

**Village of Athens Planning Board
2 First Street, Athens, NY
Meeting Minutes: February 21, 2023**

Attending: Margaret Moree - Chair; John Miller; William Tompkins; Tim Albright; Carrie Feder (remote)

Absent: Kurt Parde, Nancy Poylo, Secretary; Code Enforcement

A valid quorum was present for voting purposes. Meeting was called to order at 6:30pm by Chair Moree.

1. **Brian Beckmann, 21 Second Street:** owner presented accompanied by architect Daniel Sanders. Photos and architectural renderings and product samples provided for addition of a new enclosed stairwell to provide Code-compliant egress from the second and third floors; replacing roofing on the flat portion of the roof; structural repairs to the turret and tower; and mansard roofing replacement. Board members discussed the overall project including projected use for the second and third floors. Motion made by Mr. Albright, seconded by Mr. Miller to approve construction of a stairwell in the southwest corner of the building to be clad in Hardie Board, Rich Espresso color; replacement of the EPDM flat roof; structural repairs to the turret and tower; and new roofing for the mansard roof, with owner to review options with a scalloped edge rather than the straight edge Ecostar tile sample presented. Motion approved, with owner to provide back to the Board roofing that may be more historically consistent with the building for consideration.
2. **Jamie Murray, 10 South Montgomery Street:** Solar contractor, SunCommon, presented with homeowner participating via phone. Application previously presented at January meeting, where motion to approve failed, with applicant asked to evaluate other options in terms of skirting or panel location to minimize visual impact on the historic home in the historic district. February application presented included skirting options for the panels, with no change in panel location. Motion made to approve revised application as presented by Mr. Albright, seconded by Mr. Miller. Motion approved with Ms. Feder voting in the negative.
3. **Joanne Stickles, Happy Clown Ice Cream & Bake Shop, 80 North Washington Street:** Application presented for sign, installation of an exterior shed to be located within the fence, no changes to existing lighting for signs or building. Photos and renderings provided. Business owner advised of provisions within the Code relative to dumpsters and will return when the business decides to use a dumpster. Initial operational plans do not anticipate use of a dumpster. Mr. Albright made a motion to approve plans as presented, seconded by Mr. Miller. Motion approved.
4. **Kathryn Scherb, 10 North Franklin Street:** Homeowner, joined by architect James Bouler, presented application to (1) demolish existing home, (2) build new home to mirror façade of existing vernacular home located in the Historic District. Applicant presented previously demolition application in May 2022 (returned as deemed incomplete), June 2022, not approved with board members agreeing to request of homeowners to a site visit, and December 2022 for discussion only at applicant's request to understand what would be needed to meet their objective for a demolition permit. Homeowner acknowledged that due diligence was not conducted prior to acquiring the home; also noted that in her observation the home is beyond repair and of no historic value. This February, 2023 application included architectural drawings for new replacement structure along with an additional engineering report speaking to mold in the home, and a site plan indicating that previous recommendations that the homeowner consider repairs to the foundation as opposed to demolition would not be feasible given proximity to neighbor's home (inability to get equipment in, to life the home). Homeowner was resistant to manually repair foundation on the south facing side as others in the Village had done facing similar neighbor proximity issues. Homeowner had not tested the home for asbestos but acknowledged, given her emphasis on a mold study and concern for the neighboring properties, that any demolition of the home would require certified asbestos removal entities. Much discussion ensued on aspects of the application including the need for a side yard and front yard variance needed from the ZBA should a demolition permit be granted. Ms. Moree made a motion to approve a demolition permit, seconded by Mr. Miller. Motion approved with Mr. Miller, Mr. Tompkins and Ms. Moree in the affirmative. Mr. Albright and Ms. Feder voted against the motion. Ms. Feder expressed concerns on the precedent

this would set. Applicant advised they must pursue zoning variances from the ZBA and return to the Planning Board. No demolition to occur until such time as any new structure design is approved by the Planning Board.

5. **Mary Warshaw, 42 North Franklin Street:** Ina Guizlon, contractor, presented on behalf of homeowner. Photos and material specs were provided. Application to replace existing original windows with Harvey Majesty wood, black aluminum clad. Total of six windows to be replaced including two on first floor, east facing; two on second floor west facing; one on north facing side by chimney; one in rear first floor. Home to be painted in Sherwin Williams Duration white; those windows not being replaced trim to be painted black to match new window trim. Mr. Albright made a motion to approve application, seconded by Mr. Tompkins. Motion approved, with Ms. Feder voting in the negative.
6. **David Forbes, 46 Second Street:** Applicant presented renderings and photo for work to be completed on front and rear of the building. A total of 12 windows in the front of the home to be replaced with Wincor, black clad; replication and installation of a bay window that had previously been removed (historic home photo shared to identify design of the bay window, parapet repairs as needed, and all wood to be painted in Kennybunkport Green (sample provided). Rear renovations consist largely of window replacement and inclusion of new windows on a scale to allow more light into the rear of the building. Discussion on materials ensued. Motion made by Mr. Albright to approve application as presented, seconded by Ms. Moree. Motion approved. Note: Mr. Forbes did not have a permit application; he noted Code Enforcement had that paperwork but had not forwarded it as part of this aspect of his renovations and repairs.
7. **Michael Lee, 34 South Franklin Street:** Jonathan Tucker, contractor for the homeowner, presented the application to remove existing kitchen addition at the rear of the home, to be replaced by a porch, with a new kitchen addition to be added by moving the footprint to the north and increasing its footprint. Scale and elevation for the addition would remain the same, but homeowners to the south would now be seeing a porch as opposed to the current kitchen addition. Addition to have a standing seam metal roof in gray. Home and addition to be painted in Benjamin Moore Sherwood Green, with trim in Benjamin Moore Clearspring Green. Samples and architectural drawings presented. Ms. Moree made a motion to approve application as presented, seconded by Mr. Miller. Motion approved with Ms. Feder abstaining.
8. **James Ewing, 39 North Warren Street:** Mr. Ewing discussed with the Board his solar application which had received consideration at the January meeting. He had not been provided by his contractor or the Code Officers any details on why the application had not been approved. The Board provided that context and provided him with a copy of the January 2023 permit application with Board action. Mr. Ewing noted that while he appreciated the fact that his home was in the historic district, and one of the oldest in the community, he did not see the concerns raised by the Planning Board as having greater value than his interest in lowering his electric bill. He noted that he specifically removed the sign designating his home as historic, and felt that designation increased his assessment. Mr. Ewing had not discussed with his contractor any of the questions the Planning Board had raised but noted he would take those back for consideration.

OTHER BUSINESS:

A question was raised in terms of enforcement of electrical work being undertaken in the Village and whether the Planning Board could receive reports from the Code Officers on permits issued for electrical work. Ms. Moree indicated she would raise those concerns to the Code Officers.

Minutes: January minutes were approved on a motion from Mr. Miller seconded by Ms. Moree.

Meeting adjourned at 8:55pm.

Respectfully submitted

Margaret Moree, Board Chair