

Accusations fly at town board meeting

By Tim Tulloch

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The newly appointed chairman of the Rezoning Committee resigned within minutes of his appointment by the Germantown Town Council at its meeting Monday. And he did not go quietly.

"I had hoped," Joel Craig told the stunned council and audience, "that now that the election is over the Comprehensive Plan could move forward in proper fashion.... The last thing I expected was that the town council would cater to out-of-town developers over the interests of local residents."

He said he had no choice but to submit his resignation from the post to which he had just been named.

Craig's anger — and the anger of residents who spoke during public comment — was palpable. Its cause was a surprise motion made by Councilwoman Joan Snyder to conduct a public hearing Dec. 15 to consider rezoning 7.76 acres west of 9-G in Germantown hamlet. The site is owned by Henry Terranova, a Long Island-based developer.

Snyder proposed the entire site be designated village residential. A large part of the site is now zoned RA-1 (residential/agriculture), a lower-density designation.

A change to the higher-density zoning would allow Terranova to build as many as 48 condominium units on the site. At a February town board

meeting, the developer's representative said Terranova would defer his request for just such rezoning until the town had adopted its Comprehensive Plan.

The Comprehensive Plan, now in draft form and recently revised, has yet to be adopted by the council. The new Rezoning Committee was formed to review the draft's land-use content, possibly make changes, and then implement its land-use goals through new zoning, all prior to plan adoption.

Supervisor Roy Brown asked Snyder why rezone the Terranova parcel before the Comprehensive Plan is adopted. Snyder said adoption "could take a year or two." She said the site should be rezoned now so Terranova can either move forward, and the town enjoy the project's benefits, or resell the rezoned acreage.

Snyder's motion was never brought to a vote because town attorney Jason Shaw pointed out you can't have a public hearing without draft legislation. Brown then asked Shaw to write such legislation based on Snyder's rezoning proposal.

Craig, who has been chairman of the town Planning Board for many years and was elected recently to complete the unexpired term of deceased council member Patsy Zanchelli, will take his council seat in January. He supports the Comprehensive Plan, as does Jerry Smith,

another newly elected council member. Smith, who ran on the Democratic line and is currently recovering from surgery, unseated Republican council member Anthony Cidras. Like Snyder and reelected councilwoman Graceann Lamberta, Cidras has expressed concerns about the plan.

After Jan. 1, therefore, the council may be less receptive to proposals like Snyder's.

After Craig resigned as chairman of the Rezoning Committee during public comment, a series of speakers then rose to decry the loss of Craig and to castigate the town council for causing it.

During public comment cries of "Shame!" accusations of possible impropriety, and warnings to the council of the consequences of its actions were made. Many of the speakers were Comprehensive Plan Committee or Germantown Democratic Organization members.

Plan Committee member Ellen Jouret-Epstein said, "I am surprised that a piece of the plan that has been so vilified has become the basis for this recommendation. It's shameful." She was apparently referring to the plan's call for rezoning that would enable denser development in the hamlet while protecting open space beyond through large-parcel zoning. The election campaign was marred by false claims made about the plan's content concerning minimum lot sizes.

She also said, "I will call for disclosure of all personal relationships between town board members and Mr. Terranova."

Sally Saul asked why Lamberta was appointed to the Rezoning Committee, despite "her involvement with Mr. Terranova." She said there could be "a possible ethical conflict" and asked the council to remember that. Asked after the meeting if she had any prior connection with Terranova, Lamberta said she had met him "for the first time" when he came to make a presentation to the council about his intentions for the parcel.

Dorothy Montague, a plan committee member, said she found it "unbelievable that no one from the Comprehensive Plan Committee was included on the Rezoning Committee."

In addition to Craig and Lamberta, the other Rezoning Committee appointees are: Thomas Bower, Zoning Board chairman, and Donald Crews, a ZB member; Rao Gaddipati, a Planning Board member; John Fieser, the town's building inspector; and Cidras.

Cynthia Smith, the wife of councilman-elect Jerry Smith, suggested that naming three (potential) town board members to the committee may have been illegal according to the state Open Meeting law which she says prohibits a quorum of a town board sitting on any committee "doing the business of the town."

Kay Abraham, president of the Germantown Democratic

Organization, said, "I am quite shocked and really feel for Joel who is an honorable person...with the best interest of the town at heart....He resigned out of a sense of betrayal. With Joel gone, the committee is designed to be a failure."

Larry Osgood, another member of the plan committee, said, "You have lost the most intelligent guide to rezoning. Shame on you for trying to push through a spot zoning law before comprehensive issues are addressed."

Arthur Schiff said that "instead of calling a moratorium on zoning until the Rezoning Committee does its work, you seek to impose new zoning regulation on the town before it even begins. What you have done in effect causes Joel Craig to be replaced by Henry Terranova. Craig is a man of integrity, and it's going to take a lot of shucking and jiving to get him back on this committee. Council members always complain you don't get enough volunteers. A number of qualified people offered to serve on this committee. You declined their offer and closed ranks and brought in known entities."

The council remained silent in the face of this onslaught of criticism.

After the meeting, Brown declined to comment on Craig's resignation. Asked why rezoning the Terranova parcel had become so urgent, town council members had little to say.