
**Planning Board Minutes
August 16, 2018**

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

Absent: Fred Fink, Kimberly Rayburn (Secretary, minutes typed from tape recording)

Others Present: Jim Kier (Code Enforcement Officer), Gary Pooler (Applicant), George Reed (Agent, Delaware River Solar), John Bennett (landowner)

Pellett opened the meeting at 7:30 pm.

I. 7:30 pm TS3-18 Parcel line Adj. Owner, Gary Pooler, W.B. Creekside, LLC. Lands located on Co Ro 30 Bloomfield, NY 14469 tax map #'s 68.00-1-72.300 lot #3 of approx. 202.361 acres taking out 41.236 +/- acres annex into 68.00-1-72.200 of 5.10 acres making lot 2 46.449 +/- acres and leaving 155.912 +/- acres of Lot #3

Pellett asked Pooler to explain his proposal, Pooler stated that he would like to retain the wooded area by adding it to a smaller piece he had previously subdivided off to build a home for himself.

Lester and Compton asked Pooler about the usage and right of way across the landing strip, Pooler stated that it's not an issue that an easement would be given to cross the airstrip if the other lots were sold. The landing strip is still active to this day. The Board reviewed the map. Overmoyer stated that the lot is a flag lot due to the sixty-foot access. Kier stated that Pooler plans on using an existing water line that goes into the hanger and later down the line if and when he subdivides further for any future housing he will install a water line.

SEQR was discussed, Compton made a motion and Rogers seconded the motion to declare SEQR an unlisted action with a negative declaration. All Board members present voted aye.

Planning Board Decision:

Overmoyer made a motion and Donohoe seconded the motion to approve TS3-18 Parcel line Adj. Owner, Gary Pooler, W.B. Creekside, LLC. Lands located on Co Ro 30 Bloomfield, NY 14469 tax map #'s 68.00-1-72.300 lot #3 of approx. 202.361 acres taking out 41.236 +/- acres annex into 68.00-1-72.200 of 5.10 acres making lot 2 46.449 +/- acres and leaving 155.912 +/- acres of Lot #3

Whereas:

- 1. Land transfer only**
- 2. Stamped maps will be submitted for signature**

Record of Vote:

Pellett Aye Compton Aye Overmoyer Aye Rogers Aye Donohoe Aye Lester Aye

All Board members present voted Aye, Vote was carried unanimously.

II. TSP5-17 Special Use Permit Large Scale Solar Project Delaware River Solar- Agent, Owner of Property John Bennett located on Rt 64 N of tax map # 67.00-1-1.100

The Planning Board reviewed the new decommissioning map for removing the underground conduit, and they received the new Operating and Maintenance plan provided and requested by the Planning Board. Compton asked how the Town Board meeting went on Monday 8/13/2018 as they discussed decommissioning at that time. Pellett, Lester, Donohoe and Kier attended the meeting. Pellett stated that the NYSERDA representative discussed the tax implications and what the pluses or minus were for opting in or out of giving pilots and tax breaks. Decommissioning was not discussed in detail and there was no action taken. However, he did say that the likelihood of a site being totally decommissioned is very slim, but he understands the Towns needs to protect its residents in the future.

A brief discussion was held, Kier stated that the final agreement will be forthcoming there has been a verbal agreement with the representative from DRS, but the Town attorney needs to get it in writing before the Town Board can take any action on it. This will become the model that we use for all future solar projects. John Bennett stated that he took the maps to the neighbors to show them the final buffering plan

Planning Board Decision:

Overmoyer made a motion and Compton seconded the motion to approve TSP5-17 Special Use Permit Large Scale Solar Project Delaware River Solar- Agent, Owner of Property John Bennett located on Rt 64 N of tax map # 67.00-1-1.100

Whereas:

The following will need to be turned into the Code Office before a building permit or a certificate of compliance is given.

- A final SWPPP report will need to be accepted by the Town Engineer
- A decommissioning plan and amount that will cover the removal of the system in the future needs to be determined, approved and accepted by the Town Attorney and the Town Board.
- A NYS DOT permit is obtained for improvements. The culvert is widened and lengthened as the drainage needs to be sized to take all storm water flows and to accommodate the widened condition of the driveway
- Delaware River Solar must comply with all Large-Scale Solar regulations from Town Code section 135-83.2 Solar Energy Law
- An as-built map of the installation will be provided after installation is complete
- Approval includes all discussions held in previous Planning Board minutes including but not limited to landscaping and maintenance hours
- Any future changes need to be brought in front of the Planning board for approval.

Compton wanted to discuss the power pole located across the street from the project that is on his property, The tie in for the electric will be installed on this pole, the pole is old and he wanted to know if RG&E has accessed the pole and if there are any plans for upgrading the pole. After reviewing the plans, it was determined that there will be an underground tie in. Compton was satisfied.

Record of Vote:

**Pellett Aye Compton Aye Overmoyer Aye Rogers Aye Donohoe Aye Lester Aye
All Board members present voted Aye, Vote was carried unanimously.**

V. Discussion:

A brief discussion held on a possible concern regarding property that has a Special Use Permit to sell used vehicles. The discussion in the meeting minutes at the time of review for the hard-packed surface the vehicles were to be parked on was compacted millings (pervious) the landowner has since paved this area making it impervious. The drainage plan may have changed as well as the percentage of lot coverage. Further discussions below.

Overmoyer stated the proposed plan shown 30,500 square feet of impervious surface which is 56% of the parcel. Compton stated that he is definitely over the allowed percentage of lot coverage he is concerned about the water run off as it all goes to the high side of an existing culvert that may not be able to handle it. An engineer should have looked at the proposal to pave the area to make sure the culvert could handle it, and make sure water would not pool into the road and freeze creating an unsafe situation for anyone traveling on Oakmount or Rt 5&20. The property owner needed to come in for any change he made that was not previously approved by the Planning Board, but he did not. He may need a variance to go over the lot coverage as well as getting an engineer to review the current condition of the property.

Compton suggests the Board receive a summary of the Special Use Permits and possibly helping Kier with the yearly inspections.

A brief discussion was held on how many vehicles can be on a sales/repair lot, and on the comprehensive plan.

VI. Minutes from July 19, 2018

Compton made a motion and Pellett seconded the motion to approve the minutes of July 19, 2018

All Board members present voted Aye, Vote was carried unanimously.

Minutes from August 2, 2018

Compton made a motion and Pellett seconded the motion to approve the minutes of August 2, 2018

All Board members present voted Aye, with the exception of Rogers and Donohoe who were not in attendance at the August 2, 2018 meeting. Vote was carried.

V. Meeting Adjourned

Lester made a motion and Donohoe seconded the motion to close the meeting.

All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary