

GERMANTOWN ZBA
MINUTES
September 18,2025

The meeting was held at the Town Hall with the following members in attendance: Chairwoman Teresa Repko, Rachel Levine, AmyJo Davison and Alternate Bill Rosado. Secretary Jami DelPozzo attended via Zoom Audio/Video.

The meeting was opened at 7:02pm.

Pledge of Allegiance

The draft minutes of August 21, 2025 were reviewed and, on a motion, made by AmyJo, seconded by Rachel, with all in favor and none opposed were accepted as written.

Public Hearing:

Joshua Orient, applicant, returned before the board with owners Gina Werfel and Hearne Pardee for the continued review and Public Hearing for an Area Variance to allow a reduced Rear Yard Setback from 40ft to 28ft for the construction of a freestanding deck platform at their property located at 55 Orr Road, Germantown. A property diagram of proposed plans and setback was shared with one attendee in the audience.

Motion was made by Rachel to open the Public Hearing, seconded by AmyJo, with all in favor and none opposed.

Wendy Ciancetta: neighbor of the owners, stated she is representing herself and her husband and would be concerned with traffic and parking on their street and use of studio in back yard. It was stated by board members that the review was for a Variance request so that a deck could be built in the backyard closer to property lines and no further comment was received.

There were no comments received by any Zoom attendees and no written or email comments received.

Motion was made by Rachel to close the Public Hearing, seconded by AmyJo, with all in favor and none opposed.

The board continued their review and the following was discussed:

- Member stated consider entire Site "Plan" and importance of Site Visits
- Landscaping can be planted to any location deck is placed and interference is not a reason for approval/disapproval
- A variance at another distance would not obstruct any views
- Suggestion to raise the deck height, to maximum of code

The applicant and owner considered the suggestions of the board and stated that they prefer the deck blend "into" the landscape not above it, they would like to create the esthetics and space of their

property the way they want and that the deck would not be visible from the road, and hoped to create more privacy.

The board conducted their review of Section 11 Sub Section D and completed their checklist that general standards must be met Sub Section D-3.

Motion was made by Rachel to approve the Area Variance requested with no restrictions, seconded by Bill and a 2-yes 2- no 1-absent vote resulted. The meeting was paused, Supervisor Helsley was contacted to advise on tie vote and it was determined that by State Planning and Zoning, a tie vote is a failed motion and this application was denied.

The applicant is instructed that because the vote was completed, they would have to reapply for an Area Variance and return before the board.

New Business: N/A

Other Business:

- Announcement of Joe Guida resignation
- Alternate Bill Rosado agreed to stay through December 2025
- Town Board will have to place on their Agenda and appoint new member
- Training offered at Town Hall November 8, 2025 for 2 hours
- Site visit importance

Adjourn: on a motion made by Amy, seconded by Rachel, with all in favor and none opposed the meeting was closed at 7:42pm.

Jami L. DelPozzo-Planning and Zoning Secretary