

Berkshire Planning Board Meeting Notes

May 2, 2023- 6:30 pm

Members with term expirations:

Charles Ouellette- Chair	2026
Ken Ceurter- Vice Chair	2025
Nancy Lohmann- Secretary	2027
Sam Davison	2024
Mike Bobal	2023
Jim Lacey- Alternate	2023
open- Alternate	2023
open-TCPB	2023

Meeting was called to order at the Town Hall at 6:35 pm.

- **Roll Call:** Bobal, Ceurter, Davison, Lacey, Lohmann, and Ouellette were present. John Stoughton was present representing the Town Board.
- **Secretary minutes** were provided and amended by email prior to the meeting. Ceurter made a motion to accept the minutes. The motion was seconded by Lacey . All Planning Board members present were in favor.

**Town Board Meeting:** Ouellette attended the Town Board meeting and emailed a summary of the meeting to PB member. Of interest to the Planning Board:

- A representative from the Tioga Farm Bureau advocated for the adoption of Right-to-Farm language by the town in a local law that would prevent nuisance lawsuits against farmers. Several local towns have adopted this initiative, and the Farm Bureau plans to advocate for Tioga County to adopt a similar law.
- Our representative was not approved by the TCPB due to the short length of time he has been a resident. Flesher will attempt to resolve this issue.
- Mike Bobal contacted the Town Supervisor and volunteered to help with the town website.
- A Sheriff's Substation in the Berkshire Town Hall will be available as soon as keys are made and distributed.

**County Planning Board Meeting:**

- 239 Review: Berkshire Town Board and Planning Board requested approval of a local solar law that would regulate solar energy generating systems. The motion to approve with conditions that solar farm be changed to solar energy system, a Full SEQR is completed by the town, and a public hearing is held before the Town Board votes on the local law. It was unanimously approved.
- 239 Review: Owego, Special Use Permit, Bothar Construction requested a permit to establish a construction staging yard. The special use permit was approved.
- 239 Review: Owego- Kathy Cakes is requesting a site plan review to establish a roof-top deck for outdoor seating for her bakery business. Request was approved.

**Unfinished Business:**

- Status of Solar Law – Ouellette is working with Jordan to complete full EAF to comply with the NYS SEQR law. Once this is completed the Town Board will schedule a public hearing followed by a vote. Once the Town Board votes to approve the law it will be send to the state.
- Status of Subdivision Law with DOS – The town is still waiting for a reply from the state on the status of this local law.
- Uniform Code Draft- The Planning Board completed the discussion and editing of this draft. Lohmann will complete edits and send it to the Planning Board members before the June meeting.
- PB budget-Discussion was put on hold until the June meeting.

**New Business**

- Right to Farm Law- The Planning Board began a discussion of this initiative and decided to make modifications to the draft given to them by the Farm Bureau. Ceurter volunteered to investigate current Ag and Market laws regarding this subject. Further discussion will be held during the June meeting.
- Special Events Law was put on hold until completion of the Right to Farm Law.
- Training Opportunities- Hancock Estabrook (MRB) continues to offer monthly online in-service opportunities for planning board member on the 4th Thursday of each month from 6-7:00pm. You must register ahead of time.

Ceurter made a motion to adjourn at 8:00pm. It was seconded by Davison . All members present were in favor.

Next PB meeting is scheduled for Tuesday, June 6, 2023, at 6:30 pm.