

Minutes of May 10, 2022 Germantown Town Board Public Hearing on proposed Local Law No. 1 of 2022, revising the Zoning Map to extend the Hamlet Mixed-use zoning district, held in the Germantown Town Hall, 50 Palatine Park Road, Germantown, NY and via Zoom commencing at 6:33pm.

Present: Supervisor Helsley
Councilman Sullivan
Councilman Kukon
Councilmember Suarez
Councilman Christian

Town Attorney, Corinne Smith

Recorded by: Town Clerk, Joyce Vale

Supervisor Helsley opened the public hearing on proposed Local Law No. 1 on the revision of the zoning map to extend the Hamlet mixed-use zoning district.

Supervisor Helsley asked for public comments. After asking for comments three times there were none, Supervisor Helsley then asked for comments from the Town Board.

Councilman Sullivan commented looking into the few larger properties moving into that district that restrict ag use and to look into that.

Corrine said there had been questions on what would qualify as agricultural use permitted based on the extension. Corrine also said the growing of vegetables, fruit and flowers is based on the scope and if there is a primary residence on the property may fall into customary accessory use which is permitted in all districts.

Councilman Christian asked Corinne, if someone wanted to something more traditional agriculture could they sub-divide the property smaller section containing the house and commercial use on the larger section? Corinne answered saying that under those circumstances the agricultural use on the larger parcel couldn't qualify as customary accessory use to the residential use because there would be no residence on the parcel. In that case, they would be better off leaving it as one parcel.

Corinne said that we could draft a law including portions of parcels it doesn't have to include the entire parcel but that could be complicated for an application from the ZBA or Planning Boards if the parcel is in two different zones.

Corinne read the definition of agriculture from the zoning code.

Tony Albino asked how it would impact a farm's tax abatement or tax assessment? Corinne answered saying this would not change ability to obtain an ag exemption on a property.

Christina Bohnsack said she has over 7 acres she would like to start a farm and has an LLC formed for that purpose. Corinne answered saying it depending on the scope it may not be considered agricultural. Councilmember Suarez added that it may be considered an accessory use.

Town Board agreed to push voting on this matter off until next month.

Brandon Mullins just joined the public hearing and was asked by Supervisor Helsley if he had anything else to add to Local Law No.1 extending the HMU to Hover Ave. Brandon has nothing to add.

Motion to leave the public hearing open until the next Town Board meeting made by Councilmember Suarez, seconded by Councilman Kukon, with all in favor and none opposed.

Public hearing was adjourned to June 14, 2022 at 6:45pm.

Respectfully submitted,

Joyce Vale