

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

Date: February 2, 2017

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

Guests: Joe Hammond, Robert Alteri, Victor Porlier, Lois Porlier, Michael Altieri

Public Hearing: Minor Subdivision: Elizabeth Garry, 619 Joslyn School Rd., East Berne, SBL# 91.00-2-32. Mr. Vincent moved to open the public hearing. Mr. Rapp seconded and the motion passed, 5-0. 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. Mr. Hammond provided an overview of the project. There were no public comments and no written responses to public notification were received. No correspondence from the Conservation Board was received. Mr. Vincent moved to close the public hearing. Mr. Schwendeman seconded and the motion passed, 5-0.

Mr. Rapp said he'd stopped at the property and reviewed grading of the land and site distance on road. He stated that he found no issues. Ms. Bajouwa submitted a site review (see attached) and stated she had used Google to study the property. Mr. Vincent asked about any wells located on property. Mr. Hammond said there was no indication of any. The Albany County Planning Board recommended a note on the final plat regarding approval of septic and well before building permit can be issued. Mr. Hammond stated it was already added. The State Environmental Quality Review Act Environmental Assessment Form Part 2 was completed and read into the record. The Board decided upon a negative determination and that the project to have no significant environmental impact.

Mr. Rapp moved to approve and allow the Chair to sign, according to Board agreement, the Environmental Assessment Form, the Albany Co. Planning Board recommendation, the Agricultural Data Statement and to approve the Garry subdivision application as presented. Ms. Vincent seconded and the motion passed, 5-0.

Regular Meeting:

Ms. Bajouwa called the meeting to order at 7:20 p.m.

Minutes: The minutes from the January 19, 2017 meeting were reviewed. Mr. Vincent moved to accept the minutes. Ms. Vincent seconded and the motion passed, 5-0.

Old Business:

The Board briefly discussed the Albany Co. communications tower progress and noted that, so far, PB concerns were being addressed.

Minor Subdivision/Lot-line Adjustment: Porlier/Michael Altieri, Route 157A, East Berne, SBL# 69.00-2-40.221. Robert Altieri presented the Board with a proposed lot-line adjustment for 37+/- acres of Mr. Victor Porlier's property to be subdivided and conveyed to adjoining property owners, Michael and Lauralee Altieri. Ms. Bajouwa asked that the applicant provide a completed Ag Data Statement and NYS SEQRA EAF form part 2. The applicant agreed to put a note on the plat regarding

the location of solar panels. Mr. Altieri stated that a description of new property lines after the conveyance, had been drafted by attorneys and would be included in new deeds. The Board agreed that approval of the subdivision would be concurrent with the lot-line adjustment. The Conservation Board will be informed of the application. Ms. Vincent moved to schedule a public hearing for 3/2/2017. Mr. Schwendeman seconded and the motion passed, 5-0. Board members will conduct individual site visits.

Area Variance: Robert, 61 Betts Lane. The Board discussed briefly the application for a 7' height variance on an existing structure. It was decided that the ZBA Chair be asked to submit a formal letter to the Planning Board requesting its opinion on the variance. A site visit consent form will be sent to the applicant to be signed for file.

Other:

Solar Ordinance Workshop:

Changes to the proposed solar ordinance from the last meeting were reviewed. Ms. Bajouwa passed out copies of the solar ordinance for large-scale solar of the Town of Thurman. Mr. Schwendeman suggested that much of what was included in the Thurman ordinance was to have been covered in a proposed solar application, but that he didn't see any problem adding it to the Town Code instead. After some comparing to the current proposed solar ordinance, Board members decided to assess at next meeting. Board members agreed to add "mandatory third party review of the solar application to be paid for by the applicant" to the solar law. They also agreed to prohibit GMO grasses/groundcovers for reseeding.

There being no further business before the Board, Mr. Vincent moved to adjourn the meeting at 8:32 p.m., seconded by Ms. Vincent, and the motion carried, 5-0.

Respectfully submitted,

Kathy Brown
Planning Board Secretary