

Germantown Planning Board

DRAFT Minutes

December 7, 2023

The meeting was held at the Town Hall with the following members in attendance: Chairman Garrett Montgomery, Chris Brown, Simon Burstall, Jennifer Crawford, Benjamin Davis and Lauren Williams. Member Kerrie Abela attended via zoom and appeared in person at 8:15pm. Town Attorney Corinne Smith was also in attendance via zoom.

The meeting was opened at 7:10 pm.

Pledge of Allegiance

The minutes of October 26, 2023 were reviewed and, on a motion, made by _____, seconded by _____ with all in favor and none opposed were accepted as written.

Public Hearing:

Jennifer Crawford: returned before the board to continue her review for a Conservation Subdivision. She stated to the board that as requested she submitted new maps which are titled Conservation Subdivision, agreement amendments have not been completed, a meeting with Highway Superintendent Anthony Cidras was conducted for construction of road, turnaround needs fire turn approval, an application for Lot Line Adjustment has been submitted/paid to the building department any review and additional fees will be conducted and paid when the application is complete for the Conservation Subdivision and she will notify neighbor Mr. Weiss for the initial visit of the Lot Line Adjustment date.

Chairman Montgomery offers board members to share concerns and questions and the following were discussed:

- Sewer update: applicant stated that she hopes it will be conditional upon approval.
- Conservation Area: applicant stated no objections from the Town Board to assume the parcel.
- Turn Around: if the turn around changes, the applicant stated that the parcel will change.
- Parcel A area not shaded: applicant stated it is an area for a pavilion or structure.
- Parcel with dotted line/shaded area: applicant stated that the area is part of the Lot Line Adjustment and land of Mr. Weiss.
- Plans for parcels 1-4: applicant stated there will be building done on all lots, discussions have been had with Habitat for Humanity for more affordable housing
- Area table should be amended as the area and conservation read the same but should not.
- Amend the spelling of "Palentine" to Palatine Road.
- The applicant has met with the Town Engineer to discuss the design of sewer, and stated that her hope is to have it listed as a conditional approval.
- Public Parking Area: applicant stated not on site but that all public areas are within walking distance to the location.

Attorney Smith stated that she recommends to make notes on the map to include:

- No lots to be further subdivided
- #8- reference conservation easement is recorded as well.
- #7- remove statement “on site water not....” and add all wells constructed within accordance of the Columbia County Department of Health requirements.

Motion is made by Ben to Declare the Conservation Subdivision as an Unlisted Action, seconded by Lauren, with all in favor and none opposed.

The board began to review the Short Environmental Assessment Form (SEAF), Part 1 page 1 and page 2 no findings, page 3 the board questioned the responses to questions #15 and 20 and the applicant stated that the answers are autogenerated with a summary report included by the DEC EAF Mapper. The Board previously declared themselves Lead Agency and proceeded to review Part 2 Impact assessment of the SEAF with questions #1-11 answered as having no, or small impact may occur. On a motion by Ben, seconded by Lauren with all in favor and none opposed the board determined that based on the information and analysis and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Motion is made by Ben to open the Public Hearing, seconded by Simon, with all in favor and one opposed.

No comments are received from the zoom when asked for first response.

Patricia Hinkein: asked for an explanation of the number of lots, size of lots, lot line adjustment plans, sewer plans, and if the property was in the scenic viewshed overlay. She stated her concerns were for the maintenance of the conservation area and sewer and how the applicant got to meet with and engineer for sewer plans and asked what engineer, and if the Town agreed to take over the Conservation Area. The applicant responded she met with Town Engineer Delaware Engineering, that she provided a resource analysis, and stated that she understood the session to be for comments and not a question-and-answer meeting. Chairman Montgomery stated that board members conducted site plan visits, a resource analysis has been submitted and reviewed and that the applicant is providing detailed and all recommended information as requested. Patty Hinkein responded that she felt the lots are not conforming, there is an added responsibility to the town for road maintenance and increased costs to the town.

John Salerno: attendant in zoom, stated he just wants to understand what the application is and that he has no issues and asked that size of the parcel being subdivided and the smallest lot size.

Member Ben gave an explanation to the audience of what a Conservation Subdivision is.

Christine Bohnsack: stated she is 100 percent in support of the applicant, affordable housing and the thought of conserving the Scenic Viewshed Overlay during the plan and review.

On a motion by Chris, seconded by Simon, with all in favor and none opposed the Public Hearing is adjourned.

Old Business:

Twin Pond Solar, LLC: returned before the board for the solar project application at 708 County Route 8, Germantown. In response to the questions and requests of the GPB from a previous review the applicant stated that she submitted the following documentation for consideration:

- Revised Site Plan
- Revised EAF
- Revised Equipment Spec Sheets
- Revised Ag Data Statement
- Wetlands Letter
- Fire Mitigation Statement
- Noise Analysis
- Revised Decommissioning Plan
- Letter from Lower Hudson Forestry Services

The board continued their review and Chairman Montgomery asked each board member for comment of their review and site plan visit, the following was discussed: the screening of the project to protect neighbors view, what type of evergreens will be planted, have all neighbors been contacted, properties with chains and no trespassing were noticed on site visit, the importance of communicating to all neighbors and method of reaching them, disappointment in fire mitigation submission and that it is not adequate to the national code as written key words have been left out, lot coverage not updated since last presentation, P.9 of SEAF did not identify agricultural district, access of 200 ft for parking and to be able to drive around site, wide enough radius, lot coverage, operations/maintenance plan, 3D images to show projected view is suggested, inverters moved further away from property line and coordinated review needs to be sent to all agencies.

The applicant responded that most neighbors have been contacted, they do not have all neighbors contact information, mixed variety of evergreens will be planted and neighbor input will be considered, lot coverage is not updated but recalled discussion at last meeting, it was stated that table numbers will be updated, prime soil, ponds, farming of property, and noise analysis to a minimal.

Attendees from zoom waiting and in person attendees were actively trying to comment and submit written comments. Members of the board and Town Attorney explained several times that there is not Public Hearing being conducted on this application and comments will not be accepted at this time.

It is clarified by Town Attorney Smith that the Town Board will conduct a Public Hearing on Tier 3 Solar Law, the board will seek input from the GPB, the board will accept public comment and IF they motion for a Moratorium the application for Twin Pond Solar will be put on stay for a time of 3 months. It is also clarified that the Town Board review is not pertaining to the Application of Twin Ponds Solar, but to interpret current Zoning and Subdivision Law.

On a motion made by Ben, seconded by Jen, with all in favor and none opposed the board declared this application Type I and declared themselves Lead Agency. Town Attorney Smith stated that the EAF

needs a coordinated review to be sent to all listed agencies and a copy will be sent by the applicant's attorney within 30 days. No further review is conducted at this time and no public hearing is set.

Genette Picicci: appeared before the board with preliminary project plans for review and comment prior to the submission of a formal application. Previous subdivisions, acreage, ponds, lot widths, and sketch of property were all reviewed and she will return to the Building Department to proceed.

Other Business: Chairman Montgomery discussed annual training for members, and that a letter from the GPB will be sent to the Town Board with their input as it pertains to the Solar Law review.

On a motion by Jen, seconded by Simon, with all in favor and none opposed the meeting was closed at 9:24pm.

Jami DelPozzo
Planning and Zoning Secretary