**Date:** March 4, 2021

**Present:**

Joe Martin, Chair, Mike Vincent, Mark Sengenberger (via Zoom), Bob Kipper, Larry Zimmerman (via Zoom), Cathy Shultes (Planning Board Secretary), Chance Townsend Code Enforcement Officer, 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 February 18, 2021.

1. ***Motion:*** *Mark Sengenberger made a motion, seconded by Bob Kipper to accept the minutes from February 18, 2021. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

**Public Hearings:**

* **Demis (Lot Line Adjustment) Public Hearing**:

***Motion****: Joe Martin made a motion seconded by Mark Sengenberger to open the Public Hearing for John Demis (representing Helderberg Bluestone). Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

There were no verbal comments express at the meeting, and nothing received in writing.

***Motion:*** *Joe Martin made a motion seconded by Mark Sengenberger to close the Public Hearing for John Demis (representing Helderberg Bluestone). Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

* **Whipple (Subdivision) Public Hearing:**

***Motion:*** *Joe Martin made a motion seconded by Mike Vincent to open the Public Hearing for Henry Whipple. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

There was public comment made by Ted Kunker, an adjoining property owner and Emily Vincent. Chance Townsend, Code Enforcement Officer spoke about the deed restrictions, and contradictions to Town Code.

**Motion:** *Joe Martin made a motion seconded by Mike Vincent to close the Public Hearing for Henry Whipple. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

**New Business: u**

* **Variance Application forwarded from the ZBA**

Simon and Amanda Wyckoff

38 Craig Lane

East Berne, NY 12059

SBL: 80.-2-4.600

1. Application for set-backs to build a detached garage was reviewed.
2. Bob Kipper and Joe Martin will complete the Planning Board Site Visit.
3. The Conservation Board will be contacted to complete a visit and report.

* **Historic Review**

Jill and Anthony Martin

1705 Helderberg Trail

Berne, NY 12023

SBL: 78.2-1-10

1. An application for new construction in the Historic District for a doctors office building was reviewed.
2. Mark Sengenberger and Mike Vincent will complete the Planning Board Site Visit.
3. There are two correspondences received to support this application (from Karen Schimmer and Susan/Philip Hawkes-Teeter) – they are included in the file, to be read at a later date.
4. Mike Vincent has also provided a correspondence that will need to be addressed – items such as signage, sidewalks, parking spaces etc. This will be included in the file for a review at a more appropriate time.

**Old Business:**

* **Subdivision: Henry Whipple** (Gifford Road Subdivision)

325 Old Stage Road

Altamont, NY 12009-3310

SBL: 102.-1-15 and 102.-1-16

1. The final Conservation Board report was reviewed.
2. The Albany County Planning Board Recommendation were reviewed
3. SEQR Parts 2 & 3 were completed.
4. Possible Approve/Deny of subdivision application
5. Per the town attorney Javid Afzali, the restrictions that Mr. Whipple would like to place on the property must be incorporate on the Final Plat and in the deed.
6. ***Motion:*** *Mark Sengenberger made a motion, seconded by Mike Vincent to approve the subdivision under the condition that restrictions will be listed both on the final plat and incorporated into the deed. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

* **Lot Line Adjustment: John Demis (for 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 (for properties located on Cole Hill)

1. Albany County Planning Board Recommendation was reviewed.
2. ***Motion:***  *Joe Martin made a motion, seconded by Bob Kipper to approve the Lot Line Adjustment for John Demis (representing Helderberg Bluestone). Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

**Other:**

* **Recommendations for Proposed Local Laws**

1. **Home Occupation** – the proposed local law was reviewed.
   1. ***Motion:*** *Joe Martin made a motion, seconded by Mark Sengenberger to forward our report to the Town Board. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*
   2. Cathy Shultes will draft an email correspondence, with the Planning Board report and local law attached. It will be sent to the Planning Board for preview first. Upon approval from Joe Martin, the correspondence will be sent to Anita Clayton, Town Clerk for distribution to the Town Board.
2. **Solar** – the proposed local law was reviewed.
   1. ***Motion:*** *Larry Zimmerman made a motion, seconded by Mark Sengenberger to request that the Town Board authorize funding to hire an engineering firm or an appropriate resource to identify where solar installations can be located, along with the capacity of the National Grid system to absorb the input into the system. The following members voted aye – Larry Zimmerman, Mark Sengenberger, and Mike Vincent; and the following members voted nay – Joe Martin and Bob Kipper. Motion passed with a 3 to 2 vote.*
   2. Cathy Shultes will draft a resolution and the email correspondence. It will be sent to the Planning Board for preview first. Upon approval from Joe Martin, the correspondence will be sent to Anita Clayton, Town Clerk for distribution to the Town Board.
   3. ***Motion:*** *Larry Zimmerman made a motion, seconded by Bob Kipper to forward our report to the Town Board. The following members voting aye: Joe Martin, Mark Sengenberger, Larry Zimmerman and Bob Kipper; and the following members voted nay: Mike Vincent. Motion passed with 4 to 1 vote.*
   4. Cathy Shultes will incorporate the changes into the report, draft an email correspondence with the Planning Board Report and local law attached. It will be sent to the Planning Board for preview first. Upon approval from Joe Martin, the correspondence will be sent to Anita Clayton, Town Clerk for distribution to the Town Board.

**Adjourn**

***Motion:*** *Mike Vincent made a motion, seconded by Larry Zimmerman to adjourn the meeting at 9:50pm. Motion carried with the following members voting aye: Joe Martin, Mike Vincent, Mark Sengenberger, Larry Zimmerman and Bob Kipper.*

Respectfully submitted,

Cathy Shultes, Administrative Assistant