

◦ 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 ◦

Agenda - Planning Board Monthly Meeting – 19Jul16 7PM

-Call to Order

-Roll Call

-Approval of Minutes 21Jun16 Regular Meeting

-Old Business: Note: *No actionable items came up for June, so this month we shall catch up on the previously ongoing agenda items as may be possible. Due to several PB members having busy schedules this month we will try to keep the meeting shorter than recent ones with heavy agendas.*

-Old Business: ***PB Members, BRING your 26Apr16, 17May16 & 21Jun16 Working Paper Handout for Reference***

- **Update on Continued Discussion of Solar/PV Permitting Process & Possible Code**
 - **Moratorium for large Solar/PV Farms:**
 - Passed by Town Board after public hearing and deliberations.
 - **Evolutionary Overview of Concerns on Solar/PV: (minor update, 2 mins)**
 - **First Draft In final stages. Will email to PB during the month and discuss in detail at next regular meeting. Same approach as originally outlined below but taking into account recent guideline changes from NYS. JohnA noted at June meeting that only 15% of NYS governmental units have ANY code or research ongoing with respect to Solar/PV. Colden is being proactive on the matter.**
 - **Micro-SolarPV:** Small standalone purchased consumer end user units without grid connection to power things like pond lights, etc.: No permitting needed.
 - **Residence (Principal) structure mounted :** USP
 - **Innovative Technology on Principal or Accessory Structures:** Building Permit with NYS-PE Engineering Drawings/Data
 - **Accessory Structure Mounted:** USP as accessory use/structure, if occupied structure PE-Stamped Drawings/Data and Building Permit.
 - **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.
 - First Responder & Fire Solar/PV data: How Colden obtains required materials DURING the permitting process for safety and 1st Responder data. Being defined with attorney coordination.
 - First Responder Solar/PV Safety: A training session for first responders is being established through the NY-SUN program, taught locally at a Colden facility TBD. Will keep all parties informed. Planning Board and Town Board members can attend. Date and Time will follow.
 - Matter of coordination with Erie County should any DEC or SEQRR 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. **We should have draft code for each of the above classes, including Large Solar Farms available and will email to for PB review well prior to the PB August regular meeting.**

- Report back on Temporary Sign from Feb meeting - code, issues which need attention? (10 min, Rich to lead, was **deferred in May & June** due to needed attendee.)

- Report back from Historic District/Historic Overlay District working group (5 min, Rich & Frank to lead). Note: **At May PB meeting coordination and review with new Town Historian took place.**

- Continued Short Update on B&P Rails to Trails discussions/presentations (2 min, Peter if he attended recent meeting of ECRT)

- Continued Feedback from Planning Board members as to SPECIFIC code sections which should be reviewed and perhaps updates drafted in 2016 (please come with additional suggestions, if any, for near term consideration) (10 minutes if interest warrants)
 - §108-Various - 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? Continued coordination with Town Attorney underway on this matter. Goal was to limit Ag animals in R-zones. Issue of Acreage vs. Placement on the parcel also. Legal review continues.
 - Peter’s drafted summary change list for the following, will review at June meeting:
 - §108-8 - Certain Public Uses Excluded:
 - §108-various -Satellite antenna provision confusion
 - §108-44.A.40 -Eliminate “highly” cause subjective
 - §108-44.C.2 -Related to above item

- §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).
- Recap of enumerations: After discussion it has been determined that in all cases the activities listed in various code sections are NOT a complete enumeration of all possible categories of Home Based Businesses, Home Offices, etc., for all cases of such lists. They are only intended to be examples and NOT a comprehensive list UNLESS the code section specifically states such.
- Tentative, likely defer to August meeting: Planning future budget estimates related to Comprehensive Plan (2002 Master Plan). We were planning that a local expert, with much experience, would consult with the PB during the July PB meeting, although at present pending his schedule that will likely occur in August due to his schedule.
- At June PB meeting there was consultation with a citizen who had questions and a planning board consultation was suggested, including Town CEO, on a possible new project. The discussion centered on a possible Home Based Business, Campground/Camp variation, and an Education-related initiative, all located in Ag Zoning. CEO approach was to treat as an accessory use & structure, and process accordingly if the project is initiated. The PB is consulting with the Town Attorney to determine if any other issues exist, and that will be reported in August based upon the new submittal by citizen and legal review.
- Fees & Fines: Review of suggestions from working group on fees and *finer if final recommendation of the committee report is available* from working group in time for meeting. {Reference discussion at the June PB meeting}. Per code, the PB is to review annual fees and make recommendation to TB on them; we will do that if chart is available if not next month.
- Change Of Use: As noted at the June meeting, the Article XXI Para 108-112 (page 108:87) “Site Plan Review” is the governing code for the authority of Change Of Use. During the June meeting some PB members indicated that perhaps that code section could be examined. If interest still exists, discuss at July meeting.

- New Business:

- No items have been identified for June meeting.

- Other Such Matters As May Come Before the Board

- Adjourn