit on this property. And if they don't, we're going to have a problem that's going to be theirs. They're not going to be able to operate this facility. My suggestion is, is to perhaps take them up on what Zach just said and let the site operator worry about the efficient parking of the busses.

**Chairman Plato:** Looking at the March meeting minutes and Zach, you said basically you're talking about black topping the spaces, not the aisles.

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**Zach Peters:** I think Mr. Wilkins had discussed that as a possible option. Which is 1 of the things that we were talking about in the course of the last month.

**Chairman Plato:** Why the emergency access is paved?

**Engineer Queenan:** We wanted that paved so that there was a defined path that no one would park in. I still think that will hold. If we paved all the areas towards 52 and with the emergency access, it would transition to all the bus parking. You'd still have essentially a don't park in this and the rest would be striped on one side and the other side would just be the gravel.

**Chairman Plato:** The part that is not paved, what would you put down?

**Engineer Queenan:** They'd have to regrade, I don't know what the sub base is with the services, but they'd have to bring in a sub base like a gravel material so they could pave on top of that.

**Chairman Plato:** Where it's not paved, are they going to put fresh stone?

**Engineer Queenan:** It looks like they continue to put down stone and item 4. Just filling in potholes as they appear.

**Member Thompson:** When are other site improvements going to be done? Such as berm, the whole back fence, that's kind of in disarray.

**Anthony Mirando:** We can't do any of that until this is done.

**Chairman Plato:** This year there was a lot of snow, is that area large enough to handle snow?

**Anthony Mirando:** That's what Zach was saying before, we actually added a lot of areas for snow. Particularly where we're taking off those trailers.

**Zach Peters:** When we met with the applicant, with the removal of the trailers, we decimated another area. He was happy with what we had over here, but we provided this additional area sort of in the middle portion of the site.

**Member Pearson:** Have you heard anything back from DOT yet?

**Zach Peters:** I heard back from her 2 weeks ago that she hadn't received anything. So, I sent it to her again and have not heard back. Anthony said we did just get comments back from the health department at the end of last week.

**Anthony Mirando:** The only other outstanding item, we submitted a noise report back in early February. We don't have a response yet and we have to go in front of the Board of Trustees tomorrow night.

**Engineer Queenan:** Easy answer is the 3rd Party Engineers will promise me that he'll get to it by the end of this month.

**Anthony Mirando:** We only got a few months out here, extension wise. We're really trying to push and do what we can. I have to explain to them why we are where we are and when we move forward and how to move forward.

**Member Wilkins:** I'd like to see all the approvals from the other agencies.

**Anthony Mirando:** We can't get anything from them until this Board addresses SEQR. We have a situation where as the sewer water connections are tied to the site plan, which is tied to SEQR, those

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agencies can't issue approvals until this Board is serving as lead agency and makes a decision in this regard. A little bit of a speed bump in terms of doing those things. I can tell you we're pushing on the agencies as hard as we can. I think the County may have raised questions about SEQR in their memo. I have presented my position that this project actually is exempt for SEQR under type 2 categories. I know Rob is still looking at it, but that is something that we've articulated and I feel comfortable with.

**Engineer Queenan:** I think there is 3 options, pave everything, which has its pros and cons environmentally. Not the best thing to do. Is it really necessary where the busses are as long as they separate busses from cars? I don't think so. They'll have the guardrails up so the busses will be able to figure it out. The compromise would be to pave, I'll say, everything from the access drive towards 52, as well as this, the stretch over here for the passenger vehicles. Then the 3rd option would be to just pave what is shown on this plan.

**Chairman Plato:** John, you don't see a problem with having less employee spaces than bus spaces?

**Engineer Queenan:** I know what's going to happen, they're going to pull out the busses and they're going to park there.

**Chairman Plato:** They must be operating like that right now. I don't know if that should be our concern or not.

**Engineer Queenan:** I think by code, I think they meet the parking requirement.

**Anthony Mirando:** It's interesting about this site, too, it's not the Dollar General, where it's the general public just parking. It's run through a site. It's not the same sort of traditional park layout and circumstances.

**Attorney Dickover:** For the Board's concern, it's really, I think we wanted the busses off of the easterly property line. People parking their cars there, that's the plan that you've ended up with. What really would concern me was busses parking on the easterly property line and have that situation changed. I think we deal with a condition to the approval and a condition of the CO, that that not occur and maybe even put in some no bus parking signage in that area. So, that the property operator doesn't forget that they're not supposed to have busses in that area.

**Member Wilkins:** When they connect to the sewer, the existing septic tanks be decommissioned? Are they going to be removed and filled?

**Zach Peters:** They're either going to be pumped out and filled or removed. I think just based on how the sewer lines are coming in, I think they're all just going to be removed.

**Engineer Queenan:** The wells will also be abandoned and decommissioned.

**Attorney Dickover:** We have to conclude the SEQR process before you can move this to a public hearing and before they even get to the agency letters, we've got to complete the SEQR. This Board has asked for an independent review of their noise analysis. That work is underway. It seems to me that you need that before you can make your SEQR determination. So right now, that would be the next thing to get accomplished. Complete the plan so that when we get to that process we know what the plan looks like for environmental and move it to public hearing.

**Chairman Plato:** I still think we have to get some guidance on the paving. What's good? What isn't?

**Attorney Dickover:** I mean, you've got to make a decision because without that, the applicant can't complete the plan. Had a lot of discussion about it this evening.

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**Chairman Plato:** I think the paving emergency access and the paving of all byways except for the employee parking.

**Engineer Queenan:** I'll just add that in that compromised scenario, you're only dealing with 1 edge.

**Member Thompson:** I'm on the compromise end of this. The employee parking paved. The maintenance is on them. I don't know why we're worried about it.

**Member Stewert:** I feel the same.

**Member Thompson:** Although I do like our Attorney's idea of putting no bus parking signs up where the employees are.

**Member Wilkins:** \*inaudible\* parking and get all the approvals from the agencies.

**Member Pearson:** Paving everything from the access aisle, employee parking. I think it's smart to just have one edge.

**Anthony Mirando:** We will certainly take this and update the plan. Get it back to you guys and John and Dean.

**Member Muehlen:** I agree with them also, because something that has come up in every meeting, every month is the stuff that gets dragged out onto 52.

**Chairman Plato:** Resubmit with those changes. Maybe we'll have something from the sound engineer.

**B.5 Approval of Bill from Lanc & Tully and Rob Dickover for Overlook at Kidd Farm**

Member Wilkins made a motion to approve invoices from Lanc & Tully and Rob Dickover for Overlook at Kidd Farm. 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 8:34pm**

Member Wilkins made a motion to adjourn meeting. Seconded by Member Muehlen. All ayes. Motion carried.

RESPECTFULLY SUBMITTED

Marisa Kraus, Village Clerk  
Planning Board Secretary