

PLANNING BOARD  
TOWN OF BERNE  
PO Box 57  
Berne, NY 12023

**Date:** January 5, 2017

**Present:** Debra Bajouwa (Chair), Mike Vincent, Rick Rapp, Todd Schwendeman, Emily Vincent, Wayne Emory (Town Board Liaison), Kathy Brown (Secretary)

**Guests:** Dawn Jordan (Town Council Member), Tim Lippert (Building and Zoning Administrator), Joe Hammond, Robert Alteri

Ms. Bajouwa called the meeting to order at 7:00 p.m. Ms. Bajouwa welcomed new Board member Emily Vincent.

**Minutes:** The minutes from the December 1, 2016 meeting were reviewed. Mr. Vincent moved to accept the minutes. Mr. Rapp seconded and the motion passed, 3-0 with Ms. Vincent and Mr. Schwendeman abstaining. The minutes from the November 17, 2016 meeting were reviewed. Mr. Vincent moved to accept the minutes. Mr. Schwendeman seconded and the motion passed, 4-0 with Ms. Vincent abstaining.

**Old Business:**

**Minor Subdivision: Elizabeth Garry, 619 Joslyn School Rd., East Berne, SBL# 91.00-2-32.** The applicant wishes to subdivide the current parcel of 140+/- acres into two lots, a new lot consisting of 8.6+/- acres and the remaining lands being 131.4+/- acres. An application, survey maps, NYS DEC SEQRA Short Environmental Assessment Form Part 1, Agricultural Data Statement, and a copy of the deed were submitted for the file. Mr. Hammond said that perk tests were conducted by Albany County Department of Health. A letter is in the file from Albany Co. stating that before a building permit can be issued, a well will need to be approved. The applicant stated that the remaining lands will be put into a conservation easement. Mr. Rapped moved to schedule a public hearing for February 2, 2017. Mr. Vincent seconded and the motion passed, 5-0.

**New Business:**

**Lot-line Adjustment: Porlier/Michael Alteri, Route 157A, East Berne, SBL# 69.00-2-40.221.** Robert Alteri presented the Board with a proposed lot-line adjustment for 37+/- acres of Mr. Victor Porlier's property to be conveyed to the adjoining property owners, Michael and Lauralee Alteri. After reviewing the map, several Board members questioned whether the map indicated a subdivision rather than a lot-line adjustment. Mr. Robert Alteri was asked to submit a letter from Mr. Porlier authorizing him to conduct business on Mr. Porlier's behalf, as well as an application and a revised map showing the modified property lines. Board members will conduct individual site visits. Mr. Vincent asked that the solar array panels on the Porlier property be added to the map.

**Other:**

**Solar Ordinance Workshop:**

The Board discussed possible property-line setbacks ranging from 75' to 100' for residential ground-mounted solar arrays in different districts within the Town. The Board decided on 100' setbacks for all property boundaries, on all sides for all zoning districts within in the Town. The Board decided to suggest a 20' height limit for ground-mounted solar arrays in all districts. Ms. Vincent will do some research on solar panel heights. It was decided that the Town should use the Unified Solar Permit Application instead of the Town's regular building permit application. Ground-mounted solar panels will be included in the calculation of the percentage of density development of a lot according to

current Town Code. Mr. Schwendeman proposed that the applicant be required to provide a decommissioning cost estimate for large-scale solar. And that a performance bond for 1 ½ times that amount be deposited with the Town. He also suggested that the PB have the option of asking for a third party estimate for the decommissioning plan, to be paid for by the applicant. Such reports would be included in the permit review process. Ms. Vincent suggested that herbicides not be allowed for ground cover control. (See Model Solar Energy Law for language on proposed code.)

Mr. Emory reported on the Town Board's progress in securing a computer/audio visual for the Planning Board.

The Board discussed the White Sulfur Springs/Evangel Church property and expired special use permit.

Mr. Vincent asked about whether the Planning Board had needed to conduct a SEQRA review on the salt shed. Mr. Emory stated that the Town Board was the lead agency.

There being no further business before the Board, Mr. Rapp moved to adjourn the meeting at 9:03 p.m., seconded by Mr. Schwendeman, and the motion carried, 5-0.

Respectfully submitted,

Kathy Brown  
Planning Board Secretary