

◦ 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 – 15Aug17 7PM

-Call to Order

-Roll Call

-Approval of Minutes 18Jul17 Regular Meeting

-Main Goal of Tonight's Planning Board Meeting: We want to continue the tabled agenda topics from our June 2017 meeting which ran "overtime" due to long agenda. The most critical factor is the review and consensus on certain SPECIFIC Colden Solar Energy Conversion System (SECS) code/zoning changes as discussed at the 3Aug17 Town Board Workshop, after which the Version #26 of the SECS was sent back to the PB for clarification of specific items.

-New Business:

None identified as of this date.

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

- Discussion by Planning Board regarding Version #26 of the Colden Solar Energy System code chapter and any related zoning matters. Objective is to resolve the questions from the Town Board as evolved during the 3Aug17 Solar Workshop. The TB, quite properly, sent the proposed SECS Chapter 107 back for limited revision(s). The PB updated recommendation will be resolved at our August Regular Meeting. Any coordination with the Town Attorney will be done after the Planning Board reaches a consensus on any changes, well prior any additional TB workshops and announcement of the Public Hearing date. A draft "of possible changes" for the TB concerns will be supplied to the PB members via email prior to the August PB meeting.
- Discussion by Planning Board regarding the necessary Chapter 108 changes to "permitted uses" in each zoning district by reason of the proposed Solar Energy Conversion System Chapter 107. None of the Chapter 108 changes are impacted by the discussion topics as above so a final PB recommendation on this matter should be possible at the meeting. A draft of the Chapter 108 changes will be supplied by email to all PB members prior to the August PB meeting. They are merely administrative in nature.

- Discussion by Planning Board regarding our recommended changes to the prior Fines & Fees Schedule (Rev#4) as sent to the Town Board under a Planning Board recommendation of 12Apr17. Additionally, Jesse has previously indicated that the TB, and/or Code Enforcement, had one other change which was desired. We want to resolve both of these matters at our August PB meeting.
- The Town Board Resolution for CEC Benchmarking that was passed at the July meeting resulted in an approval by NYS; thus, this High Impact Area is complete and data processing is underway; Walt is coordinating with UBRI on remaining data elements needed for the actual “work” under the benchmarking task(s).
- The Town Board Resolution, passed at their July meeting, for using the Colden Unified Solar Permit (USP) in our Solar Energy Conversion System permitting process, has resulted in a preliminary approval by NYS & NYSERDA; Walt is getting two additional administrative forms completed in conjunction with the Supervisor’s Office, and will supply those to UBRI and NYSERDA when available this week. Upon sending that transmittal, this High Impact Area will be complete and the stipend should be processed for the benefit of Colden’s citizens.
- CEC Update on Code Enforcement Training High Impact Area; progress is disappointingly slow with still no definitive schedule set for the “training” session to kick that off. Coordination will continue. Therefore, no progress on this High Impact Area to report. When scheduled training seminar attendees will be JohnK, GerryP, BobbyW and WaltK.
- Report back and final discussions on Temporary Sign from June and prior PB meetings. If a decision to move forward, this recommendation will need to be drafted and passed by the Planning Board at our September 2017 Regular Meeting. So, in August Planning Board will review comments from PeteN; discuss concerns to determine final Planning Board action item for this sign issue. Code Enforcement input is desired also. {10 mins, Pete and Rich)
- Continued Accessory Structure/Use Discussions – Bobby will present any new 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 as appropriate. Discussion with Code Enforcement on issue continues from last meeting. This matter includes the “Tiny House” movement as well as the “Treehouse” movement that has impacted some towns already in NYS since Zoning usually does not cover these structures.
- Continued discussion regarding Animals in certain zoning: Code §108-Variou s - At the June meeting the Chairman requested that the board members think about this longstanding matter and come to a consensus IF the Planning Board should consider and/or recommend any changes to the existing Zoning on this topic and present them in August to the PB members. Absent that we shall consider this matter closed unless future action warrants.

- SUP Recommendation Status: The Janis Kidd Kennel SUP had the Public Hearing at the August TB meeting; the comments from the public were considered, and the TB took action. The SUP was approved. The Farish Kennel SUP is still being reviewed by the TB. PB recommendations have been supplied on both of the Kennel SUP applications.
- Press Change of Use Recommendation Status: The Press COU, including the PB recommendation, was reviewed by the TB at the August TB meeting, and action was taken to approve that change of use.
- NYSEG Roadside Distribution Power Line Tree Thinning Activity – ***still no obvious activity*** by contractor in Colden so will determine status once again on this schedule. “Asplundh Tree Expert Co.” will be contractor doing work. (Walt)
- Town of Colden Highway Department Solar Panel CEC Initiative Update – Walt will update the Board on the activities related to this ongoing possible initiative in Colden based upon the 22Jun17 meeting with Solar Liberty at Town Hall. PB Attendees at that meeting were BobbyW and WaltK. This item is a longer term action which may relate to a CEC High Impact Area milestone; Walt is addressing possible funding opportunities outside of the NYSERDA funding to make sure the Town Board is aware of all likely alternatives researched by the Planning Board.
- Possible revisiting of the existing Colden Kennel code and to consider changes if consensus is that the existing code is overly burdensome for non-commercial private dog owners. There is some support for making private, non-breeding, dog owners having a different permitting process than the existing 3+ dog limit Special Use Permit process; the counterpoint is that permitting as it exists is probably appropriate and needed for commercial and/or active breeding kennels and other kennel related ventures such as boarding, etc. Discussion on this reopens an earlier recommendation from several years ago that was sent to the Town Board. Subsequently, perhaps even that approach needs reconsideration due to the passage of time and different conditions of late. It seems that control of barking is a Dog Control Officer matter and probably does not require adoption of a “noise ordinance” for Colden.

Items Planned to be deferred in August:

- ***{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 expected for 2017. Funding sources are also being still investigated as time permits.

- ***{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 more engineering consultants who do Comprehensive Plan reviews and updates and supply guidance for same. Schedule being coordinated, one firm set for November.
 - ***{Continuing activity in 2017; Farmland Protection Plan}***: Continued activity to determine the best method of getting a Farmland Protection Plan in place for Colden, perhaps irrespective of the action(s) on the Comprehensive Plan, which once adopted, could integrate the Farmland Protection Plan into the Comprehensive Plan via reference.
 - ***{Continued activity into 2017: Expedited SUP Renewals}***: 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:

None identified for August as agenda items.

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