
**Planning Board Minutes
May 6, 2021**

Planning Board Members Present: Steve Lester, Julie Pellett, Fred Fink, Daniel Compton, Matt Rogers, Michael Donohoe, Mike Woodruff

Absent: Kimberly Rayburn (Secretary)

Others Present: James Kier (Building & Zoning), Andrew Torpey (Applicant), Brendan Gooding (Venezia Surveying)

Lester opened the meeting at 7:34 pm. The reading of the public hearing was waived.

I. TS3-21 Preliminary/Final 2 Lot subdivision Adam Torpey/Log & Timber Structures, LLC (Owner)

Wilkins Rd tax #67.00-2-1.13 Lot #1 of 8.1636 +/- acres, remove lot 2 of 2.993 +/- acres and lot 3 of 2.988 +/- acres. Leaving parent parcel lot 1 of 2.184 +/- acres

The Board received the corrected maps electronically prior to the meeting. Gooding thought someone had already dropped off the hard copies, he will bring them in for signature if approved. Lester asked for any further comments, there were none.

Woodruff motioned and Rogers seconded to accept the electronic map for final, 2 Lot subdivision Adam Torpey/Log & Timber Structures, LLC (Owner) Wilkins Rd tax #67.00-2-1.13 Lot #1 of 8.1636 +/- acres, remove lot 2 of 2.993 +/- acres and lot 3 of 2.988 +/- acres. Leaving parent parcel lot 1 of 2.184 +/- acres

Whereas:

- 1. New maps provided electronically show the verification and measurement of sixty-two (62) feet of frontage for lot #2. Paper maps will be provided for signatures.**

Record of Vote:

**Lester Aye Pellett Aye Fink Aye Compton Aye Rogers Aye Donohoe Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.**

II. Performance Industrial Park, Owner Anthony Sulli has applied for a third Special Use Permit to be able to have a flea market & outside sale on his property located at 6915 State Rts 5&20 tax map # 81.00-1-84.211.

A brief discussion was held. Fink mentioned the space for the outdoor/RV storage and questioned if there would be an overlap. Compton agreed. A discussion was held on lot coverage.

Woodruff motioned and Donohoe seconded to have a public hearing after the Ontario County Planning Board review.

Record of Vote:

**Lester Aye Pellett Aye Fink Aye Compton Aye Rogers Aye Donohoe Aye Woodruff Aye
All Board members present voted Aye, Vote was carried unanimously.**

III. Discussion:

Solar: Compton mentioned the solar wall by Tesla and what if any affect it will have.

A discussion was held on battery storage. Woodruff and Kier believe that this topic requires its own section. Compton asked if this topic has its own code currently somewhere else? Kier stated it does and he will find it. Lester asked the Board if they were all comfortable with the proposed code and the splitting out of the small- and large-scale solar regulations. Woodruff stated that it simplifies it. Rogers thinks that the revisions are good, however he does not support a cap on the megawatts (MW).

Donohoe feels the same as Rogers, and does not feel there should be a MW limit. Rogers also wondered if the land would be worth less when a cap is met? Because now they can't use that land for a large-scale project. Compton stated that we can still have a cap, but it can be changed down the road. He feels this is one way to regulate the look of the town. Woodruff stated the ZBA could give a variance if someone wanted to apply for one after the cap was met. Woodruff stated that the system will eventually only handle so much. The ten (10) MW maximum came from other town codes and we just need to get something on the books to get the moratorium lifted. Kier stated that Jon Bennett stopped in the office and informed him that Delaware River Solar (DRS) was informed by the utility that they have to cut the array down to a one (1) MW system.

The majority of the Board feels that it should be the property owners right to do what they want to with their land, but their needs to be some control put in place. Compton stated it may be a good idea to add a question on the ballot at voting time to see what the residents feel about large scale solar.

Fink stated that the difference between small and large scale is the small scale covers projects for property owners that use the energy on site regardless of the size of the project. If the project disturbs more than one acre it does not preclude the need and requirement for a storm water prevention plan (SWPP). Rogers stated that if you have solar panels on a roof, he does not feel there should be a permit or a fee. Fink added that the Town of Seneca stated that solar located on farms that use the energy for their own consumption would not count towards the MW maximum of the Town. Compton would like to know if a solar array is assessed differently if it is on a roof vs ground mounted.

Woodruff motioned and Compton seconded to adopt the proposed solar as written and presented.

Whereas:

1. With the small- and large-scale solar adjustments
2. Change in verbiage in the maintenance section to shall require a bond
3. The Town Attorney shall review the decommissioning section

Record of Vote:

**Lester Aye Pellett Aye Fink Aye Compton Aye Rogers Nay Donohoe Nay Woodruff Aye
All Board members present voted Aye, Vote was carried.**

Further discussion was held. Compton asked about in person training through the county. Woodruff stated he prefers in person training as well, but it probably will not start anytime soon.

Compton commented on the state of the Elms project in the Village, and the condition of it for the residents living there.

IV. Minutes of April 1, 2021,

**Woodruff motioned and Donohoe seconded to approve the minutes of April 1, 2021
All board members present voted Aye.**

Minutes of April 15, 2021,

**Rogers motioned and Compton seconded to approve the minutes of April 15, 2021
All board members present voted Aye.**

VI. Meeting Adjourned

**Fink motioned and Woodruff seconded to adjourn @ 8:42 pm.
All Board members present voted Aye. Vote was carried unanimously.**

Minutes taken from notes of the meeting.

Respectfully submitted,

Kimberly Rayburn
Planning & Zoning Board Secretary