

◦ P L A N N I N G ◦ B O A R D ◦  
◦ S e r v i n g ◦  
◦ C O L D E N ◦ N E W Y O R K ◦

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## Agenda - Planning Board Monthly Meeting – 21Jun16 7PM

-Call to Order

-Roll Call

-Approval of Minutes 17May16 Regular Meeting

-Old Business: Note: *This is a CATCHUP MEETING as we have had long sessions for the last few months and certain items have been deferred. No actionable items came up for June, so this month we shall catch up on the previously deferred agenda items as may be possible).*

*However, we do have a pending Q&A session with a citizen who has questions and a planning board consultation, including Town CEO, on a possible new project.*

**-Citizen Requested Dialog with Planning Board on possible Home Based Business, Campground variation, Educational Entity all located in Ag Zoning (estimated 12 minutes with interactions)**

**-Old Business:**

- **PB Members, BRING your 26Apr16 and 17May16 Working Paper Handout for Reference**
- **Update on Continued Discussion of Solar/PV Permitting Process & Possible Code**
  - **Moratorium for large Solar/PV Farms:** Update From Jesse on the status/outcome of Commercial Solar Farm Moratorium Public Hearing from June Town Board Meeting and pending actions/status, if any. As Jesse indicated during the May PB Meeting, the purpose of the proposed local law is ONLY to allow the Planning Board adequate time to review, formulate, and codify the recommended Colden Local law for all forms of Solar/PV in Colden. It is presumed that all Colden Boards are in favor of renewable energy, but in some selected cases and classes of Solar/PV system size, suitable local codes and zoning considerations may be desired to insure the overall character of the town is preserved while at the same time encouraging development of renewable energy sources. (Jesse, 3 mins)
  - **Evolutionary Overview of Concerns on Solar/PV: (minor update, 2 mins)**
    - Recommend Local Law in support green energy (consistent with NYS guidance), establish various classifications of solar PV installations, and confirm accessory use definition for residential, accept NYS Unified Solar Permit (USP) for some

installations, etc. USP KW limits will be enforced as defined (and changed) by NYS {now 12KW, will likely increase to ~20KW in the near term future}

- **Residence (Principal) structure mounted** : Process through USP with required PE-stamped structural drawings/data
  - **Innovative Technology on Principal or Accessory Structures**: Process through Building Permit with NYS-PE Engineering Drawings/Data (examples are solar skylights, solar awnings, solar structural panels, solar window units, etc., including future evolutionary products integrated into building itself)
  - **Accessory Structure Mounted** (on barns, sheds, outbuildings but NOT poles or other project specific mounting arrangements): Process through USP as permitted accessory use/structure, if occupied structure then PE-Stamped Drawings/Data required as would be needed for Building Permit presently
  - **Accessory Structure Ground Mounted** (pole mount, ground mount): Process through Building Permit now; after NYS USP is changed to GENERICALLY cover ground mounted as default case, then USP after that. (Chairman's Note: here in Colden the pole mounted ground mounted PV systems WOULD presently be defined ITSELF as an accessory use/structure and therefore WOULD presently qualify in Colden under existing NYS USP rules. However in many towns that is not the case. NYS is "tweaking" the USP to define ground mounted systems AS covered by the modified new USP under present evolution.
  - **Large Solar PV Array (Solar Farms) commercial, brokered, leased, or private**: Process via Special Use Permit and Building Permits as applicable and possibly Change of Use. Define KW or MW threshold at which ALL installations are considered in this category. Since "Large" is relative, the threshold would be set by local law and/or be set as any system larger than the limit set by the evolutionary NYS USP rules.
- Matter of First Responder and Fire remains to be defined and/or refined as to how Colden obtains required materials DURING the permitting process since getting them afterwards has been historically problematic in similar cases. Will be defined with attorney coordination. [A training session for first responders is being established through the NY-SUN program and will be taught locally at a Colden facility TBD. Will keep all parties informed. Attendance by the Planning Board and Town Board members would be beneficial.](#)
  - Matter of coordination with Erie County should any DEC or SEQR triggers being impacted by the proposed/permitted Solar PV project; [County 239 Review issues, if any will be considered.](#)
  - [We will take into account some recent NYS initiatives and toolkits which claim to be helpful in creation of local laws and zoning ordinances. Should have draft code for each of the above classes, except Large Solar Farms, by July PB meeting for PB review. Also possible input from other seminar attendees such as JohnA.](#)

- Report back on Temporary Sign from Feb meeting - code, issues which need attention? (10 min, Rich to lead, was **deferred in May** due to needed attendee.)
- Report back from Historic District/Historic Overlay District working group (5 min, Rich & Frank to lead). **At last meeting coordination and review with new Town Historian was recommended.**
  - **Possible discussion with new Colden Town Historian (if his schedule clears for the planning board meeting time slot, so please stay flexible on this).**
- Continued Short Update on B&P Rails to Trails discussions/presentations (2 min, Walt to lead, input from Peter if he attended recent meeting if ECRT)
- Recap by attendees: Municipal Workshop Attendance Updates from Members Attending (5 min, Linda and John to lead since no need for John's Carnac skills this month!)
- Continued Feedback from Planning Board members as to SPECIFIC code sections which should be reviewed and perhaps updates drafted in 2016 (please come with suggestions) (10 minutes if interest warrants)
  - §108-Variou - Rabbits and Chickens and Alpaca, Oh My – Discuss possible issues with animals in R1 & R2, RB and Commercial Zones; are there any issues in Ag which abuts to another zoning? Are these any issues in R1/R2 which is defined at the road frontage and back 300' into Ag backland? Other situations? (10 min, Linda to introduce, was **deferred in May** due to needed attendees.)
  - §108-8 - Certain Public Uses Excluded: clarify school & educational confusion (5 min, Peter to introduce, **reference PB handouts**)
  - §108-various -Satellite antenna provision confusion (5 min, **reference PB handouts**)
  - §108-44.A.40 -Eliminate "highly" cause subjective (3 min, **reference PB handouts**)
  - §108-44.C.2 -Related to above item (3 min, Peter to introduce, **reference PB handouts**)
  - §108-26.5.B (possibly) –Clarify with CEO as to the statutory authority to require PE-Stamped drawings on issues related to structure and/or similar matters on Building Permits (5 min, Peter to introduce his concern, item **deferred in May** due to absence).
- Defer: Planning future budget estimates related to Comprehensive Plan (2002 Master Plan)

**- New (and Items Deferred during April Meeting) Business:**

- SUP Inspection Review (CEO,GP,WK performed reviews)
- Info Update on 1Jun16 Seminar per NY-Sun, held at ECC South by Erie County Department of Environment and Planning, 1.5 hours (3 mins, attended by WaltK)
- Info Update on 15Jun16 NYFB Seminar on "Leasing Your Land for Solar Energy", held by New York Farm Bureau in Yorkshire 3.0 hours, law firm ^ (3 mins, attended by WaltK and BernieH).
- Reminder from NYFB Newsletter: Deadline approaching for Residential Agricultural Discount offered by NYSEG under New York Power Authority's (NYPA) ***ReCharge New York Program***; discount on electricity delivery bill starting 1Sep16 through 31Aug17: deadline 1Jul16 for submission of complete application package, URL at: [www.nyseg.com/ResAgriculturalDiscount](http://www.nyseg.com/ResAgriculturalDiscount)
- Defer: Possible Update of PB Letterhead from circa-1970's Format? (2 mins)

**- Other Such Matters As May Come Before the Board**

**- Adjourn**