

Berkshire Planning Board
Meeting Minutes
January 6, 2015

Members with term expirations:

Ken Ceurter	Chair	2015
Sarah Albrecht	Vice Chair & Secretary	2018
Tim Pollard	County Planning Board Rep. (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Bette Johnson	(Alternate)	2015
Vacant Alternate		2015

A) Meeting called to order at 6:41 p.m.

- 1) Pledge of Allegiance
- 2) Roll Call/status of membership – Kunik and Mattrazzo excused
- 3) Secretary's minutes for December 2014: Pollard moved to accept. Ceurter seconded.
Approved.
- 4) Privilege of the Floor – None.

B) Meetings & Committee Update

- 1) Summary of Town Board meeting – Ceurter reported further action taken by Code Enforcement Officer Jacobs regarding Swartwood addition, some ongoing unregistered vehicles cases, and several other issues addressed. Fee schedule was updated with the current date and approved with no fee changes. Pollard and Johnson appointments were approved. All are pleased with the progress that the new CEO is making, particularly in addressing some issues long over-due.

2) County Planning Board Report:

There were two 239 reviews at the meeting of December 17, 2014. The first was a request for a zoning change on Day Hollow Rd in the Town of Owego. The Day Hollow Animal Hospital purchased an adjoining parcel of land to aid in their planned expansion. The request was to rezone their 2 parcels of land from Residential B to Neighborhood Transition. The area is a mix of single family homes, churches, and businesses. The proposed expansion already went through site plan review. The animal hospital is a non-conforming use that pre-exists zoning. The usage would be allowed under Neighborhood Transition zoning. The request was approved, with recommendation that the Town consider rezoning all parcels in this area to NT zone.

The second review was of the joint Comprehensive Plan for the Town and Village of Spencer. There was significant discussion with the one member of the Spencer planning board about the plan. No significant issues were identified and the plan was approved. It is worth noting for our purposes that the one plan covered both municipalities. Only the Goals chapter was broken out into separate sections for the Village and Town. This split may be something we would want to consider for our plan for the hamlet of Berkshire and the greater town of Berkshire.

Local News: Nichols - the Right to Farm law was approved after a public hearing. Refuse law is

still under review. Planning Board had another long discussion on a drone law and is doing research. The City of Syracuse has the only drone law in NYS, and it calls for a ban on use of drones until the state or federal government come up with regulations. Town of Tioga - site plan review has been enacted after many years of work. It only pertains to commercial uses of property. County - Elaine Jardine returned to work on Jan 5.

C) Unfinished business:

- 1) Comp plans shared with Town Board – will try to get Spencer plan electronically and then share with Town Board and Planning Board. If Pollard cannot get a copy from Spencer, Albrecht will contact Cornell (they prepared with Town of Spencer).
- 2) Local law review:
 - a) RUA – Continued review of draft. Previous multiple documents were compiled into one, comprehensive, draft and distributed prior to the meeting electronically. Several sections from the Richford draft were reassembled/reordered and will be reviewed in the new order.
 - b) Next – Snowmobile & ATV and Bld permit/code laws.

D) New Business

- 1) Fee Schedules – Will work with Rachel Jacobs to review our fees based on what other towns are commonly doing and expect to make some recommendations for changes for 2016.
- 2) Fracking rejected – we may want to rethink how we frame the Road Use law. Will discuss more during review of the law.
- 3) Training opportunities and attendance – January 13 Planning Board webinar: Bette Johnson and Frank Kunik have already registered.

Next Planning Board meeting is scheduled for Tuesday, February 3, 2015 at 6:30 pm.

Next monthly Town Board meeting is scheduled for Mon. January 19th and workshop is Tues. the 13th. A beginning of the year meeting was held on Jan 2nd to start the new year for 2015.

Albrecht moved for adjournment. Pollard seconded. Carried at 8:36 p.m.

Berkshire Planning Board
Meeting Minutes
February 3, 2015 – 6:30– 8:30 pm

Members with term expirations:

Ken Ceurter	Chair	2015
Sarah Albrecht	Vice Chair & Secretary	2018
Tim Pollard	County Planning Board Rep. (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Bette Johnson	(Alternate)	2015
Vacant Alternate		2015

A) Called Meeting to Order at 6:36 p.m.

- 1) Pledge of Allegiance
- 2) Roll Call/status of membership – Kunik excused; Mattrazzo absent
- 3) Pollard moved to accept Secretary’s minutes for January. Johnson seconded.
Carried.
- 4) Privilege of the Floor – None.

B) Meetings & Committee Update

- 1) Summary of Town Board meeting – Ceurter reported that Highway Superintendent reported several items in disrepair, but to be fixed. Canizio reported judge ordered the need for survey of Swartwood property before further action to that issue. Canizio further reported that Swartwood may then be able to request another variance, depending on the results of that survey. The abandoned car on the town property has been removed, and owner of wood pile is working on moving it off of town property. Also addressed unregistered vehicles of same owner. Joint Town Board/Planning Board meeting scheduled for February 10, 2015.
- 2) County Planning Board issues pertaining to Berkshire–Pollard reported one 239 Review for a dollar store on route 96 at intersection of Catatonk Hill Road. Discussion regarding drainage and proximity of driveways, but it was approved contingent upon DOT approval. Candor is looking at a case where the owner of a used car lot built a pole barn for his personal use and then appears to have used it for commercial purposes. Candor has mailed a survey as a starting point for a comprehensive plan. Jardine was back to work and will be sending out information about referencing the county hazard mitigation plan in a town comprehensive plan. Nichols alternate rep. was asked to resign as a result of residency issue. Jardine planning to meet with all towns over the next year (meeting with Berkshire not yet scheduled).

C) Unfinished business:

- 1) Comp plans shared with Town Board-Spencer copy shared with Town Board.

- 2) Local law review:
 - a) RUA – Will wait now to talk to Town Board before deciding how to proceed.
 - b) Next – Snowmobile & ATV and Bldg permit/code laws unless other direction from Town Board.

D) New Business

- 1) Newsletter article submitted by deadline.
- 2) County Inventory of Land Use Laws – Reviewed list Pollard distributed from County. Agreed that Junkyard should be added to the list, marked Berkshire as “no” for Historic Preservation, “Pending” for Comprehensive Plan (may not be accurate, but prefer that to “no” and can revise later). Driveway is included in our Building Permit ordinance, so not sure how to mark that.
- 3) Training opportunities and attendance. Johnson reported that the Jan. 13 training had to be rescheduled, and she was not able to participate on the new date. Kunik not present to report if he was able to participate.
- 4) Meeting with Town Board at their workshop on the 10th at 5:30 pm. We will bring a copy of our local laws and discuss priorities from their perspective. Albrecht will provide paper copies for everyone for discussion. Some issues we thought should be mentioned: “Code Enforcement Officer to Issue Appearance Tickets” probably should be rescinded; “Notice of Highway Defects” needs to be reviewed for legality; will also address concern of “official” list of laws with Town Clerk.

Next Planning Board meeting is scheduled for Tuesday, March 3, 2015 at 6:30 pm.

Next monthly Town Board meeting is scheduled for Mon. February 16th and workshop is Tues. the 10th (which Planning Board is invited to attend as noted above).

Motion to adjourn by Albrecht. Seconded by Pollard. Carried at 8:35 p.m.

Berkshire Planning Board
Meeting Minutes
April 7, 2015 – 6:30– 8:30 pm

Members with term expirations:

Ken Ceurter	Chair	2015
Sarah Albrecht	Vice Chair & Secretary	2018
Tim Pollard	County Planning Board Rep. (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Bette Johnson	(Alternate)	2015
Vacant Alternate		2015

- A) Call Meeting to Order at 6:32 p.m.
- 1) Pledge of Allegiance
 - 2) Roll Call/status of membership – All present.
 - 3) Secretary’s minutes from February meeting: Pollard moved to accept. Mattrazzo seconded. Carried.
 - 4) Privilege of the Floor – None.
- B) Meetings & Committee Update
- 1) Town Board meeting summary – Ceurter reported for February meeting: Mileage has gone up to \$.57. Meeting to be scheduled with Leann Tinney and Elaine Jardine. Albrecht reported for March meeting: Swartwood case has been adjourned until April to be sure there is time to get the survey done. Fraser Williams assigned to work with Planning Board on Comprehensive Plan. Several CEO issues unresolved will be issued 30-day notices.
 - 2) County Planning Board issues pertaining to Berkshire–Pollard reported March 18 meeting there were 2 reviews: Barton cell tower in remote area-passed; Appalachian request to fill a small piece of property between 434 and Main St.-passed. NV has 2 grant awards \$395K renovation of village hall exterior (post office bldg.); Whig Street sidewalk as part of safe route to school. This has been controversial because there is some cost to the homeowners affected. Training 4/23.
- C) Unfinished business:
- 1) County Inventory of laws update & historic sites – Elaine retracted her assertion that we did have a historic preservation law on the books. Berkshire has no laws other than whatever the State has.
 - 2) Meetings with Town Board at their workshop Feb. & Mar. Not a lot of discussion about those meetings, but there seemed to be consensus that they were helpful. Elaine commented that she felt the Comprehensive Plan was well done and didn’t think it would require a lot of work to update.
 - 3) Local law review:
 - a) RUA – We need to think about separating the law and agreement concept; what triggers use of the law. Pollard suggested instituting a permit process for logging, which would have the benefit of record of the logger in case of logging trespass claims. Ceurter willing to look into ways to make the law a simpler presentation.
 - b) Next – Snowmobile & ATV and Bld permit/code laws.

D) New Business

- 1) Training opportunities and attendance – April 23 Planning Board and Enforcement of Local Laws Training in Owego. Bette, Sarah, Ken, Frank, and Tim hope to attend both or the second half. Marty has a conflict and will not be able to attend.
- 2) Berkshire Comprehensive Plan of 2000. Frank will attempt to convert the pdf to word and, if not successful, Albrecht will retype in order to be able to work with it. We will review sections of document in comparison to 2014 survey results. The analysis done by Ken of 2000 plan and action for new plan may be found helpful. Fraser Williams to be invited to our next meeting. Albrecht will email the pdf to Marty and Frank.
- 3) NYS Unified Solar permits. Ceurter recommends adding a fee to the schedule for the solar permit. It seems to be otherwise covered by current law requirement for certification by electrician.
- 4) Forms from Local Laws – Seems like there needs to be a list of the forms that are available (though none seem to be available electronically), and what we need based on what is required in our laws. No one had suggestions as to how to go about pursuing this. Tabled until after review of Comprehensive Plan, but all in agreement that this should be a priority.
- 5) Newsletter article is due this month. Albrecht will send draft around to everyone for approval.

Next Planning Board meeting is scheduled for Tuesday, May 5th, 2015 at 6:30 pm.

Next monthly Town Board meeting is scheduled for Mon. April 20thth and workshop is Tues. the 14th.

Adjourn Ceurter moved to adjourn. Mattrazzo seconded. Carried at 8:02 p.m.

Berkshire Planning Board
Meeting Minutes
May 5, 2015 – 6:30– 8:30 pm

Members with term expirations:

Ken Ceurter	Chair	2015
Sarah Albrecht	Vice Chair & Secretary	2018
Tim Pollard	County Planning Board Rep. (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Bette Johnson	(Alternate)	2015
Vacant Alternate		2015

- A) Call Meeting to Order – 6:38 p.m.
- 1) Pledge of Allegiance
 - 2) Roll Call/status of membership – Mattrazzo absent. Fraser Williams in attendance to represent Town Board.
 - 3) Secretary’s minutes - Pollard moved to accept. Kunik seconded. Carried.
 - 4) Privilege of the Floor – None
- B) Meetings & Committee Update
- 1) Town Board meeting summary – Johnson attended and reported Williams appointed as representative from Town Board as we work on Comprehensive Plan; update to Building Permit law to be made to include Solar (public hearing May 18); Sharp prepared spreadsheet for road budget, which was approved (state required 5-year plan for audit); Bill Leonard appointed to grievance board; ongoing issues with birds on route 38. Also, McEwen commented that other towns have had a hard time getting people to serve on their planning boards, and he felt Berkshire was lucky to have a good board.
 - 2) County Planning Board issues pertaining to Berkshire–Pollard reported no meeting this month.
- C) Unfinished business:
- 1) Berkshire Comprehensive Plan update –
 - a) Fraser as TB coordinator. Some items we want to be sure and include (not a comprehensive list!):
Should note in Comp. Plan that NOT restricting property usage/clean up lowers property values
Include demographic info. about town (pop, acreage, etc. like in Richford’s)
“Maintain public trust through transparency and accountability.”
Need a glossary (i.e. “open space” definition)
 - b) For next meeting, everyone should come up with bullet points or topic headings they think should be used to form an outline for the plan. Ceurter to send analysis for reference.
 - c) Next Steps – incorporate actions from 2014 survey
 - 2) Training – Pollard and Johnson attended Planning Board Overview and Enforcement of Local Laws trainings on April 23, 2015.
 - 3) Local law review and usage of forms....next

D) New Business

- 1) Town Board meeting representative – Ceurter will be golfing, so Albrecht will attend Town Board meetings starting in May.
- 2) Albrecht will be away for the June 2 meeting; unanimous decision to move meeting to following week. Albrecht will post the legal notice.

Next Planning Board meeting is scheduled for Tuesday, June 9th, 2015 at 6:30 pm.

Next monthly Town Board meeting is scheduled for Mon. May 18thth and workshop is Tues. the 12th.

Pollard moved for adjournment. Albrecht seconded. Carried at 8:14 p.m.

Berkshire Planning Board
Meeting Minutes
June 9, 2015 – 6:30– 8:30 pm

Members with term expirations:

Ken Ceurter	Chair	2015
Sarah Albrecht	Vice Chair & Secretary	2018
Tim Pollard	County Planning Board Rep. (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Bette Johnson	(Alternate)	2015
Vacant Alternate		2015

- A) Call Meeting to Order (met in Courtroom due to Town Board use of regular Board room)
- 1) Pledge of Allegiance – there is no flag in the courtroom, so we were unable to do the pledge.
 - 2) Roll Call/status of membership: Johnson excused, Mattrazzo absent. Fraser Williams present for first part of meeting to inform of his report to the Town Board.
 - 3) Secretary’s minutes for May 2015 – Pollard moved to approve, Albrecht seconded. Carried.
 - 4) Privilege of the Floor – None.

B) Meetings & Committee Update

- 1) Summary of Town Board Meeting – Albrecht reported the public hearing regarding amendment of local building code law poorly attended. The Building Permit law has been amended to include wording to require a permit for the installation of a solar PV system. It was also amended to require the completion of the state solar permit form for roof-mounted systems; the town will receive \$2500 for every successful permit. There was some discussion about why it specified only “roof-mounted,” which doesn’t include ground-mounted systems, and Rachel confirmed that the state permit only specifies roof-mounted. No one knew why it differentiates, but the law was updated correctly based on the form’s wording. The regular meeting commenced with updates from the various areas. County Planning Board did not meet in April. Highway is starting to patch blacktop roads and will commence patching of dirt roads as soon as they dry up enough to do so. CEO provided the board members with a written report regarding inspections, permits, and compliance issues that sounded very thorough, but I didn’t see it so I can’t comment on any details. The Town Board voted unanimously to approve the payment of \$12,900 to Maxwell Assessor to re-valuate all the properties in the Town and to do so in time for the 2016 assessment.

The big discussion was regarding the status of the Swartwood/Brame issue, which went to court just before the meeting. The Delta Engineering survey (paid for by Swartwood) shows that the addition is .9 ft. (10.8 inches) over the property line. The result of going to court was Swartwood’s agreement to remove the portion of the addition that is on Brame’s property. Canizio is going to contact Brames today to see if they will allow Swartwood on the property enough to do that work. If they do not, he will have to remove it from the inside. In either case, he has 30 days to do so or he will be fined \$1000/day until it is

done. Once the portion over the property line is removed, he has the right to apply for a variance for the remainder, though that is not likely to be successful. The whole Board seemed frustrated that we aren't any further along; they had expected more firm action from the court.

- 2) County Planning Board Summary – Pollard reported two 239 reviews. First was for owner of property adjacent to sewage treatment plant to rezone the property to industrial. The neighbors are all against it (it's in the flood plain), and it was denied. Second was to turn a parcel of land currently owned by the county into a community environment in Apalachin. The request was for a change in zoning to allow more than 6 living units per lot as a first step in the process. Other news: Tioga is still working on their comprehensive plan also; NV has re-established their planning board; Jardine asked for topics for training, and Tim suggested something with Ag and Markets and how that fits with local laws, which was well-received.

C) Unfinished business:

- 1) Berkshire Comprehensive Plan update – Identify key topics and expand on the 2000 plan. Fraser Williams reported to the Town Board our progress on the Comprehensive Plan. Starting with the topics we come up with tonight. His assumption was that tonight's meeting will confirm, but we would probably then prioritize those and decide what to go forward with as far as sections to include. We will have the Board review each section as we complete the draft so that we don't include information contrary to their views. Fraser is advocating for the Town Board to begin looking into the possibilities based on recommendations in each section as those sections are completed so that firm action can be taken once the Comprehensive Plan is officially adopted. There was some discussion regarding main points to include, but the new business item below derailed the conversation a little, so not a lot of progress was made.
- 2) Local law review and usage of forms on hold.

D) New Business

- 1) Sarah Albrecht notified the Planning Board of her resignation at the end of this month due to personal reasons. She will still attend the Town Board meeting this month and notify the Town Board officially as well. There was some further discussion regarding other people who might be interested on being on the Planning Board to fill the vacancy. Bette will be asked first if she would like to fill the remainder of that regular term.

Next Planning Board meeting is scheduled for Tuesday, July 7th, 2015 at 6:30 pm.

Next monthly Town Board meeting is scheduled for Mon. June 15th and workshop is (today) Tues., June 9.

Albrecht moved to adjourn. Pollard seconded and motion carried at 8:35 p.m.

Berkshire Planning Board
Meeting Notes
July 7, 2015 – 6:35 – 7:45

Members with term expirations :

Ken Ceurter	Chair	2015
Tim Pollard	County Planning Board Rep (through 2016)	2019
Frank Kunik		2016
Marty Mattrazzo		2017
Vacant Regular		2018
Bette Johnson	(Alternate)	2015
Vacant Alternate		

A) Called Meeting to Order at 6:35

- 1) Pledge of Allegiance
- 2) Roll call/Status
- 3) Secretary's minutes for June Given By Ken. Tim moved to approve, Marty second.
Carried
- 4) Privilege to floor – none

B) Meetings and & Up Date

- 1) Sarah Albrecht attended TB meeting 6/15/2015. She gave them update on the County Planning Board, but only remembered one of two 239. Ron McEwen declared a state of emergency, which should allow us to apply for federal funding to assist in cost. The cost of damages of Sunday's storm is about \$75,000.00. We're still waiting on the \$85,000.00 from the 2011 flood damage. Canizio reported some progress on the Swartwood-Brame case. Brame has given written permission for Swartwood to enter their property for purpose of removing the offending structure. However, there is a new wrinkle in the situation because it is not at all clear that Swartwood owns the property or if Judd Walker still owns it. Swartwood will be required to show a copy of the deed when he requests the variance for the 10 ft. rule, which he must file by June 30. At last months meeting, it was clearly decided that he must tear down the .9 ft. of actual encroachment before applying for the variance, but town is now back pedaling on that and going to allow the request prior so he doesn't have to do demo/construction twice, apparently at the request of Swartwood. The Town Board asked Nick Canizio to research the deed with the county. (while he is there, he will also research the deed for the Mill since that also seems to be unclear and a problem we're having trouble resolving.) If Swartwood isn't the owner, the variance could not be granted anyway because he can't be given a permit to build on someone else's property. If Judd Walker is still the owner, he will be served the Order to Remedy post haste. Rachel Jacobs submitted a written code Enforcement report. In addition, she reported checking out a potential unregistered vehicle situation, a trailer demo in progress in process without a permit, and a property that is condemned. The Town Board also asked her to stop by a residence where there is a garage construction in progress without a permit. Rachel also

reported that she has found out that the \$2500 per solar permit was incorrect. It's only for the first one, so the Town receives a total of \$2500.00. Reported that the Planning Board is continuing work on the Comprehensive Plan and that we would be funneling sections to them as they are drafted. They also requested that we get their input on the list of sections to be included once we have that determined. Sarah submitted her formal resignation letter to them. They were not excited about it. Dog Control had submitted a report to Ron. Mike Maxwell has started his re- evaluation , and the board was satisfied with that. There was also apparently a special meeting/public hearing held June 9 regarding "Home Rule Request for S5617A – 2015 and A7897A Land Lease of State Lands". This is what the minutes of that meeting said this is necessary for the Town of Berkshire to request Enactment of a special law through Home Rule, necessary for interest of town residents to make this request, therefore the Supervisor is authorized and directed to sign and submit the necessary paperwork's to the NYS Senate and the Assembly. No idea what that means, but it was unanimously approved.

- 2) County Board Summary – Tim brought up the two 239 reviews. One was to rezone property in Owego to industrial, denied as being in a flood plain. The second was a parcel of land in Apalachin rezoning for more than 6 living units. This was approved. Also Tim suggested training on Ag and Markets and blending with local laws.

C) Unfinished Business

- 1) Sarah's resignation received and given to TB
- 2) Berkshire Comprehensive Plan update
 - a) Identify key topics and expand on 2000 plan. Organize into topics and categories.
 - b) Sending a copy of list of our categories to TB
 - c) Local law review on hold.

D) New Business

- 1) Bette to replace regular member through 2018 Bette accepted and PB approved.
- 2) Bette to try position of secretary and VC replacement.
- 3) Will send request for change to TB for Bette to take vacant regular position through 2018.
- 4) Everyone to work on Comprehensive Plans from other plans to be reviewed by next meeting. Frank – Richford, Bette – Nichols, Marty – Newark Valley, Tim – Owego, Ken – Spencer.
- 5) Other – Newsletter article for July (primarily asking for volunteers) was discussed and approved. Ken will forward to Fraser.

Next Planning Board meeting is scheduled for Tuesday, August 4th, 2015 6:30 PM.

Next monthly meeting of Town Board is scheduled for Monday, July 20th at 7 PM, workshop is Tuesday the 14th.

Ken made motion to adjourn. Tim seconded, motion carried at 7:45 PM

Berkshire Planning Board
Meeting Notes
September 8, 2015 6:30 – 8:00 pm

Members with term expirations:

Ken Ceurter Chair	2015
Tim Pollard County Planning Board Rep (through 2016)	2019
Frank Kunik	2016
Marty Matrazzo	2017
Bette Johnson Secretary	2018
Vacant Alternate	
Vacant Alternate	

A) Called Meeting to Order at 6:30

- 1) Pledge of Allegiance
- 2) Roll call/Status Marty did not attend
- 3) Secretary's minutes July given by Ken. Tim to approve. Frank second. Carried. No minutes for August. No meeting.
- 4) Privilege to floor – none

B) Meetings and up date

- 1) TB meeting Aug. 17 was attended by Bette. Nick reported a new decision has come from the judge on the Brames case. He now has until Sept. 24 to remove wood and vehicles. If he does not they will be removed and cost levied on taxes,

A letter went out in reference to Tioga County not putting levy on taxes for demolition changes. We may have to use other options other than our own money. May be grants etc.

Rachel Jacobs reported we may have to take Swartwood to the Supreme Court. Corp. owns it and both must be sued in regards to the Mill. She issued 18 permits. On Route #38 they have order to remedy; they now have 4 mobile homes there. A couple of properties on East Berkshire Rd. need follow up for cleaning up.

- 2) The TCPB meeting was on Aug. 19 attended by Tim. There were three 239 reviews. The Town of Candor has awarded the contract for the rebuild of their highway garage. In the Village of Owego the IDA project for senior housing has been approved. Town of Tioga hosted Elaine and Leann Tinny last month. They are still working on their comprehensive plan.
- 3) County Update
Elaine hopes to hold floodplain mgt. training this fall. Planning Board members will receive 1 hour training credit for the visits she makes to each municipality.

C) Unfinished Business:

- 1) No meeting in August: short on attendance.
- 2) Discussed needing members. How to recruit and reach out to public.

D) New Business

- 1) Bette was approved as a regular member by the Town Board at their July meeting.
- 2) All working on outline Tim sent out. Town Board approved outline for Comprehensive Plan at their July meeting.
- 3) Further discussion on Comp. Plan is we need to get local youths to get involved with government and environmental issues in our town discussion. Frank did work up on ideas for plan using the Richford draft plan and suggests some cover pictures. Everyone to study it. For the next meeting everyone should try to identify some subcategories to use in the main topic line.

Ken made motion to adjourn. Tim seconded, motion carried at 7:55pm.

Next Planning Board meeting is Tuesday, October 6, 2015 at 6:30pm

Berkshire Planning Board
Meeting Notes
October 6, 2015 6:40-8:00 pm

Members with term expirations:

Ken Ceurter Chair	2015
Tim Pollard Co. Planning Board rep. (through 2016)	2019
Frank Kunik	2016
Marty Mattrazzo	2017
Bette Johnson Secretary	2018
Vacant Alternate	
Vacant Alternate	

A) Meeting called to order at 6:40 pm

- 1) Pledge of Allegiance
- 2) Roll call/Status - Marty Absent – Frank Excused
- 3) Secretary's notes for Sept. given by Ken. Tim approved, Bette seconded.
Carried
- 4) Privilege to the floor-none

B) Meetings and Updates

- 1) TB meeting notes
- 2) Report from Karl: Shirley, Rejmer and Ketchumville Rd. done. They are only sanding and stoning roads now.

Nick asked the TB for a motion for him to take Swartwood to court. Motion carried. Fraser read a letter he sent to all the members on how to improve our town. Also there were discussions on getting a store in our town like a Dandy Mart.

Discussions still under way on solar for the town. Training sessions are coming to our area soon for residents and municipalities on solar.

- 3) TCPB meeting notes presented by Tim
Case 2015-150 was submitted by the Town of Owego, a special use permit for a building on Kinney Rd. Campville.

Richford's comprehensive plan is almost done. Candor's plan was sent back to the planning board a month or two ago, with direction from the TB to specifically add verbiage about the town being in support of natural gas drilling. The Planning Board declined to change the plan and sent it back to the TB unchanged.

A webinar training has been scheduled for December 2, from 4-5:30, in the county office building. The topic is "Planning, Economic Development and the New Normal".

Review of by-laws on how to address "repeated absences".

C) Unfinished Business

- 1) Berkshire Comprehensive Plan update was covered. We went over assignments and Frank's draft from Richford. Bette presented a suggested subcategory list of suggestions under quality of life and local youth involvement. Ken covered training book for compiling plan leads. Tim will try to get Candor draft.
- 2) On hold: Local law reviews and usage forms.

D) New Business

- 1) Went over October newsletter. Tim will send in insert to be added on the reason we have a plan for the town. As soon as received and approved by everyone it will be sent in.
- 2) Discussed plans for December bylaws, appointments, fee schedules & training logs.
- 3) Ken has 5 year appointment coming up in Jan.
- 4) We have training session coming up in December. Also need to review attendance records.

Ken made motion to adjourn at 8:00 pm, Tim second, motion carried.
Next Planning Board meeting is scheduled for Tuesday November 3, 2015
6:30 pm.

Bette Johnson

Berkshire Planning Board
Meeting Notes
November 10, 2015 6:30-8:30 pm

Members with term expirations:

Ken Ceurter Chair	2015
Bette Johnson Secretary & Vice Chair	2018
Tim Pollard Co. Planning Board Rep. (through 2016)	2019
Frank Kunik	2016
Marty Matrazzo	2017
Vacant Alternate (2)	

A) Meeting called to order 6:35 pm

- 1) Pledge of Allegiance
- 2) Roll call/Status – Marty Absent
- 3) Secretary’s minutes for Oct. Tim approved, Bette seconded. Carried.
- 4) Privilage to floor – none

B) Meetings and Updates

1) TB Mtg. Notes

Nick said he feels the Supreme Court will not do anything to make people tear down building even when in the wrong. Suggested Brame pursue the issue from infringement side. Rachel doing great with getting out and around . She issued several citations and one citation resulted in a clean up. DEC is now involved in Howland Plant. A clean up is expected.

Two policies adopted: #3 for Workplace Violence and #4 for Alcohol Free Workplace. Ken reported on our work on Comprehensive plan. He also discussed the need of new members and asked for input on fee schedule.

2) TCPB meeting notes presented by Tim

County Planning Board met on Oct. 21 – there were four 239 reviews:

- a) Case 2015-016 – Town of Richford Comprehensive Plan . They have documented their desire to preserve their greatest asset - their natural resources. Plan was approved
- b) Case 2015 – Village of Owego – Change to zoning law. Second time it came up. Proposed local law # 7 of 2015 increases to size of signing in an Office Park from 9 sq. ft. to 25 sq. ft. Case was approved.
- c) Case 2015-018 – Town of Nichols – Area variance and Special use permit for Tioga Downs. This covered all the issues for the expansion now that they received casino license. The expansion involved a height restriction. Case was approved unanimously.
- d) Case 2015-019 – Town of Nichols, Area Variance for Crown Cork and Seal. The plan exceeds the towns zoning limit on

building height (35') . Plan calls for height of (59') in warehouse part of building. Best Buy was granted (45') for their warehouse. Approved unanimously.

C) Unfinished Business

- 1) Newsletter finished and sent in. Good team effort on this newsletter.
- 2) Berkshire Comprehensive plan update. Direction and using other plans as models. Ken provided a first draft from his research and our decision now is work on the intro section first so we can finish a section at a time and send draft to the Town Board.
- 3) Local law reviews and usage forms on hold.

D) New Business

- 1) Training opportunities on December 2, 2015. At the County Building. Times to be posted by Elaine.
- 2) December is Organizational preparation:
 - a) Elections
 - b) 2016 - Appointments Ken as a regular for 5 years.
 - c) Bylaw review was discussed. Will keep same as 2013.
 - d) Discussed fee schedule. Will most likely stay the same for now.
 - e) Submit the materials to the Town Board at their December 21 meeting.
 - Cover Letter 2016 appointments
 - Cover Letter and Fee Schedule
 - Revised Bylaws or recommended no change
 - Cover letter with training worksheet
 - Plans for 2016
- 3) Frank to put Comprehensive plan together and insert all of our ideas and suggestions as they are sent to him into right category. Thanks to Frank for taking on this project. Great start from Ken on getting this up and running.
- 4) We will be sending to TB beginning sections to keep them informed.

Next PB meeting is scheduled for December 1, 2015 at 6:30 pm.

Next monthly TB meeting is scheduled for November 16,2015 – workshop Nov. 10,2015.

Motion to adjourn -Tim seconded

Bette Johnson

Berkshire Planning Board
Meeting Notes
Dec 1, 2015 6:30-8:30 pm

Members with term expirations:

Ken Ceurter Chair	2015
Bette Johnson Secretary & Vice Chair	2018
Tim Pollard Co. Planning Board Rep. (through 2016)	2019
Frank Kunik	2016
Marty Mattrazzo	2017
Vacant Alternate (2)	

A) Meeting called to order 6:35 pm

- 1) Meeting opened with the Pledge of Allegiance.
- 2) Roll call/Status – Kunik, Pollard, and Ceurter present, Mattrazzo absent. Johnson was excused.
- 3) Secretary's minutes for November were shared and reviewed previously by e-mail. Kunik moved to approve, Pollard seconded, Carried.
- 4) Privilege of the floor – James Lacey was in attendance as a guest, and stated he is interested in the comprehensive plan process as he was chair of the planning board when the last comprehensive plan effort was made in the late 1990's. He stressed the importance of the plan on future land use and development oversight.
- 5) Ceurter read a letter of resignation from Bette Johnson, effective immediately, due to health concerns. A short discussion followed about how to recruit new members given the two alternate vacancies we have been unable to fill for several months.
- 6) Ceurter motioned to close the regular meeting at 6:55 and open the 2016 Organizational meeting. Pollard seconded. All in favor.
- 7) Ceurter re-opened the meeting at 7:10.

B) Meetings and Updates

- 1) TB Mtg. Notes
We did not have a representative at this month's meeting. Supervisor McEwen reported that the meeting was short, and contained no issues pertaining to the planning board

- 2) TCPB meeting notes presented by Pollard
County Planning Board met in November – there were six 239 reviews:
 - a) Case 2015-020 was submitted by the Village of Owego Historic Preservation Office, regarding renovation of a barn on property adjoining the county office building parking lot. It was returned,

as county staff determined there was no action required at the county level.

- b) Case 2015-021 from the Town of Nichols; an area variance for a proposed building on land owned by the county, to house a Fed Ex Freight warehouse. Area variance was approved.
- c) Case 2015-022 - Town of Spencer site plan review - a proposal to establish a vehicle repair shop in an existing building on what appeared to be a non-operating farm. Site Plan review was approved.
- d) 4) Case 2015-023 - Town of Owego Rezoning request - Marshland Rd. This was a joint application from the owner of W&W nursery and adjoining property owners to rezone several parcels immediately to the east of the nursery from Residential A to Agriculture. The request was approved.
- e) Case 2015-024 - Town of Owego, Special Permit. Applicant desires to establish a race walking training facility on their property on McLean Valley Rd. The special permit was approved.
- f) Case 2015-025 - Town of Owego, Special Permit, Special Use Permit. Syracuse Sand & Gravel owns a gravel pit behind Hanafin Marine (the old Wickes Lumber building) in Campville. They want to modify their DEC permit to create a 13 acre pond, 20 ft deep, and add a crusher to the existing 15 acre pit. Request for special permit was denied.

C) Unfinished Business

- 1) Berkshire Comprehensive plan update. The Foreward, Vision, and Demographics sections were discussed. All agreed to look at these sections over the next month, in hopes that we can complete work on them in January.

D) New Business

- 1) Ceurter plans to attend a training session on December 2, at the County Building. No other members will be able to attend.
- 2) Ceurter noted that a public hearing is scheduled for Dec 8 for public comment on Richford's comprehensive plan. A long discussion followed on the plan's broad goals vs lack of specific action plans to meet those goals.
- 3) Ceurter asked Lacey if he would consider re-joining the board as an alternate. After brief discussion, Ceurter made a motion to request the town board appoint Lacey to an alternate position for 2016. Pollard seconded, all were in favor.

Ceurter made a motion to adjourn at 7:50. Pollard seconded, and all were in favor.

Berkshire Planning Board
Organizational Meeting Notes
Dec 1, 2015

Members with term expirations:

Ken Ceurter Chair	2015
Bette Johnson Secretary & Vice Chair	2018
Tim Pollard Co. Planning Board Rep. (through 2016)	2019
Frank Kunik	2016
Marty Matrazzo	2017
Vacant Alternate (2)	

Ceurter called the meeting to order 6:55 pm. Kunik, Pollard, and Ceurter present, Matrazzo absent. Johnson was excused.

A) Appointments

- 1) Pollard made a motion to request the town board re-appoint Ceurter to a five-year term as a regular member to expire in 2020. Kunik seconded the motion, and all were in favor.
- 2) Ceurter made a motion to elect Pollard as Secretary for 2016. Kunik seconded and all were in favor.
- 3) Pollard made a motion to elect Ceurter as Chairman. Kunik seconded, and all were in favor.
- 4) All were in agreement to leave the Vice-Chair position vacant at this time.

B) By-Laws

- 1) A brief discussion was held about the requirement that members be residents of Berkshire, possibly adding eligibility for individuals being land-owners or business owners in the town, but not residents.
- 2) Ceurter made a motion to make no changes to the by-laws at this time. Kunik seconded, and all were in favor.

C) Fee Schedule

- 1) Ceurter made a motion to make no changes to the fee schedule, Kunik seconded, and all were in favor.
- 2) It was agreed that should the town board request changes that the planning board would review and discuss those changes by e-mail.

D) Priorities for 2016

- 1) All members were in agreement that completion of the comprehensive plans should be the only priority for the new year.

Ceurter made a motion to close the meeting at 7:10. Kunik seconded, all were in favor.