

## Germantown Planning Board Minutes

February 25, 2021

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

Meeting is opened at 7:10 p.m.

The minutes of January 28, 2021 were reviewed. Amended were page one changing the statement of attendance to: "Jen Crawford was removed from the attendance, as she was not present at the December meeting.", and page two Kerrie Abela made the motion to adjourn, seconded by Jen Crawford. On a motion by Lauren Williams, seconded by Chris Brown, with all in favor and none opposed the minutes were accepted as amended.

Chairman Otty stated for the record that the Pledge of Allegiance was done prior to the start of recording of the meeting.

### **Salvatore Zavaglia Family Trust: Subdivision Lasher Avenue across from 243 Lasher Avenue and West South Road, Germantown**

Ms. Gail Saucier of Berkshire and Hathaway Home Services represented Anthony Zavaglia, for his application to Subdivide 87.315 acres. Ms. Saucier stated that the applicant is selling 25 acres in the North portion across from 243 Lasher Avenue, a gas tank was removed from that property and she has submitted for the record a letter from Albany Tank Services to their service of removing the tank, her application fee has been paid, part 1 SEAF, Owner consent and Subdivision Plat have all been submitted for the application review.

The Board proceeded to review the application and stated that the final map should clearly indicate all utilities, septic, leach fields wells and all requirements listed in the Zoning Law. Ms. Saucier is instructed to utilize the 2011 Subdivision and Zoning as it pertains to Article X Subdivision, and specifically to page 121 as recommended by member Jen Crawford. In addition the board noted, there is no new construction indicated, no topography is needed, as per Chairman Tim Otty, wetlands will not be disturbed and member Jen Crawford stated that the accurate location of utilities indicate that no boundaries are crossed. Member George Sharpe referenced the submitted letter as it pertained to gas tank. Was the tank removed or has it been filled, with sand, to not be usable. The Board proceeded to review the application and noted to the applicant that the SBL number, Zoning District and SEAF be amended, specifically the description of the SEAF of the property action, to list the proposed parcels in their amount of acres and to correct the address of Lasher Avenue on representation letter.

An Agricultural Data Statement is requested by member Jen Crawford who will forward one to member Chris Brown and Secretary Jami DelPozzo.

Chairman Tim Otty stated that amended documents and final maps should be returned to the Town no later than 10 days prior to the next scheduled Planning Board meeting.

On a motion by George, seconded by Kerrie, with all in favor and none opposed Public Hearing is set for March 25, 2021.

**Carla Helmholz: Special Use Permit for Restaurant/Bar at 222 Main Street, Germantown**

Carla Helmholz appeared before the Board to discuss her application for a Special Use Permit to have a Restaurant/Bar at 222 Main Street. She stated that she met with the Building Inspector on several occasions to establish the correct Zoning District and Application she would need to proceed. A 2016 email from Joel Craig, Supervisor during that time, was referenced by Carla as saying that her Building is in the HMU District and to refer to the Town Board minutes where that Zone had been changed, and the maps have not been updated. She proceeded to explain that Sam Harkins, Building Inspector, stated that his maps indicate the Building is in an HR Zone, and referred her to the Planning Board with a Denial. The applicant would like to know what to do going forward.

The Board proceeded to review all submitted documents, they stated they would be interested in: parking, waste water, seating, signage, advertising and the need for review by the Columbia Count Planning Board.

Chairman Tim Otty stated that the Board has to go on the CEO denial/referral and that at this time the Planning Board can only review the restaurant/bar. The following recommendations were made by the Board as to how the applicant may proceed:

- Obtain a copy of the Town Board Minutes pertaining to the Zoning District
- Return to Sam Harkins for Map Review and correct Zoning
- Apply to the Zoning Board for a Variance
- ZBA interpretation of restaurant/bar

It is stated by Carla Helmholz that she will return to Sam Harkins, CEO/Building Inspector.

Member Kerrie Abela stated she would like the minutes that go with the email from Joel Craig.

Chairman Tim Otty stated that he will contact CEO Sam Harkins to interpret the map.

Member George Sharpe stated he would like to see this referred back to Sam Harkins, CEO.

Member Jen Crawford stated that any property owner petition the Town Board and request to be rezoned.

Old Business: Member Chris Brown stated that progress is being made as he; Austin Sullivan and Matt Turcotte continue to update the Town Website.

There is no New Business to conduct.

On a motion by George Sharpe, seconded by Jen Crawford, this meeting was adjourned at 8:52 p.m.

Jami L. DelPozzo  
Planning and Zoning Secretary