

Village of Walden
Zoning Board of Appeals Meeting
June 22, 2022

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

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

1. APPROVAL OF MINUTES:

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

A.1 59 Lafayette, Area Variance

Chairwoman Adams read the Public Hearing notice into the minutes.

Christine Fredell: The car port will be attached to the garage with the post on the other end and a large enough for one car parked.

Chairwoman Adams: Is it going over the blacktop area?

Christine Fredell: Yes, over the blacktop. The trees are mostly the neighbors. I have taken down any trees that were leaning towards the garage before.

Member Scieurca made a motion to open the public hearing. Seconded by Member Matise. All ayes. Motion carried.

Chairwoman Adams: Did you bring a picture of your car port?

Christine Fredell: No.

Member Matise: Do you use the garage now?

Christine Fredell: Yes. There's enough room for one car in the garage.

Member Matise: You have a paved area to the right that's been paved?

Christine Fredell: That's correct.

Member Matise: What about your neighbor?

Christine Fredell: The side yard. Their house is L-shaped. Their driveway is on the next street, Fairview.

Chairwoman Adams: The neighbors are not here. And it's not important for this board, but you do realize you're cutting off some access to your back yard.

Christine Fredell: The other side of the property line. My brother built the house for us years ago. He designed it so that if you ever wanted to access, there's plenty of room on the left side. So, if you need to move the driveway to that side or anything like that, he says there's a lot of room on that side. It would

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just be the roof with a post on the front and the back. My brother would be building it and it would be the same arch as the garage. It won't be flat.

Chairwoman Adams: The attorney brought up sending it to Orange County Planning. Sent it on May 24th. We're short 30 days for an answer. But you had mentioned in your memo that you weren't sure that it needed to go to County Planning.

Attorney Dickover: I'm not sure it met the criteria. Dean, did you send this just as a routine matter?

Building Inspector Stickles: No, I it as a routine matter.

Chairwoman Adams: We do have a question from the audience.

Becky Pearson: Is it a permanent structure? Is going to be bolted to the ground and permanent?

Christine Fredell: Yes. 2 posts and the roof is attached to the garage.

Chairwoman Adams: Mr. Dickover, do you think we need to wait the 30 days?

Attorney Dickover: I do not.

Member Matisse made a motion to close the public hearing. Seconded by Member Scieurca. All ayes. Motion carried.

A.2 1 American Way, Area Variance

Chairwoman Adams: We have some questions that we have to resolve. The application was dated August 2, 2021, but the Building Inspectors response was May 24, 2022. There is no previous denial or anything right?

Building Inspector Stickles: No. The applicant, not these two gentlemen, but the applicant has a difficult time deciding on where he wants to go. That's why the application was put in 21 and in April of 22, it was decided that they would go forward with this. That's why there's a discrepancy in the dates.

Member Matisse: They made an application in 2021. But Dean didn't answer them until this year?

Building Inspector Stickles: The application was put on hold until I heard back from them.

Member Matisse: Whether they wanted to move forward.

Building Inspector Stickles: Yes. In April of this year, they decided to go forward.

Chairwoman Adams read the Public Hearing notice into the minutes

Jim Van Houten: This would tie into the existing building. Would be 65 feet wide and 180 feet long. In front of the existing building right now is a very large concrete pad. This building would be erected. Fastened to that concrete pad. That would become the floor of this new building. It wouldn't change anything that way. It has no environmental impact. It's all concrete. 2 reasons why we wanted to go to the full height was aesthetics. It looks better. Dean pointed out it really hard to seal it from the weather. When you go to the full height, you can fasten the roof together. Whereas if you don't, you always end up with water coming through that seal.

Chairwoman Adams: So you're looking at it both for the visual and for the functional roof. Can you tell me, when you go into the drive, at the very front by the trees, there are two buildings that are actually open sheds. Now you're talking about the next building down. And it's going to be totally on top of the cement.

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Jim Van Houten: Yes.

Chairwoman Adams: So there's no change in water runoff?

Ken Valk: No.

Member Matise: Is this going to be enclosed?

Jim Van Houten: It is, yes.

Member Matise: Then it's also expanding the building itself. It's not like a carport thing or an open shed.

Jim Van Houten: No. This roof protects the guys who are working from the sun in the summer and from a lot of the cold in the winter. And it protects the product as well.

Member Matise: Will the trucks be backing into these doors?

Ken Valk: They come out and load the trucks in the yard.

Chairwoman Adams: This is going to go over top of what you have as cement. Are you going to make more cement now out front?

Ken Valk: No.

Chairwoman Adams: I'm going to add that this goes to the Planning Board. Our part of this is just the variance on the height and the Planning Board has to decide how this building fits on the property.

Member Matise made a motion to open public hearing. Seconded by Member Scieurca. All ayes. Motion carried.

Becky Pearson: The original building that's there now, is that the same height?

Ken Valk: Yes.

Member Matise: Wasn't this property in the Town?

Ken Valk: This part of the building is in the Village. The repair shop is in the Town.

Becky Pearson: You don't have the past Zoning Board approval for that?

Chairwoman Adams: That part of building is the Town. Is that correct?

Building Inspector Stickles: The building that you're looking at there is in the Village of Walden. It was approved by, I don't know what board, in the early 70s. I have no record of that approval. But the building is there. The shop, which is probably 100 feet from this main building, is located in the Town of Montgomery.

Jim Van Houten: There was a house that was on that piece of property that was purchased by the previous owners. They took the house down and then put the shop there. But that stayed in the Town of Montgomery.

Becky Pearson: It slopes.

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Jim Van Houten: There's an overhang that comes out. In the existing building upstairs. We only had a single egress going up and it's not legal anymore. So, we needed a second egress coming out. We have a doorway there. We put a set of stairs inside building, right down next to this one and then that overhang because of the stairs.

Member Sestrom: The 18 wheelers, how are they going to turn around when this is built?

Ken Valk: They're going to change the routine. They're going to go in between the two buildings and go around the back of the shop and right out the back. No impact on that.

Member Matise: The portion that's in the Village is about 10 acres?

Building Inspector Stickles: 9 point something.

Member Matise: I don't know how this impacts it, you could say it's a parking area, once this building is up, does that increase their percentage of coverage on the lot? Do you know what the percentage of coverage on the lot is without this?

Building Inspector Stickles: Not sitting here. No, I don't.

Member Matise: Do we have that information in there?

Building Inspector Stickles: You can look it up in the codebook. Somebody would have to calculate that. That probably will be discussed at the Planning Board meeting.

Member Matise: But that's something that we would deal with here first.

Member Barilli: No, I thought that we're just talking about height.

Member Matise: Yeah, but coverage is also something that they may need variance for if this is going to be increasing on 30%.

Building Inspector Stickles: For argument's sake, if they were proposing a 65 foot addition by 180 or 360 on stage 1 and 2 and their coverage doesn't allow for that. The Planning Board would not allow them to build that much and they would have to scale back. However, they still would be at 44 feet.

Member Matise: Then they would come back to us? How would that work?

Jim Van Houten: We met with the Planning Board a couple of times because the size of space changed as Dean was pointing out. We did have initial approval for a 60 by 90. Then they realized that it was too small to do the operation underneath. That's why it's been expanding.

Member Barilli: You're talking about the coverage. You already have a cement pad. Isn't that part of the coverage?

Member Matise: That's what I'm asking.

Jim Van Houten: We're talking the same area. The Planning Board had no difficulty with a 60 by 90 on the same on the same pad.

Chairwoman Adams: If it's the paved area, they've already got that covered. If it's a building, that's a different story.

Member Matise: Do the trucks back up to these doors?

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Building Inspector Stickles: No. They don't back to the door. The trucks sit outside. They bring it out with the forklift and put it on truck. There's no loading dock.

Member Matisse: I'd hate to tie you up but then I'd also hate for us to give you going out on height and then coverage becomes an issue. Why not do everything all at once?

Member Barilli: Thing is, they're not asking for a variance for coverage for a lot. They're asking for variance for height.

Member Scieurca: You can't increase their application. I mean you're discussing something that could, should, maybe, if, possibly. And if they had to come back, then they have to come back. That's on them.

Ken Valk: So far, the Planning Board has no problem with the coverage.

Jim Van Houten: Planning Board said the only reason for the variance was for the height.

Member Sestrom: Is it safe to summarize as it's not going to be any taller as the existing building and will not be visible from the road?

Ken Valk: It matches the existing building.

Becky Pearson: No more questions, just lighting and noise.

Chairwoman Adams: Lighting was on my list not having to do with the height. Just on my question list for future because we've been down this road lighting up the neighbors.

Ken Valk: The lights are already there.

Chairwoman Adams: Yeah, but you're going to be moving.

Ken Valk: No, they're out beyond this on poles.

Chairwoman Adams: So, there's going to be no lighting on it?

Ken Valk: No extra lights.

Member Barilli made a motion to close public hearing. Seconded by Member Scieurca.

Attorney Dickover: This was sent out for a 239 referral, what was the date of that and has the County responded?

Building Inspector Stickles: They have not replied. I spoke to Jennifer today and she was just doing a review.

Chairwoman Adams: That went on the 24th so we are not at our 30 days.

Member Barilli withdrew his motion. Seconded by Member Scieurca.

Member Scieurca made a motion to keep public hearing open until July 27, 2022 6:30pm or soon thereafter. Seconded by Member Barilli. All ayes. Motion carried.

B. FORMAL APPLICATIONS:

B. 1 59 Lafayette, Area Variance

Member Matisse made motion to adopt this as a type 2 action in regard to SEQR. Seconded by Member Scieurca. All ayes. Motion carried.

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Member Barilli made a motion to approve 59 Lafayette, Area Variance. Seconded by Member Scieurca. All ayes.

B.2 1 American Way, Area Variance

Member Sestrom made a motion declare lead agency and type action as unlisted type action. Seconded by Member Matise. All ayes. Motion carried.

Member Matise made a motion to issue a negative declaration. Seconded by Member Barilli. All ayes. Motion carried.

Member Scieurca made a motion to table until the 239 review time has expired and adjourn until the next regular meeting. Seconded by Member Barilli. All ayes. Motion carried.

C. DISCUSSION ITEMS:

Chairwoman Adams: The Village Board was okay with going forward with making the fence height uniform. They sent it to OC Planning. Which will need 30 days. They set a public hearing for August 2nd.

D. INFORMATION ITEMS: None

E. CORRESPONDENCE: None

3. COMMUNICATIONS: None

4. EXECUTIVE SESSION: None

MEETING ADJOURNED: Member Barilli made a motion to adjourn. Seconded by Member Scieurca. All ayes. Motion carried.

7:27pm

RESPECTFULLY SUBMITTED

Marisa Kraus, Zoning Board Secretary