

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

**PUBLIC HEARING**

Date: October 18, 2007

Present: Gerard Chartier, Chairman; Timothy Lippert, Alan Rockmore and Michael Vincent, Planning Board Members; Carol Crouse, Town Board Liaison.

Guests: Robert Anderson; Carolyn Anderson; David Clark; Holly Clark; Ben Gannett; Robert Crevatas; Judy Petrosillo; Thomas Petrosillo; Timothy Gerard; Glen Paris; Edward Hampton; Mark Raven.

**Morin** – 343 Cole Hill Road, Parcel ID No.103-1-44.100

Mr. Morin wishes to subdivide his current 79 acres as follows: Lot 1 at 22.29 acres and lot 2 at 20.05, with the balance of the property being retained by Mr. and Mrs. Morin.

Mr. Crevatas, representing the Morins, produced a revised site plan which showed the relocated well on lot 1. The well was moved upgrade per direction given by the Albany County Health Department (ACHD). Revision dates were also added to the drawing.

Mr. Chartier read from the Albany County Department of Public Works (ACDPW) letter dated September 10, 2007, which indicated that there is a concern that adequate site distances be met for the driveway on lot 2. Mr. Crevatas stated that the driveway would be constructed in the location dictated by the ACDPW. Mr. Chartier questioned if the Morins are responsible for the rail modification and fill material. Mr. Crevatas replied, "No", adding that the materials would be the responsibility of the new property owners when the lots are sold.

Mr. Lippert questioned if a building envelope was required on the site plan, to which Mr. Crevatas stated that it was not necessary. Mr. Lippert stated that the Planning Board (PB) may require a building envelope.

Mr. Chartier cited the requirements for site distance, rail modification and fill material in the ACDPW letter, which states that the issues could be handled during the highway work permit process. Mr. Gannett stated that the new owners would coordinate with the ACDPW. Mr. Vincent stated that the requirements should be included on the site plan.

Mr. Chartier stated that the ACHD is satisfied with the site plan, including the relocation of the well.

Mr. Rockmore stated that a site visit was completed, adding that the test pits were located and the existing wetlands were dry due to recent weather. Mr. Rockmore stated that he saw no problem with the request.

Mr. Vincent stated that a site visit was completed by the Conservation Board (CB). Mr. Chartier stated that the report, dated August 29, 2007, cited a primary concern of the effect of the development on the wetlands. Mr. Chartier stated that the wetland area was approximately 2,800 feet away from the developable area. Mr. Chartier added that the lots are deep and the PB has been assured that all development would occur at the road end of the lots.

Mr. Chartier questioned if Mr. Gerard, an adjacent landowner, had any questions, to which his reply was "No".

Mr. Lippert stated that the site distance is limited, adding that he was unsure where the driveway would fall in the curve of the road. Mr. Crevatas stated that only lot 2 would have a critical driveway location per ACDPW.

Mr. Chartier questioned if Mr. Vincent had any comments, to which his reply was "No".

Mr. Chartier directed Mr. Crevatas to attach the ACDPW and ACDOH letters to the mylar copies of the site plan, then Mr. Chartier would sign the mylars.

Mr. Gerard questioned if the property could be subdivided again, to which Mr. Lippert replied, "No". Mr. Chartier added that 300 feet of road frontage would be required.

Mr. Rockmore made a motion to approve the site plan with the attached letters. Mr. Vincent seconded the motion. All were in favor. The minor subdivision was approved.