

# ◦ 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 – 26Apr16 7PM

-Call to Order

-Roll Call

-Approval of Minutes 15Mar16 Regular Meeting

-Old Business: Note that items marked Defer are in general due to the excused absence of Rich during tonight's meeting, but deal with items where he is directly involved; other due to external schedule issues. All will be addressed in May meeting.

- Continued Discussion of Solar/PV Permitting Process & Possible Code (15 min)
  - *PB Members, BRING your 16Feb16 Working Paper Handout for Reference*
  - *Straw Man Overview by Chairman*
    - 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 99% probable (per legal advice) 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 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.
  - Matter of coordination with Erie County should any DEC or SEQR triggers being impacted by the proposed/permitted Solar PV project.
  - Poll for general PB interest in informational briefing by Chairman in May or June regular PB meeting (vs. independent date for “workshop” or “training” meeting)
- Defer: Report back on Temporary Sign from Feb meeting - code, issues which need attention? (10 min, Rich to lead)
- Defer: Discuss “crossing Residential to get to Ag” when principal not present and/or no resident landowner on contiguous parcel per CEO regarding Erie County Info {ref Feb minutes} (10 min)
- Reminder: **Safety/Hazard Training on April 27, 2016** {ref Feb/Mar minutes and Chairman’s prior email on 4/7/16} (2 min)
- Defer (unless Frank can give update): Report back from Historic District/Historic Overlay District working group (5 min, Rich to lead)
- Short Update on B&P Rails to Trails discussions/presentations (2 min, Walt to lead)
- Municipal Workshop Attendance Updates From Members Attending (5 min, Linda and John to lead)
- Info Exchange Feedback from Chairman’s 21Mar16 email about online facilities (5 min)
- Defer: Planning future budget estimates related to Comprehensive Plan (2002 Master Plan) (5 min)
- General Update for Northern Access 2016 Project and change of commissioning (5 mins, Walt to lead)

**- New Business:**

- 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) (15 minutes if interest warrants)
  - §108-Variou s - 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)

- §108-8 - Certain Public Uses Excluded: clarify school confusion (5 min, Peter to introduce)
- §108-various -Satellite antenna provision confusion (5 min, Peter to introduce)
- §108-44.A.40 -Suggest to eliminate "highly" cause subjective (3 min, Peter to introduce)
- §108-44.C.2 -Related to above item (3 min, Peter to introduce)
- §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).
- Short Information Update on the Erie County Charter Revision Commission and the potential for the formation of an Erie County Planning Board (ref mainly "239-Approvals" as our PB has been involved with in the past; rare in Colden usually). PB Chairman attended 4/7/16 Public Hearing per Jim's request.
- Defer: Possible Update of PB Letterhead from circa-1970's Format? (2 mins)
- Defer due to Rich's excused absence: Clarify and define the scope and code guidance on the limits and thresholds for "Change Of Use" processes in Colden. (15 mins, Rich to introduce)

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

**- Adjourn**