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**Planning Board Minutes  
November 17, 2016**

**Planning Board Members Present:** Brad Bennett, Julie Pellett, Karl W. Smith, Daniel Compton, Matt Rogers, Fran Overmoyer

**Absent:** Fred Fink

**Others Present:** Andy Hall (CEO), Kimberly Rayburn (Secretary) Bruce Westerman (Agent)

**Bennett opened the meeting at 7:30 pm**

**I. Site Plan for small addition onto existing Commercial Bldg, Owner Denome, property located at 2557 Cannan Road tax map # 66.00-3-20.100**

Westerman was present to answer questions for Denome, Hall stated that there is a 50 x 80 building that Denome conducts his business in, the addition will line up with one of the truck bay doors, Westerman stated that they make tanks for all types of vacuum trucks and this will allow them to have more covered space to work in, and also allow for longer trucks. The existing building will remain the same, the addition will have black and grey metal siding, as the front of the building does.

Bennett stated that the Board has the right to waive a Public Hearing, Compton stated that the proposed is a simple addition, Overmoyer asked hall about building code concerns or area limits, Hall stated there were none. **Compton made a motion and Rogers seconded the motion to waive the public hearing, all Board members present voted aye, vote carried unanimously.**

**Bennett made a motion and Pellett seconded the motion to declare SEQR a type II, no further action required, all Board members present voted aye, vote carried unanimously.**

**Planning Board Decision:**

**Compton made a motion and Pellett seconded the motion to approve the Preliminary/Final Site Plan for a small addition onto existing Commercial Bldg, Owner Denome, property located at 2557 Cannan Road tax map # 66.00-3-20.100**

**Whereas:**

1. As presented

**Record of Vote:**

Brad Bennett	Aye
Julie Pellett	Aye
Karl W. Smith	came after the vote
Dan Compton	Aye
Matt Rogers	Aye
Fran Overmoyer	Aye

**All Board members present voted Aye, vote carried unanimously.**

## II. Discussion on Solar Regulations

The Board continued to review Solar in order to create a Special Use Permit for Large-Scale Solar Energy Systems.

Bennett wanted to discuss percentage of coverage and stated that his research found that one (1) MW would take up 4.8 acres, 2.8 acres for the panels and the rest would be for the rest of the equipment and access etc. Overmoyer agreed and stated that NYSERDA states that one (1) MW would use between 4 to 5 acres. Bennett stated that the best use of the land would be to allow the applicant to use all of the parcel except for the required setbacks, therefore you would not need a maximum percentage of coverage on the property. As we may end up choosing the wrong percentage and create issues for the applicant, and end up wasting property that could be used. Rogers agreed as the developer should be able to use as much of the parcel as he can.

A lengthy discussion was held regarding percentages, setbacks and Mega-watts. Overmoyer asked about the lot coverage percentages that are currently in the schedule's, he commented that within each district there are different percentages for different types of business's / projects ect, and he feels they do not make sense. Bennett stated it's the same for the setbacks, therefore they cannot leave a blank statement such as what is suggested in the proposed Special Use Permit requirements:

*6. C A 3) Lot coverage. A Large-Scale Solar Energy System that is ground mounted shall not exceed [Insert lot coverage] of the lot on which it is installed. The surface area covered by Solar Panels shall be included in total lot coverage.*

*And*

*6. C B 2) The minimum setback from property lines meets the requirements of the zoning district.*

Hall stated that in the General Industrial District there are certain items that do not have min setbacks or lot coverage, if you want to have minimums then they need to be listed in the schedule or in the Special Use Permit. He also stated that that the SUP should use setback requirements, instead of lot coverage. The coverage will be different for every lot size and will self-regulate itself with the setbacks, all they have to do is meet the setback requirements.

A conversation was held on how much disturbance will be on the parcel, and if a SWPP report would need to be required, Overmoyer and Hall stated that with an engineered project the Engineer would be responsible for letting the Board know how much land would be disturbed.

Hall stated that one good reason to have a front setback is to allow room for accidents, as vehicles have time to slow down before hitting a house, business, fence or solar panel. Also, he feels there should be side and rear setbacks as well, not only to protect the neighboring properties, but allowing access around the property by the landowner or emergency equipment. He agrees with Bennett, and proposes the SUP have setback regulations, the minimum front setback of 75 feet, 100 feet on a State highway, and 50 feet for the rear and side setbacks. Overmoyer stated that part of the SUP process includes a site plan review, setbacks along with glare and buffering would be part of the process. Hall also stated that in the NYS fire code you have to have a certain amount of separation distance for a structure/building from another structure/building and we have listed solar panels as a structure, having setback regulations in place will help with this.

A discussion was held on 6 C A where it discusses the total cumulative installed capacity of a Large-Scale energy systems within the town, currently the code states 16MW, the Board does not feel that limiting the number of Megawatts for the entire Town is the correct way to say how much solar the Town will allow. Compton agreed and stated that the seminar he attended suggested staying away from a megawatt maximum as technology may change allowing more wattage for the same amount of land use.

The Board discussed using a total acreage in place of total mega-watts, the proposal would be that the Town would only allow a combined total of all Large-Scale systems to be 80 acres, and it will be on a first come first serve basis. The acreage would be based on the approved site plan project area of the entire lot, for example if a person buys a 50-acre parcel that would be used for a Large-Scale system, and the approved site plan project area is only for 30 acres, the 30 acres would count in the 80 acres for the Town. Also, the project must be completed within a period of time, such as a year and if 30 acres are not completed and only 20 acres are then that will be all that applicant is allowed to do, in case another developer wants to do a Large-Scale solar project on another piece of land as it is first come first serve. Hall stated that Bennett mentioned to him that a major system would require three (3) phase electrical wires and be close to a power station, this will help dictate where a Large-Scale project could be.

Suggested changes to the proposed document were as follows;

1. **move 5 B 6** (ground mounted systems under 1,000 sq ft to 6 B 6 Large-Scale Solar Energy Systems, Rayburn moved this section from the Town of Seneca per the Boards wishes, but put under the wrong section. 6) *The site developer shall purchase a bond equal to 20% of the project installation cost prior to permits being issued for any solar project. The bond shall be in place for the life of the facility and shall be used to fund the de-commissioning of the facility in the event it is abandon*

2. **remove 6. C A 3)** *Lot coverage. A Large-Scale Solar Energy System that is ground mounted shall not exceed [Insert lot coverage] of the lot on which it is installed. The surface area covered by Solar Panels shall be included in total lot coverage.*

3. **add the setbacks to 6 C B 2)** *The minimum setback from property lines are as follows:*

*Front 75 feet, 100 feet on a State Highway*

*Side 50 feet*

*Rear 50 feet*

**Add Solar Energy** See § 135-83.2 for Design Standards to each district in the schedule to be in uniform with all other Specially Permitted Uses

4. **change 6 C A wording of** *Therefore the Town has determined to limit the total cumulative installed capacity of Large Scale Solar Energy Systems within the Town to 16 MW to read as: Therefore, the Town has determined to limit the total cumulative acreage of Large Scale Solar Energy Systems within the Town to 80 acres.*

5. **reword 6 C C 8)** take the word Solar Farm out of the entire document use Large Scale Solar Energy Systems, start the sentence with Site and storm water

6. **add under 7. Abandonment and Decommissioning** last sentence add: **no more than** *Applications for extensions are reviewed by the Code Enforcement Officer for a period of no more than 90 days*

Hall stated that more than one interested party has approached the Town regarding Large-Scale projects, Hall stated that he has had some correspondence with Cypress Creek Renewables and he will pass along some materials he received from them that may be useful to the Town in creating the code since they have had experience with Large-Scale projects. He also stated that Supervisor Wille is working on setting up a meeting with another group to discuss their interest in the property located on West Park Drive. Bennett asked if there was going to be any correspondence to the Planning Board on this meeting. Hall stated that Wille mentioned he was thinking about inviting Brad Bennett as chair to the meeting as well.

The Board felt it may be a good idea to invite a group to a Planning Board meeting as they could answer some questions such as: how many roads will a large-scale project require, are they permanent or temporary, how many acres is required, and what size are the average panels, what will be used as the base for the panels, poles or concrete pads and what are some of the hurdles they have had in other municipalities when going through their review. Hall will invite Cypress Creek Renewables to a Planning Board meeting.

## **II. Discussion**

Bennett and Smith discussed the next meeting as we have two (2) applications for subdivisions, one for W.B Creekside, and another for Hawkins that will need an Area Variance.

Rayburn asked Rogers if he was interested in serving another seven (7) year term on the Planning Board, Rogers stated he was.

Bennett stated that he has some obligations next year that may conflict with him serving as Chair, no other Board members were interested in becoming Chair, he asked them to think about being a Deputy Chair to fill in when he was unavailable if he chooses to remain as Chair.

## **III. Minutes of November 3, 2016**

**Compton made a motion and Bennett seconded the motion to approve the minutes of November 3, 2016 as written, all board members present voted Aye, Vote was carried unanimously.**

## **VII. Meeting Adjourned**

**Pellett made a motion and Smith seconded the motion to close the meeting @ 9:20 pm. All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn  
Planning & Zoning Board Secretary