

MINUTES OF THE TOWN OF WAYNE  
PLANNING BOARD  
October 3, 2016

The October 3, 2016 Planning Board meeting started with a roll call of the members.

<u>MEMBERS PRESENT:</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>LATE ARRIVAL</u>
Glenn Neu, Chair	<u>X</u>	---	---
Nancy Gabel	<u>X</u>	---	---
Chris Mooney	<u>X</u>	---	---
Jon Serdula	<u>X</u>	---	---
Stan Witkowski, Vice-Chair	<u>X</u>	---	---
Donna Sue Kerrick	<u>X</u>	---	---
Dennis Carlson, liaison	<u>X</u>	---	---
Gill Harrop, CEO	<u>X</u>	---	---

<u>ALSO PRESENT:</u>	
Jeff Martin	Jon McNamara (Renovus)
Kate Millar (Renovus)	Tom Edwards
Bruce Drake	Wayne Hand
Frank Borkowski	Candy Dietrich
Carol Englert	Jen Englert
TC Feick	Jeff Kerrick

**MINUTES:**

Mr. Mooney made a motion to approve the September 12, 2016 minutes as amended, seconded by Mr. Witkowski.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>
Glenn Neu	<u>X</u>	---	---
Nancy Gabel	<u>X</u>	---	---
Donna Sue Kerrick	<u>X</u>	---	---
Chris Mooney	<u>X</u>	---	---
Jon Serdula	---	---	<u>X</u>
Stan Witkowski	<u>X</u>	---	---

Ayes-5. Nays-0. Abstain-1.

**AGENDA:**

The Board agreed to move Communications from line 7 to in front of line 5.

**COMMUNICATIONS:**

Presentation by Jon McNamara and Kate Millar of Renovus Energy on potential plans to develop, construct and operate a Solar System and distribute electricity credits to the local residents.

Mr. McNamara stated the following:

- Renovus Energy has been operating in Ithaca for over 13 years.

- His company would like to construct a solar farm on 8.9 acres of land located at 9210 State Route 87 that is currently being used as a hayfield.
- Usually they lease the land for 25 years with two 5 year extensions.
- The Company pays any additional taxes on the property.
- They use Tier 1 solar panels that have a 25 year life span.
- Once the farm is decommissioned, the Company will remove the panels.
- The electricity goes directly into the grid requiring no batteries, if the power grids goes down so do they.
- They maintain the property by brush hogging the grass and enclosing the area with a chain link fence.
- Currently they have two styles of operation: Ownership and Pay as you go, and both are built the same.
- Community interest determines what will be built.
- Necessary infrastructure determines site location.
- At this time, the potential site is located along County Route 96 and Birds Eye Hollow Road where there is a 3 phase line.
- 2.3 Mega watt systems usually service 200-250 homes with a 10% saving on their current bill.
- By 2030, Utilities will be mandated by NYS to get 50% of their power source from solar and other methods.
- Solar farms are attractive as lower electricity rates are available to lower income families, renters, homes were individual solar systems are not practical.

Mr. Neu stated the following:

- The current Land Use Regulations did not address solar farms in any district.
- The Planning Board is currently reviewing the Town of Geneva's requirements for solar farms and may use it as a model for the Town.
- The Town of Wayne Comprehensive Plan helps protect farm land.
- At this time, the applicant could apply for a Use Variance and go through the application process.
- Typically, Use Variances are difficult to approve.

The Board thanked both Ms. Millar and Mr. McNamara for attending the meeting.

### **SITE PLAN APPLICATION(s):**

**Dan Dalton:** Property located at 14398 Keuka Village Rd. Request to construct a 28 ft. by 32 ft. one story two car garage.

Mr. Harrop stated the following:

- The applicant met all setback requirements.
- The overall height of the proposed structure is 17 ½ ft.
- The proposed structure would be fairly close to an existing barn and view shed was not an issue.
- There was a 10% slope in the immediate area.
- He had no issue with this request.

Ms. Gabel made a motion to accept the application, seconded by Ms. Kerrick.

Mr. Neu stated the following:

- The application is pretty straight forward.
- Any outside lighting should be slanted downward.
- This was a Type II action, no SEQR is required.
- Erosion control measures should be taken during construction.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>
Glenn Neu	<u>X</u>	___	___
Nancy Gabel	<u>X</u>	___	___
Donna Sue Kerrick	<u>X</u>	___	___
Chris Mooney	<u>X</u>	___	___
Jon Serdula	<u>X</u>	___	___
Stan Witkowski	<u>X</u>	___	___

Ayes-6. Nays-0. Abstain-0.

**Feick/Crowe:** Property located at 12326 East Lake Rd., Town of Wayne. Request to repair and renovate existing single family home.

Mr. Witkowski moved to accept the site plan application, seconded by Ms. Kerrick.

Mr. Harrop stated the following:

- It met the setback requirements.
- The applicant is removing part of the existing structure in back of the home.
- The proposed change will take the existing structure from non-conforming to conforming and as such an allowable use in that district.
- He had no issue with this request.

Mr. Feick stated the following:

- They would be removing 3 ft. 3 inches off the existing cottage.
- The remaining structure is to be repaired and updated.
- One existing 10 ft. by 20 ft. shed will be removed off the property and the 8 ft. by 10 ft. will remain.
- They would like to start immediately and renovation should be completed by next year.
- Multiple inspections may be needed due to the different phases.

Upon discussion, the following items were noted:

- It was a Type II action and didn't need a SEQR.
- View shed wasn't an issue.
- The may need a road use agreement.
- The owner had expressed a wish to rent the property and as long as it stays a single family home there is no issue.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>
Glenn Neu	<u>X</u>	___	___



Nancy Gabel	<u>X</u>	—	—
Donna Sue Kerrick	<u>X</u>	—	—
Chris Mooney	<u>X</u>	—	—
Jon Serdula	<u>X</u>	—	—
Stan Witkowski	<u>X</u>	—	—

Ayes-6. Nays-0. Abstain-0.

**Beth Prairie:** Property located at 12318 East Lake Rd., Town of Wayne. Request to install a 12 ft. by 16 ft. wood-tex shed on cement slab.

Mr. Witkowski moved to accept the application, seconded by Ms. Gabel.

Mr. Harrop stated the following:

- The proposed location of the shed is on a buildable lot.
- It met all setback requirements.
- He had no issue with this request.

Upon discussion, the following items were noted:

- The application was pretty straight forward.
- There were no other storage buildings located on the lot.
- No electric would be in the shed.
- It was for storage only.
- It was a Type II action.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>
Glenn Neu	<u>X</u>	—	—
Nancy Gabel	<u>X</u>	—	—
Donna Sue Kerrick	<u>X</u>	—	—
Chris Mooney	<u>X</u>	—	—
Jon Serdula	<u>X</u>	—	—
Stan Witkowski	<u>X</u>	—	—

Ayes-6. Nays-0. Abstain-0.

**UNFINISHED BUSINESS:**

**Frank Borkowski:** Property located at 9168 W. Waneta Lake Rd. Request to place a 28 ft. by 31 ft. pre-manufactured carport on property.

Mr. Serdula made a motion to re-open the application, seconded by Mr. Witkowski.

Ms. Kerrick recused herself from the Board and sat in the audience due to conflict of interest regarding the new placement of the proposed carport.

Mr. Neu reviewed with the Board the following items:

- This application was reviewed and then tabled after the September 12<sup>th</sup> meeting as the applicant changed the original location of the proposed carport from back of the building to the side.
- The applicant was requested to provide the cost difference between the two locations. (On file)
- Proposed placement of the carport could cause scenic view obstruction along County Route 97 and neighbor directly across the street.
- Recommend the applicant conduct a balloon test.

Ms. Kerrick provided photos from her porch and inside her home showing potential view shed issues. (On file)

Mr. Neu stated he consulted with legal staff concerning the view shed issue and was informed of the following:

- According to the information provided and using the NYS DEC formula for view shed obstruction, there wasn't enough impact on the view shed.
- One resolution was for the neighboring property owner to come up with the cost difference that would allow the applicant to go with Plan B.

Ms. Kerrick inquired about the following:

- The balloon test that wasn't done.
- The required typo map showing the affected area.
- How the Board viewed past experiences regarding the view shed issues with other site plan applications.
- Her concern about not being able to see the Lake once the carport is in position.
- They would support the Plan B location and were willing to offer their equipment.

Mr. Neu stated both the Zoning Board of Appeals and the Planning Board didn't set precedence for any one application. Further noting, each application is treated as a unique and separate request.

Jim and Carol Englert were present to express their concern over the amount of boats located currently at the boat storage and whether more boats would be coming. They further felt their land value was depreciated due to their view of the stored boats.

Mr. Mooney stated that natural vegetation could help screen the boats.

Mr. Neu stated they should contact the tax assessor to review their parcel.

A question arose whether Mr. Borkowski would be having electricity to the building.

Mr. Borkowski stated if he may run an extension cord from the barn to the carport.

Upon review of Special Use Permit Application 17SP05 that was granted in 2005, one of the stipulations was storage not to exceed 300 boats.

A roll call vote was taken.

<u>VOTE RECORD:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>	<u>Recused</u>
Glenn Neu	<u>X</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Nancy Gabel	<u>X</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Donna Sue Kerrick	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>X</u>
Chris Mooney	<u>X</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Jon Serdula	<u>X</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Stan Witkowski	<u>X</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

Ayes-5. Nays-0. Abstain-0. Absent-0. Recused-1.

**COMMUNICATIONS:**

**WEBINAR WORKSHOP:**

Chris Mooney stated a Webinar will be held at the Town Hall, Thursday, Oct 6<sup>th</sup> at 1:00PM for anyone interested in attending.

Mr. Neu stated on October 11<sup>th</sup>, the Town Board voted to reduce the Planning Board to 5 and the Zoning Board of Appeals to 3 members.

Ms. Gabel made a motion to adjourn the meeting at 9:12PM, seconded by Mr. Witkowski.  
Ayes-6. Nays-0.

Respectfully, Maureen Kurtz