

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

Date: October 6, 2016

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

Guests: Joseph Hammond, Dawn Jordan, Catherine Froman, Micahel Papa, Bob Mohr, Ed Pagoda, David Willsey, Ed Hampton, Robert Motschmann and other interested citizens.

Public Hearing – Minor Subdivision, Walter and Marta Chomanczuk, 624 Sickle Hill Rd.: Mr.

Rapp opened the public hearing at 7:00 p.m. The applicant intends to subdivide a 30+/- acre parcel into two lots: lot #1 being 5.6 acres and lot #2 the remaining 24.4+/- 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. The Conservation Board report (see attached) was reviewed. Ms. Bajouwa submitted a site visit assessment based on a visit by her and Mr. Vincent on 9/26/2016 (see attached).

There being no additional public comment, Mr. Vincent moved to close the public hearing. Ms. Bajouwa seconded and the hearing closed at 7:10 p.m. on a vote of 4-0.

The Albany Co. Planning Board decision was reviewed. It was noted that the ACPB requested modification of local approval to allow for review of the proposed barn regarding highway access and other issues by the Albany Co. Department of Public Works. Mr. Hammond stated there was a note on the plat indicating such. The Board reviewed the Agricultural Data Statement and the application under the State Environmental Quality Review Act parts 2&3 which was determined to have no significant environmental impact.

Ms. Bajouwa moved to approve and allow the Chair to sign, according to Board agreement, the Environmental Assessment Form and the Albany Co. Planning Board recommendation and to approve the Chomanczuk subdivision application as presented. Mr. Vincent seconded and the motion passed, 4-0.

Public Hearing – Minor Subdivision, Robert Mohr, 162 Sickle Hill Rd.: Mr. Rapp opened the hearing at 7:20 p.m. The applicant intends to subdivide a 113+/- acre parcel into two lots: lot #1 being 60.86 acres and lot #2 the remaining 52+/- 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. The Conservation Board report (see attached) was reviewed. Ms. Bajouwa submitted a site visit assessment based on a visit by her and Mr. Vincent on 9/26/2016 (see attached).

The Albany Co. Planning Board decision was reviewed. The Board reviewed the Agricultural Data Statement and the application under the State Environmental Quality Review Act parts 2&3 which was determined to have no significant environmental impact.

Ed Pogoda had a concern about an easement, which was found to be on a different property. Michael Papa asked about property boundaries. There being no additional public comment, Mr. Vincent moved to close the public hearing. Ms. Bajouwa seconded and the hearing closed at 7:30 p.m. on a vote of 4-0.

Mr. Schwendeman moved to approve and allow the Chair to sign, according to Board agreement, the Environmental Assessment Form and the Albany Co. Planning Board recommendation and to approve the Mohr subdivision application as presented. Ms. Bajouwa seconded and the motion passed, 4-0.

Regular Meeting of October 6, 2016

Mr. Rapp called the meeting to order at 7:40 p.m.

Minutes: The minutes from the September 1, 2016 meeting were reviewed. Mr. Vincent moved to approve the minutes. Ms. Bajouwa seconded and the motion passed, 4-0.

Old Business: None

New Business:

Area Variance, Froman/Smith, Willsie Rd., 102.-2-12.1: The applicant is seeking a 238 ft. variance from the 300 ft. road frontage requirement for a lot in an RAF zone. The current lot is non-contiguous, with the larger portion having 583 ft of road frontage and the smaller having 62.36 ft. If the variance is granted, Ms. Froman would like to subdivide the lot into two parcels. Ms. Bajouwa stated that as a real estate agent, she had discussed the potential of the sale of the lots in question with Ms. Froman. Ms. Bajouwas said, that as a planning board member, she would refrain from any future representation of Ms. Froman.

Ms. Froman will complete an area variance application and return to the Board on Nov. 3rd.

Town of Berne Salt Shed, Rt. 443, Highway Garage: The Town is constructing a 60' X 80' pre-engineered plastic-roof salt shed. The Board reviewed the building plans. It was determined that area setbacks adhered to Town code. Mr. Lippert said he was concerned about potential drainage issues should more buildings be built on the site.

Other Business:

Mr. Vincent said the Planning Board needs audio/visual equipment to be able to show at meetings the NY State Environmental Quality Review Act process as required by New York State. Ms. Brown will draft a memo to the Town Board from the Chair.

Bob Price from Knox spoke to the Board about that town's process of drafting its solar ordinance.

Mr. Rapp reported on attending the Capital District Regional Planning Commission's Land Use Training workshop on October 5, 2016.

There being no further business before the Board, Ms. Bajouwa moved to adjourn the meeting at 9:34 p.m., seconded by Mr. Vincent, and the motion carried, 4-0.

Respectfully submitted,

Kathy Brown
Planning Board Secretary