

Village of Walden
Planning Board Meeting
June 19, 2023

Chairman:	Stan Plato	Present
Members:	Zac Pearson	Present
	John Thompson	Present
	Jennifer Muehlen	Present
	Basil Stewart	Absent
Alternate Members:	Melissa Reda	Absent
Building Inspector:		
Village Attorney:	Robert Dickover	Present
Village Engineer:	Kristen O'Donnell	Present
Secretary:	Marisa Kraus	Present

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

1. APPROVAL OF MINUTES:

May 15, 2023

Member Pearson made a motion to approve the May 15, 2023 minutes. Seconded by Member Thompson. All ayes. Motion carried.

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

A.1

B. FORMAL APPLICATIONS:

B. 1 39 Edmunds Lane, Warehouse/Circus

Chairman Plato: Marisa, did anybody send you a copy so we can see it on the monitors?

Secretary Kraus: They can email it to me and then I'm able to put it up there.

Ross Winglovitz: I'm here regarding 39 Edmunds Lane warehouse. This was before you last May, where we had had circulation for lead agency. I think concept was acceptable to the board. They changed some personnel there. We had a difficult time getting utility locations. A lot of little private utilities that were installed over the years. Water, sewer up to the back when they had the RV sites. Started working on design plans. Some utilities shown and grading at this point. Next step of the process is storm water plan.

Chairman Plato: Many changed since the last time?

Ross Winglovitz: No, identical. The plan is that the circus would continue to rent the rear. They would create a level area for them to put up their tent. Only going to be a few weeks a year. Will continue to use the RV sites for the temporary housing while they practice. The other part is the warehouse addition to the front building. That's about 81k sq. foot.

Chairman Plato: I would say if there's no question. The next step would be to incorporate these.

Engineer Queenan: The highlights, when you get a chance, revise the long EAF, get that cleaned up. For the new plan, get that for the part 2, get that ready. The rest of it was, Ross put a lot of work into the plans to becoming more technical, more developed now. But some of the bigger ones are just review the fire code. That access drive going around, has to be 15 feet away, 26 foot wide. The more significant is the storm water management plan to be prepared. The plan right now proposes most of the storm water infrastructure with a wetland adjacent area with the state. I would suggest that the applicant pursue

Village of Walden
Planning Board Meeting
June 19, 2023

conversations with the state to make sure that that's viable. If not the whole plan the whole plan is going to have to be changed.

Ross Winglovitz: Understood. We did have a preliminary meeting with the DEC, but John is correct.

Engineer Queenan: Why aren't the buildings connected?

Ross Winglovitz: That's because it would be occupied by the same owner. They want to use both and be able to walk between 2 buildings.

Engineer Queenan: Just make sure that there's separation. Pointing out the circus tent area, got cuts, 25 to 30 foot cuts. I'm assuming you have to truck that material. Just have that in the back of your mind.

Ross Winglovitz: Should be sand, gravel based on the map. No rock. So, we'll address these and then circle back with the board when we've got some feedback with the DEC.

B.2 Walden Glen, Extension Request

John Cappello: We're here tonight, as you recall, over a long history of the Walden Glen. The Planning Board did grant site plan approval. Went to the ZBA to receive variances. The applicant has been working on obtaining the necessary approvals from the Health Department, which they just retained and have been working consistently to move this process forward. Back in April, less than 180 days before the site plan expired, Mr. Nasser, we still haven't received the written resolution from the board. Mr. Nasser requested it and at that point in time that we're working to get Health Department and advised that we've been requesting two minor modifications. As she once read the resolution, which one of them was requiring the DEC approval for the sewer main. And it turns out that is not required because it's just one connection. But that we would obtain whatever approvals we needed. The other one was clarification of the DOT permit. The DOT does require a signed plan, usually the condition written in the resolution is that the DOT permit has to be obtained before a building permit was issued, because it's usually the contractor that applies for and posts the necessary worker's comp bonds and all the bonds for the contractor with the DOT. The DOT has approved the conceptual design. I did see the memo from Mr. Dickover. I respectfully disagree with his opinion. I think he is reading it overly carefully word for word. Mr. Nasser did advise and put the board on notice that he would be requesting the extension and advised on what we were doing and updated on the approvals. So, I believe the board had that notification. All you need to do is make that request before 180 days. Followed it up with an official letter officially making the request, but the e-mail really served the same purpose, and that was submitted within the appropriate time frame. I'm not sure what it would accomplish submitting another application. There's literally no information that would be changed. We worked for months and months with the neighboring homeowners association to address all their issues. I believe at the public hearing, the board finally approved it. They provided acknowledgment that we had addressed the concerns. I don't see that it's doing anything but wasting this board's time, wasting money. We're here to make the request. I don't think anybody would object. I'm requesting that the board consider granting the extension with the two minor modifications.

Chairman Plato: The extension did run out?

John Cappello: Yes.

Chairman Plato: That was the only extension that you were given.

John Cappello: We haven't asked for any extension. It's been more than 180 days from the original vote of approval. And within that 180 days Ryan wrote an email saying we will be requesting an extension as soon as we get a copy of the resolution so he could work it correctly.

Chairman Plato: Extensions are usually 90 days?

Village of Walden
Planning Board Meeting
June 19, 2023

Engineer Queenan: You can grant up to two 90 days. I believe it was April, for 6 months.

Chairman Plato: You're asking really for 180. Two 90 day extensions.

John Cappello: Yes.

Chairman Plato: And the reason you didn't come back in April?

John Cappello: Ryan said I will be requesting, when he has a resolution because he thought he was going to submit it all in one package.

Ryan Nasher: When I was reading the resolution, it wasn't a question and somewhat been missed. One of them is the resolution says DEC permit is required for the sewer connection. I was looking at the map, it was not applicable because there's not a request for this extension. Spoke to John Queenan and we went to the portion on the map and we agreed that it's required. I set up a meeting with the Building Inspector and said can we waive that sentence. He said, it's not his privilege, it would have to go the Planning Board. Then it's a good idea to go for the extension at the same time. Number two, the MS4 sign off needed for this project because of the size of the disturbance is more than 1 acre. *inaudible* we have to revise the form and it change it to the Building Inspector's name. I put it in one letter, so don't have to waste time.

Chairman Plato: What I would suggest, that we grant one 90 day extension. Next to have counsel to follow up over the next 90 days. I just think there is too much going on here.

Engineer Queenan: They would have to submit another letter for that meeting requesting. Next meeting would be July 17th. Just a clarification for the DOT, typically prefer a letter stating whatever agreements are proposed are acceptable to the DOT. Not necessarily looking for a permit. It's not a permit, it's like a conceptual approval letter of the improvements being proposed. It's not the actual permit.

John Cappello: We will try to get a letter.

Engineer Queenan: Just so that they're aware of the plan and they don't offer any objection. I don't actually need the physical permit.

Member Thompson made a motion to grant a 90 day extension. Seconded by Member Pearson. All ayes. Motion carried.

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

B.3 81-B East Main, Sign

Member Thompson made a motion to approve the sign as presented for 81 East Main St. Seconded by Member Muehlen. All ayes. Motion carried.

B.4 Overlook at Kidd Farm, Map Signing

Jerry Jacobowitz: Basically, here to give you a report and to confirm the final approval. We anticipate will have the bond in the next couple of days being issued by Walden Savings Bank. The form and contents been approved by the Village Attorney and by Mr. Dickover. Bring it over and present it to Building Department. At that point, we want to be signed plan for section one so that we can file it with the County Clerks office. The rest of it gets filed with the Village Clerk. It's put on file with the Village Clerk and you're the board. All that we need to file is one section of the project in order for the approval to be valid. That's in the resolutions that you have. That is the one thing that we want you to be aware of that. The second part of it is that we need to get a building permit and the permit application will be submitted tomorrow with the building plan, which is C303 of the big role plans that you have previously that you

Village of Walden
Planning Board Meeting
June 19, 2023

approved. That has all the details on it, everything that would be necessary for the Building Inspector. As for the water pressure booster pump. It's what we're asking for the permit.

Ross Winglovitz: If you have the plans that were previously signed Chairman, I give this to you now and it just needs to be redated. Redated them once, but the bonding was part of the issues as part of them not being filed. So, we held them in our office until the bonding was in place. Which we're hoping will be this week.

Chairman Plato: You do not need an extension.

Jerry Jacobowitz: We don't need you to take any action other than to indicate whether you disagree with what we need done by your board, which is your signature with the current date. We have 62 days in which to get it to the County Clerk. However, before its release to us, we need to provide the bond to the village that satisfies the draft. We hope to do that in the next couple of days. We have to do this by the 23rd based on the timetables, and we're on track to do that. We want you to be aware of it.

Chairman Plato: I'll talk to Dean about getting this signed.

C. DISCUSSION ITEMS:

D. INFORMATION ITEMS: None

E. CORRESPONDENCE: None

3. COMMUNICATIONS: None

4. EXECUTIVE SESSION: None

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

8:00pm
RESPECTFULLY SUBMITTED
Marisa Kraus, Planning Board Secretary