

**Planning Board Minutes
January 19, 2017**

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

Absent:

Others Present: Kimberly Rayburn (Secretary)

Bennett opened the meeting at 7:30 pm

Bennett wanted to discuss the meeting dates and times with the Board members, he asked if anyone had any concerns with the current schedule, it was decided to keep the meetings on the first and third Thursday of the month with a starting time of 7:30 pm. He stated that he took his oath for Chairman and that Pellett took her oath for co-chair. Rogers will serve another seven (7) year term starting January 1, 2017 ending on Dec 31, 2023.

I. Discussion on Solar

Bennett stated that he and Rayburn went through the proposed solar regulations and made some changes based on the prior meeting with Grant Cushing and Daniel Bennett. Page one (1) of (5) did not change, number 5. *Solar as an Accessory Use or Structure* letter A. did not change, letter B. *Ground-mounted Solar Energy Systems* the Lot coverage (prior number B 3.) was removed as this section is not yet dealing with Large -Scale Solar Energy Systems as a Special Use, and because the system will be less than one thousand (1,000) square feet. A brief discussion was held as Overmoyer was concerned about lot coverage in a denser area and issues with run off. Bennett stated that the system that Adam Tally has (5) panel three (3) feet wide, and nine or eleven long which is less than five hundred (500) square feet, Overmoyer stated if we are limiting the systems to be less than one (1) thousand square feet, in a minimum of a one (1) acre lot there is forty-three (43) thousand square feet and the coverage would be one fortieth so it should be a non-issue.

Overmoyer stated that the Town should have in place a maximum Lot Coverage that includes driveways, paved areas and other impervious surfaces, currently we only have building coverage not lot coverage. Compton stated that the Board should look into that separately.

Bennett stated that the Ground mounted systems have to meet the setback requirements and are considered assessor structures.

Under 5 B. *Ground-mounted Solar Energy Systems*, number 2, a maximum height of fifteen (15) feet was entered as suggested by Cushing to give a cushion for future technology, the majority of the systems are at around twelve (12) feet, also the Town of Canandaigua settled on a maximum height of fifteen (15) feet as well.

Under section 6. *Approval Standards for Large -Scale Solar Energy Systems as a Special Use*, the letter A. was changed to the language in our existing zoning under the Special Use section. Letter B. *Special Use Permit Application Requirements*, number 6. was removed that dealt with the bond, due to the value of the components being worth more than the removal cost. Overmoyer and Compton stated they felt some kind of bond should be in place for removal, Overmoyer stated that the Town of Canandaigua did put verbiage in that does require a bond but did not specify an amount. In the demolishing plan, they are supposed to estimate the cost of approval; so maybe we can put verbiage in that states the Town has the right to require a bond in the amount established in the demolishing plan.

A further discussion was held, it was decided that they would **reword the first two sentences of number 5)** to add verbiage to read as follows: **5) Decommissioning Plan.** *To ensure the proper removal of Large-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted as part of the application. A bond may be required by the Town of East Bloomfield based on the cost estimate established in the decommissioning plan or otherwise established by the Town of East Bloomfield.* Compliance with this plan shall be made a condition of the issuance of a special use permit under this Section.

Overmoyer stated we should reword **6 B. Special Use Permit Application Requirements 2)** to read as follows: **Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect shall be required as well as compliance with the regulations in Town code section 135-25 Application details.** The Board agreed.

Section 7 Special Use Permit Standards, Bennett stated he removed the section on required fencing as not all proposed projects and locations may require fencing, and each project will be looked at separately. He replaced it with **1) 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 Section 135-24 or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA)** The Board agreed.

7 2) Lot Coverage, this section was moved from the top section and added to the Large-Scale section, the percentage was determined at the last meeting discussions. Fifty (50) percent seems to be the standard. Overmoyer stated that the plan will be engineered, therefore the run off will be controlled by Engineering. Pellett stated that one you have a solar system started she would rather see the parcel used as densely as possible, Compton stated he felt comfortable leaving the fifty (50) percent in as it is the highest threshold that anyone will obtain at this time. The Board took a vote on leaving the lot coverage up to Engineering or leaving in the fifty (50) percent. The vote was 4/2 in favor of leaving the fifty (50) percent lot coverage in place.

7 B Height and setback restrictions

The number 3) was removed it discussed requiring buffering, he felt it would be better to keep it as part of the review and subject to each proposal and location as a Special Use Permit requires a site plan. Overmoyer stated that he thinks some verbiage should be placed in the regulations somewhere stating that buffering may be required, the Board decided on adding a sentence to 7 c 4) **4) Buffering may be required and shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties and roads.**

7 B 2) setbacks – Bennett lowered the setbacks from the previously agreed upon setbacks per the prior meeting conversation with Cushing and Daniel Bennett the side and rear setbacks were fifty (50) feet he dropped them to thirty (30) feet. The Special Use Permit needs to have setbacks as all other Special Use Permits say “see design standards” when you look at the schedules. The Board agreed upon the change to the side and rear setbacks.

Bennett stated that 7 B 3) wording was changed just a little bit , Board ok with. 6) reworded to request that the CESIR has been applied for from the utility and a copy of the application be submitted with proposal. This lets the Board know that the developer is serious and has gone to the next step with the utility and spent the money for the CESIR which is very costly and has spent a great deal of money on Engineering to come for Board approval. The Board Agreed.

7 D 2) was removed, discussing signage for voltage, as Bennett felt they were not needed. Fink stated that the Insurance Company may require them to have them which will be far more stringent than anything we could regulate. The Board Agreed Remove the number one 1) as there are no more numbers to follow.

The Board will review the final document one more time before sending it along to the Town Attorney for review, then it will go onto the Town Board for a public hearing and approval as new Local Law to add this as new regulation for a Special Use Permit. 135-83.2 Solar Energy Law.

Bennett stated to the Board that he feels they should start reviewing the Zoning Map and look at re-zoning some areas as the Town has very little Commercial property available. One suggestion is to re-zone the road frontage of the General Industrial District on West Park Drive allowing Commercial Business to occupy the land by the road leaving the remaining property in back as General Industrial. He also stated that the fam land on 5&20 that is zoned as RB-1 should be rezoned as Agricultural AR-2.

Overmoyer stated that the Board should look into adding code regarding lot coverage in regards to impervious surfaces and amend the schedules, specifically in the denser districts. Rayburn will ask the County if they have any suggestions on percentage and if they separate lot coverage vs building coverage.

Overmoyer had some small changes /spelling corrections to the January 5th Planning Board Minutes, Corrections were made by Rayburn.

III. Minutes of January 5, 2017

Overmoyer made a motion and Fink seconded the motion to approve the amended minutes of January 5, 2017, 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 @ 9:15 pm. All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary