

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

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**Date:** December 16, 2020

**Present:**

Ron Jordan, Chair, Donald Bauer, Lee Godin, Sandra Kisselback (joined via Zoom @ 7:11pm), Cathy Shultes (ZBA Secretary), Matt Harris (Town Councilmember / Board Liaison) Javid Afzali (Town Attorney) and other interested citizens.

**Regular Meeting:**

- Ron Jordan called the meeting to order at 7:08pm.
  
- Review of Minutes from September 16, 2020
  1. ***Motion:*** *Leo Godin made a motion, seconded by Don Bauer to accept the minutes from September 16, 2020. Motion carried with the following members voting aye: Ron Jordan, Donald Bauer, and Leo Godin.*
  
- Review of Minutes from November 17, 2020
  1. ***Motion:*** *Don Bauer made a motion, seconded by Leo Godin to accept the minutes from November 16, 2020. Motion carried with the following members voting aye: Ron Jordan, Donald Bauer, and Leo Godin.*

**Old Business:**

- Grippy Mine Special Use Permit  
138 Cole Hill Road, Berne, NY 12023  
SBL: 115.-1-17 and 115.-1-18
  1. The ZBA reviewed Mr. Jordan's memo to the Grippy Mine and Larned Construction outlining the conditions for the Special Use Permit, and three considerations requested by Grippy/Larned. The requested considerations include: 1) timeframe of Permit to be changed from 3 years to 5 years to correspond with DEC, 2) the Escrow fees to be reduced, and 3) the ability to work on Saturday/Sunday hours in the event of an emergency situation. Per Ron Jordan's direction, it is the responsibility of Grippy/Larned to approach the Berne Town Board regarding the requested considerations.
  
  2. ***Motion:*** *Don Bauer made a motion seconded by Leo Godin to forward Mr. Jordan's correspondence to Helderberg Bluestone (Grippy Quarry) and Larned Construction. Motion carried with the following members voting aye: Ron Jordan, Donald Bauer, Leo Godin and Sandra Kisselback.*

- Bernard and Cathy Borelli Subdivision Application with Variance Application  
1040 Huntersland Road  
Middleburgh, NY 12122

1. The ZBA reviewed the recommendation from the Albany County Planning Board from August (submitted by the Planning Board) and November (submitted by the ZBA), and determined there was no site distance issue.
2. *Leo Godin made a motion, seconded by Don Bauer to approve the variances for the new lot (155' Road Frontage and 116' Building Line). The motion carried with the following members voting aye: Ron Jordan, Donald Bauer, Leo Godin, and Sandra Kisselback.*

**New Business:**

**Other:**

**Adjourn:**

- ***Motion:***  
*Leo Godin made a motion, seconded by Don Bauer to adjourn the meeting at 7:40pm. Motion carried with the following members voting aye: Ron Jordan, Donald Bauer, Leo Godin, and Sandra Kisselback.*

Respectfully Submitted,  
Cathy Shultes, Administrative Assistant