

# PLANNING • BOARD •

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## Agenda - Planning Board Monthly Meeting – 21Mar17 7PM

-Call to Order

-Roll Call

-Approval of Minutes 17Jan17 Regular Meeting

-Old Business: *No new actionable items* came up for March.

-Main Goal of Tonight's Planning Board Meeting: As time permits we want to dispense with items still pending resolution/recommendation by the Planning Board from 2016.

-Old Business: *PB Members, BRING your recent Working Paper Handouts for Reference*

- {Ref: Prior PB Recommendation to accept subcommittee Fees & Fines document:} Planning Board ratification as to certain changes to the Fines and Fees recommendation which was previously approved by PB... issue relates to multiple duplex & 3+ unit cases... TB suggestion to correct fee wording to reflect \$375 + \$100 per unit. Peter, Rich and Jesse to comment.
- Continued discussion by Planning Board towards a formal recommendation to the Town Board for Colden involvement in the NYS Clean Energy Community initiative. Discussion as to our possible selected "High Impact Areas" for implementation in Colden. Item is followup to the presentation by staff of the University of Buffalo Regional Institute that happened at our January 2017 meeting. Dovetailing of this into our Solar/PV code is a goal. The objective is to incorporate the CEC into planning for Colden's compliance and support certain NYS initiatives related to the CEC programs. Walt will review information to date under consideration.
  - Links to Clean Energy Communities and UB Regional Institute:
    - <https://www.nyserda.ny.gov/All-Programs/Programs/Clean-Energy-Communities>
    - <http://regional-institute.buffalo.edu/>
- Report back and final discussions on Temporary Sign from Feb meeting - code, issues which need attention? Review the comments from PeteN and discuss concerns to determine final Planning Board action item for this sign issue. {10 mins, Pete and Rich)

- Report back and recommended actions, if any, from Historic District/Historic Overlay District working group (5 min, Rich & Frank to lead). Note: At May16 PB meeting coordination and review with new Town Historian took place as to possible mutual interest in this matter; to date no collaboration areas have been identified and general interest is questionable and/or perhaps not applicable. We will determine if we are eliminating this topic for near term considerations.
- Accessory Structure/Use Discussions – Review concepts between existing Colden code and discuss as to it certain changes should be made to the existing code for some districts. After determination of interest, set up subcommittee to review and consider alternatives if appropriate. Discussion with Code Enforcement on issue continues from last meeting.
- Continued discussion regarding Animals in certain zoning: Code §108-Various - Rabbits and Chickens and Alpaca, etc. – Discuss possible issues with animals in R1 & R2, RB and Commercial Zones; are there any issues in Ag which abuts to another zoning? Are there any issues in R1/R2 which is defined at the road frontage and back 300' into Ag backland? Possible issue was to limit Ag animals in R-zones. What should apply in the frontage 300' R1 Zone with Ag backland? Issue of Acreage vs. Placement on the parcel also. Is this topic still an action item under consideration or has it been dispensed with as a non-issue presently and into the future? Discussion with Code Enforcement continues on this issue.

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- **{deferred for March, since draft code still pending}**: *Update on Continued Discussion of Solar/PV Permitting Process & Possible Code*
    - Moratorium for large Solar/PV Farms:
      - Passed by Town Board through November. Extend into February is requested.
    - Evolutionary Overview of Concerns on Solar/PV:
      - A continued revision of plan due to new guidelines and recommended code is delayed due to recent changes in USP and other NYS parameters. We will continue, pending time, more PB member feelings on the matter of PV setbacks from property lines and/or structures ON the parcel where the installation will be done.
    - Discussion by PB members as to setback ideas for each class of solar based upon recent action by NYS, Solar Smart, and PV Guideline documents, will formalize these ideas in draft local law and incorporate into PB's PV code recommendation:
      - MicroPV – small consumer units, still no town involvement
      - Roof Mounted Residence – No issues, now building permit only, will become USP only. New USP now up to 25KW (was 12KW) for residence mounted system (Residence PV was at 25KW since circa 2011, but old NYS USP only allowed up to 12KW before, now 25KW).
      - Roof Mounted Accessory Building – Normal accessory setbacks will apply. What process for code enforcement on integrity accessory building and ability to

support PV roof loading? How should this be addressed in Colden, if at all? New USP allows this category to 25KW so significant PV possible in this class.

- Ground Mounted Accessory Structure PV – Now in NEW USP up to 25KW (was not defined in USP originally, but due to Colden local code, we treated as accessory use/structure). Now this class specifically included in revised USP). What setbacks should apply? Normal Accessory Structure setbacks or special setback for this PV use? How about placement on lot? Rear yard preference “recommendation” or more formal code? Should this class be allowed in all zoning?
  - Large Scale / Solar Farm Commercial PV – this is via SUP, but should additional code restrictions for boundary lines be defined? Should setbacks differ in size based upon nature of adjoining parcel(s)? For example a parcel in Ag which has ALL adjoining parcels in Ag, versus a parcel at the edge of an Ag zoning whose adjoining parcel is NOT in Ag zoning (ie. The zoning boundary issue). This is new concern NYS trainers mentioned. Should class be limited to Ag zoning?
  - Per recent specific PB questions on bonds: No NYS delegation of authority to local governments for requirements of performance, abandonment, or other surety bonds. Impacts planned solar and existing wind turbine local laws.
  - Concepts and complexity introduced by recent decisions and changes related to NYS Ag District PV installations since NYS guidance is that this class is usually exempted from local “burdensome” restrictions or code. Thus a new issue to consider here for local laws.
- {Continuing activity into 2017} In the past we have had several briefings from the Erie County Department of Environment and Planning (EC DEP) staff dealing with the Erie Niagara Regional Framework which is a prescriptive planning initiative at the regional WNY level. The UB Regional Institute has created a parallel plan called One Region Forward which is a different look at how the future of WNY can be structured. At the Planning Board January 2017 meeting we UB staff gave short presentation on One Region Forward which is a non-prescriptive plan that is more goal oriented. During 2017 the PB has a goal to review the UB plan to determine if we would like a more detailed in depth presentation at a 2017 PB meeting. In January 2017 PB members were supplied with hardcopy handouts for our files and examination. Walt will also schedule a presentation from EC DEP to update the PB on any new developments with the Framework philosophy. The end goal of this relates to the desire to review and perhaps update the existing Colden Master Plan in order to turn it into a more complete NYS compliant Colden Comprehensive Plan including an appropriate supplement which would be a Colden Farmland Protection Plan. The Planning Board will keep everyone informed as to activities on this matter for the summer of 2017.
  - {Continuing activity into 2017, after gathering more budgetary information}: Planning and develop background information for future budget estimates related to review and update for compliance of Comprehensive Plan (aka. Existing 2002 Master Plan). Activity underway to have presentation by at least two engineering consultants who do Comprehensive Plan reviews and updates and supply guidance for same. Schedule being coordinated, one firm set for November.



- {Continued activity into 2017}: Discussion on Special Use Permit expedited & abbreviated renewal considerations and procedures. Consider and review and changes to Town's regulatory code to specifically allow for the expedited and easy renewal cases which have occurred in past couple of years and identify the process for such actions in formal code procedural section(s).
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**- New Business:**

- Assigned review of Dog Kennel issues, if applicable.
- **- Other Such Matters As May Come Before the Board**
- **- Adjourn**