

Planning Board Minutes
November 3, 2016

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

Absent:

Others Present: Andy Hall (CEO), Kimberly Rayburn (Secretary)

Bennett opened the meeting at 7:30 pm

I. Discussion on Solar Regulations

The Board continued to review the NYS Model Solar Law, the changes and additions to the NYS model will be highlighted in yellow.

Compton and Overmoyer stated that somewhere we should state that All components shall be UL listed, the Board suggest adding it to item number three in section **6. Approval Standards for Large-Scale Solar Systems as a Special Use**

- 3) The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed. **All components shall have UL, FM or equivalent agency approvals.**

Compton stated that he feels we should add in the requirement of a bond and suggested we use the verbiage from the Town of Seneca's code section 5 Abandonment letter (g) and add to **B. Ground-Mounted Solar Energy Systems** adding a number **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.**

Review of section **C. Special Use Permit Standards**, the Board held a discussion on lot size and percentage of coverage for Major Systems, they did not feel comfortable with the wording in this section nor did they feel comfortable giving a lot size or a percentage of coverage for Major Systems. They felt that the Town of Seneca covered this area and many others in section D of Solar Collectors and Installations for Major Systems or Solar Farms they agreed to replace items 1,2,3, and 5 of the NYS code leaving items 4 and 6 renumbering them to 1 and 2, and use section D in its entirety of the Town of Seneca's code renumbering as needed.

- 1) *All Large-Scale Solar Energy Systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type and extent of fencing shall be determined by the **Planning Board**. The fencing and the system may be further screened by any landscaping needed to avoid adverse aesthetic impacts.*
- 2) *The **Planning Board** may impose conditions on its approval of any special use permit under this Section in order to enforce the standards referred to in this Section or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA).*
- 3) *The total coverage of all buildings and structures on a lot, including freestanding solar panels, shall not exceed limits for the zoning district.*

B. Height and setback restrictions.

- 1) The maximum height for freestanding solar panels located on the ground or attached to a framework located on the ground shall not exceed 15 feet in height above ground.
- 2) The minimum setback from property lines meets the requirements of the zoning district.
- 3) A landscaped buffer shall be provided around all equipment and solar collectors to provide screening from adjacent residential properties and roads.

C. Design standards.

- 1) Removal of trees and other existing vegetation shall be minimized or offset with planting elsewhere on the property.
- 2) Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
- 3) All on-site utility and transmission lines shall, to the extent feasible, be placed underground.
- 4) shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties and roads.
- 5) All mechanical equipment, including any structure for batteries or storage cells, shall be enclosed by a minimum six-foot-high fence with a self-locking gate, and provided with landscape screening.
- 6) A solar farm to be connected to the utility grid shall provide a "proof of concept" letter from the utility company acknowledging the solar farm will be connected to the utility grid in order to sell electricity to the public utility.
- 7) Each solar system or farm shall be designed to minimize the total acreage of developed land.
- 8) Each solar system or farm, site and storm water management plan shall be reviewed by Ontario County Soil and Water District prior to final site plan approval.

D. Signs.

- 1) A sign not to exceed 8 square feet shall be displayed on or near the main access point and shall list the facility name, owner and phone number.
- 2) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

Review of section's 7 & 8. Abandonment and Decommissioning & Enforcement. The Board decided on the additions in yellow below

7. Abandonment and Decommissioning

Solar Energy Systems are considered abandoned after 12 months without electrical energy generation and must be removed from the property after 90 days. Applications for extensions are reviewed by the Code Enforcement Officer for a period of 90 days

8. Enforcement

Any violation of this Solar Energy Law shall be subject to the same civil and criminal penalties provided for in the zoning regulations of **the Town of East Bloomfield**

II. Discussion

A discussion was held on training hours; Rayburn will advise the Board of their current hours.

Overmoyer stated that he is having his final maps for his parcel line adjustment finalized and will bring them to the Board for signatures as soon as possible.

III. Minutes of October 20, 2016

Smith made a motion and Pellett seconded the motion to approve the minutes of October 20, 2016 as written, all board members present voted Aye, Vote was carried unanimously.

VII. Meeting Adjourned

Smith made a motion and Pellett seconded the motion to close the meeting @ 9:05 pm. All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary