

Village of Walden  
Planning Board Meeting  
June 20, 2022

Chairman:	Stan Plato	Present
Members:	Jay Wilkins	Absent
	Zac Pearson	Present
	John Thompson	Absent
	Jenn Muehlen	Present
		Present
		Absent
Alternate Members:	Basil Stewart	Absent
	Melissa Reda	Absent
Building Inspector:	Dean Stickles	Present
Village Attorney:	Robert Dickover	Absent
Village Engineer:	John Queenan	Present
Secretary:	Marisa Kraus	Present

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Chairman Plato - Called the Planning Board meeting to order at 7:30pm with the Pledge of Allegiance.

**1. APPROVAL OF MINUTES:**

April 18, 2022 Minutes

Member Pearson made a motion to approve April 18, 2022 minutes. Seconded by Member Muehlen. All ayes. Motion carried.

**2. BOARD BUSINESS**

**A. PUBLIC HEARINGS:**

A.1

**B. FORMAL APPLICATIONS:**

**B. 1 38 Grant St, Site Plan**

**Pastor Gerald:** Our big council around the world and we came to New York around four years ago. We have two different churches, two small churches, one in Newburgh and one in Middletown. We want to join in the middle. We already paid the first month. The realtor expenses are in hold. We are requesting for our people. To help us with this place so we can have our own church because we've been renting to other churches and hoping whenever they have available. I spoke to the engineer. He came he briefed me about the parking lot. That was one of the main or priority for you guys. He told me about the square footage of the place. The building is divided into smaller offices. But the place that we want to put chairs. He told me about 900 square feet. Part of it is going to be the altar. So, it might be around 700 square feet. He told we might need around 17 parking lots for the 50 chairs. That's what I'm suggesting, because that's all we have right now. He's told me to come here and have faith. It should be okay. I want to show my respect for you guys. It's a lot of things that we could do for Walden. We want to help the town. Hispanic people, mostly for translation, too. Usually, we drive a van. We don't need the 17 parking lot because we don't use all of them. So, if we're going to do a modification, we have a little outdoor place. Nothing going to effect the survey. I had to bring up \$3,000 with the listing to not put it on the market. And we are getting into the budget in the in the savings for the church. Around \$15,000 already. Hopefully we can do something for Walden.

**Chairman Plato:** Have you seen this report? You should take this to your engineer. Correspondent with John. Get this information onto the plans.

**Engineer Queenan:** Who did you hire as your engineer?

**Pastor Gerald:** Ross.

**Engineer Queenan:** We'll forward everything over to him.

**Chairman Plato:** Your engineer will need to respond to this, update the plans, discuss with John.

### **B.2 35 Main St, Site Plan**

#### **B.3 Walden Glen LLC, Site Plan**

**John Cappello:** This has been before the board for several, several years, was approved once. There was an issue with drainage which we going back and forth that neighbors a couple of times. Designed so it's located on the property. In the last meeting we were here and submitted revised plans. We believe the stormwater plan presented to you now is an improvement over the prior approved design. We understand there may be some technical comments still remain, but since the last time before the board meeting requested to go to the ZBA because although this is the only property zoned for multi-family for mobile home park, existent as a mobile home park for decades, the laws there, written with the setbacks, don't necessarily permit the replacement of the units were before the ZBA for either an interpretation or necessary area variances. The ZBA requested that this board consider the SEQR issues because the majority of comments raised at the public hearing of the ZBA to stormwater drainage and screening. We understand that the board adopts a negative declaration on SEQR if your Engineer Consultant so advises. And that that doesn't necessarily mean the plan is finalized that there's some details the board comes up with when we come back from the ZBA. Hopefully the board can still address those if there's some additional screening the board wants them to do in landscaping, we can still provide it. But we believe the appropriate step would be to consider a negative declaration so that we can go back to the ZBA to address those issues and then come back here and finish the process.

**Archie Morris:** We are neighbors of Walden Glen and our concerns are to this evening. We haven't had a chance to review current plans as they may be presented, so I hope we get those before any decisions are made. And the second is, we don't have any desire to hold them up. We just want to make sure that we're taking care of our responsibilities for the properties and the homeowners that we represent.

**John Cappello:** We actually provided the engineering consultant for the HOA and the HOA Representative of the Management Corporation, electronic copies, I believe Thursday or Friday. We'll be happy to continue to work with them on that site. We think we've addressed the concerns. We would like to move the process along and a negative declaration under SEQR would allow us to go back to ZBA.

**Engineer Queenan:** I met with the applicant's engineer. Went over my comments, as well as the comments that were provided from Winding Brook's HOA.. He did a resubmission last week addressing those comments. So, at this point I'm fairly satisfied that he's checked all the boxes. As the applicant has alluded to. This just gets him to go back to the ZBA, he still has to come back to this board. We still have some technical issues to work out. Still have to have a public hearing.

Member Muehlen made motion to grant Negative Declaration. Seconded by Member Pearson. All ayes. Motion carried.

**Jerry Jacobowitz:** The Village of Walden Board of Trustees has called a public hearing for tomorrow night on a change in the zoning law to allow 40% coverage instead of 30% coverage in the OL-I zone. That was a recommendation that had been made by the comprehensive plan that was adopted in 2019. On page 76 of the state's recommended zoning text amendments and then going down the list, increase the allowable lot coverage in the OL-I district in R2 district. So, the Village Board is acting to implement the provision of the comprehensive plan. I don't know whether that got referred to you. The Village zoning law requires all get referred to your board for review and report.

**Chairman Plato:** How does this effect your project?

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**Jerry Jacobowitz:** This effects the Edmunds Lane properties for which we have. It's 2 sheets of paper, in which I describe what I saw in law as a kind of say an attached is a copy of the proposal that they're having a hearing on tomorrow night. I don't know why it didn't get to you. That this is something they posted a couple of weeks ago. But your job is to review and report to the Board of Trustees with respect to this proposed zoning.

**Chairman Plato:** Maybe they were just going to have a public hearing first and then come back to us with more information. I don't know.

**Jerry Jacobowitz:** I don't presume to know what their intent was. All I want to make sure is that the law is complied with, because if they are going to pass that law, these procedural standards are quite unnecessary and important. So that's why I took the liberty of doing that. As I mentioned in the email, this effects the proposed project on Edmunds Lane. Edmunds Lane is coming in off of Coldenham Rd, it's residential. I think it's R3 and then it becomes OL-I. Diagonally across this direction is the Big Apple Circus, which I understand is back rear part of that property. And then to the west is the interstate back company. So, this is one of the few areas of the village that if you look at the zoning map, there's a lot of gray there, which stands for industry some time ago. I have to admit, unbeknownst to me, there was a change made in the zoning map that took the zoning district line OL-I and R3, went through one of the two pieces that adjoin on Edmunds Lane. The 2014 amendments to the zoning code moved the district line so that the part that was in OL-I became R3. I don't presume to tell you the thinking process that narrowed down the parcel to a point where makes flexibility difficult in the design of the property. We must have 50 feet side yard to a residential zone. So, when you add that into it, you're further shrinking the size of the property that can take the building and the zoning, because we're joining in R3 district. The buffering of the residential zone stays the same. Now, the original subdivision, there was seven lots. This one shows five. But if you notice, they're all very much oversize. The zoning is 12,000 square feet and these are all in excess of 12,000 by a substantial amount. So that there's room here to have six lots instead of five. Seven doesn't work. The whole idea here is to create a buffer of residential homes away from the OL-I and we accomplish that two ways. One is by the 50 foot side yard and the roadway for the six lots is between it and the OL-I. And we're using two separate entrances, one for the residential and a separate entrance for the OL-I. I wanted to give you an introduction to what it is we're coming in with and why we're going to be asking for what we're going to be asking for.

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

**B.4 126 North Montgomery St, Real Estate Sign**

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

**B.5 22 East Main Street, Window Sign**

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

**C. DISCUSSION ITEMS:**

**D. INFORMATION ITEMS:** None

**E. CORRESPONDENCE:** None

**3. COMMUNICATIONS:** None

**4. EXECUTIVE SESSION:** None

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

RESPECTFULLY SUBMITTED  
Marisa Kraus, Planning Board Secretary  
**8:09pm**