

**Zoning Board of Appeals
Town of Berne
Berne, NY 12023**

Date: June 20, 2018

Present: Ronald Jordan (Chair), Rick Otto, Denise Manning, Donald Bauer, Bill Conboy (Town Attorney), Dawn Jordan (Town Board Liaison), Kathy Brown (Secretary), and other interested citizens.

Regular Meeting: Mr. Jordan called the meeting to order at 7:00 p.m.

Review of Minutes: The Board reviewed the minutes from the March 21, 2018 ZBA meeting. Ms. Manning moved to approve the minutes. Mr. Bauer seconded and the motion passed, 4-0.

Mr. Conboy briefly discussed the ZBA's responsibility as having appellate jurisdiction and the threshold for approval of appeals.

Area Variance – 1406 Thompsons Lake Rd./Robert Long/SBL# 70.9-1-1: The applicant is seeking area variances for two existing sheds within a side-yard setback. One shed is 12' feet from the property line and needs a 38' variance. The other shed is 42' from the property line and needs an 8' foot variance. The applicant stated he had recently moved one of the sheds out of the setback leaving one still 12' from the line. He said the sheds are self-built and can be moved if necessary. The Board discussed options. Mr. Long decided to consider moving both sheds out of the property setbacks. Mr. Jordan tabled the discussion to give Mr. Long an opportunity to move his sheds to comply with Town Code.

Area Variance – 8 Main St. East Berne, Houlihan/Primax Properties/SBL# 80.-2-40: The applicant is seeking an area variance for relief of approximately 60 parking spaces required for a 9,100 +/- sq. ft. retail store proposed for the site. Chris Bonea of Bohler Engineering said that his client only needs 32 spaces instead of the 94 required. He said that the Town requirement for 1 space for every 100 sq. ft. plus one space for every two employees was a high threshold. He gave the ZBA a brief overview of the overall project plans. Mr. Bonea said that 32 spaces was well documented by Dollar General as being sufficient parking. The smaller lot would reduce the amount of impervious surface, reduce runoff and that there would still be plenty of room to enlarge the parking area if needed in the future. Mr. Jordan said he was concerned about exposed cardboard storage at other Dollar General locations. Mr. Bonea said a cardboard refuse enclosure could be considered. Mr. Otto asked whether the lot would be big enough to handle truck deliveries. Mr. Bonea said that NYS Dept. of Transportation allowed only one curb cut so that the proposed parking lot will have to accommodate a 36' truck turn.

Debra Bajouwa said that the Planning Board had reviewed the parking and that the members had no problem with the variance request and that the 92 spaces required by the Town code seemed excessive.

Mr. Otto moved to schedule a public hearing for the variance application on August 1, 2018. Mr. Bauer seconded and the motion passed, 4-0. Mr. Jordan stated that the application was complete.

Mr. Otto moved to close the public hearing. Ms. Manning seconded and the motion passed, 4-0.

Respectfully submitted,

Kathy Brown
Zoning Board Secretary

Cc: file