

## Germantown Planning Board Minutes

December 1, 2016

Members in attendance: Chairman Steve Reynolds, Margaret della Cioppa, Keri Abela and Jami DelPozzo. Town Attorney not in attendance.

Chairman Reynolds opens the meeting at 7:15 p.m. Minutes are reviewed, with noted amendments of name corrections for applicant Archbold and on a motion by Margaret and seconded by Keri with all in favor and none opposed minutes are accepted.

RUMKE-MINOR SUBDIVISION: Mr. Archbold presented his maps for final review. The maps were examined by the board and found to be complete with neighbors listed, tax map id, and no deed restrictions noted. Margaret made a motion to open Public Hearing seconded by Jami with all in favor and none opposed. Chairman Reynolds asked for any public comments, with none received. Motion is made by Margaret to close Public Hearing seconded by Keri with all in favor and none opposed. Board proceeded to review Short Environmental Assessment Form Part II. The Board declared there were no negative Impacts. A motion to approve the minor subdivision was made by Margaret and seconded by Keri. The subdivision was approved unanimously and the maps were stamped.

BREEZE: SPECIAL USE PERMIT APPLICATION: Breeze presented to the board her application for special permit, in a hamlet mixed use for Instar Lodge at 4 Church Avenue to conduct business as an Art Center/Gallery showcasing emerging and renowned artists and providing space to artists to create work and offer workshops. She explained that her hope for the top floor would be for literary artists and music. She also stated that she is hoping to bring the building back to its original use, and that her mission is identical to the previous use. Chairman Reynolds explained that this application will be considered as Special Use and reviewed for that criteria. The board reviewed the application in terms of Article XII, Section C. of the zoning regulations and determined that there would be no adverse impact on the quality of the surrounding neighborhood or the town as a whole. Parking was discussed and Ms. Breeze stated she advertises for attendees to utilize the Municipal parking in town. Finally the Board determined that the use will not conflict with the Town of Germantown Comprehensive Plan or other adopted plans. Member Margaret stated that this use would add more to the Town for having events than just apartments. Motion is made by Margaret for the board to be Lead Agency seconded by Jami with all in favor and none opposed. Public Hearing will be set for January.

HELMHOLZ/WESTBY- SPECIAL USE PERMIT APPLICATION: Ms. Helmholtz and Ms. Westby returned to the board to replace the previously approved application for commercial retail use with a new application for the same commercial use but with the addition of a 2<sup>nd</sup> floor accessory apartment at 222 Main Street in an HMU district. The second floor accessory apartment would have a side entrance with 2 parking spots and shared driveway with the neighboring property owned by Ms. Lou Rae Tate. The apartment will have 2 bedrooms and kitchen. Keri asked about a firewall between the upstairs residence and the retail establishment downstairs. The Zoning Enforcement Officer will handle the matter of the appropriate measures for fire protection. Previous review of Special Use Criteria conducted found no adverse impacts regarding the retail store. Margaret stated that the new accessory apartment will be an asset to the town given the shortage of such rentals in the area. The board reviewed the application in terms of Article XII, Section C. of the zoning regulations and determined that there would be no adverse impact on the quality of the surrounding neighborhood or the town as a whole by the proposed accessory apartment. Motion is made by Margaret to declare Planning Board as Lead Agency seconded by Keri with all in favor and none opposed. Motion to categorize the proposed action as a "Mixed Use Retail with Accessory Apartment" is made by Margaret seconded by Jami with all in favor and none opposed. Motion is made by Keri to open the Public Hearing seconded by Steve with all in favor and none opposed. Chairman Reynolds invited the public to comment but there was no response. Motion to close public hearing is made by Jami seconded by Margaret with all in favor and none opposed. The Board proceeded to review Part II Short Environmental Assessment Form. It was determined that there is no Negative Impact. A motion to approve the Special Permit

Application was made by Keri and seconded by Margaret. The action was approved unanimously and referred to the Building Department/Code Enforcement Officer to insure compliance with the Building and Fire Codes.

LEUSCHEL- SPECIAL USE PERMIT APPLICATION: Ms. Hinkein represented Mr. Leuschel for an application to establish a residential apartment in the back of the 1<sup>st</sup> floor of 212 Main Street at the corner of Maple and Main streets. Ms. Hinkein stated that the apartment would be located behind what was previously Otto's Variety Store. The entrance for the apartment would be on Maple Avenue. Hinkein explained that it has no visibility for commercial or office space making it more beneficial as residence. Margaret asked if it was at any time a residence, and Ms. Hinkein responded yes. There will be full bath, one bedroom, no second exit, but is first floor, and Ms. Hinkein stated there will be need for a firewall. The Board verified that it is subject to code for exit and fire. There is no kitchen, but one will be renovated and put in. Driveway is part of building plan and provides parking for the tenant. Motion is made by Keri for Board to be Lead Agency seconded by Margaret with all in favor and none opposed. The board reviewed the application in terms of Article XII, Section C. of the zoning regulations and determined that there would be no adverse impact on the quality of the surrounding neighborhood or the town as a whole. Motion is made by Margaret to open the public hearing, seconded by Jami with all in favor and none opposed. Chairman Reynolds asked for the public to comment but there was no response. On a motion by Keri and seconded by Margaret the Public Hearing was closed. The board reviewed Part II of the Short Form EAF and declared no negative impact. On a motion made by Steve and seconded by Keri the application was approved unanimously. The Planning Board hereby refers this matter to the Building Department/Code Enforcement Officer to insure compliance with Building and Fire Codes.

On a Motion by Margaret and seconded by Jami this meeting is adjourned at 8:10p.m.