

Colden Planning Board Meeting

August 20, 2019

Planning Board
Members Present: Frank Hrycik, Walt Kammer (Chairman), Linda Kotlarsz,
Peter Newsom, George Reinhardt, Rich Sheldon and Bobby Walker

Also Present: Jesse Hrycik (Councilman), John Kotlarsz (Bldg. Insp/Code -
Enf. Officer), Tom Dziulko (Fire Inspector/Asst Code – Enf.
Officer), and 1 Citizen

The August 20, 2019 Planning Board Meeting was called to order at 7:02 PM in the courtroom at the Colden Town Hall.

July Minutes

The Board Members reviewed the July minutes. Rich motioned to approve the minutes and Bobby seconded. All were in favor.

Keith Van Lew Special Use Permit (SUP) by Planning Board and CEOs

Walt gave an informal (no action required or taken) update regarding Keith Van Lew's Special Use Permit (SUP). Walt worked with the Town Clerk and the Town Assessor creating a list of landowners within the buffer zone provisions of Code 108-121.B(2). The recipient of the FOIL request and Mr. Keith Van Lew received a copy. The Planning Board's recommendation was passed during the July meeting, and thus no action was taken during the August meeting.

LUCA

Peter stated that he will be working with the Town's Assessor to update the list with any new changes and/or new residence builds which need to be added to the database under LUCA.

ECRT

Peter didn't have any updates.

Bobby's Action Items

Bobby didn't have any topics to discuss.

Rich's Action Items

Rich is waiting to schedule a meeting with the Town Enforcement Officers and had nothing new to report.

Spectrum Cable Enhancement Status

Walt gave an update to the Planning Board Members that cable services in Colden will be finished by the end of the 2019 year for certain areas. Walt will also supply the Planning Board with an updated map which will indicate service allowed in areas, so the Town Clerk and other Town Officials will be in position to accurately respond to basic questions regarding cable. Walt will advise when it's available and will supply the document to all parties. (Chairman post meeting note: new policy of Spectrum requires that the maps are no longer available, the Chairman will update everyone, as possible, at the September Planning Board meeting).

Colden's Clean Energy Community Initiative Updates

Update from the August 17, 2019 Colden, Green Springville, URBI and Solar by CIR presented a seminar workshop at the Colden Town Hall. Citizens were allowed to meet and learn about the PV installations and in addition to the income-qualified Solar-For-All initiatives. At the August workshop, approximately five Colden households were present and signed up for site visits/proposals and evaluations by CIR.

Walt mentioned that (as of the meeting date) 6 Colden landowners have signed contracts with CIR under the Colden Solarize Campaign. There's still many outstanding proposals awaiting decision, and the new citizens who attended the Saturday 8/17/19 workshop appeared interested and will be receiving proposals.

Walt is still trying to coordinate a function with Patty from the Town Board to be at the Colden Senior Center. Walt mentioned it's important to continue the NYSERDA CEC goal of either 10 Solar-For-All and/or 10 New PV Installations in Colden during the Solarize period which will expire on 12/31/19. Walt mentioned that all contracts completed by 12/31/19 will have their net metering grandfathered for 20 years and will receive NYSERDA stipends and Federal and State tax credit treatment according to the conditions which expire just before 1/1/20.

Communication Tower SUPs: 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.

Walt reviewed the Tower permits records at the Colden Town Hall and will discuss in detail with the Code Enforcement Officers when they're available for a meeting. Walt's concern is that not all funds are being collected for co-locations and some Special Use Permits (SUP) limit co-locations as well as perhaps a pro-rata payment of co-location fees collected by one tower

owner. Walt asked if any Board Members are interested in helping with reviewing the documents, to contact him.

Planning Board Update at the Town Workshop

Walt tried to approach pending topics at the last Town Workshop but the meeting was focused on a draft supplied by the Town Attorney regarding dog kennels and two other issues, including residential grass height. Walt did mention the grass height was set at eight inches so that matter can be closed out after final drafting and Town Board acceptance of that proposed change to code.

Topics Deferred:

Continued Discussion of procedures and fees for changes, upgrades, modifications and new co-locations

Prior PB Agenda items B3, B4, B5, B6, B7, B12, B13, and B14 remain tabled.

B15: Flag Lot Cases, and do we need define flag lot viz-a-viz subdivision issues

Multiple flag lots being developed on single parcels are a concern and Walt would like to have someone review the Marilla Town Code and draft a code for the Town of Colden. Walt will send a link to Bobby via email, and Bobby will create a first draft for consideration.

B16: Zoning changes for 5G Cellular Equipment Installations

Walt mentioned the variety of permits that will need to be created by the Code Enforcement Officers. Walt mentioned that the schedule of fees is added to the Colden Fines and Fees chart, but Colden must still draft and recommend a complete code chapter covering this pending new type of communication deployment which will impact Colden in the future.

NYS Ag&Markets Law Regarding Actions with 500' of Parcel in Ag Overlay District

Walt is still waiting for an update from the EC GIS team.

New Town Business

Formal new Town business: Walt reported he didn't receive any topics as he checked with the Town Clerk prior to the Planning Board meeting.

Other Such Matters As May Come Before the Board

Walt advised John and Tom that he is still waiting to review property owned located on both sides of the road not zoned in R1 or R2 with the Town Attorney.

John also asked Walt to review the codes for home business and change of use, as he had a recent request. Walt suggested reviewing property maintenance matters also.

Walt mentioned there's a renewable energy storage facility proposed to be developed in the Concord/Sardinia area. The building will be a warehouse sized and Walt is concerned that this will set a trend for other Towns. Ultimately the project will require an approximate contiguous acreage of about 4,000 acres with the initial development needing approximately 2,500 acres of that total. The planned project straddles the Sardinia-Concord town lines near Genesee Road. The present Colden Local Laws and code addresses large solar farm land use but Colden has no code in place which regulates the Energy Storage facilities which recent NYS policies are mandating. Therefore, Walt advised that he will reactivate drafting and reviewing the Code for Renewable Energy Storage facilities since something should be considered by the Town Board.

Rich motioned to adjourn the meeting at 9:06 PM, and Peter seconded. All were in favor.

Submitted by: Crystal Barrett