

Planning Board Meeting- Town of York

York Fire Hall

November 8, 2016

Present: Joe McIlroy (Chair), Mark Vitale, David Dermody, Chris McLouth (alt), Heather Grant, Dave Russo

Others: Kirk Richenberg, Henry Fuller, Carl Peter (Code Enforcement Officer), Jim Campbell, Esq., Donna Falkner, Chris Pascuzzo, Joseph Eyer, Jerry Brock

Meeting opened at 7:00 pm with pledge of allegiance by Chairman McIlroy.

Mr. McIlroy read a statement by Mr. Campbell at the previous Town Board meeting. "Once a board has taken the time to review the content of the minutes members can vote to approve even if they did not attend that meeting."

Mr. McIlroy moved to amend the February 9 minutes to reflect and clarify that the public hearing for Project Gardens was opened at 7 p.m. Public comment was asked for and after all interested parties were heard a motion was made to close the public hearing, leaving a written comment period open until March 8, 2016. Mr. Russo seconded, carried.

Yes – 5, No - 0

Mr. Russo moved to approve the amended February 9 minutes, Mr. Dermody seconded, carried.

Yes – 5, No – 0

Mr. McIlroy moved to approve the July 12 minutes, Mr. Russo seconded, carried.

Yes – 5, No – 0

Mr. Dermody moved to approve the October 11 minutes, Mr. Vitale seconded, carried.

Yes – 5, No – 0

Skywolf Hybrid Solar Wind Solar Turbine

Jerry Brock asked who does the wind overlay zone and he was answered the Town Board

Mr. Campbell stated that the Planning Board forwards their recommendation to the Town Board. Need a special use permit. Anything under 100kw is considered a small wind turbine.

Mr. McIlroy asked how close to the ground the rotor is. Mr. Brock answered that the lowest point of rotor is 21 ft. The middle of the hub is 25 ft.

Mr. McIlroy said this is a preliminary site plan and we need to have a complete application to go to the county.

Mr. Peter

- We have everything now. There are houses but not within 500 ft. Donnans own the land all around
- Has to be an agricultural zone to put up the wind turbine.

Mr. Brock stated that it is a solar and wind combination.

Mr. Campbell stated that the regulations for small WECS are on page 67 of the Zoning Code.

Mr. Brock has talked to the electric company. Mr. McIlroy said that we need a letter regarding the electric and a line drawing of the electrical components.

Mr. Campbell said that the county isn't going to care about the line drawing but we may want it.

Mr. Russo said that on page 70 of our zoning it discusses the noise decibels. Mr. Brock said that the turbine was under 25 decibels, quiet. Mr. Russo said we need an engineering document stating what it is.

Mr. Campbell said that we need an engineer's stamp anyways. Mr. McIlroy asked how the solar works. Mr. Campbell said the solar is add on – extra energy production. Mr. Brock stated it was two separate systems or invertors.

Mr. Campbell said to include in the package

- Wind overlay from Town Board
- Engineering stamp on noise decibels

Mr. McIlroy said we'll need a public hearing on special use permit (p.87 of zoning).

Submit to the county – special use permit, wind overlay, and site plan (county meeting 2nd Thursday of December)

The Town Board will also have to have a public hearing on the wind overlay zone.

None of the board has a problem with going for a wind overlay zone.

Mr. Russo moved to advise the Town Board of their recommendation for a wind overlay zone for Mr. Eyer's turbine on Cowan Road, Mr. Dermody seconded, carried.

Yes – 5 No – 0

Mr. McLouth asked if it would be considered an accessory structure. Mr. Campbell said no unless the county thinks otherwise.

Mr. Peter stated that the County Planning Board and Town Board would not meet until the Thursday before our next meeting in December.

Mr. Campbell said the Planning Board's special use permit could piggyback on the Town Board's public hearing for the wind overlay zone and do both at the same time. There isn't a lot of sense to schedule public hearing until after the county gets back to us. Donna will notify the town board about the wind overlay zone.

Mr. McIlroy – looking at January for a decision.

Pascuzzo split

Mr. McIlroy said Chris Pascuzzo is doing a 1 to 2 split. The last split was in 2005 and it doesn't require formal subdivision. Mr. McIlroy wanted the board to see the map before signing off on it.

WNY Cheese Enterprises

No one showed to answer questions or explain changes. Mr. Campbell said having them here is really important to answer questions. Mr. Peter said things are different from the site plan the Planning Board had originally approved. Mr. Campbell said that they should get everything together on how they want to do it. The board tabled this until the applicant could be present.

8:18 pm – Mr. Vitale moved to close the meeting, Mr. Dermody seconded, carried.

Yes – 5 No – 0

Respectfully submitted,
Donna Falkner