
**Planning Board Minutes
December 1, 2016**

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

Absent:

Others Present: Andy Hall (CEO), Kimberly Rayburn (Secretary) Gary Pooler (Owner), Rick Hawkins (Agent)

Bennett opened the meeting at 7:30 pm

1. TS5-16 Sketch Plan WB Creekside, Gary Pooler Owner 2 lot subdivision property located on County Rd 30 of tax map # 68.00-1-19.111.

Existing driveway on lot # 1 will be used to access lot # 2 with a deeded right of way, 60 ft access shown is on paper only,

Bennett asked pooler if the pond on lot # 2 is a minimum of twenty-five (25) feet from the proposed lot line, (the water's edge) Pooler was not sure and the Board asked him to make sure it was and noted on the final maps. Bennett discussed the location of the sixty (60) foot access onto lot # 2, he stated that pooler is not interested in creating a new driveway but will have a deeded right of way on lot # 1's existing driveway to gain access to lot # 2. Bennett stated he thought it would be beneficial to Pooler to get the driveway approval now, he also stated that the Town received correspondence from the County stating that if a driveway ever needed to be put in where it is noted on the map the County is likely to grant a highway work permit. Pooler stated that the County's position is that the existing driveway be shared as they do not like driveways to be too close to one another, and it is his intention to have the right of way in the deed. Pooler stated that he has had some interest in the larger parcel and wants to keep a piece for himself for a future home.

Bennett asked the Board for any questions, there were none. Bennett stated that the application will need to go out to the County Planning Board for review, Overmoyer stated that the final maps will need to be stamped by licensed surveyor.

Planning Board Decision:

Compton made the motion and Smith seconded the motion to accept the Sketch Plan Map for TS5-16 WB Creekside, Gary Pooler Owner 2 lot subdivision property located on County Rd 30 of tax map # 68.00-1-19.111.

Whereas:

1. With the understanding that the new lot line will be a minimum of twenty-five (25) feet from the water's edge of the pond

Record of Vote:

Brad Bennett	Aye
Karl W. Smith	Aye
Julie Pellett	Aye
Dan Compton	Aye
Francis Overmoyer	Aye
Matthew Rogers	Aye
Fred Fink	Aye

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

II. TS6-16 Sketch Plan Roger Hawkins Owner, 1 lot subdivision property located at 2285 Pond Road of tax map # 68.00-1-10.100, TV2-16 Area Variance for side setback for existing accessory structure (barn) requesting an 8.5 foot variance where 15 ft is required.

Bennett stated that since the maps were originally sent to the Board it was discovered that the zoning data on the maps reflect AR-2 data, however the property is located in an RR-1 District, so the requested Variance changed from being an 18.5 ft variance to an 8.5 ft variance as the setbacks are different in the RR-1 than they are in the AR-2, which reduced the requested Variance by ten (10) feet. The existing barn is sitting 6.5 feet from the proposed flag access. Bennett stated that there is no ability to purchase land from the neighbor to the as it is owned by the Archaeological Conservancy. Overmoyer stated that he fully supports Hawkins intent, however he feels that there is another option, when he looked up the property he noted that the distance between Rogers house and the closest existing building on the other property is approximately one hundred and forty (140) feet. He asked why the access could not be drawn on the West side of the property, this would alleviate the need for a Variance and would make more sense. Rick Hawkins stated that is not what he or his father wants to do, they have no intention of moving the driveway to the West. Bennett stated they have to act on what has been applied for, Rogers house is not shown on this sketch plan map and the applicant does not want to move the access to the West side of the property, he also stated that the job of the Planning Board is to act on what is proposed, not what they feel would be better. Compton stated that there would be a lot more site work if a driveway was ever to be used on the west side due to the placement of the proposed house, Hawkins will have a deeded right of way to use the existing driveway on the east side of the property, and feels this is where he would like the access to be.

Bennett stated that the Board could note that they understand that if the applicant wanted the driveway on West side of the property a Variance would not be required. Hawkins stated that the properties are both going to be deeded to him as he has his NYS inspection license and works in the shop part time.

Bennett wanted to make sure everyone was clear on the request, the setback for a side lot line in the RR-1 District is fifteen (15) feet, the existing structure is 6.5 feet away from the flag access to the proposed lot, therefore he is requesting an 8.5 ft Variance to the side lot line, Compton stated that it is more than fifty (50) percent. Bennett stated that the way it is presented on the map seems like the least amount of a variance and does not think that the flag access should be decreased in size to accommodate the fifteen (15) foot requirement.

1. Planning Board Decision:

Compton made a motion and Pellett seconded the motion to forward the application to the ZBA with the Planning Boards advisory opinion that they are in favor of the proposed side lot line variance of 8.5 feet where 15 ft. is required as drawn on the map.

Whereas:

1. Corrections are made to the zoning data for the final to reflect RR-1 District in place of AR-2.
2. The Planning Board understands that if the applicant wanted the sixty (60) foot access on the West side, no variance would be required.

Record of Vote:

Brad Bennett	Aye
Karl W. Smith	Aye
Julie Pellett	Aye
Dan Compton	Aye
Francis Overmoyer	Nay
Matthew Rogers	Aye
Fred Fink	Aye

All Board members present voted Aye, with the exception of Overmoyer Vote Was Carried.

2. Planning Board Decision:

Bennett made the motion and Rogers seconded the motion to approve the Sketch Plan Map for TS6-16 TS6-16 Sketch Plan Roger Hawkins Owner, 1 lot subdivision property located at 2285 Pond Road of tax map # 68.00-1-10.100, TV2-16 Area Variance for side setback for existing accessory structure (barn) requesting an 8.5 foot variance where 15 is required.

Whereas:

1. with the understanding that corrections will be made to the zoning data for the final to reflect RR-1 District zoning data in place of AR-2.

Record of Vote:

Brad Bennett	Aye
Karl W. Smith	Aye
Julie Pellett	Aye
Dan Compton	Aye
Francis Overmoyer	Nay
Matthew Rogers	Aye
Fred Fink	Aye

All Board members present voted Aye, with the exception of Overmoyer Vote Was Carried.

II. Discussion

Bennett stated that the next scheduled meeting will be on December 15th, the Solar land use training at the County will be on the same night, he stated that anyone needing hours or more information on Solar could attend that meeting in lieu of holding a meeting. Bennett informed the Board that on the solar project in Canandaigua on County Rd 10 they are driving the main columns in, there are no roads they just scrubbed the lot and the driver is truck mounted. No concrete is being used as a base.

Hall informed the Board that he and Supervisor Wille met with Grant Cushing, Cushing revamps vacant land and turn it into a plot of solar and sell off the rights to electrical companies that sell it back to the grid. He also met with the Cabot Company that is working on selling the lots on West Park Drive for the Ferrish Group were Cushing is proposing a large scale solar project. After discussing where the Town was on creating code for solar they felt that the Town is on the right track with the creation of code and agreed on the setbacks to dictate how much solar could go on a property versus lot percentage or giving a wattage maximum. They stated that the solar project would maximize how much solar power they could generate by the grid itself, the power company limits them to two (2) megawatts which is approximately ten (10) acres. Overmoyer stated that is a lot more land area per megawatt than what NYSERDA has stated. Discussion was held on Ontario County opting out of the State Incentives for solar projects, the applicant can get State or Federal incentives, but they will not get County incentives. Hall stated that he was told there are a couple different types of projects, one would be that a parcel of land was purchased and solar was erected on it then the parcel would be sold, and have investors like the stock market. The power is sold to an electric company, if RG&E buys the power it is offered to the customers that have RG&E, another option is a Community project 60/40 split 40 % could go back to a municipality or School. Hall stated that we already have solar on the Town Highway Dept., he felt that the incentive for the Town would be very minimal and suggested that if it were possible it would be more beneficial to the Town if they could find a way to give cheap or free power to the remaining lots for sale to bring more business to the Town and help with the tax base, West Park Drive has water, sewer and is shovel ready, this location should be a prime spot for business. Hall stated that there is a business interested in opening up a two (2) bay truck service station for oil changes and light maintenance with outside wash bays.

Bennett stated that the first thousand feet of West park Drive should be re-zoned from General Industrial to Commercial in order to help the Town as we have very limited if any Commercial land left. Solar and Industrial can stay in the back of the property.

Hall stated that he gave Bennett the contact information for them so they could come in and talk to the Board if the Board wanted them to. Bennett stated that Cyprus Creek did not get back to him and from talking with Hall Cushing may be a better person to invite to a meeting. Hall stated that from conversations he has had Cyprus Creek is not aware of the County opting out of the incentives and has prematurely flooded the area with handouts that may not have accurate information and feels that Cushing would have more insight. Hall commented that Cushing stated that the panels are more vertical than you think so run off really is not a huge concern as far as requiring a SWPP report. Hall also stated that the power companies that buy the energy require the seller of the energy to have a bond for removal of the panels when the contract is up in approximately twenty (20) years, they do have an option to renew one more time.

III. Minutes of November 17, 2016

Rogers 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

Smith made a motion and Pellett seconded the motion to close the meeting @ 8:40 pm. All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary