

## Germantown Zoning Board of Appeals

### MINUTES

February 17, 2022

This meeting was conducted at the Town Hall with the following members in attendance: Chairwoman Teresa Repko, Amy Jo Davison, Joe Guida, Rachel Levine and Randy Phelan. Town Attorney Corinne Smith was also in attendance. All Interested parties and applicants were welcomed to attend the meeting via Zoom conferencing.

Meeting was opened at 7:00pm.

Pledge of Allegiance.

Minutes of January 20,2022 were reviewed and on a motion by Randy, seconded by Rachel, are accepted as written with all in favor and none opposed.

No Public Hearings were held.

#### **Old Business:**

Chairwoman Teresa asked for a motion to go into an Attorney/Client conversation, motion was made by AmyJo, seconded by Joe, with all in favor and none opposed, and entered at 7:04pm. The recording of meeting was stopped.

Motion was made by AmyJo to go back into the meeting session, seconded by Rachel, with all in favor and none opposed, and the recording resumed at 7:45pm.

The board determined that they would need to finalize their findings, stating that there would be no vote/resolution at this meeting, and were very appreciative and encouraged by all attendees who shared their thoughts at the public hearing and sent comments.

Member Joe stated he felt that Gatherwild is a real attribute to Germantown, but that he feels it is a campground, and that we set a precedence and things have the potential of getting chaotic.

Member Amy Jo stated that its is a difficult position as Gatherwild looks like a campground, and our code defines all uses, and the board will follow what is permitted.

Member Rachel stated that our code has to be reviewed with due diligence to figure out what Gatherwild is, and that is still difficult in following the ZSL.

Member Randy stated his concern is what type of precedence this would be setting.

Member Jo stated for the record that a comprehensive code update would help as there is no definitive guidance and encouraged a committee to get plans started.

Chairwoman Teresa stated that after reviewing the ZSL it is a struggle to put Gatherwild into a category, she feels it's a campground and her duty is to hear the board.

Attorney Smith stated that the ZBA is looking at the ZSL and arguments of the Applicants Attorney to make determination. She will prepare a Final Resolution, defer the vote and set a special meeting for discussion and vote.

On a motion by Randy, seconded by Amy, with all in favor and one opposed, Special Meeting is set for March 2, 2022, at 7:00pm.

Applicant Laura Sink asked if Gatherwild could be viewed as cabins or a membership club, in their determination.

Attorney Khosrova asked if the board would look at her request to be determined a cabin or membership club.

Attorney Smith responded that it is the authority of the ZBA to interpret.

There is no New or Other Business discussed.

**Adjourn:**

On a motion by Joe, seconded by Randy with all in favor and none opposed this meeting was adjourned at 8:15pm

Jami DeIPozzo-Planning and Zoning Secretary