

GERMANTOWN ZBA

**DRAFT** MINUTES

JUNE 20, 2024

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

The meeting was opened at 7:00pm.

Pledge of Allegiance.

The draft minutes of May 16, 2024 were reviewed and on a motion by Rachel, seconded by Joe, with all in favor and none opposed were accepted as written.

**Old Business:**

**John Jennings:** appeared before the board for the continued review of his application for an Area Variance for a side yard setback to construct a garage at his property located at 4933 Route 9G. Mr. Jennings confirmed that the size of the garage will be 30'x50', and that the set back he is seeking will be 12-15 feet not the 5 feet that is written on application and denial letter.

A motion is made by Rachel to open the Public Hearing, seconded by Bill, with all in favor and none opposed. No public/written comments were received from the audience or zoom video/audio attendees. With a motion from Rachel, seconded by Joe, with all in favor and none opposed the Public Hearing was closed.

The board continued their review of documents, stated that site visits were conducted and discussed the adjacent property home location of owner Masters, reviewed Section 11 Subsection D and determined that no undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created, stated that a condition should be listed that the setback should be 12-15 feet, and with a motion by Rachel, seconded by Billy, with all in favor and none opposed, approved the Area Variance. A notice of action will be prepared and filed with the Town Clerk and in the record of the application.

**Deborah Anderson:** appeared before the board for the continued review of her application for an Area Variance for a side yard setback of 2.5 feet for the placement of a 10'x16' tool shed at her property located at 201 Northern Boulevard. Ms. Anderson stated that there is no other location of the shed due to property space.

A motion is made by Rachel to open the Public Hearing, seconded by Joe, with all in favor and none opposed.

Dale Hinkein: adjacent neighbor to applicant and stated that he had discussed the location of the shed with Ms. Anderson and is in support of the shed location and granting of the Area Variance.

No public comments from the zoom video/audio attendees or written comments were received, and on a motion by Joe, seconded by Rachel, with all in favor and none opposed the Public Hearing was closed.

The board continued their review of documents, stated that site visits were conducted, reviewed Section 11 Subsection D and determined 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 motion by Joe, seconded by Rachel, with all in favor and none opposed, approved the Area Variance. A notice of action will be prepared and filed with the Town Clerk and in the record of the application.

### **New Business:**

**Joseph Petracca:** appeared before the board seeking an Area Variance for the construction of a 7' high fence in the front yard of his property located at 2 Northern Boulevard. The applicant stated that his home is located on the corner of 9G and Northern Boulevard, previous owner placed a 4' high fence, determined from conversations with fence company that based on the slope of property and his height used as a reference that a 7' height is recommended to be placed, and his main reason for the fence is for noise reduction.

The board proceeded to review all submitted documents and discussed the following:

- Fence illustrations
- Tree removal and placement of new trees and landscaping
- Tree vs Fence placement for noise/decibel reduction
- 80-foot distance from house to fence
- 30-foot distance from fence to road
- Site visit drive by will be conducted by members

The board determined during their review that clarification would be needed from the Building Department if this application is for both front and side yard variances for fence height, and if this application should be referred to the Columbia County Planning Board for review.

On a motion by Rachel, seconded by Joe, with all in favor and none opposed, the Public Hearing is set for July if no referral is made to the CCPB, and August if a referral is made.

**Benjamin Davidson:** appeared before the board seeking an Area Variance of 17" height of his Accessory Structure to be constructed at his property located at 4681 Route 9G. Mr. Davidson stated that a previous barn was 17" in height, the structure will be 800 sq ft in size, septic will be constructed, an application for a Special Use Permit and Site Plan review is before the Planning Board, structure closest to 9G will remain as used as storage, and a new home is being built on the parcel of this Accessory Structure.

The board proceeded to review all submitted documents and property map noting the location and use of existing buildings and future construction of home. On a motion by Rachel, seconded by Bill, with all in favor and none opposed, the Public Hearing is set for July.

There is no Old or Other Business discussed.

On a motion by Rachel, seconded by Bill, with all in favor and none opposed, the meeting was adjourned at 7:50pm.

Jami L. DelPozzo  
Planning and Zoning Secretary