

# Town of Bristol

## Planning Board

Minutes November 14, 2016

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

**Others Present:** Dan Seeley, Ed Summerhays, Fran Morgante, Kris Monzel, Nick Cohen, and Ron Smith

**Minutes:** The minutes of October 3<sup>rd</sup> as written were approved with a motion by Bob Raeman and a second by Bob Drayn. All Board members approved.

### **Chris Muller Informational Meeting Cancelled.**

**Gorsline Subdivision on County Road 32 Informational:** Ed Summerhays, Land Surveyor representing Jane Gorsline, Executor of the Crofts Gorsline estate informed the Board that in October prior to his death Mr. Gorsline wished to divide his tax parcel # 137.00-2-14.100 consisting of 60.3 acres. Lot 1 will be 24.7 acres situated on the north side of County Road 32, and has a house and sheds on it. Lot 2 is vacant land being 17.844 acres in size; the easterly property line of Lot 2 is South Hill Road. Lot 3 has an existing barn and will be 19.004 acres in size. There are no improvements proposed with this application. The intent is to sell all three parcels once the subdivision is completed and filed at the County Clerk's Office. He went on to say the other parcel known as 137.00-2-14.200 being 3.1 acres is not involved in this application. Summerhays advised the Board parcel number 137.00-2-14.100 has never been subdivided prior to this application.

The Board said they would like three things included on the map besides the normal requirements:

- Parcels # 137.00-2-14.100 and 137.00-2-14.200 clearly and accurately identified on the map being submitted for Subdivision
- Clarification that Lot 1 extends to the centerline of the Creek and the R.O.W.
- Documentation that shows that Jane Gorsline has the ability to be responsible for the submission of this application and sale of the lands involved.

There were no further comments from the Board. Mr. Summerhays will have the application, map and SEQR review ready by the November 21<sup>st</sup> deadline for the December 5<sup>th</sup> meeting of the Bristol Planning Board.

**Review of Building permit 16-0097 for ground mounted solar array:** This is the criteria that our CEO is using at present for small scale solar applications that come across his desk. He is including ground mounted arrays of less than 12 kw until the Town formally adopts Solar Siting regulations. Chairwoman Giordano said she felt it was unclear on the standard building permit application if it was residential or commercial in nature. Board member Raeman pointed out that it is a 6 kw (kilowatt) system therefore it indicates it is of small scale size. The Chair said the permit should be designed in such a way to easily identify the size of the system.

**Draft Small-Scale Solar Siting Ordinance:** The Secretary had put together a draft version of a Small-Scale Solar Siting Ordinance that could be used for the Town. It was modeled after a document prepared by Danielle Sugarman at the Center for Climate Change Law at Columbia University, excerpts from the draft solar energy regulations from the Town of Canandaigua were also used along with the Town of Geneva Solar Energy Local Law adopted in 2014.

Several comments and changes were suggested for the Bristol Draft as follows:

- Noted that the Local Law-2007 includes a reference to energy creating devices but does not specifically include solar. It is suggested that we amend that law to include solar as well. The Town Board has asked the Planning Board to create a standalone law regarding solar at this time to hasten the process of creating some town documentation with regard to solar energy.
- Planning Board members think there should be a section in this draft to include the decommissioning of all solar devices regardless if it is small or large scale in size. One Board member stated that the life span of current solar arrays is somewhere between 20 and 25 years and at 25 years the present technology will still have 80% of its useful life.
- Concern about the fact there is nowhere in NYS can the panels be disposed of due to the lack of information as to what makes up a solar cell.
- We should do due diligence concerning the chemicals and composition of the cells the same as required when we reviewed HVHF a couple of years ago.
- An inclusion regarding character and color of the panels
- Agreed that the commercial applications should require a special use permit

The Secretary will make the changes discussed this evening and have it ready for the next PB meeting and for the ZBA to review as well.

**NYS Unified Solar Permit for expedited Solar Permit process for small-scale roof mounted residential and commercial solar electric:** The question was raised how is the threshold of 12 kW arrived at to designate small scale solar? This refers to the amount of kW acceptable to be able to use the NYS Unified Solar Permit which represents a streamlined process for small scale roof mounted residential and commercial solar electric. It allows the application to be handled in a timely fashion by the Code Enforcement Officer and does not require a site plan review by the Planning Board. A version of the suggested permit is on the agenda for review this evening and was designed by CUNY, *"in a collaborative effort under the NY-Sun Initiative, worked with NYSERDA, NYPA and municipalities across the state to develop a streamlined solar permit form for small-scale photovoltaic (PV) systems. The NYS Unified Solar Permit was based upon the Long Island Unified Solar Permit Initiative (LIUSPI) as well as the Solar America Board for Codes and Standards' national best practices."* **This information was taken from the Sustainable CUNY website.**

#### **Other Business-Review of Morgante Site Plan from 090513**

The Secretary had received a phone call from Valerie Knoblauch of the Finger Lakes Visitor Connections and informed her that Ms. Morgante had called the FLVC asking to be included in the directory for the coming year. Ms. Knoblauch was inquiring to make sure all the requirements for conducting her home business in Bristol had been met when approved by the Planning Board in September of 2013 At that time a resolution was passed by the PB regarding the site plan and conditions to allow Ms. Morgante to operate as an Event Planner for Celebratory Gatherings on her land at 7275 Evert Road, a/k/a tax map # 137.00-2-12.200. Several conditions were applied to this Site Plan prior to her holding an event.

Ms. Morgante addressed the Board to provide an update of where she was in this process. She said she had worked with the CEO and met the requirements necessary to use her barn as the place for the gatherings. She has a wedding booked for February of 2017 the number of people that the barn can accommodate varies with each event but a maximum number was determined based on square footage by the CEO for:

- People only 305
- People with chairs provided for them-218
- People with chairs and tables- 97 based on 7 people per table

- The above numbers represent square footage calculation for the main floor of the barn only, and the CEO has not measured the downstairs area that Ms. Morgante would like to utilize for Catering setup. This still needs to be determined and would require the CEO to go and recalculate before each event. He will have to go prior to each event to insure that caters have all their DOH permits in order as well as meeting necessary fire safety codes.

She was under the impression that the CEO Officer had agreed that a maximum number of 125 would work for all situations. She went on to tell the Board she has been working with local businesses to provide a venue for their activities, i.e. Gale Wynn farms, Acorn Inn Bed and Breakfast, Café Sol and has been approached by Canandaigua business Nolans as well. She went on to say that Finger Lakes Hotel suggested they could help with a shuttle service.

When asked why the delay in using the permit granted in 2013 she told the Board that it was so late in the year no events for 2014 could be accommodate and there was still work to be done on the barn which was not completed until 2015 so now she is ready to open her doors for business.

Chairwoman Giordano stated that she would like it noted that she was on the ZBA Board at the time in 2013 when Ms. Morgante came before them for a Use Variance to have this business on her parcel. There was a problem with her meeting all four requirements and she asked to have that application tabled. Ms. Morgante then went back to the PB and applied for a Site Plan under the use of a home occupation which they granted with conditions. The PB all agreed there was a lack of communication between the two boards at that time but the result was the Site Plan was granted. The Chairwoman advised Ms. Morgante that she did not feel the process was followed correctly and went on to ask what Ms. Morgante was looking for from the PB at this time. After further follow up with the CEO regarding the conditions placed on the original site plan and once they are met the PB can reply to Ms. Knoblauch.

**Temporary Special Use Permit-** this was worked on by the PB in 2013 and set aside after comment from the Town Board and it is agreed the Board should give this a second look.

**CEO Report-**Secretary did not have a copy with her so none was presented. The Chair asked to make sure there is one available for future meeting.

The Meeting was adjourned with a motion by all Board Members.

Respectfully submitted,

*Sandra Riker*

Town of Bristol

Planning Board Secretary

The minutes of November 14, 2016 were approved as written with a motion by Bob Stryker with a second by Bob Raeman. All Board members agreed.