

**Village of Athens Planning Board
Athens Village Office, 2 First Street, Athens, NY 12015
Meeting February 16, 2021**

Members present: Margaret Moree (Chairperson), Kurt Parde, John Miller, and Nancy Poylo, Secretary. Carrie Feder and Bill Tompkins were present via phone.

Code Enforcement Officer ("CEO"): Jeff Ruso present

There was a valid quorum present for voting purposes.

Meeting called to order at 6:30 pm by Maggie Moree. Due to COVID-19 restrictions the meeting was held in Athens Community Center Gym, 2 First St, Athens, NY.

New Business:

1. *Sleepy Hollow Lot Line Adjustments/Consolidations:*

Henry & Christine Kielmanowicz: Lot Line Consolidation #'s 323/324, Sleepy Hollow Road. New Lot #323. No exterior adjustment, just an interior removal. A motion to approve the Lot Line Consolidation was offered by Kurt Parde, seconded by John Miller, all in favor, motion carried.

2. *Sleepy Hollow Lot Line Adjustments/Consolidations:*

Lot Line Consolidation #'s 82/83, Debbie Drive. New Lot #82. No exterior adjustment, just an interior removal. A motion to approve the Lot Line Consolidation was offered by John Miller, seconded by Kurt Parde, all in favor, motion carried.

3. *Brick Row Lot Line Adjustments/acquisitions:*

Surveyor Charles Holtz, on behalf of Peter Petramale: Mr. Petramale is acquiring a buffer of 50' x 1336' across 3 vacant lots from Joe Melino. Parcel A is .70 acres, to be combined with Tax Lot 122.05-1-8, Parcel B is .74, acres to be combined with Tax Lot 122.05-1-7, and Parcel C is .09 acres, to be combined with Tax Lot 122.07-2-2. A motion to approve the Lot Line adjustments and acquisitions was offered by Maggie Moree, seconded by John Miller, all in favor, motion carried.

4. *Conceptual Discussion on Subdivisions and possible uses of Property in RM District on 385 and Brick Row:*

Joe Melino and Surveyor Charles Holtz, Property on 385: This conceptual discussion was a follow-up to a previous discussion presented to the Planning Board October 16, 2018 (Meeting Minutes attached). Mr. Holtz presented a map of a possible 18-lot subdivision on the 88.68 acre parcel owned by Mr. Melino. The parcel is located in the RM District and for discussion purposes, Lots 2-4 were identified as the current desired subdivisions. Lot 1 would be excluded from this initial discussion. Possible use of these 3 lots would be single-family homes, each on 103'x150' parcel. Each lot would be located on west side of Brick Row and would have a 50' setback and driveway. Maggie Moree reminded Mr. Melino and Mr. Holtz that this development is considered a major commercial subdivision, which is defined as any subdivision of 3 or more lots. Mr. Melino said he was assured by the Village Mayor that water and sewer were accessible from Brick Row for these 3 lots. The Board raised concerns similar to those that were discussed in the 2018 Meeting including, but not limited to, creating an alternate entrance that would exclude Brick Row, Brick Row views and view sheds, sidewalks, streetscape, accommodating the Historic District. Mr. Melino and Mr. Holtz thanked the Board for its time and will take the concerns under advisement before proceeding with any formal subdivision plans for the 3 lots.

Minutes

A motion was offered by Maggie Moree to approve the January 19, 2021 meeting Minutes, seconded by Bill Tompkins, all in favor, motion carried.

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

Members Present: Margaret Moree, Carrie Feder, Kurt Parde, Bill Tompkins, 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 Bill Tompkins and seconded by Kurt Parde to approve the September 18, 2018 minutes as presented. All in favor, motion carried.

New Business

Frank Pedatella, 35 North Water Street, applicant appeared with drawings/map of property to show where he would like to place a 6' high treated wood privacy fence that will run along the south side of the residence from the neighbor's garage to the roadway setback. The fence will be placed 1' in from property line. At this time Mr. Pedatella plans to leave the fence natural but might stain the wood in the spring. A motion was made by Margaret Moree for a 100' privacy pressure treated lumber panel fence to be installed 6' back from the edge of the road, 1' back from the south property boundary. The motion was seconded by John Miller, all in favor, motion carried. Mr. Pedatella separately advised the Board that he intended to complete work on his home by the spring. He had been delayed by the weather, a contract he undertook on another parcel in the village and by the delays caused by a neighboring home being brought into compliance with new flood map requirements. Ms. Moree requested Mr. Pedatella to explain certain inconsistencies with what had been previously approved on his building permit for the home/garage and what was actually installed. The homes installed windows and garage doors did not comply with the approved site plan and building permit. Mr. Pedatella acknowledged that the home's windows and garage doors were not consistent with what had been approved by the Planning Board. He noted that he made the change for personal aesthetic reasons and felt he did not need to seek formal revision of the permit despite the property being in the historic and waterfront districts. Ms. Moree noted that the Planning Board is not an enforcement body, but applies the village code. She was disappointed that after working with the Planning Board he had disregarded that collaborative approach to proceed outside the terms of the permit.

Joe Melino and Surveyor Charles Holtz, Property on 385, Informational Discussion on Subdivisions and Possible Uses of Property in the RM District Should Subdivisions be made. Mr. Holtz introduced Mr. Melino to the board and stated that they were seeking to discuss possible subdivisions to a 91 acre parcel on Rt. 395. Maps/drawings were provided to view. The parcel is located in the RM District and for discussion purposes, four separate parcels were identified from the 91 acre lot for possible subdivision. The first parcel would be a 6 acre lot located in the SE corner of the property which currently has both water and sewer available. Possible use of this parcel would include multi-family housing consistent with the code definitions, lot size and density requirements which might include up to 6 units on the property with 4 apartments in each unit. A second proposed 3 acre subdivided parcel would be located on the NW corner of the 91 acre parcel for use as a single family dwelling. There is no water or sewer on this portion of the property. On the western property boundary, toward the center of the north/south lines a proposed seven acre lot to be subdivided from the 91 acre parcel for possible Mixed Use purposes. It was noted that Rt. 385 has been declared part of the Scenic Byway by NYS and this parcel may also have additional requirements it may need to comply with; the

Planning Board will do further due diligence on this. Mr. Melino stated he was under the impression that since Hager's Harbor is a commercial property near this that might make this property eligible for commercial use. Ms. Moree advised that the Code doesn't contemplate any such reference. Mr. Melino stated that the remaining portion of the property which is 70+ acres he would like to develop at some point but does not have plans at this point because the property does not have water and sewer accessible. He has had preliminary discussions with the Superintendent of Public Works about what it would take to bring water and sewer out farther on Rt. 385 and that is part of his rationale for subdividing certain parcels now. The Board noted that the prospered subdivisions were consistent with the Code. The proposed uses for two of the three would require special Use Permits and site plan reviews at a minimum, and if a mixed use was contemplated that would require a zoning change first to be addressed by the ZBA. Mr. Melino thanked the Board for its time and will take the issues under advisement before he proceeds with any formal subdivision plan.

Richard Cure, on behalf of parcels located from 28-36 Second Street. As a result of settled litigation relating to property boundaries and access, Mr. Cure presented a survey map showing each property owner's new boundaries in the rear of the properties, with each parcel being designated that part of the rear boundary consistent with their front line property boundary widths. This way each parcel will have rear access as sections of a larger parcel is deeded to each homeowner. Joe Deily, counsel for Mr. Cure, has the settlement. Tal Rapplyea, Village attorney, has discussed terms of the settlement with property owner's counsel and has requested that the Planning Board memorialize this lot line adjustment in its minutes. Property owners and counsel will work with county offices to ensure terms of the settlement are appropriately recorded in deeds and lot lines on file with the County.

Other Business

Chairman Moree stated she contacted Mark Evans of State Telephone seeking an update on State Telephone's returning to the Planning board to address landscaping issues on the fiber optic property now that the building is completed. Mr. Evans did not think there were any open issues remaining with the permit. Ms. Moree will provide details to him to ensure terms of the permit are sufficiently addressed.

Training certificates were turned in for Kurt Parde with 4 hours of training completed for 2017 and he is also registered for an additional class to be fully compliant for 2018. Margaret Moree submitted a certificate of completion for an additional 3 hour training program from NYSERDA on solar siting.

The next Planning Board meeting will be held on Tuesday November 20, 2018 at 6:30 pm.

A motion to adjourn the meeting was made by Margaret Moree and seconded by Kurt Parde. Meeting adjourned by Chairman Moree at 8:10 p.m.

Respectfully submitted,

Margaret Snyder
Secretary, Village of Athens Planning Board