

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

Date: April 21, 2016

Present: Richard Rapp (Chair), Mike Vincent, Debra Bajouwa, Todd Schwendeman, Gerald Larghe, Wayne Emory (Board Liaison), Tim Lippert (Zoning and Building Administrator), Kathy Brown (Secretary)

Guests: Joseph Hammond, John Valachovic, Terry Schwendeman, Linda Carman, Richard Guilz, Art Ritter, Ronald Sprung

Mr. Rapp called the meeting to order at 7:00 p.m.

Minutes: The minutes from the April 7, 2016 meeting were reviewed. Mr. Vincent moved to approve the minutes. Ms. Bajouwa seconded and the minutes passed, 5-0.

Old Business:

Subdivision, Homer Warner, Warner's Lake Rd.: The applicant wishes to subdivide a 43.65 acre parcel at the north end of Warner's Lake, formerly known as The Warner Farm into two lots; lot #1 being 37.99 acres and lot #2 being 5.66 acres. Mr. Vincent moved to schedule a public hearing for May 5, 2016. Mr. Schwendeman seconded and the motion passed, 5-0. Mr. Vincent said he had conducted a site visit and was concerned about access to another property through a portion of lot #2. Mr. Rapp reviewed language on a revised plat map that the lot be considered "non-buildable." SEQR will be reviewed at the next meeting.

Site-Plan Review for Multi-Family Residence, Ritter/Pine Park, 1209 Helderberg Tr.: The applicant wants to replace three mobile-home units with a new two-story, eight (1-bedroom) multi-family residence. Mr. Valachovic, who is representing the applicant, presented the Board with new drawings of the proposed facility. He said a short EAF and a Site-Development plan/application were submitted to the building department. A letter from Albany Co. Dept. of Health stating that the Pine Park water supply and the sewage treatment plant would be sufficient to accommodate the proposed residence was submitted. Mr. Rapp stated that he was going to send the application to counsel to review for adherence to Town code. The Board discussed age restrictions (55 and older) for renters. Mr. Schwendeman reviewed the EAF with the applicant.

Minor Subdivision, Berne Fire District, 792 Helderberg Tr.: Mr. Hammond, who is representing the applicant, told the Board that the District is seeking to subdivide the 24.67 acre parcel into two lots: lot #1 being 5.51 acres and lot #2 being 19.51 acres. A district firehouse is proposed for lot #1 and a fire training center would be located on lot #2. An application for a minor subdivision, a deed, an agricultural data statement and a short EAF were submitted to the Board. Mr. Guilz told the Board that a new septic system would need to be installed. The applicant will be working with Lamont Engineers and Albany County Dept. of Health on septic and well concerns. The Board discussed controlled burns for training purposes.

Robert Building Permit Appeal, 61 & 53 Betts Lane: The ZBA set the public hearing for June 15, 2016. The Board discussed the zoning of the parcel as MDR, reviewed the schedule of uses. The Board also determined that the intent of the applicant was to consider the structure a "residence" as noted in letters from his attorneys and that exhibits A,B and C (all of which are RAF) do not set precedent to allow applicant to build an additional dwelling in MDR. Mr. Rapp asked Board members to review and make notes for consideration by the Town's attorney.

Special Use Permit, Albany County Communications Tower, Jansen Lane: Mr. Schwendeman asked that the Board not proceed with discussion of the Tower until the application is determined to be complete. Mr. Rapp tabled the discussion until the May 5th meeting.

New Business: none

Other Business:

The Board discussed the permitting of residential solar panels within the Town. Mr. Schwendeman agreed to look into related zoning.

There being no further business before the Board, Ms. Bajouwa moved to adjourn the meeting at 8:55 p.m., seconded by Mr. Schwendeman, and the motion carried, 5-0.

Respectfully submitted,

Kathy Brown
Planning Board Secretary

cc. file