

Village of Walden
Zoning Board of Appeals Meeting
May 22, 2024

Chairwoman:	Brenda Adams	Present
Members:	Mary Ellen Matise	Present
	William Sestrom	Present
	Scott Barilli	Present
	Lisa Mazzella	Present
Alternate Members:	(None)	
Building Inspector:	Robert Wallner	Present
Village Attorney:	Dave Donovan	Present
Secretary:	Anisetta Valdez	Present

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

1. APPROVAL OF MINUTES:

February 28, 2024

Member Barilli made a motion to approve the minutes from February 28, 2024. Seconded by Member Mazzella. All Ayes. Motion carried.

April 24, 2024

Chairperson Adams made a motion to approve of the minutes from April 24, 2024 with changes. Seconded by Member Sestrom. All ayes. Motion carried.

2. BOARD BUSINESS

April 24th minutes were approved with the following corrections: pp. 4 “seeker” change to SEQRA (State Environmental Quality Review Act), the second change is in informational items: May 22nd is the adjournment date. Member Matise asks that the abbreviation used to indicate four feet in section **A.1 59 Wileman Avenue** be changed from 4” to 4’ and a sentence applied to Applicant be changed to Member Matise.

A. PUBLIC HEARINGS:

A.1 126 North Montgomery Street

Motion to open public hearing made by Member Matise. Seconded by Member Sestrom. All ayes. Motion carried.

Mr. Donovan began by specifying that the application needed to be amended for an area variance, not a use variance. The public hearing will need to be left open and re-noticed and republished. Larry Marshall was present on behalf of the applicant to discuss a 4’x10’ sign on the south side of the existing entrance. Decorative stone base counts towards variance – Chairperson Adams calculated 78sqft on one side x 2. Sections 305-34 of the zoning code count both sides of sign, 305-37 of the zoning code for a monument, for b1, b2. Rob Wallner, building inspector, interprets that the right-of-way line is the line to calculate from as 5.5’ v. 10’. A street line is defined as a dividing line between lot and a street right-of-way. Applicant is asking for a 5’ area variance, which is significant for visibility as the site is approached. Member Matise asked some questions regarding the font and the information on the sign. Chairperson Adams gave examples of signs in Walden.

Jim Millhouse of 124 North Montgomery would like to see other things completed before any new variance is granted. There are retention ponds that are holding water and beginning to breed mosquitoes and were supposed to be re-done, they were given a 60d notice to install adequate fencing around the ponds which hasn’t been done. Landscapers are unable to mow a portion of the property due to the grade and the lighting is a big nuisance, the current sign is very bright. There is a stop-line on the road well back

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from the road and the sign would be at 10'. The mailbox is at the end of their driveway, and Mr. Millhouse is concerned about mail confusion, Chairperson Adams informed Mr. Millhouse that the fire department can assist with this issue.

The board gives Applicant to the June 26th meeting to re-notice and republish the amended application.

Motion to continue the public hearing was made by Member Matise. Seconded by Member Sestrom. All ayes. Motion carried.

A.2 53-57 North Montgomery Street, Continuation

Motion to reopen the public hearing was made by Member Sestrom. Seconded by Member Matise. All Ayes. Motion carried.

Motion to close the public hearing was made by Member Barilli. Seconded by Member Sestrom. All ayes. Motion carried.

Motion to request Counsel to prepare a written decision, based on lack of evidence or support, denying the Use Variance requested made by Member Barilli, Seconded by Member Mazzella. All ayes. Motion carried.

Applicant cannot come back without board agreeing unanimously to hear the matter.

B. FORMAL APPLICATIONS:

B.1 126 North Montgomery, Area Variance

Tabled

B.2 53-57 North Montgomery Street, Use Variance

Closed

C. DISCUSSION ITEMS:

D. INFORMATION ITEMS:

Adjourned until the next meeting on June 26th on the third floor at 6:30pm.

E. CORRESPONDENCE: None

3. COMMUNICATIONS: None

4. EXECUTIVE SESSION: None

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

RESPECTFULLY SUBMITTED
Anisetta Valdez, Zoning Board Secretary