

Village of Walden  
Zoning Board of Appeals Meeting  
December 15, 2021

Chairwoman:	Rebecca Pearson	Present
Members:	Christine Scieurca	Present
	Mary Ellen Matise	Present
	Brenda Adams	Present
	William Sestrom	Present
Alternate Members:	Scott Barilli	Present
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Absent
Secretary:	Marisa Kraus	Present

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Chairwoman Pearson - Called the Zoning Board meeting to order at 6:30pm with the Pledge of Allegiance.

**1. APPROVAL OF MINUTES:**

**Member Adams:** Page 1 under John Fallon, the first sentence "since being bought by the owner. I think it should be "brought". And on Page 2, sort of in the middle of the first section, the word she had an "account", it should be an "accountant".

**Chairwoman Pearson:** Page 6, should change to "other businesses".

Member Adams made a motion to approve the November 17, 2021 Minutes with corrections. Seconded by Member Scieurca. All ayes. Motion carried.

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:**

A.1

**B. FORMAL APPLICATIONS:**

**B. 1 150 East Main St, Use Variance**

**Chairwoman Pearson:** You all got the email and the decision in front of you. I know that people respond back. I sent that to Rob and he made changes. The last one is what it would be.

**Member Matise:** The things that I'm questioning are things that not that we said, which is the order that I was reading, is what we were saying. No, it's what the applicants presented. Page 4. .

\*Chairwoman Pearson read section into minutes\*

**Member Matise:** That's what they said. That's not what we are saying.

**Chairwoman Pearson:** That is what we said.

**Member Adams:** We agreed to that.

**Member Matise:** I know that's what we talked about, but the way this is written. This is saying the applicants are describing how they are going to use the property.

**Chairwoman Pearson:** This is the decision. Is everyone happy with how it reads?

**Building Inspector Stickles:** 1 change, where it says existing storage container will be removed. They are going to move it to the rear of the building and use it as a shed. They're going to get a building permit for it and place it where it needs to be placed. The container or shed or whichever way you want it, is an 8

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by 20 container. If it is moved to the rear yard, it is 10 feet from the property, from the house or the building and 3 feet from the property line. It meets the zoning requirements. This is a residential zone. The applicant has the right to have a shed.

**Member Matise:** Then anybody in Walden Estates can go and buy a shipping container and put it in their backyard. That's what you're saying.

**Building Inspector Stickles:** If you want to consider that a shed? Yes.

**Member Matise:** I don't consider it a shed.

**Chairwoman Pearson:** Let me ask you about a shed. Does it have to be put on something? Does it have to be level and on something? We know that it has to be removable.

**Building Inspector Stickles:** It could sit on gravel, runners, it could sit on patio block or block. It doesn't have to have a permanent foundation. It can sit on grass.

**Member Adams:** Does it have to be painted?

**Building Inspector Stickles:** We can have it painted so that it blends in with the surrounding area.

**Chairwoman Pearson:** Where is it going to sit exactly?

**Denise Gualtieri:** We are talking with somebody who is able to move it. We're going to run it parallel to the back of the building. 10 feet from the building.

**Chairwoman Pearson:** At one time you said that you were going to get rid of it.

**Denise Gualtieri:** We said at the last meeting that we would like to use it and utilize it. I believe you had said that as long as it was out of sight, the best that we can get it out of sight.

**Member Matise:** Problem is, it's not out of sight to the neighbors.

**Denise Gualtieri:** We're going to paint with the same color as the building. Right now it's not, but it will be. People have sheds that are visible to neighbors.

**Member Adams:** At one time you mentioned that it was filled with things out of the building itself and you were giving it away to the Humane Society and there was some Christmas stuff.

**Denise Gualtieri:** We donated a bunch of stuff to what used to be Maybrook Elementary. We gave some stuff to the Humane Society and such. It would make a great storage container, shed for our overflow of items.

**Chairwoman Pearson:** I don't think the Village code has anything that you can't use storage containers as sheds.

**Building Inspector Stickles:** No it does not. Probably it's not a typical shed, but what happens if they went and bought a shed and put it in the same spot?

**Member Adams:** And if it's painted it will look nice.

**Member Scieurca:** The only thing that I didn't care for is the estate plan part. In my mind refers to a legal entity.

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**Chairwoman Pearson:** She's thinking that you're going to have people come in and you're going to plan their estate and give them legal advice, where this is not that. Maybe we can have a better word for that. What would be a better word for getting rid of things for an estate?

**Member Adams:** Estate sale planning business. Add sale.

**Member Barilli:** Is that a legal term?

**Member Matisse:** Estate planning is what an attorney does. Estate sales is what they do.

**Chairwoman Pearson:** Ok, estate sale planning business. Are we good with that?

**All:** Yes.

**Chairwoman Pearson:** Also, letter G, we are taking out.

**Member Matisse:** The description that they gave to us, they're not going to have outdoor sales, display items outside. They're already done that. They had sales outside. Then said no storage of sale items onsite, but if they're keeping storage containers then they're not complying.

**Chairwoman Pearson:** I don't think there's a problem \*inaudible\* and I think F can be eliminated. We may not want to eliminate it.

**Member Matisse:** What if their storage container gets full and they start sticking stuff around the outside?

**Krissy Karras:** We didn't have a sale. We were part of the Village wide yard sale. We didn't have a sale outside of that. The costume giveaway was just that. We weren't selling any items. So, we haven't sold anything from outside of the property.

**Denise Gualtieri:** There hasn't been any outside displaying items or anything.

**Member Matisse:** Well, you're the ones who told us.

**Denise Gualtieri:** We didn't have anything displayed outside.

**Chairwoman Pearson:** Let me go back to that. No bulk storage of sale items outside. I'm fine with that. Maybe we should say no outdoor bulk storage.

**Member Adams:** I would be good with that.

**Chairwoman Pearson:** Maybe they're not going to be there and if somebody else moves into this property and does the same thing and they don't have a storage container. Leaving this in there, you have to think long term, not just for them. It's for that piece of property. We don't want to have any bulk storage items on the site, but I'm just say outdoors. Like, you don't want like seven grills outside. It will all have to be put away.

**Member Barilli:** I agree with that.

**Member Adams:** You can probably also drop the onsite no outdoor bulk storage or sale items.

**Chairwoman Pearson:** Okay. Existing storage containers will be moved to the rear. If we take it out, then it's not in there for the next people, so it's kind of nice that's not in there. They're just going to get a building permit.

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**Member Matise:** If they take the container with them and another similar use comes in they should go to Dean to get a permit.

**Member Scieurca:** What about no existing storage container on the premises without approval from the Building Department?

**Member Adams:** I would go along with Christine. The existing storage container will be moved as part of the building code.

**Building Inspector Stickles:** I would leave it at the existing.

**Chairwoman Pearson:** The existing storage container will be removed as per zoning code. The first page is going to change to estate sale planning business. Then number 3, changing estate sale planning business. Adding sale to that. Number 4, going to E, we're leaving. F, we're changing no bulk outdoor storage of sale items. G, existing storage should be moved to the rear as per zoning code.

Member Adams made a motion to sign and approve application with changes. Seconded by Member Scieurca. All ayes. Motion carried.

**C. DISCUSSION ITEMS:**

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

**3. COMMUNICATIONS:** None

**4. EXECUTIVE SESSION:** None

**MEETING ADJOURNED:** Member Adams made a motion to adjourn. Seconded by Member Sestrom. All ayes. Motion carried.

6:55pm

RESPECTFULLY SUBMITTED

Marisa Kraus, Zoning Board Secretary