

Town of Bristol  
Planning Board  
Minutes May 1, 2017

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

**Absent:** Bob Stryker

**Others Present:** Bill Kenyon, Town Attorney, Fran Morgante and Nick Cohen

**Minutes:** The meeting minutes of April 3rd were approved by Bob Raeman and a second by Bob Drayn. All Board members present approved.

**Draft Solar Law Review:** Town Attorney Bill Kenyon was present at this meeting to share his comments regarding the draft solar law being worked on by the Planning Board. Upon reviewing our draft law he had some comments to share with the Board:

- If the only place a term is found is in the list of definitions it should be removed because it does cross reference with another part of the law
  - Alternate energy systems
  - Building integrated photovoltaic (BIPV) systems
  - Collective Solar
  - Expedited Review
  - Permit Granting Authority
  - Qualified Solar Installer
  - A definition of height should be added to the document indicating how it is determined- Bob Raeman suggested it should be calculated as perpendicular to the ground
  - Solar Thermal Systems
- The need for surety bonds to be in place for large scale solar projects and a decommissioning plan because the cost for removal will be very expensive and a solar farm may have many players over the life of the solar farm. The current life expectancy of a solar project can be as long as 25 years and with new technology could be even longer. The solar panels are made up of 95% renewable materials so the developers should be agreeable to the decommissioning plan.
- If the Board will be incorporating the solar law into the town code be careful not to have conflicting language because the solar law will prevail over zoning regulations
- Do not refer to both kw rating and square footage better to use the kw reference
- Penalty provision should be used in both small and large scale parts of the law
- Under section 4 NY Unified Permit the most recent version should be used as this would raise the threshold to 25 kw and includes all types of residential solar energy installations and refers to both onsite and offsite sale or consumption
- Section 5 A (applicability)3 should refer to community solar

- Section 5 B (Permitting) 1 should read No small scale solar energy systems
- Section 5 B 3 significant components should be replaced with all electrical components
- Section 5 B 3 #s 4 a, and 6 a should include building permits and or unified solar permits
- Section 5 B #7 lot coverage a is a bulk requirement and a variance would be needed not a special use permit
- #s 8,9, and 10 with regard to solar thermal systems are not needed
- Section 6 Large Scale the square footage should be raised
- Section 6 A (applicability) # 3 should be omitted
- Section 6 B (permitting) #1 should include the Planning Board as well
- Section 6 B 2 should be more specific in detail as to what is required to obtain the special use permit
- Section 7 should not be titled Appeals but Violations

#### **Lot Line Adjustment Kennedy & Pappano:**

Pat Venezia of Venezia Land Surveyors is representing Mr. Kennedy and Mr. Pappano this evening. The Board observed the total acreage and the before and after totals were not on the map presented. They also wanted to see where on the Kennedy parcel existing buildings are located.

The Board decided there was not enough information provided for them to make a decision and will hold this over to the next meeting to give the Surveyor time to do the revision on this map.

#### **Directive from Town Board regarding Home Occupations:**

The Town Board is asking the Planning Board to follow the recommendations made by the County Planning Board at their March 2014 meeting:

*The current zoning districts do not include a detailed purpose and intent statements. These statements establish why (goals/objectives) this district was created and how the allowed uses are compatible. They provide standards for the Boards in making decisions.*

*· If the Town wants to give the ZBA this authority, purpose and intent statements should be added to each district.*

*· This provision should be applicable only to as of right uses and uses subject to site plan approval.*

Chairwoman Giordano that the Board could look at expanding the list of permitted uses as well as uses allowed with a special use permit. She asked the Secretary to contact County Planning for a good example of how the purpose and intent statement should be written. The Planning Board agreed it would be good to have another joint meeting with the ZBA when putting together those changes.

**Directive from Town Board regarding updating of current Comprehensive Plan with a statement on Solar Energy:** The secretary advised the Board the reason this is needed is so the draft solar law when accepted will be in accordance with the Comprehensive Plan as to there is no specific action in the Plan as it is written. The Board said this would need to be an Alternative Energy Statement regarding specifically solar energy and asked the Secretary to find examples from other

communities.

Other Business:

Jessica Bacher of Pace Law University review of the draft solar law. The secretary reported she had a long conversation with Ms. Bacher on April 25, 2017 and many of the things she suggested concurred with Mr. Kenyon's comments. Ms. Bacher indicated it would be good for the Board to work on an amended statement for the current comprehensive Plan regarding solar energy. She commended us for this initiative. With regard to the revised Unified Solar Permit and its higher thresholds would help us refine our draft solar law.

The Secretary will include a copy of this with the packets for the next meeting.

CEO Report:

Was reviewed with the Board.

Respectfully submitted,

*Sandra Riker*

Secretary to Planning and ZBA Boards

Town of Bristol

The minutes of May 1, 2017 were approved with a motion by Bob Raeman and a second by Bob Drayn on June 5, 2017. All Board members agreed.