

Town of Athens Zoning Board of Appeal
Municipal Building
2 First Street, Athens, NY 12015
Wednesday, October 8, 2025
MINUTES

The meeting of the Town of Athens Zoning Board of Appeals (ZBA) was called to order at 7:01 pm by Chris Ames (chair). Second by Sean Biederman. The meeting began with the Pledge of Allegiance.

Board Members Present: Christian Ames (Chair), Sean Biederman, Susan Brady, Jeanne Oliveira (Sec), Mathew Sovern, Antonio Calarco (Alt) Absent: Chris Sprague

Also present: Albert Gasparini (CEO), Michael Pirrone (Town Supervisor), Edward Pastore, Daniel Hason, Katie Mahon

Prior Meeting Minutes: September 10, 2025

Approved: Motion Susan Brady

Second Mathew Sovern

AIF All

Exceptions none

Edward Pastore ZBA request for interpretation

Mr. Pastore is requesting interpretation by the ZBA on certain zoning issues. Mr. Pastore is still considering purchasing approximately 100 acres of land zoned for agriculture. The main issues he is concerned about are how many buildings he can construct, what those buildings can be used for and whether or not he can have people pay to stay and have a farming experience. There are three main questions Mr. Pastore asked for interpretation on. The following questions were drafted by his attorney, Corinne Smith and discussed at the meeting.

Question 1: Does Town Code 180-15(B)(2) pertaining to “farm employee housing” permit whatever residential structures are necessary to house farm employees and farm owners with their immediate families on Property?

Although it does state in the code that housing may be built for employees, it does not clearly include housing for family members.

Question 2: Do the density requirements in Town Code 180, Table 2 of the Town Code not apply or otherwise limit farm employee housing?

The Town Code Density and Dimensions Table 2 does apply, therefore there cannot be more than 10 dwellings for housing and for families, the dwelling may not be larger than two family dwellings.

Question 3: As part of “Agribusiness” use, what regulations apply to “farm stay program” housing structures? Use of a rental unit by fee-paying guests for the purpose of overnight lodging for a period of eight days or less, other than ongoing month-to-month or annual tenancy pursuant to a valid lease agreement.

The following definition from Town Code Section 180-3 definitions was discussed

AGRIBUSINESS

Activities conducted on a farm operation and offered to the public, or to invited groups, for the sale of agricultural products, education, recreation or active involvement in the farm operation. An agribusiness activity may be secondary to the primary farm operation use on a property. Agribusiness activities may be conducted in an accessory building or structure. Agribusiness activities include, but are not limited to, on-farm beds-and-breakfasts, farm stay programs, U-pick operations, and pumpkin patches, feed mills, farm suppliers and other agricultural processing facilities.

The ZBA is concerned about granting any variances because of the agricultural zoning and the fact that the variance stays with the property not the owner. Any variance that is granted would become permanent. The ZBA is concerned with preserving the agriculture zoning. Mr. Pastore agrees with this and does not want to do anything that would upset the town. He is hoping to maintain a good relationship with the town.

Mr. Ames and Mr. Gasparini both recommended Mr. Pastore do a rough draft of what buildings he wants and where they will go on the property. He needs to include the purpose of the buildings and size. The ZBA cannot answer Mr. Pastore's questions definitively without further information and until he has gone before the Planning Board and gotten his plans approved or disapproved. The ZBA only gets involved when the individual applying for a permit would like to appeal what the planning board has ruled. Mr. Gasparini will work with Mr. Pastore to put something together that hopefully can be brought to the next planning board meeting.

Voice recording device: The ZBA has a small voice recording device that is full. Jeanne Oliveira, secretary, has been trying to clear the device. The device is not being recognized by her computer so the recordings being stored cannot be transferred or cleared to make room for new recordings. She would like to be able to use it at meetings to be sure everything is recorded properly. Chris A will look at the device to determine if it can be cleared before considering purchasing another one.

Other business: Mr. Gasparini brought up Owen Lispstein and OJL properties who own the former Shakespeare on the Hudson site. In 2020, they were granted a two-year special use permit to have special events on site. They are asking if it can be used again. Chris A believes they asked several years ago and were told no. The original special use permit expired and he believes when they asked to renew it, they were told no. Chris will check with Eric Nelson who was chair of the ZBA at that time and is now on the planning board.

Motion to Adjourn Motion Susan Brady Second Mathew Sovern
AIF All Exceptions none
Time: 8:40 pm