

**Town of Athens Zoning Board of Appeals Agenda
Wednesday, October 12, 2022**

HUTS/Steven DiLorenzo

861 Potic Mountain Rd., Athens, NY 12015

Tax Map #86.00-1-3

Area Variance for 3 dwellings on 5.56-acre lot

Review of the Luigi DiStefano Application

1042 Schoharie Turnpike, Catskill, NY 12414

Tax Map #104.00-2-24.1

Variance to dump dirt/soil

TOWN OF ATHENS ZONING BOARD OF APPEALS
MEETING MINUTES
OCTOBER 12, 2022

The Town of Athens Zoning Board of Appeals came to order at 7:05 p.m. with the Pledge of Allegiance.

The following Board Members were present: Chairman Eric Nelson; Member Christian Pfister; Member Helen Ihde; Member Christian Ames. Member James Morabito was absent. Also present: Acting Secretary Gail Stacey.

Also in Attendance: Code Enforcement Officer Albert Gasparini; Jessica VanHouten-Kenny (huts.nyc); Wayne Congar (huts.nyc); Annmarie Krause.

Jessica VanHouten and Wayne Congar (huts.nyc) came before the Board with an application and site plans for an Area Variance to build 1 main home and 2 accessory dwellings on a 5.56-acre lot owned by Steven DiLorenzo for himself and his mother and sister located at 861 Potic Mountain Rd., Athens, NY, Tax Map #86.00-1-3, Zoned RU. The main home will be approximately 2530 sq ft, mothers' home 1200 sq ft, and sisters home 900 sq ft. The well and septic do not have a set design. PERC Tests have been done. The existing driveway encroaches on the neighboring land but will be corrected this year. There will be no need for a right of way easement. They are looking to break ground in the spring of 2023 if approved.

A motion to set the Public Hearing for November 9, 2022 was made by Christian Pfister seconded by Helen Ihde. All were in favor (Nelson; Pfister; Ames; Ihde). Motion carried.

Code Enforcement Officer Albert Gasparini reviewed an application submitted by Luigi Distefano with the Board. Mr. DiStefano is seeking a Use Variance so that he can dump soil/dirt on his property located at 1042 Schoharie Turnpike, Catskill, NY. He has received several cease-and-desist orders from Code Enforcement. Town Attorney George McHugh will be contacted regarding how to proceed. DEC may need to be brought in.

The Board discussed Freepoint Solar who will be coming before the Board again after a successful Article 78 hearing. The ZBA will be reviewing the application as a Public Utility. Delaware Engineering will be reviewing the application. An escrow account will have to be set up. The Board will eventually, at some time, do a walk through of the projected site on Potic Mountain Rd. Chairman Nelson will provide the Board with the criteria for the new application. Freepoint Solar will be the November 9, 2022 agenda.

OJL/Shakespeare-on-the-Hudson was removed from the agenda. Application was not completed. A Use Variance for their venues is being requested.

The minutes of September 14, 2022 were reviewed by the Board.

A motion to approve the minutes as written was made by Christian Pfister seconded by Christian Ames. All were in favor (Nelson; Pfister; Ames; Ihde). Motion carried.

Annmarie Krause was welcomed to the Board. She will be taking over as Secretary once trained.

With no further business to come before the Board, Christian Pfister made a motion to adjourn seconded by Christian Ames. All were in favor (Nelson; Pfister; Ames; Ihde). Motion carried.

Meeting Adjourned at 7:55 p.m.

Respectfully Submitted,

Gail Stacey
Acting Secretary.