

Planning Board Minutes
August 4, 2016

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

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

Absent: Andy Hall

Bennett opened the meeting at 7:30 pm.

I. Review of Solar regulations

Bennett stated that once the regulations are put in place the Board will need to figure out where in the zoning code these regulations would go, he asked the Board for their opinions on where to start, Bennett stated he likes how the Town of Seneca's Special Use Permit is written, Compton and Smith agreed. A discussion was held regarding a floating zone, a LDO, Limited Development Overlay vs a Special Use Permit. The Board believes most of the questions or concerns will be self-governed by the district regulations we currently have in place for lot coverage and by implementing the new regulations into a Special Use permit, it was decided that the Board will use the Town of Seneca's SUP as a template and change what needs to be changed to reflect the correct data for the Town of East Bloomfield. Compton asked the Board if they would like to review the regulations for Gurnee, IL he thinks they have some good regulations or definitions to add to or replace the Town of Seneca's. The Board will review them after they go through the Town of Seneca's to see if any further changes need to be made.

A discussion was held on the districts that a solar energy system would be allowed. Bennett discussed the limited amount of Commercial property the Town currently has, and Compton asked what happens to the assessment on an agricultural piece of property if it becomes used for a Commercial venture, he believes it would be assessed differently. Compton gave an example of a one hundred (100) acre Ag parcel used for a Commercial solar system. Bennett stated that you could not get the Ag assessment unless you are farming the land. Rogers stated that only vacant land that is not being farmed would be ideal for this type of venture because if you stop farming the land and use the property for something other than farming you have to pay back taxes. Rayburn asked if a parcel could be used for both farming and a solar system, Rogers stated if you're going to sacrifice a piece of Ag land you would want them to utilize the entire parcel, and it would not be the ideal situation for equipment to be near the panels. A brief discussion was held on regulating land size and coverage vs wattage as the maximum wattage allowed for the entire town of Seneca is sixteen (16) megawatts. Overmoyer stated that the size will be based on the maximum megawatt, as stated in a prior meeting NYSERDA estimates four (4) to five (5) acres are required per megawatt. Bennett stated that they have to follow the regulations for setbacks and lot coverage in each district so this will also regulate the size of the project.

The Board reviewed the regulations for the Town of Seneca, Overmoyer stated he thought that it should be noted that the electrical equipment must be NEC compliant, Compton suggested it should also state UL listed. A discussion was held on the verbiage on page one of sections C, D, E and F. **Page (1)** The Board feels that section D on page (1) covers Overmoyer's and Compton's concerns and that the sections of C, D E & F should be moved above sections A & B and labeled as General requirements for all solar collection systems, changing their letters to A, B, C and D.

Page (2) section D under major systems the listed district's need to be changed to read "all districts"

Fink suggested we add a statement somewhere that the solar arrays should be consistent with the agricultural character of the Town, while maintaining the Commercial viability.

Page (3) section (g) reads *Each solar system or farm shall be designed to minimize the total acreage of developed land.*

The Board suggest adding Finks suggestion to the end of the above.

It will now read as follows: Each solar system or farm shall be designed to minimize the total acreage of developed land, keeping with the agricultural character of the Town, while maintaining its Commercial Viability.

Bennett asked for any further comments, Overmoyer reiterated that he feels it should be written in the regulations that the Town reserves the right to have the application reviewed by a licensed engineer. Bennett then ended the review.

Rayburn will make the changes to the Town of Seneca's regulations and send them to the Board along with the Gurnee IL solar regulations for the Board to review.

II. Minutes of July 21, 2016

Bennett made a motion and Pellett seconded the motion to approve the minutes of July 21, 2016 All board members present at the July 21st meeting voted Aye, Smith and Fink abstained. Vote was carried.

IV. Meeting Adjourned

Smith made a motion and Pellett seconded the motion to close the meeting @ 9:10 pm. All Board members present voted Aye, Vote was carried unanimously.

Respectfully submitted,

Kimberly Rayburn

Kimberly Rayburn

Planning & Zoning Board Secretary