

Town of Bristol  
Planning Board  
September 14, 2016  
Minutes

**Members Present:** Chairwoman Patti Giordano, Bob Drayn, Bob Stryker, Joann Rogers, Bob Raeman and Sandra Riker, Secretary

**Others Present:** Shaun Logue, John Collins, Dave Parsons, Al Favro, Marty Snyder, Kris Monzel, Jen Sanford, Donna Beretta, Cat Cohen

**Minutes:** The minutes of August 8, 2016 were reviewed and a motion was made by Bob Raeman with a second by Bob Drayn to accept them as written. All Board members approved.

**Other Business:** Chairwoman Giordano read the directive from the Town Board asking the Planning Board to proceed in drafting a stand-alone Energy Plan with the emphasis on Solar and later amending to add wind. There will be additional meeting time added for the beginning of next year to allow the Board to hold a second meeting in the months for a “Workshop” for this project. She advised the Board the agenda for next month will include a timeline and an outline for a course of action.

**“Zoning and Local Law Considerations for “Private” Solar and Wind Energy Facilities”**  
presented by John Collins and Shaun Logue of MRB Group.

John Collins introduced himself by saying he is a Licensed Professional Engineer and has been in this field for over twenty years with a background in civil and structural engineering. He has worked with commercial, municipal, state, and institutional clients. He is very familiar with the SEQRA process of New York State. Within the last two years his specialty has become wind farm permitting. He refers to the term “private” in the title of this presentation as it refers to residential and small commercial projects as opposed to the large scale industrial projects. He has helped to develop regulations for Victor, Watkins Glen, and the Town of Hector.

Shaun Logue has been with MRB for over a year and is a Planning Associate. He previously lived in Rhode Island where he was Director of Zoning and Code Enforcement for the city of Pawtucket. Most recently at MRB he is working as a consultant for the Town of Ovid, NY to work on their Comprehensive Plan. He has worked with the Town of Bristol as the planning associate on our recent Crown Castle/Version Tower project on Buckelew Road.

John started the presentation of with an overview of “private” wind energy. He said there has been within the last couple of years a heightened interest in renewable energy such as wind, solar, hydroelectric, and geothermal and biogas/biofuels. He feels this has been driven by several factors including a desire for energy independence both national and on a personal level. Other factors are the more wind and solar installations are put in place the cost for

installation is decreasing, there are National and State (NYSERDA) incentives to stimulate this growth as well as energy cost savings.

The push by Governor Cuomo started in 2012 with the Clean Energy Standard Act and then jump started in 2014 with REV (Reforming the Energy Vision) and in 2015 the Energy Plan. There is a goal of 50% of all energy produced in NYS to be “renewable” by 2030 with as much as 40% of that coming from wind & solar. It would represent a reduction of 40% of carbon emissions from 1990 levels and 600 trillion Btu increase in statewide energy efficiency.

**Taxation of renewable energy systems:** Payment of additional property taxes on improvements associated with renewable energy systems are EXEMPT for a period of 15 years under the NYS Real Property Tax Law section 487 unless the local taxing jurisdiction has “opted out” of that exemption. The Town of Bristol has not opted out but Ontario County and all four of the school systems that service the Town have opted out, thereby making the owner of the renewable energy system responsible for the full tax burden at the school and county tax levels. Municipalities that have chosen to “opt out” may offer a PILOT (payment in lieu of taxes) option to residents and businesses for the portion of their assessment effected by renewable energy installations. If systems are being taxed at full value they may not be as attractive to install as a source of energy.

**Net metering** is an enabling policy designed to foster private investment in renewable energy. There can be a group of “partners” who can share the profits from the process. The process uses the “grid” as the storage place for excess energy produced by the partners and or individual home or business owner. This can be applied against later electric usage and can receive credits for the same. A grid connected renewable energy system must have an interconnection agreement with the utility grid to ensure safety and outlines metering arrangements for the system.

**Land Use Planning for Solar** presented by Shaun: It involves plan making, policy development, and community engagement. The Town Board is responsible for adopting land use laws and plans, the building inspector/zoning enforcement office provides permits and zoning determination, the planning board advises on zoning adoption, site plan approvals, subdivision approvals, and the zoning board of appeals is responsible for variances, interpretations of the zoning laws, and special use permits. New York State is unique in that it provides over 1550 local governments with “home rule”. There are over 600 solar companies doing business in New York State and last year there was 8 million dollars generated through solar energy installations. The State has provided a Unified Solar Permit to expedite the solar permitting process for small scale roof mounted residential and commercial solar electric. It is the State governments hope that all or many of the local government agencies will adopt this permit or modify it to streamline the permitting process and facilitate the increase of solar usage throughout the state. However, that still leaves ground mounted systems as well as medium and large scale solar systems that require a municipality to define and create zoning regulations to fit their community.

The process should start with a Statement of Purpose from the Town Board and they in turn should appoint a "Task Force" that includes input from citizens as well as the Regional Planning Council, County Planning, and neighboring community members. The Task Force then assists in making recommendations for the Comprehensive Plan. It is very important for communities that have no solar regulations in place to update their Comprehensive Plan and Zoning Regulations to include renewable energy such as wind and solar. The Comprehensive Plan should include goals and action items that can be used by the Planning Board to create the Zoning Regulations necessary to allow for renewable energy in the various zoning districts. The zoning chapter for Solar and Wind should include sections such as:

- Authority
- Purpose
- Definitions-
  - Type
  - Location
  - Bulk and area system dimensions
  - System energy capacity

New York State has developed model zoning laws for solar and wind. They are very generic and do not take into account the difference in the character of a rural community has opposed to a larger city or town; an example would be the difference between solar development in the Town of Victor and the Town of Bristol. Factors that should be taken into consideration but not limited to are if the project is:

- Residential
- Non residential
- Definitions
- Complaint process
- Decommissioning process
- Does it require a special use permit?

Shaun and John provided the secretary with a pdf version of their presentation this evening and it will be made available for public viewing on the Town Webpage under Solar Pros and Cons.

Chairwoman Giordano thanked the gentlemen for their time and preparation in helping the Bristol Boards with the task of adding Renewable Energy to our Comprehensive Plan and Zoning Regulations.

Meeting was adjourned with a motion by Bob Raeman with a second by Bob Drayn.

Respectfully submitted,

*Sandra Riker*

Town of Bristol

Planning and Zoning Secretary

Minutes of Sept. 14<sup>th</sup> accepted with a motion by Bob Drayn and a second by Bob Stryker. All Board members approved.

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