

Town of Athens Planning Board  
2 First St., Athens, NY 12015  
March 28, 2024 @7:00 p.m.

The Town of Athens Planning Board came to order at 7:00 p.m. on a motion made by Member Barbara Trembacz seconded by Member Kenneth Fuller with the following Members present: Chairman Scott Fischer; Member Thomas Satterlee; Member Frances McCusker; Member Barbara Trembacz; Member Kenneth Fuller. Also Present: Gail Stacey, Secretary.

Also in Attendance: Paul E. VanDenburgh; Mary Anne VanDenburgh; Chuck Holtz; Caryn Mlodzianowski, Bohler Engineering; Christian Denniston; Tara and Todd Raymond; Paul Freeman, Esq; Amin Dawoodani; Bill Hennessy; Arzoo Dawoodani; Ahil Dawoodani; Albert Gasparini, Code Enforcement; George McHugh, Town Attorney; Michael Pirrone, Town Supervisor; Phyllis Dinkelacker, Town Clerk.

Member Thomas Satterlee made a motion to open the Public Hearing for Stay at Lina seconded by Member Frances McCusker. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Caryn Mlodzianowski of Bohler Engineering gave a brief recap of the proposed plans for 9071 Rt. 9w.

A question was asked by one of the residents as to whether the motel would be torn down or renovated. Response: motel and existing home will be renovated.

With nothing further from the audience, Member Barbara Trembacz made a motion to close the public hearing seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Paul E. and Mary Anne VanDenburgh came before the Board with a proposal for a lot line adjustment for 52 Travis Blvd., Catskill, NY, Tax Map #120.00-2-62. A quarter of an acre of land will be added to the existing lot from the neighboring property owned by Jay and Janice Vickers.

The Board does not see any issues with the lot line adjustment as outlined on the plans.

Member Frances McCusker made a motion to approve the lot line adjustment seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Chuck Holtz came before the Board representing Michael Roberts for a subdivision of land located on Leeds Athens Rd, Tax Map #138.00-4-7 and 138.00-4-6. Mr. Holtz states that since the NYS thruway splits the property it should be considered a defacto subdivision by State standards.

Since the property borders the Town of Catskill, a 239-nm will be sent to the Town of Catskill Clerk Elizabeth Izzo. Notice will also be sent to the NYS Thruway Authority for coordinated review.

Member Barbara Trembacz made a motion to set a Public Hearing for April 25, 2024, at 7:00 p.m. seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Member Barbara Trembacz made a motion to Declare Lead Agency for the subdivision application seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Bill Hennessy, Hennessy Engineering, on behalf of the Dawoodani's, came before the Board to discuss the issues with the convenient store/gas station on Rt. 9W and Old Kings Rd. The building currently does not match the plans that were approved and the canopy above the gas pumps is not what was outlined in the plans.

North Elevation: Front Door: single windows instead of double.

Front Windows: 2 square windows; plans show 4 rectangle windows.

Wood Beam Finishes Around Front Door: plans show an overhang but are meant to be flush to the building.

West Elevation: a steel door was installed instead of a glass door. The reason for this was for safety since that is only to be used for deliveries and it faces the Old Kings Rd side.

East Elevation: Upper Level: (1) Plans show what appears to be a window but was supposed to a place for signage

(2) Plans show a door: owners chose to eliminate the door for cooler installation and for safety reasons.

Canopy: canopy does not match what was approved on the plans. Town Code 180-47k is very specific, stating that it must match the building. The owner stated that the wrong one was ordered and a new order can be placed to remedy the issue.

Building Color: the color of the building is a light gray. The approved plans were for a grayish green.

Stone Trim: The color is northern ash. The owners could not get the agreed upon color.

Southern Elevation: no stonework on bottom of building.

: canopy will be torn down to columns and new construct will go up with shingles that match the building.

: west side of building will be window, door, window. The board agrees with this modification.

: north elevation windows around door can be fixed to have grid pattern and the side lights can be changed. Board agrees.

: the stonework on the building will be installed around the columns in the front of the building.

: faux windows can be installed to accommodate for the coolers. The Board would like to know which windows will be faux, and which are real. There will be a total of 6 faux windows.

: all windows must be what was approved by the Board.

: roof overhang: corbels can work with vertical structure.

: south elevation stonework: the Board agrees that the stonework should be installed. Mr. Hennessy and the owners state that trees, shrubs, air conditioner, etc. will be in place on that side of the building. This issue will be tabled until a new landscaping plan is submitted.

: west elevation door: the steel door makes sense to Chairman Fischer. The Board is agreeable to this modification.

: east elevation: the Board would like the door to be moved to the middle.

: Chairman Fischer will look into how the lighting could be done for the blackout windows. This issue will be tabled for now. A light above the faux (blackout windows) in eaves is a possibility.

Proposal for next meeting: building color with vinyl versus hardy board and the stone on the building.

The owners requested permission to install piping for the stormwater system. Code Enforcement will allow them to go ahead with the installation.

### Camp Catskill

- The Village of Athens has the capacity for the campground to be hooked into municipal water.
- The bulk of the comments have been addressed.
- The resolution to issue a determination of significance with SEQR was reviewed by the Board with Adam Yagelski, Delaware Engineering.
- Part 2 was previously discussed.
- Part 3-narrative. Dark Sky compliant lighting.
- The resolution to approve special use permit was reviewed.
- Site plan approval with conditions was reviewed.

Paul Freeman, Esq., attorney for Camp Catskill had a few corrections he saw in the Resolutions that needed to be addressed.

- : Resolution to Issue a Determination of Significance, the fifth whereas needs to have the reference to wireless telecommunications stricken. Change was made.
- : Resolution to Approve the Site Plan for Phase 1, the first whereas pertaining to a noise variance needs to be stricken. Hearing with dates to stay. Change was made.
- : Resolution to Approve Special Use Permit, #10 needs to be changed to 12 consecutive months. Change was made.

A motion to adopt Resolution CC-1: Resolution to Issue a Determination of Significance, in Accordance with SEQR for a Project Known as Camp Catskills, as written, was made by Member Barbara Trembacz seconded by Member Kenneth Fuller.

Roll Call: Trembacz- Aye  
McCusker- Aye  
Fuller- Aye  
Satterlee- Aye  
Fischer- Aye

Motion carried.

A motion to adopt Resolution CC-2: Resolution to Conditionally Approve a Site Plan for Phase 1 of a Project Known as Camp Catskills, as written, was made by Member Thomas Satterlee seconded by Member Kenneth Fuller.

Roll Call: Trembacz- Aye  
McCusker- Aye  
Fuller- Aye  
Satterlee- Aye

Fischer- Aye

Motion carried.

A motion to adopt Resolution CC-3: Resolution to Approve Special Use Permit for a Project Known as Camp Catskills was made by Member Barbara Trembacz seconded by Member Kenneth Fuller.

Roll Call: Trembacz- Aye

McCusker- Aye

Fuller- Aye

Satterlee- Aye

Fischer- Aye

Motion carried.

#### Stay at Lina

- Disturbance is close to one-acre (.9).
  - Construction Phase: If project surpasses an acre of disturbance, according to Town Code 180-55 (10), SWPP will need to be done with DEC coordinated review. Two tables will have to be drawn up: one for Commercial and the other for Residential.
  - Grading Plan needs to be submitted to Delaware Engineering.
  - Plywood needs to be put back on existing motel windows and doors.
- On the agenda for April 25<sup>th</sup>.

The Minutes of February 22, 2024 were reviewed by the Board.

A motion was made by Member Barbara Trembacz to approve the minutes as written seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller).

Motion carried.

#### Other Business

-WALS is getting close to a bid. They are asking that the Board allow for some small changes to the site plan. 1: waiting to do landscaping. They are looking to raise funds for this project. 2: Signage: would like a brick ended sign with LED display, not flashing, colors not sure of.

Member Barbara Trembacz made a motion to approve the landscaping plan with the condition that they have one year from time of certificate of occupation to raise the funds for said plan seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motin carried.

Signage determination subjective to the lighting not being bright and possibly having a timer or dimmer for evening hours.

Plans to be submitted at the April meeting.

-The ZBA has not made a decision on the ARX Wireless appeal.

With nothing further to come before the Board, Member Frances McCusker made a motion to adjourn seconded by Member Kenneth Fuller. All were in favor (Fischer; Satterlee; McCusker; Trembacz; Fuller). Motion carried.

Meeting Adjourned 9:45 p.m.

Respectfully Submitted,

Gail M. Stacey  
Planning Board Secretary