

Germantown Planning Board Minutes

January 26, 2017

DRAFT

Members in attendance: Chairman Steve Reynolds, Peter Dedrick, Margaret della Cioppa, Kerri Abela, Rao Gaddipatti, Tim Otty and George Sharpe. Town Attorney Tal Rappleyea also in attendance.

Meeting is opened by Chairman Reynolds at 7:00 p.m. and minutes are reviewed. Margaret made a motion to accept minutes as written seconded by Keri with all in favor and none opposed.

Phelan: Subdivision- Mr. Joe Phelan applied for a Subdivision of his property located at East side of Hover Avenue near Main Street, in an HR zone. He requested to divide his property into three separate parcels as 1) 1.627 acres 2) 1.016 acres and 3) 1.012 acres. Mr. Phelan stated that there is adequate road frontage, water supply is sufficient with a well located on parcel 1, parcels 2 & 3 will have to get wells, and there are no structures on property and submitted initial maps to the board for review. The Board took a look at the maps and instructed maps need to be complete with names of neighbors, location of well and any structures showing.

Peter made a motion to declare this application a Minor Subdivision seconded by Margaret with all in favor and none opposed. Keri made a motion to declare the board Lead Agency seconded by Rao with all in favor and none opposed. Motion is made by Margaret to set Public Hearing for March, seconded by Keri with all in favor and none opposed.

Jurnov: Special Use Permit- Ms. Jurnov applied for Special Use Permit to allow for parking of vehicles of 18,000 lbs. or more on RR land. She stated that a complaint was brought to the Town about her trucks, she was then asked to seek a permit and has maintained her business at her residence for many years feeling she was grandfathered in. She stated that she and her husband run a small trucking business. Ms. Jurnov stated that the trucks are not there every day, there is no set schedule and that the business operates by come/go when called. She proceeded by explaining to the board that the trucks are parked outside of a garage on her property that abuts her neighbor Mr. Gaeschel and said this is the only location on her property they can be parked. The trucks are run a max of 15 minutes, and her newer trucks will run shorter. Ms. Jurnov stated there are shrubs and trees and that when she consulted her relative about a barrier to block sound, she was told that she would have to build something higher than the height of trucks and the sound may still travel over. She stated that she has tried to find a solution but that it's too expensive.

The board tried to consider and suggest several resolutions to create a barrier for the sound as to not impact neighbors and even suggested for Ms. Jurnov to speak with her neighbor in hopes of a mutual agreement. Member Tim explained to Ms. Jurnov that we have to review a Criteria to give her any approval and part of that process discusses the impact to neighbors and that the noise would be considered during the review. Member George stated that during the review process we will set conditions/stipulations and suggested to return with ideas for the board to consider. Chairman Reynolds affirmed the explanations of board members and asked for Ms. Jurnov to submit to the board a list of suggestions to review and be seen at next meeting.

D'Souza: Site Plan Review- Ms. D'Souza returned again for Site Plan Review. She stated that she has three issues to address as her fence, pond and structures. She showed the board a new map as they requested prepared for this review indicating where the fence is located. She stated that she would like to keep fence at 8 feet in height and will apply to the Zoning Board for Area Variance. Ms. D'Souza said she plans on painting the fence but it is winter. When asked by the board about structures of pens, she replied Floweld gives permission to keep on their property and she has a letter she submitted to the board. In regards to the metal structure she responded that

they are planting barrier trees and they will take time to grow, and also the winter keeps them from painting. Ms. D'Souza stated that she does not want to fill the pond, but would like to keep it for water for the animals. Member Peter stated that we have now reviewed this site plan several times and to Ms. D'Souza it is important to understand that we need a submitted list of her intentions/suggestions as to how she will resolve the issues at hand. She is reminded that the board would like to see her create a list of specific suggestions/resolutions so that we can move forward with any determinations. She is asked to submit her intentions and return to the board in a month.

Breeze: Instar Lodge Public Hearing- Ms. Breeze returned to the Board for Public Hearing for the Instar Lodge Art Gallery on Church Ave. Chairman Reynolds reminded the Board that the Special Use Criteria was reviewed at January meeting and asked the Board for any comments. Member Tim stated he feels there needs to be a review by the Code Enforcement Officer. Ms. Breeze was asked of living situation of studio and stated that there may be occasional guest of a night or two but nothing long term. In regards to fire escape questioning she responded that per insurance she will need ladders to put out windows, as this structure is three stories.

Keri made a motion to open Public Hearing seconded by Margaret with all in favor and none opposed. The Audience responded with applause, and a member of audience stated that the Lodge is socially fabulous. No other comments are made. Motion is made by George to close Public Hearing seconded by Margaret with all in favor and none opposed.

Chairman Reynolds asked the board to Review Part II of SEAF, after review the board stated that Ms. Breeze shall return to the Code Enforcement Officer for review and compliance of all health and fire codes, their resolution is completed and the board declared there are no negative impacts. On a motion by Margaret and seconded by Peter with all in favor and none opposed her application is approved.

On a motion by Keri and seconded by Peter, with all in favor and none opposed this meeting is closed.

Jami L. DelPozzo-Secretary