

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

Date: February 4, 2016

Present: Richard Rapp (Chair), Mike Vincent, Debra Bajouwa, Todd Schwendeman, Gerald Larghe, Wayne Emory (Board Liaison), Kathy Brown (Secretary)

Guests: Joseph Hammond, Steve Elsbree, Bob Spinelli, Ralph Mariani, John Valachovic, Art Ritter, Ron Sprung, Richard Guilz, Jr., Phyllis Johnson, Tim Lippert

Public Hearing – Lot Line Adjustment: Vogel-Nagengast, Dyer Rd. Mr. Rapp called the public hearing to order at 7:00 PM. The applicant intends to subdivide of 10.45 acres into two separate parcels with one parcel being annexed to an adjacent lot. Remaining lands will be 5.43 acres and the second parcel will become a total of 5.18 acres. All notices were sent and published in the *Altamont Enterprise* and property owners with properties abutting this lot were notified via certified mail. No written correspondence from adjacent land owners was received. Ms. Bajouwa moved to close the public hearing. Mr. Vincent seconded and the hearing closed at 7:02 PM on a vote of 5-0. The Board reviewed the Albany Co. Planning Board's recommendation that the plat include a note indicating whether or not Dyer Rd. is a Town road or private in regards to maintenance. Mr. Rapp said he'd spoken with Tim Lippert and was told that the road is a Town road for $\frac{3}{4}$ of a mile off Route 443. After discussion, Mr. Schwendeman moved that wording stating Dyer Road is a Town seasonal road be put on the plat. Mr. Vincent seconded and the motion passed, 5-0. The Board reviewed the application under the State Environmental Quality Review Act as a Type II Action. Ms. Bajouwa moved that the proposed subdivision will not result in significant adverse environmental impact. Mr. Schwendeman seconded and the motion passed, 5-0.

Mr. Vincent moved to approve the application for the lot-line adjustment. Mr. Schwendeman seconded and the motion passed, 5-0. Mr. Hammond will bring in corrected plats and mylar for authorized signature/approval stamp.

Regular Meeting of February 4, 2016

Mr. Rapp called the meeting to order at 7:21 p.m.

Minutes: The minutes from the January 16, 2016 meeting were reviewed. Mr. Vincent moved to approve the minutes, as amended. Ms. Bajouwa seconded and the minutes passed, 5-0.

Old Business:

Special Use Permit, Albany County Communications Tower, Jansen Lane:

Representatives from Albany County updated the Board on its progress toward addressing the Board's concerns from the previous meeting. Mr. Mariani stated that the County is still working on developing a public information link with the Town's website. Environmental control revisions were made to the application (p. C14). Staging area description was updated to include the 50'x60' lot (plus 10' past fence) and existing road. A letter from the Sheriff's office outlining emergency/rescue/fire training, its intent to negotiate good-faith effort regarding shared-use/co-location on the tower and dismantling obligations was submitted.

The applicant agreed to send a letter stating any future modification to the Tower/facility (excluding additional carrier antennae) would require Planning Board approval and that yearly maintenance records will be supplied to the Town.

A visual assessment was scheduled for Saturday, February 6, 2016. An informational meeting was scheduled for March 3, 2016 (It has since been changed to March 17th at 7 PM). A public hearing will be scheduled for April.

New Business:

Preliminary review for proposed subdivision of 792 Helderberg Tr. -Proposed East Berne Fire House and Fire Training Center: Mr. Guilz told the Board that the Berne Fire District would like to subdivide the 24.67 parcel into two lots: lot #1 being 5.15 acres and lot #2 being 19.51 acres. Mr. Guilz stated that the District is seeking funding from USDA Rural Development. USDA-RD is recommending that the land be subdivided so that the firehouse and training center are situated on two separate parcels of land. A sketch plan of the proposed subdivision was submitted to the Board. Mr. Hammond stated that the proposed firehouse is within a 140' non-residential setback and would require a variance. Road frontage, setbacks and wetlands will be taken into account when applicant submits an application.

Preliminary review of proposed senior housing facility at 1209 Helderberg Tr. - Ritter -/Pine Park: Mr. Valachovic told the board that the owner, Mr. Ritter, would like to remove three trailers from the park adjacent to Route 443 and build an eight-unit, two-story, senior-housing facility. The Board discussed zoning issues, senior-housing definitions, well and septic capacity, and setbacks. Mr. Ritter plans to submit an application in April.

Robert Appeal, 53 and 61 Betts Lane: Mr. Rapp read a letter from Zoning Board of Appeals Chair Ron Jordan (see attached), instructing the Planning Board to consider an appeal from Michael Robert regarding denials of building permits by the Town's Zoning and Building Administrator. Board members were given copies of Town records regarding the properties.

Other Business:

Mr. Emory updated the Board on Town Board business. He discussed training opportunities.

Mr. Vincent updated the Board on happenings at the Game Farm Road property including an upcoming presentation to the Town Board on future plans and a scheduled winter festival for 2/27/2016.

There being no further business before the Board, Mr. Vincent moved to adjourn the meeting at 9:05 p.m., seconded by Mr. Schwendeman, and the motion carried, 5-0.

Respectfully submitted,

Kathy Brown
Planning Board Secretary