

Village of Athens Zoning Review Committee

Minutes from meeting on July 2, 2009

Committee members in attendance: Margaret Moree, Chris Pfister, Denise Hartman and Chairman Mark Levanway.

Meeting called to order at 6:40 pm by Chairman Levanway.

1. The minutes from the June 18, 2009 meeting were approved. Margaret Moree will submit to Nan Stolzenburg for posting.
2. Mr. Levanway provided a copy of previously approved August 2008 minutes which will also be provided to Nan S. for posting.
3. Ms. Hartman provided draft language incorporating Section 92-27(4) d, e, f, into a new Section 92-30. The language was discussed and agreed with the proposed language, with the addition of one sentence in the last paragraph. The new Section 92-30 is proposed to read as follows:

Section 92-30.

A. Should the Planning Board make a preliminary determination to recommend issuance of an incentive, within sixty-two (62) days of receipt of the application for the incentive, it shall refer the application to the Village Board for comment. The Planning Board's referral to the Village Board shall include a report with the following information:

(1) An evaluation of how the incentive would benefit the site and how increased density relates to adjacent uses and structures. The Planning board shall assess whether such benefits would not otherwise result as provided in the provisions of the Village's laws. (This evaluation is not intended to serve as a site plan or subdivision review, which would otherwise occur after a final decision of the Planning Board on the incentive application.)

(2) A SEQRA determination as to whether the proposal will have a significant impact on the environment.

(3) An assessment that there are adequate resources, sewer, water, transportation, waste disposal, and emergency service facilities to serve the proposed incentive development and that such development will not substantially and deleteriously impact upon the development prerogatives of neighboring lands pursuant to local law.

B. The Village Board shall review the application and report and, within thirty (30) days of their receipt, transmit advisory comments and any suggested modifications to the Planning Board for its consideration.

C. If after receiving the advisory comments from the Village Board on the application, the Planning board decides to further consider the application for incentives, a public hearing shall be held. The public hearing related to the incentive application may be combined with any public hearing the Planning Board holds pursuant to SEQRA or any other state or local law. At least five (5) days notice (fourteen (14) days if a draft environmental impact statement or supplemental environmental impact statement is

required) of the time and place of a hearing will be published in an official newspaper of the Village.

4. The Committee continued its work on revisions made to §92-22, Signs. The following changes to the revised section were agreed upon:

A new A(10) to read: "A non-commercial sign shall not exceed four (4) square feet per side. Total non-commercial signage allowed on any one property shall not exceed eight (8) square feet total." All subsequent items to be renumbered.

A new D(8) to read: "Non-commercial signs do not require a permit so long as they comply with the size limitations in Section 92-22(A)(10)." All subsequent items to be renumbered.

A new D(10) to read: "Temporary signs which are up for no more than thirty (30) days."

The Opening Sentence in F is changed to read: "No sign shall be erected without approval from the Planning Board."

5. The Committee discussed Article VII "Moderately Priced Housing" and how it related to the goals in the Comprehensive Plan. Committee members agreed to do further research before the next meeting to better understand how other communities address this issue within their Zoning Code before proposing any modifications to the language.
6. The Committee started its review of the revised Historic Districts and Landmarks section. The following changes were agreed upon:

Under Criteria for Approval of a Certificate of Appropriateness, a new category B to read as follows:

"When a building or landmark is designated as contributing, the Commission shall indicate the reasons for such designation, including reference to the following considerations:

- (a) Architectural design, arrangement features, style, details, texture, materials or craftsmanship of significance.
- (b) Aesthetic value of the building or landmark taken as a whole and its general relationship to the historic and architectural value of surrounding properties and to the historic overlay district as a whole.
- (c) Historic persons, events, development or period with which the building or landmark may have been involved or be important.
- (d) Such other factors identified by the Commission as pertinent to the question of contribution."

Under Criteria for Approval of a Certificate of Appropriateness, renumber "B" to "C" ; delete the word "also" and insert after the word "factors", "when reviewing an application for a Certificate of Appropriateness".

Under Certificate of Appropriateness (A)(viii) insert the words "for demolition applications" before "a written description".

Within the Hardship Criteria for Demolition or Alteration Section a new section B and C to be added detailing contents required for application to demolish existing contributing and noncontributing structures to read as follows:

- B. For applications to demolish existing contributing structures:
 - (a) Color photographs at least 3 ½ inches by five inches in size, of the building façade, clearly detailing all portions of the building or landmark subject to change as a result of approval of the application.
 - (b) A written description of the structural condition of the building and its adaptability for rehabilitation by a professional structural engineer licensed in New York. All dangerous conditions should be identified. Include a copy of any outstanding building code violations cited on the property.
 - (c) An itemized breakdown of the feasibility of all possible alternatives to demolition that were considered, and reasons why such alternatives were rejected. Alternatives may include rehabilitation, adaptive reuse, relocation, or sale of the property to another owner willing to preserve it. Include financial data comparing the costs of all alternatives.
 - (d) Scale drawings showing the location of the structure proposed to be demolished in relationship to other structures on the parcel and to the property lines.
 - (e) Sketch plans and elevations showing all sides of any proposed new structure that will be visible from a public street or sidewalk, including but not limited to copies of site plan or subdivision plan.

- C. For applications for demolition of existing noncontributing structures:
 - (a) Location and color photographs at least 3 ½ inches by five inches in size, of the building façade, clearly detailing all portions of the building or landmark subject to change as a result of approval of the application.
 - (b) Sketch plans and elevations showing all side of any proposed new structure that will be visible from a public street or sidewalk.
 - (c) Scale drawings showing the location of the structure proposed to be demolished in relationship to other structures on the parcel and to the property lines.
 - (d) Any such additional information, drawings, or photographs as the Commission may require.

Meeting adjourned by Chairman Levanway at 9:15 pm.
Next meeting is July 16, 2009 at 6:30 pm.

CC: Andrea Smallwood, Mayor