

Town of Bristol
Planning Board and ZBA Meeting
February 16, 2021

Zoom meeting

Present: Joann Rogers, Karen Ellmore, Patti Giordano, Bob Stryker, Marty Snyder, Steve Smiley, John Krebbeks, Donna Beretta, A. J. Magnan and Secretary Sandra Riker

Excused: Justin Steinbach

Others present Jennifer VanHouten

Minutes: The minutes of January 19, 2021 were reviewed, and a motion was made by A.J. Magnan with a second by Steve Smiley to approve them with minor changes. All Board members agreed.

Review of Comments from Town Attorney Bill Kenyon and the Ontario County Planning Board:

- Wherever the term CEO is used change to either Code Enforcement Officer or Code Enforcement Office for clarity.
- Use the term Regulations instead of parameters or permitting guidelines.
- Take out sections 5 Small Solar & 6 Large Solar- Section 1-Applicability and move it to Section 2: Purpose & Intent
- Move Section 2 of 5 &6 Permitting and make it Section 1 of both 5 &6.
- Move the term Permitting into the Title of Section 5 to read: Permitting of Small-Scale Solar Energy Systems less than 25 kW and restructure the numbering sequence accordingly. The same process applies to Section 6 to read: Permitting of Large-Scale Solar Energy Systems.
- Move #5 of Small-Scale Solar to Section 2 Purpose & Intent and reword: Building Integrated Photovoltaic (BIPV) Systems shall be required to follow the regular permitting process in all districts. (per Chris)

- Remove the Solar Panel definition from the list of definitions in Section 3-as it is included in Solar Collectors which includes all the different devices.
- All on-site utility and transmission lines shall be non-accessible and meet National Electrical Code (NEC) regulations.
- Section 6 Decommissioning Plan strike the portion that reads: If a website has been established to monitor the activity of the array it shall be provided to the Code Enforcement Office to prove the ongoing operation of the facility. If there is no monitoring system, the CEO may request proof of operation from the owner and move it to the Large Scale Solar Special Use Permit Requirements and it will read as: The owner/operator of the large-scale system shall annually provide a report of energy generation by the installation to the Town Code Enforcement Office.
- Under Special Use Permit Application Requirement: Design Standards xii shall be: A Large-Scale Solar Energy System application shall include the CESIR (Coordinated Electric System Interconnection Review) report application submitted to the local utility.
- Item c of Decommissioning Plan will now read: c. “In the event that the land lease has expired or the facility has been deemed to be abandoned, the facility shall be dismantled and removed from the site and, where possible, recycled, and the site shall be restored to its natural state by the owner and /or lessee. Failure to dismantle and remove a facility and restore the site to its natural state within **ninety days (90)** days after said facility has been declared abandoned by, the Town Board will result in forfeiture of said Letter of Credit, cash bond, or surety posted by said owner or lessee of said facility. **This ninety (90) day deadline for restoration of the site may be extended at the discretion of the Code enforcement Officer. This ninety (90) day deadline for restoration of the site may be extended at the discretion of the Code Enforcement Officer.** “
- Under Section 6 (.) Special Use Permit Application Requirements: An Applicant shall provide escrow for legal and engineering fees as determined by the Town Engineer.
- Section 8: Transfer of Ownership of Large-Scale Solar Energy Systems: Rewrite All Large-Scale Solar Systems to read: Large Scale Solar Energy Systems must be inspected prior to transfer of ownership, or transfer of lease, by the Code Enforcement Officer to ensure system is following the original conditions of the Special Use Permit. The Code Enforcement Officer shall also verify that all letters of credit, bonds, or sureties, and decommissioning means are still in place.

- In response to the Ontario County Planning Technical Review:
 1. When the current Code is released by General Code 360 this Local Law will be included in Chapter 296: Solar Energy
 - 2. We will leave our standards for small scale and large scale as is and, in the future, adapt, as necessary.
 - 3. We have included the requirement of an annual report of energy generation under Large Scale Solar Systems Special Use Permit Requirements.
 - 4. The time period time allowed for dismantling an abandoned project to 90 from 30 days has been updated with a possible extension approved by the Code Enforcement Office.
 - 5. The requirements for a special use permit and building permit for small scale energy system that do not meet the Unified Permit will remain.
 - 6. a. Escrow for legal and engineering fees are included in Special Use Permit Requirements for Large Scale Solar Energy Systems.
 - b. We are not eliminating the need for a bond covering the completion of construction.
 - c. The inconsistencies with time frames regarding determination of abandonment and removal has been addressed.
 - d. The requirement for a CESIR report was in our original Local Solar Law of 2017 and had been added to this amended version under Large Scale Solar Energy Design Standards.

A motion was made by AJ Magnan with a second by Steve Smiley to send the Final Draft of the Local Law of 2021 that will amend, restate and supersede Local Law 2 of 2019 Solar Energy Code regarding solar energy regulations for the Town of Bristol, New York. All Board members agreed.

Battery Energy Storage System: Review will be tabled until the next meeting on March 16, 2021.

Other Business: General Code will be sending the Final Version of Bristol Ecode 360 by the end of the week. We will be invited to meet via hybrid meeting with trainers from General Code to show us the advantages and how we can use it.

A motion to adjourn was made by Steve Smiley with a second by Karen Ellmore to adjourn the meeting.

Respectfully submitted,

Sandra Riker
Planning and Zoning Secretary
Town of Bristol