

◦ 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 – 16Jul19 7PM

-Call to Order

-Roll Call

-Approval of Minutes 18 June 19 Regular Meeting

-Main Goal of Tonight's Planning Board Meeting: Continued discussion on Keith Van Lew Special Use Permit Submissions. Some updates for activities or lack thereof, status of ongoing actions. There will be a limited discussion on certain old and new action items. Tabled items will be addressed when coordination with other Colden officials can be addressed in an efficient coordinated manner between all parties.

-Continuance of Keith Van Lew Special Use Permit (SUP) by Planning Board and CEOs. Comments:

- (1) Parcel is in Ag Zoning, Shops/Mechanical Trades/Home Business (mechanical services, minor collision and resale) *is a permitted use*, in this case with SUP, per §108-36(21) and Article XXII,
- (2) Parcel is in Ag on SBL229.00-1-35.2, and is 3.1 Acres for SBL shown; Parcel's first 300' of depth is R2-Zoning which limits certain uses *in that portion* of the Ag parcel,
- (3) Requires Change of Use per CEO Order to Remedy dated 12Apr19,
- (4) Nearby citizens were notified, responses included in the applicant's SUP submissions, a supplemental citizen objection response was received 7/15/19, reviewed, and has been added to the Planning Board's SUP files,
- (5) SEQR was required and Negative Dec (no impact) Recommendation from Environmental Board,
- (6) Coordination with NYS DEC on topic of wastewater per 5Jun19 DEC email; PB questions from Jun19 meeting were addressed by applicant in amended letter, and applicant's July Submission of oil separator specification sheets,
- (7) Activity on SUP must be more than 300' back from road ROW centerline,
- (8) Placement of activity is in accordance with the applicable Zoning in Ag and existing accessory building is a properly permitted, and placed, accessory building with a prior duly and properly approved building permit in the Town's records,
- (9) The fenced yard as shown on the July 2019 revised site plan drawing is in accordance with Ag setbacks and the Planning Board recommends that, as a good neighbor, the fenced yard be of a design which is a cost effective visual barrier to yard contents. The fenced area will contain the applicant's inventory and work-in-progress items and components,
- (10) Some reasonable limit should be considered for maximum number of vehicles present at any one time; vehicles placed as best as possible to minimize visual impact to surrounding parcels; it is suggested that the wooded character of the applicant's parcel be maintained going forward and plantings are

encouraged to replace dead or diseased trees and evergreens, and we also encourage keeping the forested nature of the driveway approach to help any negative visual impact from the road.

(11) We encourage visual mitigation on the side and rear lot lines (for example: maintain existing trees, evergreens, shrubs, etc.), and acoustic mitigation (for example: the exhaust fan noise abatement system explained by the applicant). This should be maintained and considered due to the proximity of adjacent parcels, which while presently vacant land, could have permitted residential or Ag development in the future,

(12) This SUP is similar to others in Colden with similar circumstances,

(13) Planning Board's Site Plan Review per §108-112 using amended site plan drawing and owner's letter will be done, coordinated with the CEO, and included in our recommendation to the Town Board,

(14) For this use a SUP is mandated per Article XXII + §108-121,

(15) Discussion of other factors the Planning Board members feel are appropriate, for determination of facts, during SUP discussion,

(16) Prerequisite is an approved Change of Use Application by CEO.

(17) Action on this application was tabled after June 2019 discussion pending supplemental submissions.

(18) The Planning Board, with perhaps additional submissions, will supply an advisory recommendation for this SUP to the Town Board when all information is adequate for a proper PB consensus that is reached and passed.

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

- **LUCA** – Peter complete until August 2019 timeframe, so no updates until then.
- **ECRT** – Peter will report any issues of significance, if any.
- **Bobby's Action Items:** Give updates if appropriate.
- **Rich's Actions Items:** Rich to update the members on any new thoughts/ideas regarding smaller homes and any impacted applicable codes (NYS and Town) for each zoning district in Colden.
- **General Update on NYSEG LED Streetlight Conversion Action** – All LED street lamp conversions were completed and confirmed via formal letter from NYSEG to Planning Board indicating such. Walt will now submit the letter and pole upgrade details to NYSERDA so that Colden will get another CEC High Impact Area credit.
- **Colden's Clean Energy Community Initiative Updates** - Several activities since last meeting took place. They include:
 - The Solarize Southtowns public event kickoff was held on 20Jun19 in Springville at 5PM at UNOVA, 29 Mechanic St, Springville; weather didn't cooperate so the concert was moved indoors and free supper and other activities took place at UNOVA, including introduction of the awarded installer and opportunity for citizens to sign up. Interest in Solarize was good although many have the Springville municipal utility as their energy supplier and since there are no payments into SBC those citizens are NOT eligible for any NYSERDA Solarize stipends so that limits the financial benefits to those residents of the municipal utility service area in and near Springville.

- Subsequently on 10Jul19 Colden, Green Springville, URBI and Solar By CIR presented a seminar workshop at the Colden Fire Hall on 10Jul19 from 6:30PM to 8PM where citizens can meet and learn about the PV installations as well as the low to moderate income Solar-For-All initiatives. Sadly only about 12 households in Colden were represented due to a bad decision by the selected installer to mail out the promotional information way too late with an unclear level of postage, perhaps bulk or third class?. There are many of us whom STILL did not receive the mailing. Solar By CIR agreed to hold another workshop in Colden at a future (to be determined) date, time, and location. In any case, approximately 10 Colden households signed up for site visits and evaluations and proposals by reason of this workshop.
 - We will work to our NYSERDA CEC goal of either 10 Solar-For-All and/or 10 New PV Installations in Colden during the Solarize period which expires 12/31/19. Meeting either or both of those targets will earn another High Impact Area certification for Colden.
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- **Continued Discussion of procedures and fees for changes, upgrades, modifications and new co-locations of telemetry and telecommunications/media broadcast equipment on existing Tower facilities in Colden should be reviewed by CEO staff.**

 - ***Planning Board Update at Town Board Workshop*** – No PB update was scheduled.
 - ***Prior PB Agenda Items B3, B4 are tabled by the PB Chairman until further notice***
 - ***Prior PB Agenda items B5, B6, B7, B12, B13, B14 are tabled by the PB Chairman until further notice.***

 - ***B15: Flag Lot Cases, and do we need definition of Flag Lot viz-a-viz subdivision issues?*** This topic will be discussed at the meeting & get PB member comments about Marilla code distributed last month. Based upon discussion we may table item B15 also.

 - ***B16: Zoning changes for 5G Cellular Equipment Installations: Tabled by the PB Chairman until further notice, although scheduled of Fees is now added to Colden Fines and Fees chart.***

 - **Local Planning For Agriculture Training Session 3Apr19 – tabled by the PB Chairman until further notice.**

 - **Still Awaiting Erie County Response BEFORE Colden takes local action... NYS Ag&Markets Law Regarding actions within 500' of Parcel in Ag Overlay District: No Erie County progress! PB doesn't have the expected recommendation yet; will report recommendation as soon as feedback from ECDEP is received. Town Clerk supplied Chairman with info on a new service sold by the code publishers but upon review it was determined that that database likewise reflects the EC status so does not help even if the service was purchased by the Town Board.**
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- New Business:

- **Formal new Town business:** None which required actions were identified for this month, and none were referred to the Planning Board by Code Enforcement, the Town Board, or the Town Clerk, as requested agenda items.
- **- Other Such Matters As May Come Before the Board**
- **- Adjourn**