

**VILLAGE OF COXSACKIE**  
**HISTORIC PRESERVATION COMMISSION MINUTES**  
**September 12, 2023**

Chairperson Patricia Maxwell called the meeting to order at 6:00 p.m. Present were Historic Preservation Commission Members: Michael Rausch, Nancy Harm, and Wendy Warren. David Dorpfeld and Diane Fausel were absent.

A motion to approve the minutes from the August 8, 2023, Historic Preservation Commission Meeting was made by Michael Rausch and seconded by Nancy Harm. Patricia Maxwell voted yes. Michael Rausch voted yes. Nancy Harm voted yes. Wendy Warren voted yes. The motion carried.

**New Business**

**National Bank of Coxsackie, 3-7 Reed Street - (ATM Machine Installation)** – Chairperson Maxwell stated that she has provided the other HPC members with a draft of what she proposes to send to the National Bank of Coxsackie (“NBC”), acknowledging their request to rescind their application. At the last meeting, she had let the applicant know that she would consult with the State Historic Preservation Office (SHPO), and anyone else that she needed to, including Building Inspector, Mike Ragaini, regarding the ATM being located on the front of the building. Mr. Ragaini had no issues from a fire and emergency standpoint since there are plenty of other access points. She then contacted Linda Mackey, our Certified Local Government (“CLG”) representative at SHPO. Ms. Mackey determined that the ATM that takes the place of storefront windows does not meet the NYS guideline standards and suggested an alternative location in the foyer of the bank, or, as a last resort, a stand-alone machine that wouldn’t impair the building’s historic fabric. Chairperson Maxwell asked Ms. Mackey if she would be able to convey that information to NBC without violating any public meeting law. Ms. Mackey suggested that Chairperson Maxwell consult the Village Attorney. The Village Attorney stated that Chairperson Maxwell could, as a courtesy, contact the National Bank of Coxsackie to let them know this information. Chairperson Maxwell did so, via email, including the suggested alternatives. She also added that if the bank had other alternative locations in the works, similar to what Ms. Mackey had suggested, it could be brought to the attention of the HPC at the meeting on the 12<sup>th</sup> and would facilitate moving things forward. In response to the email, the bank stated that they would withdraw their application, because the storefront location was the only feasible plan that they had for the ATM. In response to that, Chairperson Maxwell asked the National Bank of Coxsackie to confirm that they are withdrawing their application, so that the HPC has a written confirmation that can be formally approved via a motion at tonight’s meeting. So, that is what has transpired, and the applicant is requesting that the HPC approve the withdrawal of their

application.

In the Commission's discussion that followed, Chairperson Maxwell stated to the members that since the bank's original proposal was not something that SHPO approved, that would mean that the HPC Board couldn't approve it either.

A motion to approve the withdrawal of application from National Bank of Coxsackie was made by Nancy Harm and seconded by Wendy Warren. Patricia Maxwell voted yes. Michael Rausch voted yes. Nancy Harm voted yes. Wendy Warren voted yes. The motion carried.

Chairperson Maxwell stated that last year when the HPC went through their 3-year audit with SHPO, so that they can remain a CLG, which also allows the Village to apply for grants in the Historic District, they had recommended that the HPC do a more formal process when responding to an application. Previously, she would make any comments on the bottom of the application, date it, sign it, and send a copy back to the applicant. So, she is now proposing a cover letter be sent back to the applicant, along with the application page itself. This way, the applicant has a record, and it will also be a part of the HPC Board's public record. In terms of this withdrawal of application, she would like to have as part of the public record that the HPC Board has offered the applicant alternatives to consider, and it is the bank's choice to withdraw the application. She asked the other Board members to review the draft cover letter, and if they have no objection, she will send it to the applicant.

The HPC Board Members had no objections with sending the cover letter to the applicant.

Chairperson Maxwell stated that she had included in the letter that the HPC had considered alternatives for the back of the building as well, which would solve the problem of being visible to the public, and with the increased activity down there, and with the NY Forward Grant in the works, people would walk down there all of the time. She had asked Ms. Mackey if she had any examples of what other alternatives other people have come up with, and online, Chairperson Maxwell found that one ATM was placed inside an old-fashioned phone booth. Ms. Mackey stated that the applicant could have a standalone machine, and it is not the most acceptable, but it is considered an alternative by SHPO, because it is not disturbing the fabric of the building. There are other alternatives, it is just at this point, the bank is not willing to pursue them. So, the HPC needs to respect their request.

Michael Rausch stated that there are currently two ATMs in downtown Coxsackie. There is one in the lobby of the hotel, which is clearly open all of the time, and there is also one in the Coxsackie General Store now, in the back. That one is open quite a bit.

## **Old Business**

**1. 2-6 Reed Street/33 South River Street- (former Cumming's Hotel)** – Chairperson Maxwell stated that there are no updates on this project at this time.

## **Other Business**

Chairperson Maxwell stated that she would like to reach out to the new owners of the Cocksackie General Store to make them aware of the rules and regulations of the Historic District.

Chairperson Maxwell stated that in talking and emailing with the Village Attorney, she would like to make the other HPC Board Members aware that there is no problem when presenting information regarding an application, but the Board cannot discuss the application amongst two or more Board Members via email or in public. Two or more Board Members constitute a public meeting. New case law has been updated to make that applicable to not only face to face conversations, but also emails. Again, the Board just has to be cautious.

Chairperson Maxwell stated that regarding training, the on-demand training from August that is out there via webinars expires October 23<sup>rd</sup>.

Nancy Harm asked if the HPC Board has received any new applicants for the vacant position on the Board. Chairperson Maxwell stated that they have not received any applicants, but if anybody knows of anyone who is interested, they can submit a letter of interest or resume to the Village Office. Clerk Nikki Berezna stated that she will reshare the information on the Village Facebook page. Michael Rausch asked if the recruit has to live in the village, or if they can just own property or own a business in the village. Chairperson Maxwell stated that so long as you own a business or property in the village, that that suffices being able to serve on the Board.

## **Public Comment Period**

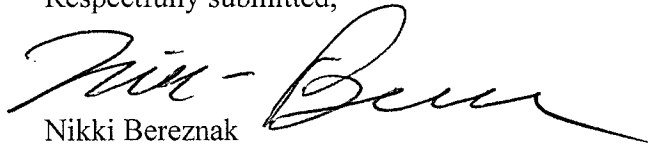
No public comments were offered.

## **Adjournment**

A motion to adjourn the Historic Preservation Commission meeting was made by Michael Rausch and seconded by Wendy Warren. Patricia Maxwell voted yes. Michael Rausch voted yes. Nancy Harm voted yes. Wendy Warren voted yes. The motion carried.

The meeting was adjourned at 6:18 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nikki Bereznak". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nikki Bereznak

Clerk