

TOWN OF EAST BLOOMFIELD

Planning Board Minutes July 7, 2016

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

Others Present: Andy Hall (Code Enforcement Officer), Nathaniel Jones (Owner), Don & Lynn Ras (Owner), Art Babcock (Babcock Land Surveying & Planning), Glenn Thornton (Thornton Engineering), Jim Ghostlaw (Brooks Construction)

Absent: Matt Rogers, Kimberly Rayburn (Secretary)

Bennett opened the meeting at 7:30 pm, minutes written per taped recording.

- I. Waiver of Subdivision of Ag land, TS3-16 Owners Donald & Lynn Ras property located at 3065 Oakmount Rd Bloomfield NY, 14469 tax map # 80.00-2-16.220** Donald & Lynn Ras parent parcel of 35.433 \pm acres remove 21.178 \pm acres of farmland from parent parcel with existing house, leaving 14.255 \pm acres of remaining parent parcel.

Bennett asked for any questions, Overmoyer stated that it is an odd shaped piece, Donald Ras stated that the reason for that is that they have a potential buyer for the farm land and he wants tillable land not wooded property. Also they may have a buyer for the house and he is a hunter and wants the wooded area. Hall stated that the Ag piece of land does have a location for a driveway on Oakmount if its ever needed for entry into the property, he had the Highway department map out an acceptable location.

A brief discussion was held and Bennett asked if there were any further comments or concerns, there were none. Smith made a motion and Pellett seconded the motion to declare SEQR an Unlisted Action, Negative Declaration, Motion carried.

Planning Board Decision:

Smith made the motion and Fink seconded the motion to approve Waiver of subdivision- TS3-16 Waiver of subdivision for ag land, Owners Donald & Lynn Ras property located at 3065 Oakmount Rd Bloomfield NY, 14469 tax map # 80.00-2-16.220 Donald & Lynn Ras parent parcel of 35.433 \pm acres remove 21.178 \pm acres of farmland from parent parcel with existing house, leaving 14.255 \pm acres of remaining parent parcel.

Whereas:

1. The maps are accepted as submitted for Waiver of Subdivision, Land Transfer only.

Record of Vote:

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

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

II. Site Plan Review–Owner, Kevin Conway (Agent) Nathaniel Jones property located at 7124 Gauss Rd Bloomfield NY, 14469 tax map # 80.00-1-49.130 barn in front of proposed SF home, due to the location of the existing driveway, topography of the land and where the new owner could get the property to perk.

Bennett stated that the Board needs to determine if a public hearing will be held, and asked Thornton to give an overview of the proposal. Thornton stated that he is the Engineer on the project, he then stated there is an existing driveway on the property that was located for site distance by the Town at the crest of the hill, so the driveway cannot be relocated. They built the driveway parallel to the road because there is a significant elevation on the property as it drops down to the north, Nathaniel Jones will be closing on the property at the end of the month, he will utilize the existing driveway and well, the well was dug by Moravec therefore they believe it to be a good one, they did many perc test for the septic, they finally found a good area with perc, Thornton then reiterated that they were locked into those three things as far as placement. They lay of the land predicts where some of this goes, the house is proposed to go at the top of the hill as the property slopes down, and the proposed garage will be placed at the end of the existing driveway, which would be in the front line of the house. The house is scheduled to be built first. Again the topography of the land is a challenge to find the best location for all that is needed and desired. A lot of fill would be required to build the driveway up and for the structure itself if the garage/barn were to be placed somewhere else. This proposed location is the best spot that require the least amount of earth work, moving of dirt, bringing in fill and grading, and it works well with the placement of the house. He stated that there is a twenty (20) foot high embankment on the property that you would have to look over to see the barn, part of the barn would be visible, however it will be a nice looking structure not a metal pole barn and will look as nice as the house. The Board looked a pictures of the proposed garage/barn. Bennett stated that he is familiar with the property as he has been in the field many times, he stated that the view shed is to the North and he doesn't feel you will see hardly any of the barn from Gauss Rd. He asked for any questions from the Board, Compton asked if phase I will be just the house and then phase II will be the garage/barn, Jones stated that it would and also stated that there will be some sort of a landscaped sidewalk path leading from the house to the garage/barn, he stated that it will be maintained and have curb appeal for anyone that could see the property. A brief discussion was held on the house, the Board reviewed a satellite picture of the parcel.

A brief discussion was held and Bennett asked if there were any further comments or concerns, there were none. Bennett made a motion and Pellett seconded the motion to declare SEQR an Unlisted Action, Negative Declaration, Motion carried.

There are neighbors to the west, Saxby that has a natural buffer, Gauss Rd is to the South, there is acreage and buffering to the East before Rayburns and to the North is farm property owned by Fessner.

Planning Board Decision:

Compton made the motion and Overmoyer seconded the motion to table the Review of SPL2-16 Site Plan Review–Owner, Kevin Conway (Agent) Nathaniel Jones property located at 7124 Gauss Rd Bloomfield NY, 14469 tax map # 80.00-1-49.130 barn in front of proposed SF home, due to the location of the existing driveway, topography of the land and where the new owner could get the property to perk.

Whereas:

1. Preliminary Site plan map approved pending a Public Hearing at the next scheduled meeting for final review
2. Addition of the Farm note to the Final map

Record of Vote:

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

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

III. Discussion:

A discussion was held on Solar and the regulations for the Town of Seneca, the Board has reviewed them and will create a Special Use Permit using their regulations as a draft. The Town of Seneca has what they call a major and a minor system, a major system would be considered as commercial business where the major use of the system would be to sell the power created back to the grid, not for onsite usage and the minor would be considered either residential or in any district on property where the main purpose would be for onsite usage of the power generated, however the excess could be sold back to the grid. The size of the system will also determine whether it's a major or minor system, according to NYSERDA you need four (4) to five (5) acres of land for every megawatt of power produced, and the Town of Seneca limits the total surface area to 4,000 square feet. Also a solar array has been defined as a structure and the setback requirements for an accessory structure will need to be met. Overmoyer stated that lot coverage really needs to be looked at, and included non-porous paved areas as part of the lot coverage. Storm water run-off needs to be considered. A site plan review and approval would need to be done along with a Special Use Permit, design standards are part of the Town of Seneca's SUP, however Overmoyer stated that submission requirements should be added so the applicant knows what to produce at the review, such as diagram of electrical system and the Board may need an Engineer to review the proposal so an engineered plan may be required. Bennett and Compton stated that those types of things need to be addressed but not as part of the new Regulations for a Special Use Permit. Those would be covered in a Preliminary site plan review, and Bennett stated that the Utility Company would require that. They won't let you hook up to the grid without complying with their regulations. Overmoyer stated that in the Town of Seneca's regulations the maximum solar collection in the Town can be sixteen (16) mega-watts and it's on a first come first serve basis. Overmoyer suggested the Town reserve the right to require an Engineer to review a major solar power system. The Board felt the document was what the Town would be using with the change of their districts to our districts. The Board will review the regulations again at the meeting scheduled for August 4th.

Bennett advised the Board that the Town attorney is ready to submit the Zoning Changes to the Town Board so they can hold a public hearing. The Natural Resource Extraction piece was taken out per the advice of the Town Attorney and Maria Rudzinski from County Planning this will need to be discussed and reviewed. The Comprehensive Plan has been on hold and the Planning Board thinks that the fundamental issues can be corrected and the plan can be adopted as it's a working document.

Bennett made a motion and Pellett seconded the motion to have The Town Board correct the items that both the Planning Board and the 5 & 20 Citizens group brought to their attention and move forward with the plan as these concerns were essentially the same from both parties, and the plan is supposed to be a working document with an annual review. Vote was carried unanimously.

IV. Minutes of June 2, 2016

Compton made a motion and Pellett seconded the motion to approve the minutes of June 2, 2016. All board members present at the June 2 meeting voted Aye, Bennett and Smith abstained, Vote was carried.

V. Meeting Adjourned

Bennett made a motion and Smith seconded the motion to close the meeting. All Board members present voted aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn
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Planning & Zoning Board Secretary