

Germantown Zoning Board of Appeals
50 Palatine Park Road
Germantown, NY 12526

May 20, 2021

The Germantown ZBA held its regular meeting on Thursday, May 20, 2021 at 7:00 P.M. via Zoom. Those in attendance were Chairperson Teresa Repko, Rachel Levine, Amy Jo Davison, Randy Phelan, and Joe Guida.

Teresa Repko asked for approval of the December 17, 2020 minutes. Motion was made by Randy Phelan, seconded by Amy Jo Davison, to accept the minutes. All in favor. So carried.

David and Hayley Krischer, 98 Viewmont Road, Tax ID# 180.-1-1, represented by Thomas McArthur, came before the Board seeking an Area Variance. The Zoning Ordinance states the maximum for an accessory structure is 800 square footage, with the proposed structure to be 1112 square feet. Joe Guida raised the question of an expansion being an encroachment of wetlands. Thomas McArthur explained it does not encroach on the wetlands. Teresa Repko asked for a clarification of page 2, line 10 of the SEQRA. The project will use the existing well on the property and will have a new septic system for the project. Amy Jo Davison pointed out the property currently has a house and barn and inquired what the plan would be for the remaining rural land. Thomas McArthur explained due to the swampy area farming would not be possible. Joe Guida directed a question to be asked of Sam Harkins, Building and Zoning Officer, as to whether an existing shed in the back area would impact the number of buildings allowed on the property. Rachel Levine asked if there were other plans available for the new building. Thomas McArthur emailed the drawings to the Board and explained the basement is a garage, the second level is a loft and not a full floor for the purpose of the square footage total. One barn has a previous apartment, which he stated was most likely not created with a permit. That barn will be removed. Joe Guida referred to the existing garage which may bring the basement garage into question. Thomas McArthur responded Sam Harkins did not see an issue with it. Amy Jo Davison requested a site visit, which the date and time to be determined.

The Board scheduled a Public Hearing for David and Hayley Krischer for Thursday, June 17, 2021 at 7:00pm. In person vs Zoom will be determined.

Emlyn Eisenach and Eric Posner, 159 Maple Avenue, Tax ID#158.4-2-5, represented by Kristina Dousharm/Dawn Santiago, came before the Board seeking an Area Variance for and Accessory Apartment and an Area Variance for height on an Accessory Apartment. Dawn Santiago explained the project would consist of the demolition of a two story barn on .52 acre and rebuilding on the existing footprint. The applicant also owns an adjacent 14 acres. The Area Variance is being sought since the barn was originally used for storage and will now be a living space. The variance would be for an accessory apartment consisting of 1885 square feet, which exceeds the allowed 800 square feet limit, and a height of 25' which exceeds the allowed height of 15'. The applicant will ask the Town of Germantown to extend the septic line, which currently ends at the previous property. If the Town declines the extension, appropriate septic will be installed on the property. In addition, raising 8" to the concrete sill could be done to reach code requirements. Amy Jo Davison requested a site visit. Dawn Santiago agreed, with the date and time to be determined.

The Board scheduled a Public Hearing for Ellyn Eisenach and Eric Posner for Thursday, June 17, 2021 at 7:00pm. In person vs Zoom will be determined.

With no further business, motion was made by Amy Jo Davison, seconded by Joe Guida, to adjourn. All in favor. So carried. The meeting adjourned at 7:25.

Desiree M. Webber
Secretary