

Town of New Paltz Planning Board

Final Minutes

September 12, 2016

Workshop Meeting

Agenda:

Discussion on New Solar Zoning
Discussion on streamlining agricultural site plan reviews

Present: Lyle Nolan, Lagusta Yearwood, George Lithco, Amanda Gotto, Adele Rugar, Tom Powers

Board Member(s) absent: Mike Calimano, Amy Cohen

Others Present: Stacy Delarede, Building Inspector; Stana Weisburd, alternate member

Vice Chairman Nolan called the meeting to order at 7:00 pm.

REVIEW AND APPROVAL OF MINUTES

The August 22, 2016 minutes are presented.

Motion to approve made by Lagusta Yearwood

2nd by Amanda Gotto.

All others present in favor. Motion passed.

George Lithco requested to add to the Agenda consideration of Planning Board recommendations to the Town Board regarding setting performance/restoration bonds and construction escrow accounts. The Planning Board has currently made recommendations for two performance bonds for Mohonk Preserve (Foothills Site Plan) and New Paltz Property Development (ShopRite Site Plan), and needs to make a recommendation on the amount of the restoration bond for Open Space Institute (River to Ridge Site Plan). George further explained the purpose of the performance bond for ShopRite and the restoration bonds for Mohonk Preserve and OSI, and that the amount of each bond was based on the Town Engineer's estimate of the cost of the work that the Town would be required to do if the applicant failed to complete site work. In addition, the Building Department has recommended the amount of escrow funds that should be maintained so the Town can monitor the site work, especially in or near environmentally sensitive areas. The Board would make its recommendation on the restoration bond for OSI and the amount of the escrow account to the Town Board. Stacy Delarede was also present to explain to the board members specifically what the bonds and escrow accounts were.

Motion to recommend to the Town Board that it establish a performance restoration bond for Open Space Institute – River to Ridge Project in the amount of \$10,000.00 made by Lyle Nolan, 2nd motion made by Lagusta Yearwood. All others present vote in favor. Motion passed.

Motion to recommend to the Town Board that it establish a construction escrow account for New Paltz Property Development (Shoprite Plaza) Construction escrow account with an Initial deposit of \$7,500.00, and a low replenishment amount of \$2,500.00 made by Lyle Nolan, 2nd motion made by Lagusta Yearwood. All others present in favor. Motion passed.

Motion to recommend to the Town Board that it establish a construction escrow for Mohonk Preserve set at an Initial deposit of \$10,000 with a low replenishment amount of \$5,000.00 made by Lyle Nolan, 2nd motion made by Amanda Gotto. All others present in favor. Motion passed.

Motion to recommend to the Town Board that it establish a construction escrow account with an Initial Deposit of \$5,000.00 and a low replenishment amount \$2,500.00 for OSI (Open Space Institute) made by Lyle Nolan, 2nd motion made by Tom Powers. All others present in favor. Motion passed.

Stacy Delarede mentioned this will be sent in memo to the Town Board for their meeting on Thursday.

Next Solar Zoning was discussed by George Lithco. George mentioned that New York State has developed a model zoning law for solar energy facilities, and Lagusta Yearwood mentioned she liked the model. George said Mike Calimano also liked the NYS Model but thought that the Board should consider 1462 modifications that were incorporated into a solar energy local law presently under consideration by the Town of Rochester.

A copy of that local law was reviewed, and further discussion was made by all members present. Lagusta Yearwood asked about how farmland laws were affected as well considerations of open space, views, habitats, etc.

Amanda Gotto raised a question about the size of solar facilities. George Lithco explained the general differences in the sizes of solar energy facilities to the board.

Amanda Gotto mentioned if leasing is being considered and Stacy Delarede said leasing is for residential only at this time. There was discussion of issues with solar facility leases being offered to some property owners.

Lyle Nolan asked if solar panels are leased on a residential home, how will it affect the sale of the home?

Tax exemptions and incentives for solar energy; how the right to solar access would be established and maintained; maintenance, replacement and decommissioning of facilities; disposal of used panels; safety provisions for first responders were discussed as well as zoning laws.

Adele Rugar asked how historical buildings will be handled. It was noted that the installation of solar panels on the exterior of historic houses and in areas listed as historic districts would require review by the HPC and perhaps a certificate of appropriateness.

There was discussion of the sale of excess power to the grid, and whether such sales might be a commercial use. Stana Weisburd discussed with the members her home solar system in regard to how overages and under usage worked.

It was suggested that the board members review both models and come up with questions, input for future town model.

Further discussion was tabled until the October 24th workshop meeting.

The Board members next moved on to a discussion on streamlining agricultural site plan reviews. George Lithco circulated information on Agricultural Site Applications. He also mentioned the Town of New Paltz has a Simplified Site Plan review option that could be revised and modified to fit certain agricultural uses.

There is a conversation on the definition of farm, as well as farm operations, principal use, and how Ag and Markets is looking at these things.

Stacy Delarede mentioned that there is an Ag and Markets Model. George Lithco mentioned LLOYD has a modified site plan which would be good model, since it applied to agricultural uses that on land that was included in a Country agricultural district, and therefore eligible for Ag Mkts protection from unreasonable zoning requirements. He also mentioned any questions or comments to contact George.

Lyle noted that the next PB Meeting is for regular business, and was moved to October 12, due to the Columbus Day holiday on October 10. Adele noted that this year, observance of Yom Kippur begins at nightfall on October 11 and concludes at nightfall on October 12. There was discussion of moving the date to October 13, subject to a quorum check to confirm that a quorum is likely to be present. Monday, October 17 was considered as an alternative date. Amanda noted that the Country Planning Board had scheduled training on that date. There was further discussion about whether the first meeting should be cancelled. Although October 24 is the next planned workshop, that meeting could be rescheduled for regular business. It was suggested that the determination be made at the September 26 meeting.

Motion to adjourn the meeting is made by Lyle Nolan. 2nd motion made by Amanda Gotto. All others present in favor. Motion approved.

Meeting adjourned at 8:57 pm.

These minutes respectfully submitted by Pat Atkins