

VILLAGE OF COXSACKIE
HISTORIC PRESERVATION COMMISSION MINUTES
June 10, 2025

Chairperson Patricia Maxwell (“the Chair”) called the meeting to order at 6:00 p.m. Present were Historic Preservation Commission Members: Michael Rausch, David Dorpfeld, Chris Fisher, and Hannah Kastanos. Nancy Harm and Wendy Warren were absent.

A motion to approve the minutes from the May 6, 2025, Historic Preservation Commission Meeting was made by Michael Rausch and seconded by Chris Fisher. Chairperson Maxwell voted yes. Michael Rausch voted yes. David Dorpfeld voted yes. Chris Fisher voted yes. Hannah Kastanos voted yes. The motion carried.

New Business

1. 45 Reed Street-Coxsackie General Store- Chairperson Maxwell stated that the Board needs to review a shed that was put up behind the Coxsackie General Store at 45 Reed Street. She said that Amy Bennett had reached out to her in April, regarding her tenant wanting to put up a shed behind the General Store. She replied via email, and never heard back from them. She has since drafted an email that she intends to send to Amy Bennett, as well as her tenant, but would like input first from the fellow Board Members. It is her own thought that the HPC Board should no longer be in the position of approving applications in hindsight, because it is not proper practice, and with more, and more, activity downtown, it would weaken the Board’s position, and create problems. She has a couple of thoughts about how to approach the matter, but would like to hear the other member’s input. She stated that Chapter 75 of the Village Code specifies that if someone doesn’t follow the proper procedure, and does work without the Board’s approval, the Board can either fine them at \$50.00/day, or the property owner has to make the property whole, as it was before, and then still follow the proper procedure. A shed may seem like a small project for this type of reaction, but she would like to know what the rest of the Board Members think.

Chris Fisher asked if Amy Bennett has seen Chapter 75 of the Village Code.

Chairperson Maxwell stated that Ms. Bennett should be aware of that Chapter of the Village Code. When she bought the General Store, she was given a copy of everything, and she has also been through this process before when she did the lettering on the windows of the General Store, when the signage needed approval at 1 Mansion Street, as well as the approvals for the Violet Moon Apothecary. In the past, Ms. Bennett has complied, or corrected everything that was asked of her, but it seems that whoever her property manager is, isn’t following through with the tenants in the way that they are supposed to be. She thinks that it is going to create more of a problem, since Ms. Bennett owns so many buildings downtown.

Hannah Kastanos stated that Amy Bennett of all people should know the procedure at this point, given that she has so many buildings and tenants downtown.

Chairperson Maxwell stated that when Amy Bennett bought the General Store, she went down and met with Ms. Bennett and Kenan Moran, and gave them hard copies of everything, and explained everything to them. She said that Ms. Bennett has responded before, and always has complied, but it is often after the fact.

Chris Fisher stated that he questions whether or not Amy Bennett knows what is going on ahead of time, or the tenants are just deciding to do things without her knowledge.

Chairperson Maxwell stated that she has also sent the tenant, Sophie, the information about the proper procedure for the shed approval via email. Sophie is the one who put the shed up. Amy Bennett did not. However, she doesn't know who paid for the shed either. Whether Ms. Bennett did it at Sophie's request, or Sophie did it, and Ms. Bennett wasn't aware.

Chris Fisher asked if he understood correctly that Chairperson Maxwell has not received any communication yet since the shed has been put up.

Chairperson Maxwell stated that she has not sent out the draft email yet, because she wanted the Board to talk about it first. The only email exchanges that happened were in April, with the last on the 30th. when she re-sent the email to Sophie explaining the proper procedure to follow.

Michael Rausch asked if anyone has been established as the Property Manager for this building, or the others.

Chairperson Maxwell stated that she is not aware of who the Property Manager is, if there is one. She would like to formulate the draft email, and get the input from the Board Members as to what the next steps should be, before she gets an email back two days later, and the Board doesn't have a meeting for another month.

David Dorpfeld stated that he would like to include in the email to refer to the section of Chapter 75 that spells out the consequences of non-compliance.

Chairperson Maxwell stated that her major concern is an absentee landlord situation. Somebody should be following up making sure that tenants comply with the Historic District rules and regulations.

Michael Rausch stated that they may want to even ask in the email if there is a Property Manager,

and whom. This way, the Board is aware of someone that they can go to in the future. He is not sure about the \$50.00/day fine.

Chairperson Maxwell stated that the Code says the fine is \$50.00/day, but she has thoughts on that. She doesn't think that removing the shed is going to be the option. According to the Code, the shed would have to be metal or wood. She only noticed the shed last week. It is black metal, even though the top looks gray, and it is situated directly behind the side yard.

David Dorpfeld stated that it looks like it is sitting on plywood.

Michael Rausch stated that it is on a plywood platform, framed with 2x4's.

Chairperson Maxwell stated that her thoughts were, that the Board would say that normally, the fine would be \$50.00/day, multiplied by however many days, but given the fact that this is a smaller project, that the Board would limit it to either the \$50.00 or \$100.00. Basically, the fine for one or two days.

Chris Fisher stated that he doesn't think that Board should talk about a fine yet. He thinks that Chairperson Maxwell should talk to Amy Bennett first.

Chairperson Maxwell stated that she is going to talk to Amy Bennett first, but she would still like to know the consensus of this Board about a fine, because by the time she speaks with her, there could not be another meeting for 3 weeks, and the shed will continue to be there the whole time. Or, the Board could ask them to take it down until approval.

Chris Fisher stated that having a fine capped at \$100.00 doesn't seem like enough of a motivator to not violate the Code again in the future.

Hannah Kastanos stated that this also isn't the first issue with Amy Bennett's properties.

Chairperson Maxwell stated that Amy Bennett has remedied any issues in the past, so she doesn't know what happened this time. First of all, the Board would like to know why it was overlooked, and she can send out the draft email if the Board is in agreement. Secondly, while removal seems too harsh for something of this size, and a normal fine is \$50.00/day, she would like to come to a compromise of what the final fine would be. She would also like to double check to make sure whether or not she has the authority to collect the fine, or the Code Enforcement Officer does. She just doesn't want the shed to sit there, and not have anything done.

Chris Fisher stated that the real problem is that Amy Bennett is also being unresponsive.

Hannah Kastanos stated that Amy Bennett is violating protocol too. There is a specific protocol that everyone has to follow, and she hasn't followed it multiple times, which is negligence on her part, along with the non-responsiveness, there has to be some sort of repercussion. She owns a lot of buildings, so this could potentially keep happening.

Chris Fisher stated that maybe the email could state that as a reminder, there is a \$50.00/day fine. Don't state that the Board is going to impose a fine, just throw the information out there.

Chairperson Maxwell stated that when Amy Bennett gets back to her with whatever the reason is that it was overlooked, she can respond by saying what the two options are under the Village Code.

Hannah Kastanos stated that she could reach out to Amy Bennett via cell phone.

Chairperson Maxwell stated that she has Amy Bennett's cell phone number also, but she likes doing everything by email, so that it is documented.

Chris Fisher asked if the Board would have any issue with the current shed had Amy Bennett gone through the proper procedure.

Michael Rausch stated that it is better than the Rubbermaid vinyl one that she initially wanted there, that the Board said no to. It is about the same size, only it meets the Code requirements because it is metal.

Chairperson Maxwell stated that metal sheds are allowed in the Historic District per the Code. It is 8' x 8', so it is under the requirement for a Building Permit.

Michael Rausch asked how long the shed has been there.

Chairperson Maxwell stated that she had only noticed it last week. She doesn't know how long it has been there.

Michael Rausch stated that truth be told, had she gone through all of the requirements, this shed is exactly what they would still be putting in.

Chris Fisher stated that that is his concern. The Board probably would have approved it anyway. So, the real issue is that Amy Bennett went about it without filing an application.

Chairperson Maxwell stated that she understands that it may seem like much ado about something small, but it is more about principal and following proper procedures.

David Dorpfeld stated that it sets an example for others.

Chairperson Maxwell stated that if the Board is in agreement, she will send the draft email, and wait for a response. Once she gets a response, then she will reply mentioning the two options outlined in Chapter 75 for non-compliance. If they have to wait until another meeting, that's fine, because then Ms. Bennett and/or her Property Manager, if there is one, could attend in person if they would like to.

The Board agreed that that sounds reasonable.

Chairperson Maxwell stated that the property also isn't well kept. Part of the exterior improvements includes landscaping and mowing lawns.

Michael Rausch stated that the fence also needs repair.

Chairperson Maxwell stated that this Board has the authority to address these issues since the property is in the Historic District. They mowed in the back, but they haven't done any weed eating, or clean up.

Hannah Kastanos stated that this could be included in the email correspondence as well. It could be stated that there are also maintenance concerns for the property.

Chairperson Maxwell stated that if the Board agrees, she would like to address this in the email correspondence as well.

Michael Rausch stated that the fence has boards that are loose, broken, or missing.

2. McQuade Building-Chairperson Maxwell stated that the Board has not received any updates regarding the building plans for the McQuade Building.

Old Business

1. Training- Chairperson Maxwell stated that she will continue to forward any webinars received from the National Alliance of Preservation Commissions (NAPC) to the Board Members as they are received. She said that there is a webinar series on August 21st and August 22nd. It is a total of 8 hours between the two days. She will forward the notice she received, and if anyone wants to finish up their yearly credit requirements, that would be a good one. What she has done in the past, is have it set up in the Board Room, this way multiple people can easily attend.

2. Other- Chairperson Maxwell stated that she would like to remind everyone that there is the Joint Public Hearing with the Planning Board next Thursday, June 19th at 6:00 p.m. for the cell tower installation on top of the State Telephone building downtown.

Public Comment Period

No public comments were offered.

Adjournment

A motion to adjourn the Historic Preservation Commission meeting was made by David Dorpfeld and seconded by Hannah Kastanos. Chairperson Maxwell voted yes. Michael Rausch voted yes. David Dorpfeld voted yes. Chris Fisher voted yes. Hannah Kastanos voted yes. The motion carried.

The meeting was adjourned at 6:31 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nikki Berezna", with a long horizontal line extending to the right.

Nikki Berezna
Clerk