

Germantown ZBA
MINUTES
May 19, 2022

The meeting was held at the Town Hall with the following members in attendance: Chairwoman Theresa Repko, Joe Guida, Rachel Levine, and Randy Phelan. Member AmyJo Davison attended via Zoom audioconferencing. Attorney Corinne Smith was in attendance.

Meeting was opened at 7:00pm.

Pledge of Allegiance.

The Draft Minutes of April 21, 2022, were reviewed and on a motion by Joe, seconded by Rachel, with all in favor and none opposed were accepted as written.

Public Hearing:

On a motion by Randy, seconded by Rachel, with all in favor and none opposed the Public Hearing was opened in the application of Laura Sink/Gatherwild Ranch for a Use Variance.

Chairwoman Theresa Repko opened comments to the board and applicant and the following statements were received:

Laura Sink returned before the board and read her prepared letter to the board, which is submitted for the record with these minutes, in addition she gave copies of shared public comments in favor of her ranch and quoted from the comprehensive plan and submitted a Use Variance Criteria statement.

Paul Jacobsen read a letter in support of Gatherwild Ranch and submitted a copy for the records.

Bettina Magi, mother-in-law of Laura Sink, - in support of Gatherwild Ranch commented that Laura left the city to reside in Germantown and have her business here.

Jenny Wrightson- in support of Gatherwild Ranch, subdivided and purchased property with Laura, they would be most impacted as they live next door and has had no negative impact on her as a neighbor.

Chairwoman Theresa Repko stopped Public Comment, to advise all who wish to speak to keep their comments and opinions only to the matter of Gatherwild Ranch with no further comments regarding Ms. Genette Picicci.

Rachel Petach- in support of Gatherwild Ranch, stated she was a previous guest at the ranch, feels she would not have purchased her home here in Germantown without her visit to the ranch.

Pamela Wallace- in support of Gatherwild Ranch, stated she was on the Comprehensive Board, and this is exactly what she would want.

Genette Picicci- not in support of Gatherwild Ranch- read letter with information pertaining to NYS and submitted for the record.

Steve Reynolds-in support of Gatherwild Ranch- stated that some allowance should be made, and that impact vs. other things excluded by zoning this doesn't compare.

Martin Lueck- in support of Gatherwild Ranch-stated he sought a Use Variance for Central House, which he operates, Zoning was not changed, and that the start of Short-Term Committee continues to do amazing things and that the ranch gives him the opportunity to offer lodging to others.

Patty Hinkein-in support of Gatherwild Ranch-stated it gives visitors a place to go, there have been changes in Germantown and that the ZBA should be "forward thinking".

Steve Reynolds- asked if there was a legal possibility of having interim variance or temporary option for operation of the ranch.

Claudia Kiehl- in support of Gatherwild Ranch- stated she is a resident with business in Germantown and thinks this is a good opportunity to have others experience nature.

Susan Marshall- in support of- stated that Gatherwild should not be taken away, she is a resident of NYC and during pandemic restrictions the ranch gave her the opportunity to leave her home and stay there, Paul and Laura are so welcoming and feels that this is a low impact use.

Member Joe asked Laura Sink an amount for her business investments, and she responded \$212,000.00 for decks, road and infrastructure and an \$80,000.00 loss.

Member AmyJo asked Paul to confirm zoned district, he responded that his studio is in the RR district and that the ranch is in the AR district.

Genette Picicci commented to the Board and audience that she feels many in attendance need to be reminded that they were opposed of another business trying to have permission to operate here in town as it did not meet the aesthetics of Germantown but want to allow permission for the application before the board tonight.

Attorney Corinne Smith stated that the comments in support of the applicant are appreciated and that the Board has to take a hard look at the ZSL and determine that all criteria will be met. She advised that ZBA that this application must be referred to the CCPB, the Public Hearing will be adjourned until the next meeting of the ZBA at which time the ZBA will also conduct SEQRA Parts 2 & 3, the formal Ordinance sign will be placed on the property of the applicant facing Roundtop Road only, and a notice will be placed on the town website.

On a motion by Joe, seconded by Rachel, with all in favor and none opposed the board will accept written comments until June 15, 2022, and hold their next meeting on June 23, 2022 at 7:00pm.

Review of Old Business:

Gregg Haefflin/Frasier Fir Management, LLC presented to the board for the continued review of their Area Variance at 471 Church Avenue and submitted a letter from Mr. DeRuzzio/Environmental Health Engineer which is filed with this application and stated that the application process with the Army Corp of Engineers has been initiated and will be completed if the Area Variance is granted.

The board proceeded to review the General Standard of Section 11-SubSection D-3 for Area Variances and answered as follows: question (a): no question (b): no question (c): no question (d):no question (e): no question (f): yes question (g): yes and determined there to be no negative impact and the general standards have been met. On a motion by Randy, seconded by Rachel, with all in favor and none opposed, this Area Variance is approved.

Notice of Action will be completed and filed in the Building Department and Town Clerks Office.

This meeting was closed at 8:10pm on a motion by Rachel, seconded by Randy, with all in favor and none opposed.

Jami L. DelPozzo
Planning and Zoning Secretary