

Village of Walden
Zoning Board of Appeals Meeting
July 26, 2023

Chairwoman:	Brenda Adams	Present
Members:	Christine Scieurca	Present
	Mary Ellen Matise	Present
	William Sestrom	Absent
	Scott Barilli	Present
Alternate Members:	Lisa Mazzeli	Absent
Building Inspector:	Robert Wallner	Present
Village Attorney:	Robert Dickover	Absent
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:

B. FORMAL APPLICATIONS:

B.1 20 Ulster Ave, Use Variance Resolution Approval

Member Scieurca made a motion to authorize Chairperson to sign Resolution for 20 Ulster Ave as written. Seconded by Member Matise. All ayes. Motion carried.

Chairwoman Adams: The applicant is not here.

C. DISCUSSION ITEMS:

Chairwoman Adams: You all got the letter from Dean and the lawyer about receiving material at whatever time you get them. I think we should wait until the next meeting when everybody is here.

Member Barilli: We're already here.

Chairwoman Adams: It's a matter if people are having a problem with the way they're getting the information.

Member Matise: It became a problem because I was missing parts of it and then not getting the parts and even the night he stood here, there was a part missing out of my packet.

Member Barilli: Normally, we don't have an issue.

Member Matise: Normally, our department puts the packet together. Not the applicant and that became an issue.

Building Inspector Stickles: What we're trying to do, though, is we're trying to get the applicant to put the packets together so that we don't have to do the copying. Unfortunately, I am not going to look through 7 packets and make sure they're all the same.

Member Scieurca: What about sending the packet electronically?

Building Inspector Stickles: We're working on something like that for zoning and planning. But I will say one thing, I have never said that we did not want to download the stuff. I never said we did not want to

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copy the stuff. I'm not really sure where the glitch is here. It worked for 32 years. Unfortunately, Mary Ellen was only one that missed five pages of that application that Mr. Jacobowitz put together.

Member Matisse: Pardon me, but I think that you should have checked the packets. That's what we're relying on our own department to do.

Building Inspector Stickles: You get the information that I get.

Member Matisse: No, I didn't have the information in that packet. I was missing two items.

Building Inspector Stickles: I tried to explain to you and the Chairwoman, I did not do the packets.

Member Matisse: I understand that part, Dean. But if you're not going to do the packets, then you should check them for completeness before we get them.

Building Inspector Stickles: If I'm going to general for completeness then I'm going to do them.

Member Matisse: Well, one or the other. Because the piece that I was missing was I didn't even know what they wanted to do. I came into it blind. I had really no idea what they wanted to do.

Building Inspector Stickles: Really the applicant at the hearing is supposed to explain to the board what they want to do. And then the board at that time adjourn the meeting if they need more information or vote on what they had been given.

Member Matisse: I understand that, but every other person here knew what they wanted to do because they had those two items in their packet. How did I know they were even missing unless I ask Brenda?

Building Inspector Stickles: I wouldn't have known either.

Member Matisse: Yes, you would have because you had all the packets.

Member Barilli: Thing is the village is saving money by having the applicant providing it. Dean is right. If you don't have the information, you don't have to look any further. We can say we'll do this another time.

Member Matisse: Right, I could have stalled him totally. But I know we wanted to deal with it, but I needed to be prepared to deal with it. What happened was not right, Dean.

Building Inspector Stickles: I'm not taking the blame for it. I didn't do the packet. I've done this all the career I've had it. If that's what you want, I will do the packets. I will send them out.

Member Matisse: I don't care that they do them. I think it's good, as Scott said, because it's saving us time and money. It should fall on the applicant to provide that or pay for it.

Member Scieurca: Going to have to accept the fact that people are human. People make mistakes.

Member Matisse: You don't know what I went through for that matter. I was so stressed by the time we sat down.

Member Barilli: You shouldn't be. So, we just let it go.

Member Matisse: No, because I didn't even know why I was coming to the meeting, Scott. I didn't even know what they wanted.

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Member Barilli: I understand that. But at that point, you have to say, I don't have all the information, I'll see you next time.

Chairwoman Adams: She offered not to vote. I told her Lisa could take her place.

Member Matise: Then Lisa had to take Bill's place.

Chairwoman Adams: We still had a quorum.

Member Matise: I know.

Chairwoman Adams: So, we're okay with how we get our materials?

Member Matise: Not really.

Chairwoman Adams: What is your solution?

Member Matise: That they need to be checked.

Chairwoman Adams: If you've got staff and you take one and go through it. But you're not going to go through 7 of them. You have 10 or 11?

Building Inspector Stickles: I get 10 copies of everything.

Chairwoman Adams: So, you're not going to spread it out and go page by page by page to make sure. You just won the lotto by being the one that didn't get their papers.

Member Barilli: Is there a listing of items?

Building Inspector Stickles: Yes. The person who prepared this application for this applicant of 20 Ulster Ave. Has been doing this for probably 70 years. And if I have to question a man who has been doing this probably three quarters of his life. There is something wrong. I could see if an applicant is a homeowner, very unversed on how you do something. That's one problem I will try to help him or her to get the packet together. That's probably when we will do the copies. But when you get someone like Tom Olley or an engineer firm or an architectural firm. They know exactly what they need for us. This was just one time that a certain person did not get everything in their packet. And I'm sorry.

Member Barilli: We don't really get a list of items that are in the packet, do we?

Building Inspector Stickles: The first page tells you everything you need to have. There's a check on everything.

Member Barilli: Were you missing that first page?

Member Matise: No but it was wrong. It didn't have everything. I had no way of knowing it didn't have everything until I spoke to Brenda. Evidently their staff or whoever did it for him, made the mistake. But because they made the mistake doesn't mean we shouldn't be checking to make sure what they're giving us is right.

Member Barilli: How come you didn't check it?

Member Matise: I couldn't check because I didn't know what was supposed to be in it.

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Chairwoman Adams: She called me with a complaint about an item and I said it's written right there. She said where? I can't find it.

Member Matise: We wasted a lot of our personal time.

Member Barilli: Dean gets 10 packets, there's 7 of us.

Building Inspector Stickles: That's the requirement. I have to give one to Rob, John Queenan and I get a copy.

Member Barilli: You could request another copy.

Building Inspector Stickles: You simply at the meeting could have said I have an incomplete packet. We can't move forward until I get all information that's required.

Member Barilli: The whole question is, how do you get enough time?

Building Inspector Stickles: Ten days has always been the standard that was set by Jay Wilkins when Chairman of the board. He wanted everything 10 days prior to the meeting so that he could look it over.

Chairwoman Adams: Which was many years ago before I was Chairwoman the first time.

Member Barilli: And any more time would be somewhat unreasonable.

Building Inspector Wallner: Yeah. A problem for the applicant. We have to give them a certain amount of time to get the packets to us. If we make it 30 days so we can get it to the board in enough time, it's going to put a lot of people off for several months.

Building Inspector Stickles: Just a point of reference, when you see this application, you're seeing it for the first time. We're probably seeing it for the 5th time. Between when they originally come in, when we tell them they don't have what they need, when they bring that in, when they bring back other things. We have seen it probably five times before you all see it for the first time. We try to get everything as close as perfect so that it's presented to you.

Building Inspector Wallner: When you guys get the packet ten days before the meeting, there's a table of contents. Is it unreasonable to expect you to look through the table of contents to see, okay, this is here, this is not here.

Member Matise: Rob, what I'm saying is even my table of contents was inaccurate because everything is checked. But the things that I was missing were not on that list.

Building Inspector Wallner: But they were in everyone else's?

Member Matise: Yes. Go figure. I don't understand what happened with that.

Member Barilli: It's just a mistake. That's all.

Member Matise: She and I spent a lot of time on it and I had to track down what I was missing. He standing here at the podium and he's talking about something else and I said, what is he talking about? I didn't have that either.

Chairwoman Adams: I sent out an e-mail to everybody what we should have in our packets and to look and see.

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Member Matise: Unlike the Town Zoning Board we don't get paid to do this. We do it because we want it our village to be the best it can possibly be.

Chairwoman Adams: We have to cooperate with people and people want to get to their addition, patio, a fence. They want their building permit. That's why we move this quickly. Getting it Wednesday or Thursday is not a whole 10 days ahead. But I have no problem with getting it on a Wednesday or Thursday.

Member Barilli: I'm okay with the lead time we get.

Member Matise: I just think these more complicated request take a little more time.

Chairwoman Adams: If we get one that's 40 pages of documents, maybe next time we'll get it a little sooner.

Building Inspector Stickles: Also remember, you put a time frame on this applicant to provide it to me. It got to me and it went out to you. That's never happened before. Either wasn't given or you denied it. You gave the timeframe.

Chairwoman Adams: For the record, Mary Ellen had requested and we did not stop her, to ask Rob to look into status village code, which you all got in your emails. It's in the village code, which is being reviewed so if you want to change something so this is time. But just for the record, that request cost us \$400 of Rob's time to look up village code and send us his opinion.

Member Matise: When did you get the email? I don't remember seeing it.

Chairwoman Adams: June 29th. I'm sure you did. Dean sent it out on July 29th at 11:30am. Rob bills. We ask him to look into something, he bills. I think that we need to be very careful about what we ask Rob to look into. If it's something that can be resolved without his help.

D. **INFORMATION ITEMS:** None

E. **CORRESPONDENCE:** None

3. **COMMUNICATIONS:** None

4. **EXECUTIVE SESSION:** None

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

RESPECTFULLY SUBMITTED
Marisa Kraus, Zoning Board Secretary