

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

**Date:** February 20, 2019

**Present:**

**ZBA Members:** Ron Jordan, Chair, Denise Manning, Mr. Timothy Doherty, Cathy Shultes, ZBA Secretary

**Guests Present:** Dawn Jordan (Town Councilmember / Board Liaison), Evan O'Donnell, Travis O'Donnell, Tony Haas, and other interested citizens

**Regular Meeting:**

Ron Jordan called the meeting to order at 7:05pm.

**Review of Minutes:**

*Tim Doherty made a motion, seconded by Denise Manning to approve the minutes from August 1, 2018. Motion carried with the following members voting aye: Ron Jordan, Denise Manning, Tim Doherty*

*Tim Doherty made a motion, seconded by Denise Manning to approve the minutes from October 17, 2018. Motion carried with the following members voting aye: Ron Jordan, Denise Manning, Tim Doherty*

**New Business:**

**Helderberg Christian School (Special Use Permit): SBL # 80.-2-25 / 96 Main St. East Berne, NY**

- Proposed Public Hearing date is tentatively set for March 20, 2019 and is dependent upon HCS satisfying the criteria as requested by the Town's Building and Zoning Administrator, Chance Townsend. Criteria includes:
  1. An annual Fire Safety and Property Maintenance Inspection (3<sup>rd</sup> party vendor subject to the Town's approval).
  2. An annual Potable Water Supply sample must be tested and submitted to the Town of Berne.
  3. HCS will need to have an engineer certify the constructions drawings or a set of As-Builts.
- Ron Jordan will follow up with Todd Schwendeman (Planning Board).
- Cathy Shultes will contact Mike Collins at the HCS to confirm that they are ready to proceed with the Public Hearing.
- Ron Jordan will also contact Bill Conboy, Town Attorney and inquire about the effective date of the renewal (current date or back date).
- The Renewal timeframe will be left open for discussion at a later date.

**Schimpf, Phoebe and O'Donnell Property, Evan: SBL # 921.-2-20.1 / 119 Pinnacle Road, East Berne, NY 12059**

- They are proposing a 6.9 acre subdivision, and are asking for 4 area variances for a non-conforming lot on Helderberg Lake.
- The Site Distance required by Albany County has not been satisfied.
- Property owners were advised the Subdivision is not designed in harmony with the development pattern of the neighboring property.
- The ZBA will forward a report back to the Planning Board and they have 45 days to respond.
- ZBA is proposing a possible Public Hearing date of April 17, 2019.
- *Denise Manning made a motion, seconded by Tim Doherty to declare the SEQR a Type II with a negative declaration with not significant impact on the environment. Motion carried with the follow members voting aye: Ron Jordan, Denise Manning and Tim Doherty.*
- Ron Jordan read the report from the Conservation Board.

**Adjourn:**

Denise Manning made a motion, seconded by Tim Doherty to adjourn the meeting at 7:35pm. Motion carried with the following voting aye: Ron Jordan, Denise Manning, and Tim Doherty.

Respectfully Submitted,  
Cathy Shultes

