

**Village of Athens Planning Board**  
**Athens Village Office, 2 First Street, Athens, NY 12015**  
**Meeting June 19, 2018**

Members Present: Margaret Moree, Kurt Parde, Bill Tompkins Carrie Feder, John Miller, 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 Kurt Parde and seconded by John Miller to approve the May 15, 2018 minutes as presented. Carrie Feder did not vote since she was not present for the meeting. All in favor, motion carried.

### **New Business**

**Allison Clogg & Jared Borelli, 7 Market Street**, homeowners presented with complete application including photos, drawings, color samples, window and door samples, roofing sample, and siding sample. Application to construct a replacement 1 ½ story garage on same foot print with size slightly larger than original garage by extending into their yard by three feet. It was determined that a height variance is not needed, as proposed structure remains fully within existing height limits for that zone. All set-backs are grandfathered in and met. There will be no living space in the structure but a small bathroom will be installed on the second floor with the second floor being used as an open work space. After reviewing all samples and drawings a motion was made by Margaret Moree to construct a new garage of 32' X 26' on same foot print, 1 ½ stories that will be 24' in height, a metal roof in charcoal with ice dams installed on East side at a minimum; board and batten siding in Gray Shimmer; garage door to mimic barn door in composite in Pecky Cypress Slate finish color; reusing salvaged mahogany casement windows; north side with new wood windows; west side with new divided light wood windows; all trim in Behr Submarine Gray; balcony on south side in steel line and railing. Motion seconded by John Miller. All in favor except Carrie Feder who opposed. Motion carried with 4-1 vote.

**Joshua Lipsman, 35 South Franklin Street**, homeowner states he has been before the Zoning Board of Appeals and has been approved for a height variance 8' 6" beyond the 30' in height according to Code for the RM District with historic district overlay. He presented an application to build a 12' X 11' open air cupola with 8' 4" in height with composite decking; architectural shingles, structure of wood, vinyl and PVC painted in alabaster white with red corbel accents at the roof line. After discussion on the scale of the proposed addition, and materials to be used, a motion was made by Margaret Moree to approve the project as described in the application, no second to the motion, the motion did not advance. After a lengthy discussion John Miller suggested a compromise to the proposed application to adjust the size and scale of the addition to match the size of the widow's walk that had previously existed on the home. Mr. Lipsman asked if the Board would consider approving the application in concept if he had his engineer draw new plans with a smaller size. Kurt Parde stated he was not comfortable with approving the application without the completed application before the Board and Carrie Feder agreed. Bill Tompkins asked if Mr. Lipsman would consider building a replica widows walk in the same size of 8' X 8' which had been on the house. Mr. Lipsman stated that he has not given that any thought as that is not his intention for this project. Mr. Lipsman asked each Board member if he came back with plans for a smaller version of his plans if they would be inclined to approve the application. John Miller stated that he did not have a problem with the concept only the size and he was okay with what was being proposed, inclusive of a roof, as long as the size was scaled down. Bill Tompkins stated that based on what he was reviewing, he could not approve a roof and be believed the scale of the project needed to be smaller.

Margaret Moree stated that she was a proponent of the original footprint of 8' X 8' and would benefit from seeing revised drawings inclusive of the roof to better understand whether a revised project integrated better into the overall neighborhood. Carrie Feder indicated she would not give a hypothetical answer but indicated the scale of the proposal before the board was too large. Kurt Parde stated that he would need to see the scale and would reserve judgement until then. Mr. Lipsman stated that since his original visit to the Planning Board his plans have caused some controversy with his neighbors and he regrets that and hopes it passes. Mr. Lipsman will return to the Planning Board should he decide to change his concept plans for the cupola

**Jeff LaPorte, 14 North Church Street, Contractor for US Bank NA**, the contractor presented an application to repair and replace. As needed, exterior trim, porch and siding on bank owned home. Contractor presenting has been brought into the project after first contractor was let go. Contractor presented application to install vinyl siding in Clay on house and paint and repair all trim. Wood siding exposed after asbestos shingles were removed by previous contractor (without proper encapsulation) is rotted. The windows and headers will remain with the sills and side trim to be replaced in wood and painted. The deck of the porch also needs some repair and be painted. The sidewalk in front of the home was discussed but no motion made for repair. A motion was made by Kurt Parde for vinyl siding in clay; repairs to windows, porch be made all in wood and the applicant to follow-up with the Chairman with the paint colors and numbers for the trim in a blue. Contractor will also be repairing stacked slate retaining wall at front of home. The motion was seconded by Bill Tompkins, all in favor.

**Bill Sproat, 3 Brick Row**, homeowner presented a concept to the Board to understand any concerns or additional information needed for a formal application. Would like to widen the present dormer on the house and place three windows in dormer that will measure approximately 139" wide by 48" in height. Homeowner was instructed to return to Planning Board with a completed application, samples of materials he will be using, drawings with all dimensions and photos of the rear of the house and rear of neighboring homes so proper scale of what is being proposed can be evaluated. Mr. Sproat stated he will be back in July with his application.

**James Moore, 25 South Franklin Street**, homeowner presented with a complete application including 5 separate phases of work he plans with photos, drawings and material samples for each project. Project 1: painting of structure in Sherwin Williams New Jersey Cream, trim in Benjamin Moore Graphite, porch floor in black with walnut stain on ceiling, will return for color of doors. Project 2: Porch renovations to include restoring original railings painted in Charcoal for rails, New Jersey Cream for balustrades and black floor. Project 3: Install 6' flat panel privacy fence on northern property boundary to be left natural to back of property and a 4' picket fence on south side left natural. Privacy fence to taper to four feet at Franklin Street line to match height of wrought iron fence currently there. Project 4: Garage renovation to include replacing roof; charcoal colored architectural shingles, box soffit and fascia same as house in dimension, center the overhead door, replace siding with new clapboard. Project 5: Restore outbuilding exactly to original, will return to planning board with choice of roofing. A motion was made by Margaret Moree for Project 1: paint house, garage & outbuilding in Sherwin Williams New Jersey Cream color, trim in Benjamin Moore graphite. Project 2: Porch renovation to restore original railings, balustrades, build appropriate stair posts, install decorative panels, add missing corbels, porch 40' in length, rails in Charcoal and body in New Jersey Cream. Project 3: Flat panel 6' high wooden privacy fence, between 23 & 25 South Franklin Street northern boundary 2' in from applicant property line, scale down near sidewalk to match wrought iron fence, to be left natural, square picket on south side 4' in height left natural. Project 5: Repair outbuilding restore / replace soffit and fascia, replace roof with architectural shingles in Charcoal. Motion was seconded by Bill Tompkins, all in favor, motion carried. Margaret Moree made a motion Project 4: garage renovation to repair roof, replace shingles with charcoal architectural shingles, install box soffit and fascia around perimeter of roof, replace shingles with clapboards, replace garage door with carriage doors centered on front of garage. Motion was seconded by Bill Tompkins, all in favor except Carrie Feder. Motion carries with 4 -1 vote.

## **Other Business**

Bill Tompkins (4 hours), John Miller (4 hours) and Peggy Snyder (1 hour) turned in training certificates for the classes held on June 13, 2018.

Chairman Moree will contact Village Attorney Rapplyea to follow-up on the discussion with Joe Deily representing several property owners on Second Street and the need for lot line adjustment to reflect the settlement of litigation. Ms. Moree had had a meeting with Mr. Deily to discuss the same litigation settlement prior to the November 15, 2016 Planning Board meeting: no action has been taken by any party since that time. Mr. Deily is advising that the Village Attorney indicated no new survey needs to be completed to adjust the various lot lines.

Chairman Moree will contact Mark Evans of State Telephone regarding completed work at the fiber optic transfer station and whether it is consistent with the Code and the approved site plan. Board members expressed concern that a culvert which had been there previously had been filled in and that a grommet in the roof did not appear to be sufficient for the needs of that building.

Chairman Moree stated that she spoke to Attorney Tal Rapplyea and he stated that the Planning Board does have the power to rescind a special use permit, if after one year the recipient of the SUP has not come into compliance with the terms stipulated in the SUP.

The next Planning Board meeting will be held on Tuesday July 17, 2018 at 6:30 pm.

A motion to adjourn the meeting was made by Carrie Feder and seconded by John Miller. Meeting adjourned by Chairman Moree at 9:17 p.m.

Respectfully submitted,

Margaret Snyder  
Secretary, Village of Athens Planning Board