

**Planning Board Minutes**  
**April 21, 2016**

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

**Others Present:** Andy Hall (Code Enforcement Officer), Kim Rayburn (Secretary)

**Absent:** Fran Overmoyer

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

- I. Review of Solar regulations, proposal to add the existing definition of Structure to the Local Law with the addition of including solar arrays, and change the proposed letter H. pertaining to ground mounted solar panels to solar arrays and add building or structure mounted arrays as follows:

**Structure**

*A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home, also to include solar arrays.*

**Previously proposed**

H. A ground mounted Solar Panel is subject to the minimum set back requirements. Although Locations in side and rear yards are encouraged, a ground mounted Solar Panel may be located in a front yard if the applicant can demonstrate to the satisfaction of the Planning Board that locating such solar panel in the side or rear yard would not provide adequate coverage. A site development permit issued by the Code Enforcement Officer shall be required prior to erecting such solar panel.

**New proposal**

H. Solar Arrays, A Building permit issued by the Code Enforcement Officer shall be required prior to erecting Solar arrays. A building or structure mounted solar array must have a letter from a Professional Engineer or Registered Architect certifying that the existing structure can support the additional gravity and wind loads of the solar energy system. A ground mounted is subject to the minimum set back requirements. Although Locations in side and rear yards are encouraged, a ground mounted Solar Panel may be located in a front yard if the applicant can demonstrate to the satisfaction of the Planning Board that locating such solar arrays in the side or rear yard would not provide adequate coverage.

The Board agreed on the changes above, Rayburn will get them to the Town Attorney for changes to the draft Local Law.

A discussion was held on what would be considered a large scale solar installation, the Board felt a Special Use Permit would be required to have a Commercial Solar Business. Rogers stated that his brother has already received a letter inquiring about leasing the Mead property, he also stated that they would need a minimum of twenty (20) acres but in this case they wanted sixty (60) acres and it's a twenty-five (25) year lease. Hall stated that he believes that is the life expectancy of the panels. Rogers stated that he has done some research on this and with most of the leases, the property owner is left to do the cleanup of the panels as the company just abandons the site and walks away after the lease is fulfilled. Rogers stated that he spoke with two (2) farmers

from Seneca County as they received the same letter, they took it to their Lawyer and after more research they decided not to do it.

Compton asked how long it would take to get a Special Use Permit in place, Hall stated that we have discussed the need for one and the desire to have one, therefore we can put all applications on hold until we can get regulations in place for it. We need to look at how this will affect the view sheds and other neighboring properties. Through a Special Use Permit the Town can regulate where they can go, require buffering and have a plan for removal in the future. The question arose if the lease is in the Ag district doesn't that become a Business which is not allowed? The Board will need to do more research on this they are not trying to prevent them just regulate them. Hall stated that they are somewhat controlled by the setback schedule as solar arrays will be a structure and they need to adhere to the setbacks in the district they are allowed in.

Bennett stated that there is a large scale solar facility on Route 14 that he would like to obtain more information on. The Board will table this discussion for further review.

## **II. Minutes of February 18, 2016**

**Smith made a motion and Pellett seconded the motion to approve the minutes of February 18, 2016 All board members present voted aye, Vote was carried unanimously.**

## **IV. Meeting Adjourned**

**Smith made a motion and Pellett seconded the motion to close the meeting @ 8:45 pm. All Board members present voted aye, Vote was carried unanimously.**

Respectfully submitted,

*Kimberly Rayburn*

Kimberly Rayburn  
Planning & Zoning Board Secretary