

Village of Athens Planning Board
Athens Village Office, 2 First Street, Athens, NY 12015
Meeting May 16, 2017

Members Present: Margaret Moree, John Miller, Carrie Feder, Kurt Parde, Bill Tompkins and Peggy Snyder, Secretary

Absent: None

There was a valid quorum present for voting purposes.

Meeting called to order at 6:30 pm by Chairman Moree

Minutes

Motion was made by John Miller and seconded by Kurt Parde to approve the April 18, 2017 minutes as presented. All in favor, motion carried.

Old Business

Dennis Heines, for property currently being rented at 70 North Washington Street, Mr. Heines appeared before the Board for a Special Use Permit after having a public hearing on his site on May 3, 2017. Chairman Moree explained that she had spoken with the Village attorney Mr. Rappleyea and was informed that the property is not in compliance with Code for the Village and is presently involved in a case with the court system so the Planning board cannot issue a special use permit at this time until the property is in compliance and brought to Code. The property will still have to apply to DOT once the Special Use Permit is granted. If the property becomes in compliance before the next meeting the Chairman will try to convene a meeting to review for the special Use Permit.

Tad Johnston, Delaware Engineering, Jim Warren and Bob Holmes representing State Telephone Company, 25 Union Street present with revised drawings and pictures for a special use permit after having a public hearing on May 3, 2017. Mr. Johnston stated that after hearing remarks from the community at the public hearing and more closely reviewing the standards in the Code for Commercial Buildings, the application has been revised to reflect the pitch of the roof to 6/12 from 4/12 and ensuring sight lines are consistent with state DOT standards. There is a new screening design with lattice 6' in height to protect the HVAC unit from view with plantings to be done in front of the lattice. The colors chosen are sable brown for the siding with white trim and backwood brown architectural shingles. After some discussion regarding the lattice height and plantings and the possibilities to make the structure appear more as a home. Margaret Moree made a motion to approve the revised special use permit application with the applicant returning with the builders drawing of the exterior with the following additions to each entrance with formed columns instead of 2x6 columns, a residential type light will be used over the entrance, and a plan to soften the east side of the building so it looks more like a home. The applicant will return with more detailed landscaping plan in fall once construction of the building is completed. The motion was seconded by Bill Tompkins, all in favor, motion carried.

New Business

Sarah Barker, 22 South Water Street, was present and stated she would like to install solar panels on south facing studio roof. Chairman Moree stated that the Code is silent on solar panels and whether they require review in the Waterfront District, with the historic district overlay. Panels as presented will have a very low profile as they have their own converters. There will be 15 individual units, one row of eight modules and one row of seven. They will be approximately four to five inches off the roof. There will be no mounting structure seen only the black aluminum edging. A motion was made by John Miller and seconded by Margaret Moree to

approve the application for installation as detailed in the application. All in favor with Carrie Feder abstaining. Motion carried.

Lon & Jessica Binder, 3233 Sleepy Hollow Rd, Lot 330 & 331, Charles Stoltz, surveyor presented maps for a lot line adjustment combining two lots into one with no outer dimension changes. The lot which will be known as Lot # 330 will have 3.24 total acres. A motion was made by Kurt Parde and seconded by John Miller was made to accept the lot line adjustment as presented. All in favor, motion carried.

Anthony Uzzo, 26 South Franklin Street, presented a complete application with color samples and photos to paint the exterior of his residence in the following colors: Body in Benjamin Moore Briarwood, Trim in Benjamin Moore Fairview Taupe, Windows in Sherwin Williams Rookwood Red, Accents in Sherwin Williams Rookwood Red and the porch floor in Benjamin Moore Danville Tan. Carrie Feder stated that the home owners might want to consider painting the sash a different color from the shutters. A motion was made by Margaret Moree and seconded by Kurt Parde to accept the application as presented with the homeowner to sample Essex Green on the sashes and that would be acceptable if they chose to change to that color. All in favor, motion carried.

Suzanne Oldakowski, 9 Water Street, appeared to find what steps need to be taken to construct a home on their property in the Waterfront District and located in the flood plain. After review of a type of structure the owners are envisioning, the Board advised the following steps: (1) compliance with the village flood prevention law would be first obtained from the Code Enforcement Officer after a detailed survey map is developed and presented for review; (2) a building permit application would need to be developed after the flood plain map details where the home can be situated on the property; those details will provide insight into whether a zoning Board of Appeals application is needed to secure an area variance from side yard limitations. (3) a ZBA and Planning Board application can be reviewed concurrently if appropriately detailed; (4) the Waterfront Advisory Committee will also have the opportunity to review any application and advise back to the Planning Board. It is the responsibility of the Planning Board to advise the WAC once a completed application is received. Chairman Moree provided via email links to various relevant sections of the Code to guide the property owners in their process.

Brian Swardstrom & Peter Spears, 44 Second Street, Russell Francis general contractor for the building owners appeared with application to locate 3 AC units on rear porch roof to be enclosed on three sides, install 6' pine fence on East side of the building to house propane tanks and trash receptacles, 2 roof vents on north side of roof. The AC units will be surrounded by a cedar fence with diamond pattern to match existing pattern on building and the safety fence will be painted the same color as the building once the color is chosen. They will return to the planning board for colors. The Board discussed with the applicant the noise levels from the A/C units as well as the vents and whether they would impact the surrounding neighborhood. Details were presented that indicated that the A/C units would not exceed state standards, and that the vents would not be venting neighboring yards. A motion was made by Kurt Parde and seconded by Carrie Feder to place the 3 AC units on the roof three feet in width, to place a safety fence on the north side of the building on the roof of porch 10' from the edge and the fence to be tongue and groove ship lock, to place a fence on the East side of the building to screen the propane tanks and small dumpsters in accordance with code Section 92-93 0 (a) (b) as detailed in the application. All in favor, motion carried.

William Spropt, 22 Brick Row, applicant would like to change the front window to 6 over 6 vinyl window on the first floor of residence and to remove the front aluminum sided porch and storm door to expose existing porch columns and upper portion of porch spindles. Applicant intends to replace and add matching spindles where missing to bottom porch rails to appear consistent with porches on neighboring properties. Applicant intends on painting the house. A motion was made by Margaret Moree and seconded by Kurt Parde to repair and restore the porch consistent with existing portion and to return with window and paint samples and details. All in favor, motion carried.

Howard Zar & Ray Kurdziel, 9 South Franklin Street, application complete with samples of fencing and photos presented to place a new privacy fence on north boundary of property 7' setback from property line. The fence will be 6' square flat top cedar fence with 4X4 cedar posts with "Nantucket" post caps to match the existing. 8' section of fence at South Franklin St with a 6' to 4' taper. Ball finials installed at each end of the fence section to match existing. Fence will taper with grade. East boundary, 7' setback from edge of 2nd alley, 6' good neighbor cedar fence with 4X4 posts with matching caps. 8' double entry gate at wood frame garage, gate to match fence design. 4' gate to match existing. Gate at Third St to be double gate to match existing and gate at North/West corner to be antique wire gate as shown in photo. A motion was made by John Miller and seconded by Kurt Parde to approve the application as detailed in the application. All in favor, motion carried.

Heather Gershen, 5 South Washington Street, applicant contacted on speaker phone for verification of application to paint the body of the residence with Sherwin Williams Inkwell in eggshell/matte finish and the sills, lintels, shutters and canopy in Sherwin Williams Inkwell glossy finish. A motion was made by Margaret Moree and seconded by Carrie Feder to approve the application as presented. All in favor except Kurt Parde who voted no. Motion carried.

Shannon Greer, 16 Brick Row, attended the meeting because she was told that the Planning Board wanted to see her regarding remodeling of the dormer that was done at her residence. After looking at her previously approved application to install a dormer on the back of the home, it was noted that the dormer constructed while still under development, was not consistent with the application that had been approved. Chairman Moree stated that this is a remediation case for the Code Enforcement Officer and Ms. Greer would have to speak with Mike Ragaini about what next steps, if any, were to be taken.

Other

Chairman Moree stated that she had spoken to NYS DOT regarding both Snakepit auto and The National Bank of Coxsackie for compliance issues.

William Tompkins submitted a certificate of completion for training of one and a half hours, to count toward his 2017 state mandatory 4 hours training.

Motion to adjourn made by Margaret Moree and seconded by Kurt Parde, all in favor, motion carried. Meeting adjourned by Chairman Moree at 9:20 p.m.

Respectfully submitted,

Margaret Snyder
Secretary, Village of Athens Planning Board