

Town of Athens Planning Board Meeting Minutes  
September 25, 2025

The Town of Athens Planning Board was called to order on Thursday, September 25, 2025, at 7:00 p.m. with the following present: Chairman Eric Nelson, Member Thomas Satterlee, Member Frances McCusker, Member Barbara Trembacz, Member Kenneth Fuller, Member Connie Faria. Also Present: Gail Stacey, Secretary and Alternate Member Michael Barton.

Also in Attendance: Paul Urban, Richie Caramanica, Aaron Rezny, Kaitlyn Caramanica, Andrew Day, Nora & John Knight, Bruce Utter, Jack Szarapka, Susan Brady, Corey Vorraro, John Dowd.

Bruce Utter, on Behalf of Eric Nachimovsky, 353 Vosenkill Rd/1212 Leeds Athens Rd., Catskill, NY 12414, Tax Map #'s121.00-1-7.11 & 139.00-1-1. Lot Line Adjustment.

Mr. Utter came before the Board for a lot line adjustment for 353 Vosenkill Rd. and 1212 Leeds Athens Rd. There are no plans at this time to sign as the final set must be completed. Two acres of the Vosenkill property will be combined with the Leeds Athens property which has a residential house. Leeds Athens property will go from 6.5 acres to 8.481 acres and the Vosenkill property will go from 10.038 acres to 8.057 acres. This application is a Type 2 action requiring no site plan review.

A motion to approve the lot line adjustment for Tax Map #'s121.00-1-7.11 and 139.00-1-1 was made by Member Barbara Trembacz seconded by Member Connie Faria. Roll Call: All in Favor. Motion carried.

Bruce Utter on Behalf of Faith Yildiz, Lynn Keller & Katherine Vailakis, 357 Rt. 385, Athens, NY 12015, Tax Map #'s139.00-4-17 & 139.00-4-18. Lot Line Adjustment.

Mr. Utter came before the Board with a lot line adjustment application for 357 Rt. 385. Yildiz will give up 0.367 acres to Keller and Vailakis so they can fix a sewer issue. The curb cut will remain the same; the driveway will be widened into the right of way which will be on the deed and final submitted plans for signing. This is a Type 2 action requiring no site plan review.

A motion to approve the lot line adjustment was made by Member Barbara Trembacz seconded Member Kenneth Fuller. Roll Call: All in Favor. Motion carried

Aaron Rezny, Green Lake Rd/Sandy Plains Rd., Catskill, NY 12414. Lot Line Adjustment.

Mr. Rezny came before the Board with an application for a lot line adjustment for property he and his wife had previously come before the Board for subdivision from Tax Map #120.00-1-86. One acre will be added to the Sandy plains side of the property making it a 6.59-acre parcel. The placement of the driveway will not change.. This is a Type 2 action requiring no site plan review.

A motion to approve the lot line adjustment was made by Member Barbara Trembacz seconded by Member Connie Faria. Roll Call: All in Favor. Motion carried

Freepoint Solar, Potic Mountain Rd & Center Rd., Catskill, NY 12414. Tax Map #'s103.00-3-17, 103.00-6-1, 103.00-6-2.

A brief discussion on the history of the solar application with the Town was given. The Application was denied twice, and the court overturned the Boards decision. The application went before the Town of Athens Zoning Board and was given the use variance approval with a

SEQR negative declaration.

Jackie Murray is the Attorney for Freepoint Solar, John Dowd will represent the Town Planning Board, and Adam Yagelski, Delaware Engineering will be the consultant to review the application.

Ms. Murray stated that the project will be a 5 mega-watt solar community farm spanning four parcels totaling 37.9-acres. Only 10-acres will be used for the panels. Freepoint Solar owns one parcel and is looking to lease with option to buy for the other three.

The Town of Athens will hold all escrow funding for legal and Delaware Engineering. Any remaining funds from prior will go toward the afore mentioned.

The application process will include: review of all associated materials, complete application, public hearing, shot clock of 62 days starts after public hearing, etc. The Board must review and decide based on Town Code and the 2017 Solar Law. Setbacks must be adhered to for residential zoning.

The Board will need a copy of the lease agreements (memos of agreement) with the financials excluded. John Dowd will handle this.

Steep slopes were reviewed by the ZBA. The landscaping plan has been submitted. A maintenance plan will also be provided.

A decommissioning plan will need to be updated (panels have a 25-year life cycle). The plan will outline the following: removal of panels, pole mounts, anything three feet below the grade, reseeding, regrading, new trees will not be planted.

Ms. Murray and Delaware Engineering will collaborate on a list of review materials that will need to be presented. Exhibits can be brought to the next meeting.

Site Plan Review A-Q in the Town Code will be reviewed as well as all materials presented. The properties that are leased will be discussed as to what the property owners' obligations are. The Board can make a condition that the leasers are bound to the lease agreement.

Solar panels will be a fixed tilt. Geo-tech to hold panel poles in place.

24x36 full size plans will be submitted to the Board, they do not need to be stamped or signed. Only the final plans do.

Construction schedule must be updated. No clearing or building from November 1 to March 1; long eared bats.

Visual analysis shows the substantial vegetation of the parcels. Emergency response plan can be provided. The Town Highway and Fire Departments have the plans to review. Fire Commissioner will also be involved.

Equipment for solar panels will use the existing power pole lines and transformer.

Paul Urban, 503 Potic Mountain Rd asked if this is being directed by the ZBA? The application was reviewed as a utility, ZBA denied, court upheld ZBA decision, appellate court reversed decision. The Town challenged and were denied. ZBA approved variance. In Zoning, Code 180 Section 53, A-Q.

Robin Fishman, 8 Rock Hill Rd asked if SEQR would be done? The SEQR will not be updated but will still be included in review.

Freepoint Solar application will continue at the October 23, 2025 meeting.

Jack Szarapka on behalf of Silvio Cabrera-Bermeo, 31 Old Kings Rd., Tax Map #104.00-2-19.  
Mr. Szarapka's client had bought the property and started building in the back of the parcel.. He would like to use the existing house as ADU for a garage or office. The ADU that was on the property has been torn down. The house cannot be used for anything commercial. A plan must be put in writing and submitted to Code Enforcement.

A motion to go into Executive Session to discuss the review process with Delaware Engineering and Attorney John Dowd was made by Member Barbara Trembacz seconded by Member Thomas Satterlee. Roll Call: All in Favor. Motion carried

A motion to close Executive Session and resume Regular Session was made by Member Frances McCusker seconded by Member Barbara Trembacz. Roll Call: All in Favor. Motion carried.

#### Minutes of August 22, 2025.

The Board reviewed the minutes.

Member Thomas Satterlee made a motion to approve the minutes as written seconded by Member Barbara Trembacz. Roll Call: All in Favor. Motion carried.

#### Other Business.

A stop work order is in place. Height from pad to top exceeds what was approved. Any amendments should be submitted to Code Enforcement.

With nothing further to come in front of the Board, member Frances McCusker made a motion to adjourn seconded by Member Connie Faria. Roll Call: All in Favor. Motion carried.

Meeting Adjourned at 8:55 p.m.

Respectfully Submitted,

Gail Stacey  
Planning Board Secretary

