

**Village of Athens Planning Board**  
**Athens Village Office, 2 First Street, Athens, NY 12015**  
**Meeting January 16, 2018**

Members Present: Margaret Moree, John Miller, Carrie Feder and Peggy Snyder, Secretary

Absent: Kurt Parde, Bill Tompkins

There was a valid quorum present for voting purposes.

Meeting called to order at 6:25 pm by Chairman Moree

### **Minutes**

Motion was made by Carrie Feder and seconded by John Miller to approve the December 19, 2017 minutes as presented. All in favor, motion carried.

### **New Business**

**Carol & Tim Watkins, 26 North Franklin Street**, presented a complete application for a Special Use Permit in the RM District. Applicant is seeking a SUP for “home occupation major”. Chairman Moree reviewed with the Board and the applicant some of the material contained within the application in an effort to better understand whether this was the appropriate path for the applicant to take. It was noted that the Village Board had also been seeking to rectify the situation. One item within the transfer of the property from the Village to the Applications, dated in 2004, indicated that the Village fully expected the property use to be a “design and fabrication studio”. Applicant indicated other factors which raised concerns on whether a SUP under the category applied for was the right fit. Chairman Moree stated that she will need to speak with the Village Attorney to get clarification on those factors and to better investigate the historical record to assess what is best path for the applicant to pursue. Chairman Moree will contact the Watkins after speaking with the Attorney to plan next steps in application.

**Lois Ballinger, 2 Second Street**, presented with contractor Nick from NSG construction and Thomas O’Brien, architect. Mr. O’Brien stated this was a follow-up to the December meeting on elements in the initial application that required further detail including replacement of existing windows, and exterior painting of the structure. Drawings and pictures of several homes in the area were presented, along with examples of how Marvin replacement windows were being used in other structures. Paint samples were provided for the base and trim of the structure. A lengthy discussion ensued about the state of disrepair of the existing windows, their energy inefficiency and the owners’ desire to replace them to improve the interior comfort and appeal of the structure. Applicants noted, in response to questions posed at the December meeting, of the 39 windows there is approximately 25% of the original glass. Contractor presented an estimate to have the 39 two over two windows restored, this would include the lift to remove the windows and replace after the restoration. Contractor estimates a time frame of six months to complete this process. Applicant also applied to remove the shutters and not to put them back after painting the building. The colors were presented for the body of the building and all the trim. Mr. O’Brien stated that all paint used will be Benjamin Moore historic colors paint and that all trim and special effects will be painted in the one color. After a lengthy discussion regarding the windows Carrie Feder stated that she would like to see a sample window. Margaret Moree presented the motion to replace all 39 windows with Marvin true divided light; insulated glass; primed wood windows. No second to motion. Margaret Moree motioned to remove all existing shutters and for the shutters to be stored; for the body of the building to be painted in Benjamin Moore Rockport Gray and all trim to be painted in Benjamin Moore Cromwell Gray. John Miller seconded the motion, all in favor, motion carried. Chairman Moree stated there is a chance that the Board will be holding another meeting prior to the February scheduled

meeting and if that happens she will notify Mr. O'Brien so they can return with a window sample and discussion can continue.

**Paul Ochs, 7 North Washington Street**, Brendan Brunner presented application on behalf of Mr. Ochs to elevate home 36" and make repairs as described in the scope of work. Application is accompanied by several old and new drawings and several different written scopes of work. Several attempts were made to reach Mr. Ochs by telephone to review the application for clarity as neither the Board nor Mr. Brunner could discern applicant's intent for the application given the distinction the applicant made between Phases 1 and 2 of the scope of work, and applicant's understanding that a zoning variance would be required for Phase 2. It was stated that the last time Mr. Ochs appeared before the Planning Board several times, most recently in August 2016. At that meeting, and in these more current written scopes of work, he states that unless Phase 2 is approved (and that includes building a garage/studio structure in front of the existing building, he would not move forward with any plans to stabilize and repair the existing structure detailed in Phase 1. It is not clear if this is still the case. In August, 2016 Mr. Ochs was advised that he needed to appear before the Zoning Board of Appeals for an area variance and was given the application and information to do so. To date he has not gone before the ZBA. He was also advised that he would need to contact NYS DOT for a curb cut and the County Planning Board would also need to review and approve given that the scope of work is on a county/state highway and what is being proposed involves changes to access to the road. After a long review of all materials a motion was made by Margaret Moree to elevate the existing structure as described; restore the clapboard with 9" on the original building and 4" on the addition as stated in the December 14<sup>th</sup> scope of work; install copper gutters; additions on existing footprint only; the applicant is to return to the Planning Board with samples of doors, windows, roofing material, foundation facing material and paint colors all for elements detailed in Phase 1 of the scope of Work; nothing in the Phase 2 portion of scope of work and various drawings for addition of garage/studio was reviewed or contained in the motion. The motion was seconded by John Miller, all in favor, motion carried. Mr. Brunner was provided a ZBA application for an area variance and provided information on NYS DOT if anything related to Phase 2 is to be discussed or pursued. Mike Ragaini stated that he understood from a Village trustee that the Village plans to continue with demolition of the building. The Planning Board is not aware of any plans by the Village Board on this property. Chairman Moree will contact the Village attorney to see where the Village Board stands on the demolition of this structure.

### **Other Business**

None

A motion to adjourn the meeting was made by John Miller and seconded by Carrie Feder. Meeting adjourned by Chairman Moree at 8:53 p.m.

Respectfully submitted,

Margaret Snyder  
Secretary, Village of Athens Planning Board