

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

**Date:** May 4, 2017

**Present:** Rick Rapp (Chair), Debra Bajouwa, Mike Vincent, Todd Schwendeman, Emily Vincent, Dawn Jordan (Town Board Liaison), Kathy Brown (Secretary) and other interested citizens.

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

**Minutes:** The minutes from the April 6, 2017 meeting were reviewed. Ms. Vincent moved to approve the minutes as amended. Mr. Vincent seconded and the motion passed, 5-0.

**Old Business:**

**Subdivision: Crosier – Filkins Hill Rd. SBL# 91.-1-30.11:** Applicant not present.

**Historic Review, accessory structure/shed: Guarino – 1655 Helderberg Trail.** The Board continued review of an application from Ian Guarino who wants to erect a shed (12'x24'x10') on property in the TN/MU1 district. All Board members said they'd conducted a site visit and saw evidence of significant run-off. Mr. Guarino provided pictures of the proposed siding and roof shingle to be used on the garage. Mr. Schwendeman moved to have the zoning and building administrator issue a permit for the garage as proposed. Ms. Vincent seconded and the motion passed, 5-0.

**Site-Plan Review for co-location of antennas on existing tower: T-Mobile, 496 Long Rd., East Berne, SBL #80.-2-431.** The Board discussed an application from T-Mobile to co-locate cell phone antennas on an existing tower on Long Rd. owned by American Tower. Mr. Rapp stated that all requested material had been submitted and that the NYS DEC SEQRA Long Form was in the file. Mr. Vincent asked Allen Hinkley of NB+C, the firm representing T-Mobile, whether there was any data on the cumulative effect of RF waves from nearby antennae. Mr. Hinkley said that the data provided by T-Mobile and Verizon was sight specific to the Long Road tower. Mr. Vincent said that the data from all the antennae within a 5-6 mile radius should be monitored. Mr. Vincent moved to schedule a public hearing for June 1, 2017. Ms. Bajouwa seconded and the motion passed, 5-0. Abutters and nearby municipalities will be notified.

**Site Plan, Special Use Permit, Historic Review: Fox Creek Market/Cecunganin – 1634 Helderberg Trail.** The Board continued review of an application, submitted by Ardi Cecunganin, to expand the store/restaurant by adding a dining area upstairs, a deck off the second floor and additional parking. Mr. Rapp asked that Mr. Cecunganin provide a proper site plan showing parking spots with turn radiuses. Mr. Cecunganin said an architectural engineer is currently working on the plans and should have them by next meeting. Sewer and pump adequacy, and the location of the old septic were discussed. Ms. Bajouwa said that the Town might have records of the septic removal and decommission. The Town easement to the Park was discussed. Ms. Bajouwa said that there was a large amount of garbage accumulated behind the store and was concerned about waste management.

**New Business:**

**Special Use Permit: Langston – 1192 Bradt Hollow Rd.** Robert Langston submitted an application for a special use permit to establish a bed and breakfast/church retreat on his property. He said there will be no food preparation on site. The Board discussed fire safety, insurance, water quality testing and septic. Ms. Bajouwa said that to be classified as a B&B, the guests had to stay in an owner-occupied residence. Ms. Jordan suggested that perhaps the PB wait to address this application until

after the Town Board reviews the draft Schedule of Uses and Definitions. The Board and Mr. Langston decided to table review of the application until the Town Board acts on the draft schedule.

**Other:**

The Board discussed the timetable for the adoption of the Town's zoning ordinance in 1988.

The Board discussed where to locate the TV monitor screen.

Mr. Vincent stated that the 300' road frontage requirement also be included in the Town Code language and not just in an appendix.

Mr. Rapp suggested that the Board review the Town of Bethlehem's solar ordinance before next Board meeting.

There being no further business before the Board, Ms. Bajouwa moved to adjourn the meeting at 8:47 p.m. - seconded by Ms. Vincent - and the motion carried, 5-0.

Respectfully submitted,

Kathy Brown  
Planning Board Secretary