
**Planning Board Minutes
August 2, 2018**

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

Others Present: Jim Kier (Code Enforcement Officer), Kimberly Rayburn (Secretary) John Norman (Applicant), Dave Norman

Fink opened the meeting at 7:30 pm, Pellett made a motion and Lester seconded the motion to waive the reading of the public hearing. The Public hearing was opened.

I. TS2-18 Adam Rogers, Owner 6785 St Rt 5&20 tax map # 81.00-1-70.210 parent parcel of 79.60 +/- acres retaining 19.849 +/- acres with SF home and wooded area w/ pond. Annexing 36.637 +/- acres into existing tax parcel 95.00-1-4.000 owed by Rogers Farms, LLC. Subdivide and create corner lot of 23.401 +/- acres on 5&20 and Flatiron Rd.

The Board held a brief discussion on the proposal and the maps, Fink stated that the maps were accepted for sketch and will be accepted for the Preliminary/Final with no changes.

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

Planning Board Decision:

Compton made a motion and Overmoyer seconded the motion to approve TS2-18 Adam Rogers, Owner 6785 St Rt 5&20 tax map # 81.00-1-70.210 parent parcel of 79.60 +/- acres retaining 19.849 +/- acres with SF home and wooded area w/ pond. Annexing 36.637 +/- acres into existing tax parcel 95.00-1-4.000 owed by Rogers Farms, LLC. Subdivide and create corner lot of 23.401 +/- acres on 5&20 and Flatiron Rd

Record of Vote:

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

II. SPL2-18 John Norman (Owner) 2474 Co Rd 39 tax map # 67.00-1-19.000. Erect a swimming pool next to existing barn in the front line of the SF home. Property is lined by trees and wooded area.

A discussion was held on the location of the pool, Norman had pictures to show the topography of the land and gave the Board his reasons for placing the pool in that location. The house sits approximately two-hundred feet back from the road and the property is heavily screened by trees.

Planning Board Decision:

Overmoyer made a motion and Pellett seconded the motion to approve SPL2-18 John Norman (Owner) 2474 Co Rd 39 tax map # 67.00-1-19.000. Erect a swimming pool next to existing barn in the front line of the SF home. Property is lined by trees and wooded area.

Whereas:

1. Overmoyer made a motion and Pellett seconded the motion to approve the pool placement as shown on maps provided with any future pool deck as long as the deck is no further forward to any tangent of the front line of the pool.

Record of Vote:

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

III. TSP4-17 Special Use Permit Large Scale Solar Project, Lands located at 1940 Bennett Rd, tax map # 52.00-3-11.111 Owner Rory Bennett, Agent Labella for Abundant Solar

The Board discussed the meeting notes from 5/3/2018 as listed below.

A discussion was held on both Large-Scale Solar applications and it was decided that the Planning Board has almost come to a point where they have reviewed all they can review for the Special Use Permit (SUP). They made a list of the outstanding items needed before the Board can make a decision on the SUP, and a list that will be required before a building permit can be obtained.

Items needed before a decision on SUP:

1. Three (3) more paper copies and 1 mylar for the subdivision
2. The operations and maintenance plan provided needs to have some updates that were requested from the Planning Board:
 - Pg 2/4 Change the first sentence in # 13 to read: ***All maintenance including landscaping will be completed during normal business hours (8:00 am to 5:00 pm) eastern stand time***
 - # 14 the last bullet adds another sentence that will read as:
 - ***Remove and replace dead trees of like kind and height to the adjacent trees or as otherwise required to maintain a complete and continuous visual screening***
 - #15 add verbiage to read as:
 - Provide preventative maintenance site visit reports ***to the Code Officer of the Town of East Bloomfield***

At the time of decision, the contingent / whereas will be similar to the statements below.

Before a building permit can be obtained all of the following will need to be turned into the Code Office and some will need to be submitted before a certificate of compliance is given.

- Copy of any permits required by the DEC or NYS DOT
- An approved taxation agreement with the Town Board
- A decommissioning plan needs to be approved and accepted by the Town Attorney and the Town Board
- Submit the decision letter and permit if required from the Army Corp of Engineers
- An as-built map of the installation will be provided after installation is complete
- Abundant must comply with all Large-Scale Solar regulations from Town Code section 135-83.2 Solar Energy Law
- For care and upkeep of the project herbicides and fertilizer will be consistent with residential products used according to published product directions

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

Items needed before a decision on SUP:

1. **Decommissioning plan C-106** General notes #7 states that the buried conduit will remain in place, this is not acceptable to the Planning Board. All buried conduit under the grass must be removed up to either side of the driveway and meet with the landlord's approval.
2. **Operations and Maintenance Plan provided is not sufficient** the Planning Board would like DRS to use the Abundant Solar O&M as a model and supply the Board with another plan that includes the changes requested to the Abundant Solar O&M from the Planning Board

- Pg 2/4 Change the first sentence in # 13 to read: ***All maintenance including landscaping will be completed during normal business hours (8:00 am to 5:00 pm) eastern stand time***
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- #15 add verbiage to read as:
 - Provide preventative maintenance site visit reports ***to the Code Officer of the Town of East Bloomfield***

At the time of decision, the contingent / whereas will be similar to the statements below.

- Before a building permit can be obtained all of the following will need to be turned into the Code Office and some will need to be submitted before a certificate of compliance is given.
- A SWPPP report will need to be approved by the Town Engineer
- A decommissioning plan needs to be approved and accepted by the Town Attorney and the Town Board
- 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
- An as-built map of the installation will be provided after installation is complete
- Abundant must comply with all Large-Scale Solar regulations from Town Code section 135-83.2 Solar Energy Law

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 to follow.

Lester brought up the topic of In-Law apartments and how they get reviewed and how they get inspected after approvals are given. All Special Use Permits are supposed to be inspected every year to make sure they are following their approved permit. He also wanted to bring to the attention of the Board training for upcoming hot topics and that we do not have any regulations in place for Air B & B usage on how it will affect the Town and how we should move forward on creating regulations.

VI. Minutes from July 19, 2018

Minutes are tabled for future approval as Rayburn was on vacation and they are not finished.

V. Meeting Adjourned

Overmoyer made a motion and Pellett seconded the motion to close the meeting @ 9:00 pm.

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

Respectfully submitted,

Kimberly Rayburn
 Planning & Zoning Board Secretary