

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

Date: August 6, 2020

Present: Mike Vincent, Planning Board Chair, Todd Schwendeman, Mark Sengenberger, Emily Vincent, Larry Zimmerman, Cathy Shultes (Planning Board Secretary), Mat Harris (Town Councilmember, Liaison) and other interested citizens

Regular Meeting:

- Mike Vincent, Planning Board Chair called the meeting to order at 7:04 pm.
- Review of Minutes from March 5, 2020.

Motion: Larry Zimmerman made a motion, seconded by Mark Sengenberger to accept the minutes from March 5, 2020. Motion carried with the following members voting aye: Mike Vincent, Mark Sengenberger, and Larry Zimmerman.

Old Business:

- MidTel Communications (regarding the building located at the Berne Firehouse)
129 Canaday Hill Rd, Berne, NY 12023
SBL: 78.-3-16.2

On June 3, 2020 Mark Sengenberger met onsite with Jim Becker, Mary Alice Molgaard, the landscape contractor for MidTel, and Town Board members Mat Harris and Bonnie Conklin. There are unexpected soil issues, so planting has not completed. Everyone will meet again at a future date, to discuss the best way to proceed with the landscaping project.

New Business:

- Subdivision application for Bernard and Cathy Borelli
1040 Huntersland Road, Middleburgh, NY 12122
SBL: 112.-1-9.1

The subdivision application was reviewed, with the following actions:

1. Emily Vincent and Larry Zimmerman will conduct the site visit.
2. Conservation Board will be notified of the application.
3. Application will be forward to the Albany County Planning Board for review.
4. Road frontage needs to be confirmed
5. Public Hearing set for Thursday, September 3, 2020.

- Subdivision application for Michael and Tina Weis
501 Canaday Hill Road, Berne, NY 12023
SBL: 78.-2-20

The subdivision application was reviewed, with the following actions:

1. Todd Schwendeman and Mark Sengenberger will conduct a site visit.
2. Conservation Board will be notified of the application.
3. Application will be forward to the Albany County Planning Board for review.
4. There is a question regarding the non-contiguous land locked parcel. Mr. Weis stated that he is working on an easement.
5. Public Hearing set for Thursday, September 3, 2020.

- Historic review for Gregg Raffensperger II
(Resident has already completed the work)
1596 Helderberg Trail, Berne, NY 12023
SBL: 79.1-1-26

In the Spring of 2020 Mr. Raffensperger completed an addition to his home without the Historic Review approval or a Building Permit. Due to COVID, there were many extenuating circumstances that led to his actions.

Motion: Mark Sengenberger made a motion, seconded by Todd Schwendeman to not take formal action regarding the Raffensperger property. Motion carried with the following members voting aye: Mike Vincent, Todd Schwendeman, Mark Sengenberger, Emily Vincent and Larry Zimmerman.

Other actions to follow:

1. Cathy Shultes will send a formal letter to Mr. Raffensperger stating no formal action will be taken by the Planning Board and that the building permit will be issued and those fees will be due.

- Pre-subdivision review for Henry Whipple regarding property on Gifford Hollow Road
763 Gifford Hollow Road, Berne, NY 12023
SBL: 102.-1-15 and SBL 102.-1-16

Mr. Whipple is under contract to purchase the two properties listed above and wishes to move forward with subdividing the properties prior to the finalization of the property. The Planning Board cannot move forward with reviewing a subdivision application until Mr. Whipple is the official owner of both properties.

- Special Use Permit – Grippy Mine
138 Colehill Road, East Berne, NY 12059
SBL: 115.-1-17 and 115.-1-18

This was a review and update for the Planning Board in reference to a mining application that will be heard by the ZBA on August 19, 2020. Upon receiving the request from the ZBA, the Planning Board will move forward to conduct the site visit and prepare an opinion.

Other

- There will be a second Planning Board Meeting for the month of August –Thursday, August 20, 2020 at 7pm – same location and meeting attendance options are in effect.
- Mike Vincent is suggesting the appointment of two alternates for the Planning Board. Todd Schwendeman stated that alternates are used only when there is a conflict of interest with an application (refer to Chapter 3, Article 2 of the Town Code.
- Todd Schwendeman requested that comments from the Town Board in reference to the Battery Energy update be submitted to the Planning Board in writing.

Adjourn

Motion: Todd Schwendeman made a motion, seconded by Mike Vincent to adjourn the meeting at 9:21 pm. Motion carried with the following members voting aye: Mike Vincent, Todd Schwendeman, Mark Sengenberger, Emily Vincent and Larry Zimmerman.

Respectfully submitted,

Cathy Shultes, Administrative Assistant