

Planning Board Minutes
November 21, 2019

Planning Board Members Present: Fred Fink, Julie Pellett, Daniel Compton, Matt Rogers, Fran Overmoyer, Michael Donohoe, Steve Lester,

Absent: Michael Woodruff.

Others Present: Kimberly Rayburn (Secretary), James Kier (Building & Zoning)

Fink opened the meeting at 7:30 pm

I. Moratorium on Large Scale Solar

Kier explained to the Board that the Town Board is putting a moratorium on Large scale solar projects so that the Town board and the Planning Board have a chance to look closer at the code and make any changes or additions to the code they feel are necessary. These changes may be limiting the use of prime agricultural land and to look at whether the code should have a limit on the total megawatts allowed in the Town vs what the code currently states. There is also a question regarding a bond that is in the current code and how that should read. The Planning Board feels there is new information available that may lead to minor changes to the code.

II. Variance procedure:

Rayburn discussed a conversation that was had months ago with an Attorney from the Association of Towns, A discussion on a variance application was held. When Kier and Rayburn explained the process to her, she stated that there really is no point in having the Planning Board review variances before the Zoning Board of Appeals and asked why we did that. Rayburn and Kier told her it's been that way since we started working here and we believe the Planning Board looks at the application from a Comprehensive plan point of view. She replied stating a variance will never line up with the comprehensive plan that is why they are asking for relief, and feels it is a waste of time. Kier and Rayburn agreed with her and feel that it is no longer necessary for the Planning Board to review variance applications before the Zoning Board of appeals hears the proposal. The Planning Board ends up going too far into the review and could overstep their bounds doing the review that is meant for the Zoning Board as the Zoning Board is bound to State criteria that must be met and/or weighed against the applicants desire and the health, safety and welfare of the community. All items that require an application to be sent to the Ontario County Planning board first will still be sent and heard by them before the Zoning Boards review.

Overmoyer feels that the Planning Board has given applicants other avenues to explore other than trying to obtain a variance, Fink stated that if the Planning Board does not review all the variances they should still be aware of requested variances as code changes may need to be made if too many variances are requested and granted for the same thing. Compton stated that the Planning Board needs to keep its review to Planning only and not do the review that the Zoning Board is responsible for. A discussion was held and they feel the more eyes on an application the better, they would rather still see all applications come before them and keep the code the same as it is currently.

Overmoyer made a motion and Lester seconded the motion to leave the code as is. All Board members present voted aye.

III. Discussion: Compton asked if there was any news on the request made to the State for a speed reduction on State Routes 5 & 20, Kier stated he asked for an update and the State has not responded with their answer yet.

Compton asked about the Singer special use permit, he was told he can not work on vehicles outside and he is doing just that, therefore he is in violation. Kier stated he is working on that property next there were several properties that have needed attention and attorney involvement and Singers property is next on the list.

IV. Minutes:

Minutes of October 17, 2019

**Rogers made a motion and Donohoe seconded the motion to approve the minutes 10/17/2019
All board members present voted aye, Vote was carried unanimously.**

V. Meeting Adjourned:

**Overmoyer made a motion and Pellett seconded the motion to close the meeting @ 8:45 pm.
All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary