

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

Date: January 14, 2021

Present:

Joe Martin, Chair, Mike Vincent, Mark Sengenberger (via Zoom), Bob Kipper, Pat Safford (Alternate) (via Zoom), Cathy Shultes (Planning Board Secretary), Javid Afzali (Town Attorney) (via Zoom) and other interested citizens.

Regular Meeting:

- Joe Martin, Planning Board Chair called the meeting to order at 7:00 pm.
- Review of Minutes from December 17, 2020.
 1. ***Motion:*** Mike Vincent made a motion, seconded by Mark Sengenberger to accept the minutes from December 17, 2020. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, and Mark Sengenberger.

Old Business:

- **Subdivision Application for Bernard and Cathy Borelli**
1040 Huntersland Road, Middleburgh, NY 12122
SBL: 112.-1-9.1
 1. Mike Vincent asked that the following be added to the record:
 - a. Reports are on file for Albany County Department of Health, (water), St. Peter's Hospital Environmental Laboratory (water), Albany County Health Department – Division of Environmental Health Services (sewage system).
 - b. The actual location of the well is listed correctly on the survey – but is inconsistent with a report from Lawrence Well Drilling.
 - c. Albany County Health Department recommended a water filtration softener system be added to bring the water quality to an acceptable and palatable level.
 - d. Albany County Health Department has provided documentation for the septic, and guidelines should be followed as noted. The Town of Berne Code Enforcement officer must inspect the septic, before it is covered; otherwise, it will need to be dug up.
 - e. ACPB Recommendation from 11/19/20 - the ZBA over-rode Recommendation 1 that stated the Albany County Department Public Works should be consulted on the proposed design layout and curb cut changes. It appears that Albany County did not have an understanding of the property as it is level and mowed. There were concerns of possible damage if there was flooding. Mr. Borelli indicated that the creek did not flood, but that water previously came down the County Road.
 - f. Conservation Board report dated 8/24/20 has indicated possible septic erosion during a severe storm.
 2. ***Motion:*** Joe Martin made a motion seconded by Mike Vincent to approve the Borelli Subdivision Application. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, and Mark Sengenberger.
 3. Final surveys will be delivered to the Town Hall for signatures – 1 mylar and 6 paper copies.

- Subdivision: Henry Whipple (Lands formerly owned by Carr)
Henry Whipple
325 Old Stage Road
Altamont, NY 12009-3310
SBL: 102.-1-15 and 102.-1-16 (Properties located on Gifford Hollow Road)
 1. The proposed minor subdivision application consists of two tax parcels. Per our Town Attorney, lots must be combined to one lot, prior to the final subdivision into 4 lots – this can be completed by the Town Assessor – PB Secretary will contact the Assessor for details.
 2. Mr. Whipple provided an updated survey map – updates include a change in the property line between Lot 1 and Lot 2 and the Building Envelopes added.
 3. **Motion:** Mike Vincent made a motion seconded by Mark Sengenberger that the Conservation Board revisit this application and the changes and provide an updated report. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, and Bob Kipper.
 4. PB Secretary/PB Chair will follow up with the appropriate process to combine the two lots prior to the subdivision, and contact Mr. Whipple.
- Lot Line Adjustment: John Demis (representing Helderberg Bluestone and Marble, Inc.)
Helderberg Bluestone and Marble, Inc.
43 Old Road
East Berne, NY 12059
SBL: 115.-1-17 and 115.-1-18 (Properties located on Cole Hill)
 1. The Albany County Planning Board rejected the application for recommendation and is requiring the formal survey for their review. Mr. Demis is working to provide an official survey for the February 7 Planning Board meeting, where it will be reviewed prior to re-sending to the ACPB.

Other

- Planning Board Requests to the Conversation Board
 1. The Conservation Board will need 21 to 40 days to complete a site visit and provide a report.
- SEQR
 1. Unlisted Action in Agriculture Districts and the need to use the Short Form VS the Long Form.
- Building Envelope
 1. Discussed the need to request Building Envelope to be added to survey plat.

Adjourn

Motion: Mike Vincent made a motion, seconded by Bob Kipper to adjourn the meeting at 8:40pm. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger and Bob Kipper.

Respectfully submitted,
Cathy Shultes, Administrative Assistant