

Planning Board Meeting- Town of York

October 9, 2018

Present: Joe McIlroy (Chair), Dave Dermody, Chris Wall, Alan Brightman, Heather Grant, Chris McLouth

Others: Carl Peter (Code Enforcement Officer), Donna Falkner, Steele Fuller, Kirk Richenberg

7:30 pm Mr. McIlroy opened the meeting with the pledge to the flag.

Mr. Dermody moved to approve the July 10 minutes as written, Mr. Wall seconded, all in favor, carried.

Yes - 5 No – 0

No old business

Town received a letter from Art Bernecker regarding the old softball field he has rented to farmers and letting Zach Koblansky use the buildings for his landscaping business. Art is asking the town to rezone the planned development back to agriculture. The Town Board has to enact a local law to do this.

November 14 there is a workshop in Genesee County.

Solar Energy Systems to the Zoning Ordinance of Town of York – York proposed Local Law No. 2

- Mrs. Grant – worked with other towns, lot of it around soils – needed something in the code
- Mr. Richenberg pointed out that 130.5 is Avon’s code. He said the developer wanted 75% of lot coverage not 25% minimum tilt- bottom closer to ground. Mr. McIlroy said that made sense. Mr. Richenberg said very rarely at minimum tilt in this area.
- Mr. McIlroy said he knows very little about solar energy. He questions accessory structure in our zoning over 144 sq. ft. for an accessory building. 508B (our zoning) requires a building permit and site plan (done by Mr. Peter)
- Mr. Wall – look at C-3c-v
- Mr. Peter – if mounting on roof need building permit and questions whether roof will hold the load
- Mr. Wall looking at 4f if not selling back to utility is conflict why does it have to come back to review
- Mr. Peter Type 1 and Type 2 – know difference
- Mr. Dermody – Type 1 could be quite big
- Mr. Richenberg said that on Rt 104 Harveck Plastics is Type 1 but huge
- Mr. Wall – no size or kilowatt walls in definition

- Mr. McIlroy – maybe that’s why it comes back to site plan review if a farmer goes over 50 acres.
- Mr. Dermody – anything over 25 acres is a type 2
- Mr. Richenberg – code doesn’t touch on temporary ones for quick removal (silo bunks where posts driven in ground)
- Mr. Wall – need to define restoration
- Mr. Peter – burying post seated in concrete
- Mr. McIlroy said that Dave Deuel listed all the other places where solar could go other than ag lands
- Mr. Richenberg asked if there was infrastructure in town where they could go.
- Mr. Wall said the utilities were offering incentives to lower the load on them – pre cast pads would be detailed on plan
- Mr. Peter said that any proposal should have an architecture and engineers signatures that it is going to work
- Mr. Wall – surface cast pads may lift or sag and what then
- Mr. Richenberg – also limits people who live on east west roads, mainly on north side of those roads
- Mr. McIlroy said Deuel mentioned (pg 5, ii) if you protect one viewshed you should protect all – personal preference as to what a viewshed is.
- Mrs. Grant – never passed a viewshed definition or identified where it was
- Mr. Wall - #5 – does the property have to be commercial. Mrs. Grant said no, it’s allowed in all zoning.
- Mr. Dermody – you don’t make that much selling it back to the utility. Big solar farms subscribe to little ones who can’t have solar and make money that way.
- Type 1 – residential – go to Mr. Peter unless he decides it needs to come to the Planning Board
- 4f – farms and businesses are site plan review. Comment – why are farms requiring conflicts with rest of code?
- 4g – Planning Board would be lead agency for SEQR
- 5 – Type 2 – require special use permit and site plan by Planning Board
- 5a-ii – who decides it’s a viewshed or not. Comment – until viewshed is defined in zoning laws it should be eliminated from local law
- Type 2 – setback 300 ft. minimum, minimum lot size of 25 acres or cover more than 25% of total prime agricultural soils
- Mr. Peter thinks the setbacks are excessive- Comment revisit setbacks and 25% of lot
- D-4 – increase lot coverage, increase coverage percentage
- Type 2 – solar fences – what’s standard in height?

Mr. Wall moved to draft a letter to town board with our comments, Mrs. Grant seconded, carried.

Yes – 5 No – 0

Mr. McIlroy will send the letter.

Motion at 9 p.m. to adjourn by Mr. Dermody, Mr. McIlroy seconded, carried.
Yes – 5 No - 0

Respectfully submitted,
Donna Falkner, Clerk