

TOWN OF BERGEN PLANNING BOARD MEETING
Thursday, April 30, 2009
Bergen Town Hall

Present: Gary Fink John Wise Norm Pawlak Mark Gerhardy
Kathi McLaughlin, Alt.

Absent: Bill Robinson

Also Present: Steve Hohn, Rick Muscarella, John Specht and Bob Patterson

The meeting was called to order by Chairman Gary Fink at 7:30 p.m. A motion was made by Norm Pawlak to approve the minutes of the March 26, 2009 planning board meeting. Motion seconded by John Wise, voted and approved.

Steve Hohn Recommendation on Water Line Mr. Hohn appeared at the meeting to hear the board's recommendation for his request to connect to the municipal water line passing through his property which is located in an Ag District. He had previously stated his plan to sell a lot to his daughter on which to build a house. It would be for this new structure that the request to connect to the water line is being made.

Members reviewed the following **Resolution #4 – Water Connection Guidelines Within Agricultural District.**

Councilman Hill made the following resolution, Councilman McCartney seconded it and it carried unanimously: Whereas, some of these new water mains will be going through an Ag District, and Whereas, the Town of Bergen wishes to limit the impact of public water on agricultural resources,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Bergen has adopted the following policy with regard to water connections within the Ag District:

a. The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within the Ag District will be existing structures at the time of construction, future ag structures and land structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality. Land structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval is needed to move forward with project plans and the governing body has approved the action.

b. If a significant hardship can be shown by an existing resident, the lateral restriction to the resident's property may be removed by the Municipality upon approval by the Dept. of Ag and Markets. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The Municipality shall develop a hardship application to be filed with the municipality, approved by the County health Department and agreed to by the Dept. of Ag and Markets.

c. If it can be determined to the Dept of Ag and Markets' satisfaction that the landowner requested the county to remove his or her land from the Ag District at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Dept of Ag and Markets determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the Ag District.

Mr. Hohn stated that he is required to keep his land in the AG District for approximately four more years. He also inquired about the possibility of filing a hardship application as the quality and supply of well water in his area is questionable. It was pointed out that creating a hardship by building a structure would not meet the criteria for approval. After discussion and agreement by all members the town planning board recommends that Mr. Hohn should not be granted permission to connect to the water line.

OLD BUSINESS/NEW BUSINESS

Jim and Stacy Wright Subdivision Reapproval –Jim and Stacy Wright did not attend this meeting. Deeds filed at the County Real Property Office did not correctly identify the owner of each parcel of their subdivision which was approved at the January '09 meeting. Until deeds are corrected and subdivision is reapproved, subdivision will not be recognized.

The motion made by Norm Pawlak to invite Mr. Jim Newcomb of Agrilink Foods to attend a planning board meeting was withdrawn. No action was taken. Mr. Newcomb had previously agreed to be present for our May meeting to review the special use permit for Agrilink Foods. As Mr Newcomb will be discussing the spray fields, he will be asked to supply a copy of the State Pollutant Discharge Elimination System (SPDES) permit and details of any storm water prevention plan used by his company. Chairman Fink will also contact Mr. Paul Chatfield of Chatfield Engineering to invite him to our May meeting.

Since the March meeting, Bob Ridley has retired from his position as chairman of the planning board and Connie Kaufman, regular member, has resigned. Vice Chairman Gary Fink has been appointed chairman as of April 1. Alternate member Kathi McLaughlin has expressed an interest in becoming a regular member. John Specht stated that notice of available vacancies would be placed in the newspaper.

There was no further discussion. Motion to adjourn was made by Norm Pawlak and seconded by John Wise. Voted and carried, adjourned at 8:40 pm.

Respectfully submitted,

Colleen Holtz

Colleen Holtz, Secretary