

**TOWN OF BERNE  
PLANNING BOARD  
P.O. Box 57  
Berne, NY 12023**

Date: February 21, 2008

Present: Gerard Chartier, Chairman; Mike Vincent; Tim Lippert; Katherine Hill Brown; Wayne Emory, Town Board Liaison.

Guests: Crystal Keyes; Glen Paris; Tom DellaRocco; Bill Berdan from Buckman & Whitbeck; Kate Griffith; Marion Burghart.

Mr. Chartier called the meeting to order at 7:40 p.m. and the minutes from the previous meeting were reviewed. Mr. Vincent made a motion to approve the minutes, Mr. Lippert seconded and all were in favor.

**OLD BUSINESS**

**Evangel Church** – 1425 Helderberg Trail, Parcel Id. No. 70.00-3-27

Letters were sent by Buckman & Whitebeck to the Ambulance and East Berne Fire District. Information is waiting from the Health Department. This matter will be carried over on the next agenda.

**Anthony** – 132 East Hill Rd., Parcel Id. No. 112-1-27

Mr. Jeffers stated that he will do another site inspection and send a new violation letter as the old one has expired. Mr. Crawford explained to Mr. Chartier that since the property taxes for 2008 have not been paid to date, the Assessor may not have the tax map redrawn. This property still remains a single tax parcel and the new owner of Wendy Anthony's house could be in jeopardy if a tax lien was to take place.

It was stated by the board members that it was a mistake to approve this subdivision without all the approval conditions being met first.

**Keyes** – 1207 Switzkill Rd., Parcel Id. No. 102-1-12

Ms. Keyes presented the board with all the papers that were requested: copy of her license; letter from the property owners Susan Walter & Mark Hoffman; a letter from Mr. Cronin of the Center for Natural Wellness School of Massage Therapy; a sketch of the floor plan and a short business plan. A site inspection was already performed by Mr. Rockmore and Mr. Chartier, but Mr. Vincent and Ms. Hill-Brown would also like to visit the site. Pictures will be taken and a safety inspection would be performed at a later date. There is a fire extinguisher, but exit signs for emergency egress will be added.

Mr. Vincent made a motion for a positive recommendation to the Zoning Board for issuance of a Special Use Permit. The Planning Board finds that the business is incidental to, and an accessory to, the primary use of the property in an agricultural district; is in character with other businesses in the Town of Berne; this applicant would provide a valuable service to the Town; and approval would also promote small business within the Town of Berne. Mr. Lippert seconded the motion and all were in favor.

**Glenn Paris/DellaRocco** – 1174 Bradt Hollow Road; Parcel Id. No. 77-1-11.1, No. 77-1-11.2, No. 77-1-12 and No. 78-2-21.1

Bill Berdan from Buckman & Whitebeck was present to explain the survey maps and proposed subdivisions for Mr. Paris. The previous subdivision map with the 99-year no development restriction clause was not filed with the County Clerk, and Mr. Paris has requested that the condition be removed from a revised map. The original sale with this restriction fell through and it was not plausible to keep the restriction on.

Mr. DellaRocco intends to purchase one lot from Mr. Paris after subdivisions are made. This would be handled as a new subdivision application filed by Mr. Paris.

The board was asked if the property could be developed in a way to keep it farmable and also put single homes on it. One lot already has Mr. Paris' house on it and another dwelling could not be built on that parcel. The board requested Mr. Paris to combine the deeds on the first subdivision to reflect one lot as some parcels are listed under other names; i.e. Willow Lane Lands, Glen Paris Farms and Glen Paris.

A site visit by the Planning Board and Conservation Board will be planned, after the two subdivision plats have been submitted.

Mr. Chartier stated his preference to have both subdivisions complete and in hand before making any approvals.

### **NEW BUSINESS**

**Burghart/Griffith/Krause** – 30 Farmer Lane, Parcel Id. No. 78.-3-6.200; 78.-3-7.100

Ms. Burghart came before the board to see if it would be possible to subdivide a portion of land from her daughter, Ms. Griffith, and adding land from an adjacent parcel owned by Mr. Krause, to form one lot for her on which to build a small retirement home. The board members scheduled a site visit on Saturday, 2/23/08, at 9:00 a.m. Due to the proximity to the Foxenkill, concerns include: the extent of the flood hazard zone – the applicant was instructed to refer to the FEMA maps – where the Foxenkill floods; seasonal wet soils as a limitation on placement of a septic system; ensuring that any development is set back from the stream corridor; and the possibility of a future nature trail along the stream through the Hamlet of Berne.

## **OTHER BUSINESS**

The NYPF training scheduled for 2/28/08 @ 7:00 p.m. now has a total of 20 people attending from the four Hill Towns.

The Biodiversity Assessment Training (BAT) meetings through October 2008 have been scheduled.

Mr. Chartier handed out literature from the Association of Towns training seminar in NYC. Copies will be made and distributed at the next board meeting on 3/6/08. Mr. Lippert spoke about the NY Real Property Assessment and Wind Laws covered at the seminar. He also spoke about the seminar he attended on building green.

Nan Stolzenburg has submitted a proposal for her services for update of the 1992 Master Plan. Mr. Emory reported that the Town Board and Supervisor Crosier will schedule a workshop meeting to review the proposal.

Mr. Chartier handed out pamphlets regarding “Foundations and Inspections Training” for Onsite Wastewater Treatment Systems to be held at the Albany County Cornell Cooperative Extension center on March 25-26, 2007. Pamphlets can be picked up in the Town Clerk’s office.

Mr. Vincent informed the board of a Wind Power Informational Hearing in Charleston on March 19, 2008. The information was forwarded to the Conservation Board.

A Conservation Board meeting will be held on 3/10/08 to discuss the drafting of the wind ordinance for the town.

There being no further business, Mr. Vincent made a motion to adjourn and Mr. Lippert seconded and the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Anita C. Clayton  
Secretary