

PLANNING BOARD
TOWN OF BERNE
PO Box 57
Berne NY 12023

Date: January 17, 2019

Present:

Planning Board Members: Todd Schwendeman (Chair), Mike Vincent, Mark Sengenberger, Emily Vincent, Alexis Goldsmith, Mark Hohengasser, (Alternate), Cathy Shultes, Planning Board Secretary

Guests Present: Chance Townsend (Town Building and Zoning Administrator), Ron Jordan (ZBA Chair), Tim Doherty (ZBA), Richard Otto (ZBA), Bill Conboy (Town Attorney), Dawn Jordan

Workshop Meeting:

Todd Schwendeman called the meeting to order at 7:00 pm.

Objectives:

1. To review, modify and streamline Planning Board documentation and processes for Subdivision Applications, Historic Review Applications etc.
 - Mark Sengenberger presented new forms and written processes for Planning Board functions (subdivisions, historic reviews etc).
2. Overview of the legal role
 - Support on legal issues
 - Planning Board Chair should request Mr. Conboy's attendance at meetings on an as needed basis.
 - Mr. Conboy works to respond within 48 hours.
 - Advisory powers (interaction with the public, advise on Comprehensive Plan)
 - Regulatory power (Subdivision Review, Site Plan Review and Special Use Permits)
3. Role of ZBA
 - What does the ZBA require from the Planning Board – ZBA will provide a written request
 - Area Variances
 - Copy all information to the Conservation Board so they can provide a response.
 - Upon the ZBA declaring a file complete, and establishes a date for the Public Hearing, documentation will be forwarded to the Planning Board. The Planning Board has 45 days to provide a response.
 - Special Use Permits
 - Ron Jordan suggested Planning Board Review procedures from the Town of Bethlehem.

4. Other

- Environmental Assessment Form for Albany County Planning Board
 - Determine Type 1 or 2 action / refer to Town Code for actions
 - DEC made changes not covered in Town Code – consider amending our Code
 - Town Code takes precedent over DEC
- Albany County Planning Board – Referral Timing
 - Reference Slide 21 of the Planning Board Overview from the NYS Department of State, Division of Local Government Services
 - The Planning Board is required to transmit to the county a full statement of an action reviewable under General Municipal Law.
 - A “full statement” consists of all application materials required by and submitted to the Planning Board, including Part One of the Environmental Assessment Form (EAF) as well as any other materials required by the Planning Board to make a SEQRA determination
 - The Planning Board has 62 days from the time the application is declared complete to make a decision.
 - A preliminary discussion with the ZBA would be appropriate for Subdivisions that require area variance(s).
- All applications begin with the Building and Zoning Office
- Property can only be subdivided up to 4 times (beginning with 1974) to be considered a “minor” subdivision.
- Subdivided property is required to have 300 feet of road frontage.
- Lot line adjustments – a process is needed, watch for deed restrictions.

Adjourn

There being no other business before the Board,

Alexis Goldsmith made a motion, seconded by Mike Vincent to adjourn the meeting at 9:25p.m. Motion carried with the following members voting aye: Alexis Goldsmith, Todd Schwendeman, Mark Sengenberger, Emily Vincent, and Mike Vincent.

Respectfully submitted,

Cathy Shultes, Planning Secretary