Germantown ZBA Meeting

Thursday, November 17, 2016

Members in attendance: Chairman Steve Savoris, Edward Colwell, Joe Guida and Teresa Repko.

Meeting is opened at 7:00 p.m. by Chairman Reynolds, minutes are reviewed and on a motion by Teresa and seconded by Ed are accepted as written with all in favor and none opposed.

Chairman Savoris explained that this meeting is for an Area Variance applied for by Mr. Brown on October 20, 2016 and asked for a motion to open the Public Hearing. Motion to open Public Hearing is made by Teresa and seconded by Joe with all in favor and none opposed. The Chairman asked if anyone in audience would care to comment.

Ms. Rosado read a letter she prepared for the board, that is submitted for the record and submitted with minutes.

Mr. Cady appealed to the board his complaint initially received via email and is also submitted for the record with minutes, also submitted were his photos and other paper work pertaining to his complaint. He continued by stating he would like that the board make no decision tonight and revisit the complaint brought before them, he feels the Code Enforcement Officer did not inspect the fence in its entirety. He asked Secretary DelPozzo if the CEO did a full inspection. Secretary DelPozzo asked Chairman Savoris for permission to respond, and it was granted. It was then explained to Mr. Cady by Secretary that the CEO received his complaint via email and inspected the fence height in violation in the front yard, reading from the complaint to Mr. Cady and audience that the email stated he would file at a later time his complaint about plantings (see submitted email).

Mr. Brown stated he did not have any ill intent.

Mr. Overington asked the board what violation was sited. Secretary DelPozzo read the letter prepared by the CEO to the Board and Audience. He then asked if the CEO sited him for the fence blocking the view of an intersection. Board member Joe asked which intersection, where both Mr. Cady and Mr. Overington stated of “Farm Lane” and Main Street, stating also that this “Farm Lane” is a private road subject to the rights of others. The board said they will review.

Mr. Overington stated to the Board that he drives Main Street daily and that the placement of the fence has made the area lose its historic view and land mark, and this is a shame and disappointment. He commented to Mr. Brown that the fence is beautiful but that they have all lost their site of river view.

Mrs. D’Souza stated to the board that she feels awful because of all the mistakes made by previous CEO John Feiser and the cost to the ones who will have to pay to fix it, concluding with the question “Can anyone help pay for this?”

Chairman Savoris read a letter from Denis and Janet Crawford on behalf of Mr. Brown, which is submitted for the record with minutes.

Ms. Rosado asked how long does the process take for decision. Secretary DelPozzo asked if she meant for the CEO response to complaint or the decision of the Board. She responded, the board. Chairman Savoris responded that we can adjourn and revisit for Public Hearing and would hope to vote at next meeting.

Board member Joe asked Mr. Brown what he was willing to do about his fence, and he responded that he would like to discuss with his wife before committing to answer. Joe suggested we adjourn meeting and get more information pertaining to the
SVO, Teresa stated that she disagreed and we should only be discussing fence in front yard. Joe stated he wanted to visit the property and talk to Mr. Brown about fence being changed in height and other possibilities. Mr. Brown agreed to have Joe visit and they decided on a date.

The board requested to have meeting scheduled for November 29, 2016. Secretary will put in request of meeting room on ZBA’s behalf.

On a motion by Joe and Seconded by Ed with all in favor and none opposed this meeting was adjourned.

Jami L. DelPozzo-Secretary