

Town of Athens – Zoning Board of Appeals
Meeting Minutes (as revised by ZBA)
January 12, 2022

A meeting of the Town of Athens Zoning Board of Appeals was held on Wednesday January 12, 2022, at 7:00 P.M. in the Athens Community Center with the Chairman Eric Nelson presiding.

The Town Zoning Board Representatives Present: Helen Ihde, Eric Nelson, Chair, Chris Pfister, and Elizabeth Bruning Secretary. Member James Morabito was absent. A “Sign in” sheet for the public was made and is available in the Town Clerk’s office.

Double Eagle Tactical Training, Inc Use Variance:

The Chairman announced the continuation of the Public Hearing from the prior month and the floor was opened accordingly. On behalf of the neighbors to the project, Mr. Mitchell Khosrova, Attorney, appeared on behalf of the residents opposed to the application regarding Double Eagle Tactical Training, Inc. The Attorney for the neighbors emphasized the noise levels, and the effect of certain decibel levels.

Discussion ensued and numerous residents spoke about the proposed project voicing their opposition to the project. They cited various reasons for their opposition stemming from noise, safety, not in character with the neighborhood, the effect on water runoff with respect to the lead from bullets and so on.

The Chairman recognized Mr. Lek Nazi who made clarifying comments on the operation. Mr. Nazi cited the sound study which revealed that the operation would not result in noise pollution. Mr. Nazi cited the topography of the land recognizing the tall cliffs which offers protection to the residents, and he went on to describe a general nature of the operational hours, days and when the shooting would occur. Mr. Nazi also described limited shooting hours between 10:30 A.M. and 4:00 P.M. on two Saturdays per month and no Sundays. Additionally, Mr. Nazi cited the effectiveness of the planned Canopy that would assist in reducing noise. Mr. Nazi also indicated that empty shell casings would be

removed from the site and be disposed of properly. This item, among other related operational issues may become part of the conditions of the Use Variance.

Ed Bloomer inquired about the potential enforcement if a violation were to take place. The Chairman responded that any violations would be managed by Code Enforcement Department at the Town of Athens.

Member Pfister inquired about the number of participants in each training class, and Mr. Nazi responded that eight individuals would participate in each training class.

Attorney Warren presented a list of petitions from residents who were in favor of the project and then went on to describe a summary of the facts concerning the application. The Chairman heard a request from new Counsel Mitchell Khosrova wanting to know if there can be a ten-day period for questions based on counselor's review of the files. The Chairman granted counselors' request and he notified counsel that the next Zoning Board meeting is set for February 9, 2022, at 7:00 P.M.

Member Pfister made a motion to close the public hearing, which was seconded by Helen Ihde. The motion passed 3-0. The Chairman then announced that the Public Hearing is closed, and the Board moved on to more business.

Mr. Gerard Fruschi Area Variance:

Moving on, to the next case for the evening, Gerard Fruschi, a homeowner wants to build a second home but does not have the required total acreage and will need an area variance from the Zoning Board and Lot Line Adjustments from the Planning Board. Mr. McDonald (Surveyor) was present and representing Mr. Fruschi for 85 Lake Forest Drive. The application was filed recently, and previous informal discussions took place at prior meetings. On a motion by the Chairman and seconded by C. Pfister the Public Hearing was established at the December 8, 2021, meeting to begin at the next meeting to be held January 12, 2022 provided all documents are filed timely.