

GERMANTOWN PLANNING BOARD
MINUTES
APRIL 25, 2024

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

The meeting was opened at 7:05pm.

Pledge of Allegiance.

The minutes of March 28, 2024 were reviewed and on a motion by Ben, seconded by Jen, with all in favor and none opposed were accepted with the following amendment: to change the capital Y in yoga to lower case y.

Old Business:

Paul Haas: Chairman of the board gave a review of the chronological history of appearances of the applicant before both the ZBA and GPB and all approvals with resolutions. The applicant is before the board for a Special Use Permit for an Accessory Apartment at his property located at 375 Viewmont Road which was granted an Area Variance by the ZBA and he stated the following: there are no certificates or permits of record for the property and he just wants to obtain all that are required and plans to use this apartment for long term rental.

All submitted documents were reviewed by the board and there are no questions or concerns.

Member Jen made a motion that this application be listed as Type II, seconded by Ben, with all in favor and none opposed.

Member Ben made a motion that the board act as Lead Agency, seconded by Lauren, with all in favor and none opposed.

Public Hearing is set for May 30,2024 on a motion by Ben, seconded by Simon, with all in favor and none opposed.

Public Hearing:

LuRaye Tate: returned before the board for the review of her application for a Special Use Permit for an Indoor Recreational Facility: yoga studio at her property located at 224 Main Street.

On a motion by Jen, seconded by Ben, with all in favor and none opposed the Public Hearing was opened.

There are no comments received from the zoom video/audio waiting room.

John Salerno: in person attendance, asked the location of the facility.

The board proceeded their review and stated the following:

- Columbia County Planning Board reviewed this application and their recommendations are filed in the record of this application
- Approval for any signs need to be obtained in the Building Department
- Copy of amended lease should be provided for the record for board verification
- The existing office at the property location is for the personal use of the applicant not the recreational facility

The Public Hearing is closed on a motion by Ben, seconded by Lauren, with all in favor and none opposed.

Parts 2 and 3 of the SEAF were reviewed and upon acceptance of the board that the application is complete, they then made a negative declaration determining that it had not received evidence of significant negative environmental impacts and by a unanimous 7-0 vote, approved the Indoor Recreational Facility: yoga studio and stated that if the use of this facility changes, the applicant is to return to the Building Department. A Notice of Action will be completed and on file with the Town Clerk, CCPB and file of application.

Old Business:

Twin Pond Solar: David Byrne of Renua Energy and Chad Dickason, Managing Director of Free State Solar returned before the board for the continued review for Site Plan and Special Use Permit for a proposed ground mounted community Solar Farm to be located at 708 County Route 8.

The board reviewed and discussed with the applicant the following:

Reports of Solar Photovoltaic System Visual Assessment & Operations and Maintenance Including Vegetative Maintenance Plan & Fire Mitigation:

- Visual Assessment Report: The report includes line of site views using summer and winter conditions.
 - Ariel Data
 - Photographs
 - Visual observations
- Planting of deciduous and evergreen trees and the spacing/placement of
- Quantitative measures will be requested from engineer input (of town engineer)
- Square hatch on plans indicates tree removal
- The property slopes right beyond the square hatch indicator on plan and the board would like that added to the fire mitigation plan, in addition the drive ability of the UTV fire apparatus access.
- Access point road 20 feet to inter connection the to 15 feet to remainder of access roads

- Operations and Maintenance Plan should address replanting/replacement plans. The board note “time frame” should be specific and listed on the final resolution as a condition
- The applicant is to write a statement of time replacement and upkeep by season to clarify
- Fire Mitigation:
 - #5 to be completed and say Fire Chief
 - Training to be provided (by NYSERDA?) and the board determined that they would like to have Phil Salvatore (Fire Chief) to review the training routine.
 - Renua stated they will provide annually to the Fire Department
- Decommission options for funding were discussed and referred to Page 55 of the current Germantown ZSL and refer to Town attorney for any recommendations.
- Decommission not affected by any potential bankruptcy: letter of credit
- Board wants attorney and engineer reports
- Language of screening to be completed
- No new/further requests for applicant
- When to discuss pilot? ...Town Board and Town Attorney

Dave Byrne requested the board to consider their application complete and proceed to SEQR, but the board determined that input from the Army Corp of Engineers, Department of Environmental Conservation and Town Engineer would be reviewed before the determination would be made.

New Business:

Benjamin Davidson: presented to the board his application for a Special Use Permit for an Accessory Apartment at his property located at 4681 State Route 9G. The applicant stated he purchased the property in 2019 with intentions to fix a farm house with an in-law set up, a brief history of events with buildings and the property was given.

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

- An existing barn will serve as a workshop
- A new home will be built on the parcel
- The accessory apartment to be built is a (16x32) 512 square foot total, single story wood frame dwelling
- Driveway width and maintenance
- Fire codes
- Leach field
- Power lines will come off neighbor transformer and continue underground
- 2 existing wells
- Height of dwelling

Member Jen made a motion to declare this application Type II, seconded by Lauren, with all in favor and none opposed.

Member Kerrie made a motion to declare the board Lead Agency, seconded by Lauren, with all in favor and none opposed.

Members will reach out to the applicant for site plan visits, and requested the applicant to submit: driveway maintenance, add well to plans, amend height of structure from 17 to 15 feet, and a correct survey of the property.

Public Hearing is set for May 30, 2024 on a motion by Jen, seconded by Simon, with all in favor and none opposed.

Other Business:

The Board discussed the following:

- New Lebanon abandoned applications policy- and it was suggested to give a 30-day notice and to declare abandoned at 60 days, a start time at 6 months from initial visit to the board and attach an explanation to application.
- Planning, Zoning and Building trainings will be scheduled in two-hour increments to be held at the Town Hall.
- Suggested to add the dimensions for Area Variances to Notice of Actions was made and discussed.

On a motion by Lauren, seconded by Kerrie, with all in favor and none opposed, the meeting was closed at 9:15pm.

Jami L. DelPozzo-Planning and Zoning Secretary