

◦ 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 – 16Apr19 7PM

-Call to Order

-Roll Call

-Approval of Minutes 19Mar19 Regular Meeting

-Main Goal of Tonight's Planning Board Meeting: Reports on old business, updates for recent activities or lack thereof, determine status of a few ongoing PB actions, and initiate discussion on any new action items and tasks. For reality reasons the PB will table some old business topics until they can be properly addressed in an efficient coordinated manner between all parties.

-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 attended a recent meeting of the West Falls-Colden Rails to Trails focus group and will report any issues of significance at the PB meeting.
- ***General Update Regarding Spectrum Cable/Infrastructure Expansion for Colden*** – None, as of 15Apr19, Chairman emailed Mark and will report if anything new learned before PB meeting.
- ***Colden's Clean Energy Community Initiative Updates*** - Several activities since last meeting took place. They include:
 - Walt attended 4th organizational meeting at 7PM on 26Mar19, at Green Springville HQ. First, prior to the meeting Walt emailed specific Colden dates for promotion of the Solarize Campaign; he included all KNOWN public events & related activities. Second, a DRAFT Request For Proposal (RFP) for Solar Installers was discussed and examined for content. Subsequently a new draft was emailed; Walt offered comments back on 13Apr19. Third, the impact of unfortunate NYS policies for Net Metering was discussed in response to Walt's questions. This must be stressed during marketing of the Solarize campaign since it expires at end of 2019; systems in operation by then will be grandfathered for 20 years. A key financial issue for most citizens. Fourth, continued dialog to establish a Multi-Community Solarize Consortium so that "low cost solar PV"

via Solar-For-All could be offered to Colden's citizens in conjunction with the provisions of the program. The next meeting: 7PM 23rd April 2019.

- As reported last month UBRI and Green Springville submitted the "Multi-Community Solarize Southtowns" proposal to NYSERDA. On 12Apr19 NYSERDA accepted our program. SIX Towns will participate. A consortium of 6 Towns it should be attractive for NYSERDA-Approved PV installers. The RFP will be sent 19Apr19. Due early May 2019.
- **Planning Board Update at Town Board Workshop** – A PB update was done at the April 11th 2019 TB workshop meeting. Progress was mixed.
- **B3: Discussion on 2010 vs. 2015 Grass Height in Zoning (NYS & Colden)** – State code has changed, and PB felt Colden should just establish "a 10 inch limit", and then use State Code provision which allows: "...as determined by Municipality". After workshop discussion, the TB recommends 8" be proposed. Walt, after approval received, will speak to Town Attorney as to how he wants to draft code changes; likely no reason for PB to draft it.
- **B4: Renewable Energy Storage Concerns and Issues for Colden** - Walt, Peter and Bobby took part in the 2 ½ hour NYSERDA Webinar on this topic starting at 5PM 10Apr19. We will report at the meeting. Walt's has started drafting a recommended Colden Code Chapter, but due to issues, he will delay that effort for at least 45 days based upon the Town's appetite to address this matter.
- **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:** Due to the potential impact of the deployment of this new 5G system in Colden regulations should be established and fees set within the limits established by the Federal authorities. See PB February Handout. Walt attended a seminar by Clarence Planning Board members and Verizon at Clarence Town Hall at 2PM on 22Mar19 where 5G & Small Cell Network were discussed. Walt explained previously the deployment is very heavily regulated by the FCC at the Federal level and thus local restrictions/fees are restricted. Prior to the TB workshop, Walt emailed a recommended addition to the Fines & Fees table for 2019 so that the basic fees (presumptively reasonable FCC guideline) can be added by resolution at the May TB meeting, pending the post-workshop TB agreement. The FCC mandate is that fees should be established prior to the mid-April 2019 deadline; there are rumors that deadline will be extended until 18May2019, but in any case the PB recommendation is made. The proposed fees for Colden are within the guidelines for all items charged for permitting and inspection. Walt is about 60% done drafting a Colden Code Chapter for this telecommunication issue, but he will delay that effort for at least 30-45 days pending Town interest in addressing it.

- **Local Planning For Agriculture Training Session 3Apr19** – A seminar was held in East Aurora from 6PM-8PM at the Roycroft Campus, Dard Hunter Hall. Topics included (1) Agricultural District Program, (2) Implementation Grants, (3) NYS Dept of Ag&Mkts Municipal Planning Grants, (3) Solar Siting on Agricultural Land, (4) Agritourism, (5) Participant Q&A. Walt attended and the meeting was surprisingly excellent as both the NYS Ag&Mkts speaker and the ECDEP coordinator did a good job on the subject matter; Walt concludes that there are issues which Colden should address related to this subject, but Walt is deferring action until the existing logjam is eased.
- **NYS Ag&Markets Law Regarding actions within 500' of Parcel in Ag Overlay District** – Erie County has 14 Agricultural Districts. Colden does not have one if it's own, but parcels in the Town of Colden are annexed onto two adjacent Ag Districts, in particular No.11 (Holland) and No.15 (Concord). In late 2018 the Erie County Legislature accepted the recommendation of the Erie County Agricultural & Farmland Protection Board and at their 6Dec18 Meeting approved inclusion of 41 additional parcels into existing Ag Overlay Districts within Erie County. 11 new parcels are in Colden. NYS Ag&Mkts Law requires that when a special use permit, site plan approval, use variance, or subdivision of a parcel, is done within 500 feet of a parcel in an Ag Overlay District then an *Agricultural Data Statement* must be obtained by the citizen, completed, and submitted to the Town Clerk and to the Erie County Department of Environment & Planning. The purpose is to allow evaluation of possible impacts of the proposed project on nearby operations with such Agricultural Districts. The PB is still working work with the Town Clerk and Town Assessor to develop mapping resources which will assist the Code Enforcement Officer and the PB when determination of the 500' criteria must be considered. Additionally at the 3Apr19 seminar Walt spoke with the Erie County Dept of Env & Planning representative who was familiar with the existing EC Internet Mapping Services and he will coordinate with Walt as to if that facility can support our needs ASSUMING the database is updated since many parcels are NOT presently shown properly on that mapping graphics. Therefore the PB does NOT have the expected recommendation this month; the PB will report our recommendation as soon as feedback from ECDEP is received.

- 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**