◦ PLANNING ◦ BOARD ◦
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◦ COLDEN ◦ NEW YORK ◦

Agenda - Planning Board Monthly Meeting – 16May17 7PM

-Call to Order

-Roll Call

-Approval of Minutes 18Apr17 Regular Meeting

Kennel Special Use Permit Review – Janis Kidd (8860 Phillips between Partridge and Holland Glenwood Roads)

- SUP Procedural Rules (P.o.F., Rrules, etc.)
- Introductory comments by applicant
- Review of Environmental Board SEQR findings (negative determination recommendation)
- Planning Board review of submitted Special Use Permit application and attachments
- Planning Board review of submitted citizen written comments and concerns
- Deliberation as to any appropriate restrictions and/or special conditions of permit
- Determination as to if all information is complete and PB can make recommendation
- Motion (if appropriate) for disposition of the SUP and make Planning Board Recommendation
- Closure of SUP Review for this meeting

-Main Goal of Tonight's Planning Board Meeting: After SUP topic, as time permits, we want to continue the tabled agenda topics from our April 2017 meeting due to the SUP and Citizen topics running longer than expected. Then we will continue dispensing with 2016 items pending resolution/recommendation by the Planning Board and continue to formalize remaining initiatives for 2017.

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

Kennel Special Use Permit Review – Diane Farish (10025 Partridge Near NE Corner @ Center)

- Discussion remaining from last month, review revised site plan with annotations. Discussion of Kennel versus Dog Run (fenced area).
- Review of recommended restrictions, conditions, and provisions on Kennel SUP.
- Motion, Discussion & Vote (if appropriate) for disposition of the SUP and make Planning Board Recommendation to the Town Board
- Closure of SUP Review for this meeting

- 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 follow-up to the presentations from PB January 2017, February 2017 (to TB) & PB March 2017. The objective is to incorporate the CEC into planning for Colden's compliance to support certain NYS initiatives related to the CEC programs. Specific assignments will be made to stimulate progress.

- Report back and final discussions on Temporary Sign from Feb meeting - code, issues which need attention? Board to review comments from PeteN; 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 – Bobby will present his initial findings relative to similar nearby Towns code similarity to Colden's regulations. Review concepts between existing Colden code and discuss as to it certain changes should be made to the existing code for some districts. Discussion; 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. – As agreed in March, Rich and Linda will summarize. 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? 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. Discussion and then determine if this is still 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 with specific examples from recent past.

- ***{deferred for May, since draft code still pending}:*** *Update on Continued Discussion of Solar/PV Permitting Process & Possible Code,* ***(NEW) must add water management and drainage code requirements for Solar Farms.***
    - 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.
    - 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.
        - Roof Mounted Accessory Building – Process via USP. Normal accessory setbacks will apply. What process for code enforcement on integrity accessory building and ability to support PV roof loading? 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. 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 – will be permitted use in Ag via SUP, but additional code restrictions for placement on parcel. Will setbacks differ in size based upon nature of adjoining parcel(s)? Example is 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. zoning boundary issue). This is new concern NYS trainers say is problematic. 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. A new issue to consider for local laws as restrictions may be waived, even for a SUP situation.

- {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 the UB staff gave short presentation on One Region Forward which is a non-prescriptive plan that is more goals 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).

- New Business:

- Assigned review of Dog Kennel issues, if applicable.
- NYS Broadband Initiative Phase Three (Round #3), assignments as to PB action item on newest census tract cartographic data release from NYS (Pete, Walt)
- Northern Access 2016 Update (National Fuel 24" Pipeline Project) Status in Colden (Walt)
- NYSEG Distribution Power Line Thinning Activity in Colden commences approximately in two weeks (no activity on 345kv transmission assets, that will likely be in Summer of 2018). "Asplundh Tree Expert Co." will be contractor doing work. (Walt)
- Analyze/Coordinate with NYSERDA Contractor for possible Solar PV building mounted installation(s) on Town Structures. Assign PB co-coordinator for this. (Walt + PB member + PaulC HwyDept).
- Establish additional PB member who will attend Code Enforcement orientation/training with JohnK, Walt, and TB member and the NYS Representative from CEC program.
- Clarification of "building line" setback for odd shaped lots (parallel or intersecting?)

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

- **- Adjourn**