

Germantown Planning Board Minutes

September 24, 2020

Members in attendance: Chairman Otty, Kerrie Abela, Chris Brown, Jen Crawford, Lauren Williams and George Sharpe.

Meeting was opened at 7:00 p.m.

The minutes of August 27, 2020 were reviewed and three amendments were made. Lauren Williams was not in attendance, so her name was removed. In the last paragraph on the first page, we changed to "...determined all checklist requirements are as met noting:..." and also to "...no change to grading, I: the sewer/septic will be revisited...". Kerrie made a motion to accept the minutes as amended, Lauren seconded, and all were in favor.

Pledge of Allegiance

Public Hearings:

Susan Fredecon (Measured Earths, LLC) – Site Plan and Special Use Permit at 117 Main Street, Germantown NY 12526

This was an application for Site Plan Review and Special Use Permit to convert an existing garage into an accessory apartment, though the garage will be mostly a new build, as it is proposed to be replaced down to at least the foundation. The site address is at the residence of Ms. Fredecon at 117 Maple Avenue, Germantown in an HR Zone. There was no authorized representative in attendance during the public hearing. Lauren made a motion to open the public hearing, Chris seconded, and all were in favor. Chairman Otty asked for comments from the public three times, but there were no comments. George made a motion to close the public hearing, Kerrie seconded, and all were in favor.

Last month, we had determined the action was a type II action per SEQRA. In the SEAF, we noted that Part 1 should show that CCDOH, and a building permit will be required. Question #10 should be changed to "yes", the new accessory residence will connect to an existing private well. Question #11 should be changed to "yes", the proposed residence will connect to an existing private septic system. George mentioned that though it's not a significant problem, stormwater sometimes flows off the property towards the Post Office, and Tim noted that the amount of impervious surface is not

changing, so question 17a should remain “no”. Kerrie made a motion to be lead agency, and George seconded. Part 2 was skipped, however, because the action was deemed a type II action requiring no further environmental review. The Planning Board issued 6 unanimous votes for Notice of Action with the following conditions: CCDOH approval must be obtained for well and septic connections, and a Building Permit must be obtained prior to construction.

Applications:

Carolyn Roumequere – Subdivision at 114 Best Lane Germantown NY 12526. Best Lane and Old Saw Mill Road

Wesley Chase presented on behalf of Ms. Roumequere as authorized by the letter provided. Mr. Chase indicated that the letter of denial from the CEO indicates the proposed subdivision meets all bulk dimension requirements. It is a minor subdivision in the AR district. The applicant’s plan is to build a single family residence on the newly created 3.01 acre lot, and is working with a contractor to obtain a building permit. Online mapping resources do not indicate any federal or state wetlands on site, nor streams nor open bodies of water. The slopes are moderate. The proposed residence would eventually require CCDOH approval for water/septic hookups, and a driveway permit from the Germantown Highway Department. Mr. Chase explained that the newly created lot will be numbered “3” instead of “2” because the lot to the north was previously subdivided in 2013 and was already assigned the number “2”. Tim suggested that a pre-application meeting could have been arranged to discuss level of detail on the maps, which will need to be updated with some more of the items listed in the Town’s zoning law. George asked if the road is Saw Mill or Old Saw Mill Rd, and Mr. Chase will follow up. The Kerrie and Lauren asked where the pond was, which was determined to be on the northern, previously subdivided lot.

The Planning Board agreed the action was a Minor Subdivision. Jen made a motion to categorize the action as “unlisted” type per SEQRA, Kerrie seconded, and all were in favor. The Planning Board reviewed the SEAF, and noted that #2 should indicate that eventually, driveway, septic, and water permits will be required. #13b should be marked “no”, and in the space provided, the applicant could write “unidentified”. There were no additional comments on the SEAF. George made a motion to schedule the public hearing, Kerrie seconded. The Public Hearing will be scheduled for October 29.

Cora Hales – Subdivision at 39 Block Factory Road, Germantown NY 12526

This is a proposed subdivision of one lot into two on Block Factory Road. Patty Heinkin was presenting on behalf of the Applicant. There are currently 2 residences which are accessed from Block Factory Road via the private ROW, though each of the proposed lots do have frontage on Block Factory Road. The Planning Board discussed whether this proposed subdivision would create a “flag lot”. The lot width, measured perpendicular

to the side lot lines as defined by the zoning law is proposed to be less than 200ft, the lot width required by Schedule B in the AR zone. The proposed parcels will have at least 200ft frontage on each lot, which is measured along Block Factory Road. The Planning Board questioned whether a variance would be required from the ZBA to create a flag lot. Tim will submit a question to the Town Attorney to determine whether a ZBA variance will be required.

The Applicant was also asked to indicate where existing wells and septic system components were, and where underground electric is located. The existing 2 residences share a well, but have 2 different septic systems. The Applicant indicated there is a provision in the legal agreements regarding the shared water service, which will be reviewed by the Town's Attorney.

The SEAF was reviewed. #10 should be changed to "yes", and #11 should be changed to "yes". #13 should list the Roe Jan Creek. Though the SEAF indicated there are floodplains on the parcels, the Applicant confirmed there are no structures within the floodplain, which is located along the shore of the Roe Jan Creek. Tim prefers to complete Part 2 of the SEAF after the public hearing. George made a motion to schedule a public hearing, which was seconded by Lauren. If a variance is required from the ZBA, the Applicant might be able to meet with them prior to our next meeting, though it is not yet confirmed. Tim will obtain approval to ask the Town attorney the questions of ZBA variance and review of the shared water service agreement.

Old Business:

Chris connected with Austin regarding updates to the Town website. They are working on fillable PDFs, and adding Chris's flow chart. Tim authorized Chris to proceed with putting applications up on the website without further authorization from the board, indicating that changes can always be made later if needed. Chris will send some drafts around for review, though. One change to be made is that all applications should ask the Applicant to indicate which zone the project is located in. Other proposed edits should be sent to Chris for incorporation.

Other Business:

Tim suggested that Lauren be appointed the agricultural representative on our Planning Board, in light of recent absences by Board Member Emil due to technical difficulties with the online format of recent meetings. Emil was missed, other members agreed to reach out to him to see if anyone could help him participate in the next zoom meeting.

On a motion by Lauren, seconded by Kerrie, with all in favor and none opposed, the meeting was adjourned at 8:15 pm.

In the absence of Planning Secretary Jami DelPozzo, minutes were prepared by member Jen Crawford.