

GERMANTOWN ZBA  
MINUTES  
FEBRUARY 15, 2024

The meeting was held at the Town Hall with the following members in attendance: Chairwoman Teresa Repko, AmyJo Davison, Rachel Levine and Bill Shannon.

The meeting was opened at 7:05 pm.

Pledge of Allegiance.

The Draft Minutes of January 18, 2024 were reviewed and with a motion by AmyJo, seconded by Rachel, were accepted as written, with all in favor and none opposed.

**Public Hearing:**

**Richard Eklund:** appeared before the board for the continued review of his application for an Area Variance for a front yard setback at his property located at Cheviot Road Extension.

Motion is made by Rachel to open the Public Hearing, seconded by Bill, with all in favor and none opposed.

Chairwoman Teresa opened comments to any Zoom attendees and no comments were received, confirmed that no written comments were received by the board secretary, and received the following comments from audience members in attendance:

Anne Lauterbach: is in favor of the variance and asked what the request was for. The board responded that it was to obtain a front yard setback of 75 feet.

John Clarke: is in favor of the variance and asked why the applicant is seeking the variance. The board responded that the applicant would like to build his home further away from the road.

The board proceeded to discuss the site visits and asked about the wooded area being cleared and the applicant responded he is clearing sumac trees and a privacy fence may be erected at a later date.

No further comments are received on a motion by Rachel, seconded by AmyJo, the public hearing was closed, with all in favor and none opposed.

The board proceeded to review Section 11 Sub Section D that the board has the power to vary or modify provisions of this ordinance as a result of exceptional physical conditions connected with a particular site IF there are practical difficulties or unnecessary hardships and reviewed their checklist that general standards MUST BE MET Subsection D-3. No conditions are listed and based upon the findings the board reasons that no undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the Area Variance, and with a 4-0 vote, approved the application.

**Other Business:**

Chairwoman Teresa discussed with the board that consideration is being made to establish escrow accounts for each applicant to cover all fees that arise during the application process: public notices and certified mail. This escrow would be separate from one that is set at meetings to cover fees for attorney and professional services. Members questioned the fees that are associated and what other municipalities are asking and will continue to

review fees that we can obtain from our Code Enforcement Officer. The escrow and its amounts would be set by the Town Board.

There was no Old or New Business discussed.

On a motion by Rachel, seconded by Bill, with all in favor and none opposed, the meeting was closed at 7:30 pm.

Jami L. DelPozzo-Planning and Zoning Secretary