

GERMANTOWN ZBA
MINUTES
JULY 18, 2024

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

The meeting was opened at 7:10pm.

Pledge of Allegiance.

The draft minutes of June 20, 2024 were reviewed and on a motion by Joe, seconded by Billy, with all in favor and none opposed were accepted as written.

Public Hearing:

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

Benjamin Davidson: returned before the board seeking an Area Variance of 17" height of an Accessory Structure to be constructed at his property located at 4681 Route 9G. The applicant added the following to the continued review of his application: cedar siding will grey over time, septic of accessory structure will be shared with eventual house, the driveway will be shared with all structures on property, and planting will be done in the future for shielding.

Larry Casenza: neighbor of applicant, is in support of variance and buildings to be constructed.

No further comments were received by the board, zoom or in person attendees. No written comments were received.

A motion was made by Amy to close the Public Hearing, seconded by Joe, with all in favor and none opposed.

The board conducted their review of Section 11 Sub Section D and based upon their findings reasoned that no undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created and on a motion by Joe, seconded by Bill, with all in favor and none opposed approved the Area Variance with no conditions.

Joseph Petracca:

Chairwoman Repko stated that an amended denial letter was received from Building Inspector Mullins and filed with this application.

A motion was made by Amy to open the public hearing, seconded by Joe, with all in favor and none opposed.

The applicant Joseph Petracca returned 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 added the following to the continued review of his application: the addition and position of shrubs will block fence so that it is not visible from the road and that he is asking for 7-foot height by recommendation of fence company.

No comments were received from zoom or in person attendees. No written comments were received.

A motion was made by Amy to close the public hearing, seconded by Joe, with all in favor and none opposed.

The board continued their review and discussed the following: due to the slope in property the fence might not appear to be 7-feet in height, the request of 7-foot height is over "normal", will shrubbery continue to block the fence, the fence will not be visible from the front porch of house and would the applicant be comfortable with a 6-foot-high fence. The board then proceeded with their review of Section 11 Sub Section D and based upon their findings reasoned that a 6-foot-high fence in the front and side yards would produce no undesirable change in the character of the neighborhood or detriment to nearby properties will be created and on a motion by Joe, seconded by Amy, with all in favor and none opposed approved the Area Variance with no conditions.

New Business:

Gabriel Dikel & Irena Tippett: appeared before the board seeking an Area Variance for a front yard setback of 34 feet 2.5 inches and a side yard setback of 7 feet at their property located at 11 Eastern Parkway for the construction of an 800 sq ft Accessory Apartment. The applicants stated the following: this apartment will be a mother-in-law suit, the site drops after existing home, septic is in back and will be DOH approved, dimensions would be 17x47 feet, they would like to construct separate from the home for privacy and there is a 12 foot drop off deck.

The board proceeded to review all submitted documents and discussed the following: was there another location on property for accessory apartment, would the apartment be used for long term rental, the close proximity of apartment to neighbors, water drainage, septic, lot size and Chairwoman Repko will talk to Town Attorney regarding board questions. The board unanimously determined they would like to conduct site visits and will contact the applicants for a time.

On a motion made by Billy, seconded by Amy, with all in favor and none opposed a Public Hearing was set for August 15, 2024.

Other Business:

The board discussed the following:

- They can not meet after a meeting is closed, all discussions will take place as an open meeting and conducted as Other Business or a Workshop would be made by Public Notice.
- Executive Sessions for application discussion with Town Attorney can be held and would be done in a separate restricted room of the Town Hall with no public in attendance.

On a motion made by Amy, seconded by Billy, with all in favor and none opposed the meeting was closed at 8:00pm.

Jami L. DePozzo
Planning and Zoning Secretary