

GERMANTOWN PLANNING BOARD
MINUTES
MARCH 28, 2024

The meeting was held at the Town hall with the following members in attendance: Chairman Garrett Montgomery, Chris Brown, Simon Burstall, Jennifer Crawford, Benjamin Davidson and Lauren Williams.

The meeting was opened at 7:05pm.

Pledge of Allegiance.

The minutes of February 29, 2024 were reviewed and on a motion by Chris seconded by Lauren with all in favor and none opposed were accepted with the following amendments: page 1 paragraph 4 change state to states, same paragraph form to from, page 1 paragraph 5 change NYS to OPRHP, and the same paragraph add “regarding wetland and stream impact” after the word question.

Public Hearing:

Angus Mordant: Lauren Cawse returned before the board on behalf of Mr. Mordant for the continued review of his application for a Special Use Permit for an accessory apartment to be located on his property at 403 Northern Boulevard. Requested materials were submitted to the board which included: a letter and exhibits that summarized the status of the purported wetlands located on the site and adjacent properties.

The board reviewed all documents and stated the following:

- No concerns if there is no impact created by wetlands
- The plan will not impact a future pool
- Property owner to be responsible for maintenance of culvert
- Civil engineer, Department of Health and Excavator to be present for test pits

Parts 1 and 2 of the Short Environmental Assessment were completed

Member Ben made a motion to re-open the Public Hearing, second by Chris, with all in favor and none opposed. After three offers to the zoom and in person waiting rooms, no comments were received. Motion was made by Lauren to close the Public Hearing, seconded by Ben, with all in favor and none opposed.

As Lead Agency, the board proceeded to complete Part 3 of the Short Environmental Assessment and upon the acceptance of the application as “complete” made a “negative declaration” determining that it had not received evidence of significant negative environmental impacts and on a motion by Ben, seconded by Simon, with all in favor and none opposed approved the Special Use Permit. A Notice of Action with conditions will be filed with the Town Clerk, Building Department and in the record of application.

New Business:

LuRaye Tate: appeared before the board for a Special Use Permit for an Indoor Recreational Commercial Use to be used as a Yoga Studio at her property located at 224 Main Street. Ms. Tate explained that she has been the owner of the building in the Hamet Mixed Use Zone for 12 years, two apartments are located on the second floor, a gallery on the ground level and one office space on the street level that use to also have an automotive shop 90 years ago and most recently an antique store. The space is being renovated and there is interest to have a yoga studio which requires an indoor recreation permit, the studio will hold classes, workshops, lectures, breathe work and meditation. In addition, the construction will have ceilings fireproofed, fire block walls, and ADA compliant bathroom (s) and parking will be available in the municipal parking lot and the lower-level back area of property. Exterior changes will include: new overhead door, stucco repair, painting, reglazed and painted windows and plants, there will be no sign and no illumination, and if that were to change, she will return to the Building Department.

The board reviewed all submitted documents, determined that this application will need to be referred to the Columbia County Planning Board, there are no active farms nearby, and on Part 1 of the Short Environmental Assessment added "Yoga studio" under description of use.

On a motion by Jen, seconded by Chris, with all in favor and none opposed the board declared this a type II action.

On a motion by Ben, seconded by Lauren, with all in favor and none opposed the board declared themselves Lead Agency.

Public Hearing was set for April 25, 2024 on a motion by Chris, seconded by Ben, with all in favor and none opposed.

Old Business:

Twin Ponds LLC: appeared before the board for the continued review of the application for Site Plan Review and Special Use Permit for the proposed ground mounted community solar farm to be located 708 County Route 8. Jutta Middel of Renua and the board reviewed newly submitted material that was requested by the board and discussed the following:

- Amendments to application
- Turn radius
- Emails between Jutta Middel and Phil Salvatore pertaining to fire mitigation (which are filed in the records of application)
- Member Jen clarified she was acting as a representative of firehouse and not GPB member when discussing fire mitigation outside of meeting
- Chairman stated that the applicant is submit a fire mitigation plan
- There has been no communication with neighbors since moratorium
- Secretary DelPozzo has requested contact information of neighbor to share with Jutta Middel
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The board requested additional information which included:

- Vegetation management plan
- Screening and landscape plan
- Operation and management plan
- Visual assessment plan
- Site Plan visit by DEC for review of stream
- Contact Army Corp of Engineers- would wetlands need permit
- GIS maps sent by Chairman Montgomery to USACE
- Town Attorney Smith contacted Delaware Engineering
- Second study by National Grid
- Information from DEC and ACE will be forwarded to Jutta Middel by Chairman Montgomery

It was asked of the board if the Public Hearing could be set, and they responded they are not ready to proceed at this time, and continued review will be on April 25, 2024 agenda.

Other Business:

Chairman Montgomery shared the following with board members:

- Meeting start time will remain as 7:00pm
- 2-two-hour trainings for members will be set for the required four-hour annual requirements

On a motion by Ben, seconded by Lauren, with all in favor and none opposed the meeting was closed at 8:38pm.

Jami L. DelPozzo
Planning and Zoning Secretary