

Germantown Planning Board  
Minutes  
June 29, 2023

The meeting was conducted at the Town Hall with the following members present: Kerrie Abela, Chris Brown, Jen Crawford, Ben Davidson, Garrett Montgomery, and Lauren Williams. Chairperson Tim Otty was not present. Zoom audio/video was provided for members and guests.

The meeting was opened at 7:05pm.

Pledge of Allegiance.

7:06- Motion by Jen Crawford, seconded by Kerrie Abela to make Chris Brown acting Chair for this meeting. All in favor, none opposed & so moved.

The minutes of May 25, 2023 were reviewed and with a motion from Ben seconded by Jen, with all in favor and none opposed were accepted with the following amendment:

Page 2, paragraph 3, "seconded by Jen" changed to "seconded by Ben."

Public hearings

**Randolph Meyers** represented himself for the review of his special use permit application for an accessory apartment at 58 Eastern Parkway. Initial review was conducted on April 27, 2023 and the Board again reviewed materials on May 25, 2023. At this meeting, it was confirmed Mr. Meyers sent ag-data statements to all necessary parties.

Member Lauren made a motion to open the meeting at 7:03pm seconded by Member Ben, with all in favor and none opposed. No written comments were received for this application, the Zoom waiting room was checked at 7:15, 7:16 and 7:17 with no comments received. On a motion made by Ben and seconded by Lauren, public Hearing was closed at 7:31

Motion made by Ben to declare this Board lead agency, seconded by Lauren, with all in favor and none opposed. The Board reviewed Part II of the SEAF. After their review and the acceptance of the application as complete, the Board made a negative declaration with a motion from Jen, seconded by Lauren, with all in favor and none opposed, determining that it had not received evidence of any significant negative environmental impacts. The Special Use Permit for an Accessory Apartment was approved by a unanimous 6-0 vote.

**Nathan Harelson & Bahar Roudiani**

The applicants returned to the Board and represented themselves for review of their request for a Subdivision to divide 45.35 acres at 204 Lasher Avenue into 3 parcels. Initial review was

conducted on May 25, 2023. The board reviewed all provided materials at the May 25 meeting and requested updated maps showing all utilities and distances between the house and the road. Updated maps were provided at this meeting, and showed subdivision into 3 parcels instead of the previously proposed 2 parcels.

Member Jen made a motion to open the meeting at 7:25 pm seconded by Member Ben, with all in favor and none opposed. No written comments were received for this application, the Zoom waiting room was checked at 7:25, 7:28 and 7:30 with no comments received. On a motion made by Jen and seconded by Lauren, public Hearing was closed at 7:31.

The Board reviewed Part II of the SEAF. After their review and the acceptance of the application as complete once the amendment below is noted, the Board made a negative declaration with a motion from Jen, seconded by Lauren, with all in favor and none opposed, determining that it had not received evidence of any significant negative environmental impacts. The Subdivision was approved unanimously 6-0 with the following stipulations: the at-data statement be updated to reflect all parties who were sent ag-data statements, including Ettinger & C&M Fruit growers; AND the application/Part 1 of SEAF be updated to reflect the parcel being divided into 3 new parcels and not 2 new parcels. The applicant requested approved subdivision to be stamped as soon as possible as requested for a bank transaction.

## **New Business**

### **Emma Rosenbush**

Before hearing Ms. Rosenbush's application, member Jen recused herself from this application.

Ms. Rosenbush presented her application for a site plan review of a winery/ciders and tasting room at 4514 Route 9G. Ms. Rosenbush would like to open a "pop-up" wine/cider tasting & distribution business until they can be approved for a full-time tasting room. The applicant currently lives at the house on premises and has begun farming 6 acres of apple orchards. The applicant would like to begin the pop-up operation in the spring of 2024. The Board reviewed all presented documents and maps and discussed the following: the applicant must be sure to comply with all state, county and local ordinances for the operation being requested.

A motion was made by Ben, seconded by Lauren to declare the Board lead agency and with all in favor and none opposed so moved. A motion was made by Ben and seconded by Lauren to set a public hearing for next month's Planning Board meeting and with all in favor and none opposed so moved. Finally a motion was made by Ben and seconded by Lauren for all materials from this applicant to be circulated with the County Planning and with all in favor and none opposed so moved.

**Taconic Biosciences:** Town Supervisor David Helsely was present on behalf of Taconic Biosciences and made clear he was acting as applicant, not as Town Supervisor.

The applicant presented to the Board their application for Site Plan Review to replace existing wastewater treatment plant with a new facility. The applicant stated to the Board that they hope to build a new wastewater treatment facility and thereafter demolish the current wastewater treatment facility & temporary wastewater treatment silo. The applicant is proposing updating their discharge/day permit from DEC from 60,000 to 83,000 gallons. Applicant stated this project will not increase road traffic to their knowledge and they would like to begin the project in Fall 2023 and conclude in Fall 2024. Member Jen suggested the applicant submit maps showing a piping diagram. Additionally member Jen suggested the Town Attorney be consulted regarding whether this Board will need to review engineering plans and confirming this Board should be the lead agency as EPA & DEC are also involved in reviewing this project and if there was going to be an increase in water.

A motion was made by Jen and seconded by Ben to declare this Board lead agency and with all in favor and none opposed so moved. A motion was made by Jen and seconded by Ben to set a public hearing for next month's Planning Board meeting and with all in favor and none opposed so moved.

**Arnold & Melina Reichlin:** presented to the board an application for a Subdivision of 16.002 acres into two parcels at 351 Church Avenue. The board reviewed all submitted documents and discussed the following: maps should be updated and submitted showing all utilities including well and septic.

Member Ben made a motion, seconded by Lauren, to declare this Board lead agency and with all in favor and none opposed so moved. A motion was made by Jen and seconded by Ben to set a public hearing for next month's Planning Board meeting and with all in favor and none opposed so moved.

**Jen Crawford:** proposed a major conservation subdivision at 4365 Route 9G. Ms. Crawford stated 5 acres would be donated to the Town for conservancy and the remainder of the required 40% of 26.911 total acreage to qualify for a conservation subdivision would be deeded as conserved to the applicant. Ms. Crawford stated the application would be for 4 or possibly 5 buildable lots. She stated she would fill out and submit the application as soon as possible.

## **Other Business**

### **Local Law No. C**

Local Law 2023 No. C was discussed, and this Board would like to bring the following to the Town Board's attention/seek clarification on the following items:

- How did the 6% cap come about? Is it enough inventory of STRs considering the number already in existence?
- The "Seasonal" STR seems like it could be a loophole for adding more STRs to the inventory. Should Seasonal STRs be capped and/or considered in the total percentage STRs per total inventory to prevent abusing the system?

- Clarification is requested on the continuation process. Do current STRs automatically renew as long as they submit all paperwork/fees on time? Do they go to the bottom of the waiting list?
- Can there be clarification on enforcement? Is there a NOV penalty schedule? What is to prevent/deter people from having STRs without applying for a permit?

### **New Planning Chair**

A motion was made by Jen seconded by Kerrie to recommend to Town Board member Garrett Montgomery being named new Planning Board Chairperson with all in favor and none opposed.

On a motion by Kerrie and seconded by Ben with all in favor and none opposed the meeting was closed at 9:45 pm.