

**CONSERVATION ADVISORY COUNCIL**  
**Meeting Minutes**  
**Monday, July 18, 2016**  
**Library, 5 pm**

**Members Present:**            **Lori Tripoli, Co-Chair**  
   **Pam Pooley, Co-Chair**  
   **Janine Selendy**  
   **Nancy Welo**  
   **Alan Towers**

**Also Present:**                **David Sandbank, NYSERDA (via telephone)**  
   **Janice Will, Secretary**

Lori Tripoli opened the meeting and explained that the CAC would have a telephone conference with David Sandbank, a North Salem resident who used to have a solar company, to discuss regulation of solar energy installations.

Pam Pooley had arranged for Mr. Sandbank to take questions from the CAC. She said he is currently working on community packets of information about solar installations.

Nancy Welo commented that the CAC needs legal regulations; some available information is not approved by homeowner insurance companies.

Ms. Tripoli said the CAC's interest was in helping the Planning Board develop solar regulations.

Ms. Pooley noted that some towns already have solar regulations.

Ms. Tripoli said the Planning Board is particularly concerned with the visual impact of solar panels. She added that the technology is changing/panels are getting smaller. She wondered if solar panel energy production is interfered with by trees.

Ms. Pooley said they would call Mr. Sandbank and try to get video on Ms. Tripoli's laptop computer.

Alan Towers asked what Mr. Sandbank does for a living now.

Ms. Pooley stated that he was once on the CAC. He is with the New York State Energy Research and Development Authority, heading up their solar division; when he had his own company he was approached by NYSERDA about finding someone to work for them, and he took the position himself.

Mr. Towers asked if Mr. Sandbank has any commercial interest in solar installations now that would create a conflict.

Ms. Welo thought he would certainly still have acquaintances in the business.

Ms. Tripoli called Mr. Sandbank's cellphone number, and the group introduced themselves (*no video; Mr. Sandbank was driving*).

Ms. Pooley thanked Mr. Sandbank for taking time to talk to the CAC and explained that Ms. Tripoli learned at a recent Planning Board meeting that they are interested in local regulation of solar installations, particularly with regard to visual impact. Ms. Pooley said the guidebook Mr. Sandbank is working on will probably be helpful, and she asked him to tell the CAC about it.

Mr. Sandbank said some items are being work on and others are available immediately, and he asked just what the CAC would like to know.

Ms. Pooley asked if a building permit is required for installation of solar panels in North Salem.

Mr. Sandbank said a permit for electrical work and a construction permit are both required, but he did not know if an engineer's or electrical architect's stamp is required on the plans.

Ms. Pooley asked about regulations regarding visual issues, sight-lines and trees.

Mr. Sandbank said some towns in southern Westchester used to require residents to go to their Architectural Review Boards and submit photographs of their houses and neighborhoods, but it is not a common requirement. He stated that NYSERDA will be coming out with a Unified Permit for residential solar installations that has the approval of the NYS Department of State. The Unified Permit will have certain rules; for example, solar panels must be installed flush on the roof. Mr. Sandbank stated that there will be a companion guidebook for building inspectors explaining how to read the permit and what should be inspected. He added that NYSERDA will pay towns approximately \$5,000 to adopt the unified permit; an existing unified permit is not as useful as the new one will be.

Ms. Pooley asked when/where the new unified permit will be launched.

Mr. Sandbank replied that there will be a public relations event, the permit will be available on the NYSERDA web site, and they will employ outreach contractors to sign municipalities up for the guidebook and the streamlined permit process.

Mr. Towers asked if there is any State jurisdiction over installation of solar systems.

Mr. Sandbank said the State only has jurisdiction with regard to the fire safety code. Given that New York has 1600 different local jurisdictions, it is extremely difficult to standardize anything, so the DOS provides minimum requirements. The NYSERDA website offers a document that will help developers and code officials with new NYS setback laws. Mr. Sandbank explained that towns may either adopt the State setback laws or enact their own, stricter ones; for example, New York City has more stringent rules than the State due to the number of buildings and the intricacy of fire-fighting in the City.

Ms. Pooley said she heard an interview about Solar City on the radio and learned more about how solar energy works. She asked Mr. Sandbank to explain the residential installation process.

Mr. Sandbank said there are different ways to pay for installation of a solar energy system; if a consumer pays for the equipment up front, they will be entitled to as much free electricity as their system generates. He said there are also power-purchase (lease) plans, wherein the consumer does not pay anything up front and is offered a discount on electricity for a certain number of years (20% discount/20 years, perhaps). Under this kind of plan there is a small monthly payment (less than their former electricity bill), and the consumer does not own the system; the company that does own it gets the tax credit, depreciation, etc.

Mr. Towers inquired about the economics of solar versus traditional energy, adding that the Town is in an electrical power cooperative that already reduces the cost to residents. He said it will take a compelling argument that makes economic sense for people to switch to solar power, and he asked how well it works in the Northeast.

Mr. Sandbank explained that the co-op allows residents of a group of towns to bargain as a group for discounted power, whereas solar power offsets almost the entire electric bill. He remarked that if it were not economically feasible, no one would use solar.

Ms. Tripoli asked what happens when the panels die and how they are disposed of them.

Mr. Sandbank replied that NYSERDA is coming out with a decommissioning document that explains that. He explained that the life of a solar panel is guaranteed for 25 years and can last as long as 40 years; if you own your equipment, you are responsible for disposing of it; if the equipment is leased, the owner bears the responsibility.

Ms. Tripoli asked how disposal is regulated, and Mr. Sandbank responded that it is not currently regulated at all.

Ms. Welo asked if any solar companies are guaranteeing 100% consistent output for 25 years.

Mr. Sandbank said the manufacturers guarantee at least 80% production by the 25<sup>th</sup> year (beginning with 100% in the first year), with a very slow rate of decline.

Ms. Welo commented that people couldn't find replacement cells for their systems when they degraded.

Mr. Sandbank said about 60% of systems being installed today use micro-inverters; the individual modules can be tested for production level via the internet.

Mr. Towers asked if most solar panels are stand-alone or roof-based and how, with a roof-based system, one can avoid a situation wherein the panels last longer than the roof.

Mr. Sandbank replied that solar panels can be put anywhere; a consumer should make sure the roof will be good for at least 10 years if roof-mounted panels are wanted. He said the panels cover most of the roof, so no sun gets on the individual shingles underneath/ they should not need replacement.

Ms. Pooley said she recently read something about solar shingles.

Mr. Sandbank stated that this is new technology, and it's kind of a niche business because the shingles are much more expensive and somewhat less efficient; consumers who don't mind the expense will use this kind of system for aesthetic reasons.

Ms. Pooley and Ms. Tripoli both had questions about ground-mounted systems.

Mr. Sandbank said these systems must meet local setback requirements, and there is usually a 10 ft. height limitation for residential systems. He added that ground-mounted systems must also be fenced so no one may touch the conductors. The setback requirement will keep the system safe from damage by snow plows, and trees will be noted by the system provider/discussed with the client if a problem is detected.

Ms. Pooley asked if the guidebook contains suggested restrictions.

Mr. Sandbank said he thinks there are some, but most are the decision of individual towns.

Ms. Pooley asked Mr. Sandbank to recommend a particular town's Code for the CAC to look at.

He suggested Bedford/calling Bedford 20-20. Mr. Sandbank stated that he worked mostly in Long Island and New York City.

Ms. Selendy asked how to find out about current local, state and federal financial incentive information.

Mr. Sandbank said that for residential installations, the federal tax incentive is 30% of the cost of the system minus any NYSEERDA incentive; New York State has a 25% tax credit, and the NYSEERDA incentive goes to the installer to lower the purchaser's cost of the project. Mr. Sandbank further stated that the catch is that most incentives are tax-based; a person with a low/fixed income has no tax liability to take advantage of the incentive. He said that these people would more likely go with a leased system or buy/lease into a community solar system. He explained that these systems are large and off-site and either town- or group-sponsored installations that may be made available to local residents, and the town or group will be eligible for tax credits. Mr. Sandbank said the town might have a brown field that such a system could be installed on, and the town could then choose to offer some of the power to the school, town offices, an affordable housing development, etc.

Mr. Towers asked how town pay for these systems.

Mr. Sandbank answered that a town may work with the system developer; if the town offers the site for free, the developer may install the system at no charge. The town will get the reduced cost/free power and the developer would get the incentives.

Ms. Selendy asked where and when the NYSERDA guidelines will be available.

Mr. Sandbank said he hopes to have it on the website in late August, and the updated unified permit will be next. He added that he will let the CAC know when the new permit is available.

Ms. Pooley asked if they should check the NYSERDA website, and Mr. Sandbank suggested simply Googling NYSUN.

Ms. Pooley thanked Mr. Sandbank for talking to the CAC, and the phone conference was concluded.

Mr. Towers stated that Mr. Sandbank had been very informative. He remarked that resistance to change still needs to be overcome/people believe stories that solar energy doesn't pay, and there is the matter of cost. People will want know when they can expect to recoup their investment in a solar system.

Ms. Pooley said she thought it would help for people to know that they have the option of leasing a solar installation; they won't get the tax incentive, but neither will they have to pay for the system/they will still save money on power.

Mr. Towers commented that people also have concerns about how the installations will look/will they have it on their roofs or on the ground.

Ms. Pooley said she would consider putting in a solar system in the future, but she had also thought one had to purchase it (that is the only plan offered by Solar City). She noted that there are incentives for purchasing a solar installation, but also added that the systems are very unattractive.

Mr. Towers thought this would be a particular issue in North Salem, given the attention paid to viewsheds and rural character in the Comprehensive Plan. He wondered just how solar installations could be promoted.

Ms. Pooley thought ground installations might require fencing or screening.

Ms. Welo said she looked at other towns' rules for solar installations, and there is a lot to take into consideration, i.e. roof- versus land-based systems and electrical connections. She further stated that if the State takes the tax credit away after 5 years and the consumer has a 20-year lease, the consumer is still liable for the price of those solar cells thought to be free. Ms. Welo was against promoting something that might not be economical.

Mr. Towers said one would still have the same system after the end of the tax credit period.

Ms. Welo said she was concerned about the cells degrading over time and difficulty getting replacement parts.

Ms. Pooley thought the CAC should just work up something for the Code and not try to advocate use of solar installations. She also said she will contact Bedford 20-20 and see how their town handles the situation. She commented that aesthetics and setbacks are real issues, especially for on-the-ground installations.

Ms. Tripoli stated that they should recommend things to be considered, but not offer specific language.

Mr. Towers asked if Ms. Pooley and Ms. Tripoli were saying that they feel the CAC's mandate is not to offer an opinion as to whether something is good or bad, but rather to raise issues to be considered, and they said he was correct.

Ms. Selendy said she will do some research into solar panels that are at least mostly made in the United States as opposed to foreign-manufactured components.

Mr. Towers suggested a pilot program that would be educational; if someone with enough land would agree to have a solar system installed, it could be monitored/the property-owner could work through the economics of it for a year, and all of that would educate people.

It was noted that some properties in Town have solar systems already.

Ms. Welo said that in addition to being very conspicuous, the roof-installations are very difficult to clean.

The secretary will see if she can find out who in North Salem has had solar systems installed; Mr. Towers said he would like to hear from them.

Ms. Pooley commented that the technology is constantly changing and changing a lot.

Ms. Selendy mentioned a farm in Bedford that has a solar installation.

Ms. Tripoli noted that a building permit is required for installation of a solar system in Town.

Ms. Pooley will inform the Planning Board that the CAC is working on a recommendation regarding solar energy.

#### Inspecting Conservation Easements

Ms. Tripoli stated that Ms. Pooley did up a draft set of comments as a follow-up to the first site inspection at the Bloomerside Preserve, and Ms. Pooley read it for the other CAC members.

Ms. Selendy said the CAC had noted a lot of garbage on their inspection, but Ms. Pooley said the presence of garbage is not considered an incursion.

Ms. Selendy said there had also been discussion of parking during the inspection, but Ms. Pooley said there was no reason to bring it up at this time.

Ms. Selendy thought it wouldn't hurt to mention it as there may be parking in the future.

Mr. Towers remarked that the part of the easement where the parking entrance would probably be is a beautiful area of wildflowers, so perhaps parking should be brought up.

Ms. Pooley felt it was just too premature at present and also not the point of the site inspection. She said that as a steward of the conservation easement, she had written about the garbage.

Ms. Tripoli said the CAC letter only needs to be a short and to-the-point report of existing conditions as noted; in this case, they have no concerns.

Ms. Pooley felt the letter should be sent soon, as nearly a month has passed since the inspection.

Mr. Towers thought the tone of the letter could be more positive.

Ms. Tripoli thought the basic template should be either, "... have the following concerns" or, "... have no concerns".

It was decided to keep the letter as Ms. Pooley composed it.

The next inspection will be discussed in September.

#### Grants

#### H2H Initiative

#### Meetings Attended

No one had anything to report on these topics.

#### WP16-03/2 Orchard Drive

Ms. Welo stated that there is to be no second story and no additional foundation included; the new owner is simply re-building the house. She noted that there are other new, larger houses going up in the Peach Lake communities since the sewer system was installed.

Ms. Welo was concerned that the sewer plant was designed with the existing number of houses/bedrooms in mind, but others said the plant had actually been running poorly because it was under-utilized. She noted that the lakefront site is already impacted by the existing house, and the owner does have a plan to keep any building materials, debris, etc. from getting into the Lake.

Mr. Towers reminded the others that he had already submitted a short note of comments.

WP16-03 to be removed from the agenda.

#### WP16-04/141 Baxter Road

Nothing happening at present; keep on agenda.

Hawley Woods Subdivision

Watch Planning Board agendas/keep on CAC agenda.

Palaia Subdivision/1 Wallace Road

Salem Hills Healthcare Center/539 Route 22

Fuelco/2 Fields Lane

Nothing to report; keep on agenda.

Salem Golf Club

Mr. Towers stated that club members have been told the pool/gym project will start in the fall.

Keep on agenda.

Homeland Towers/101 Bloomer Road

Planning Board review is nearly complete. Remove from CAC agenda.

Cell Tower/Sun Valley Drive

This application is for switching of equipment on an existing tower. Keep on agenda.

Future Activities/Plans

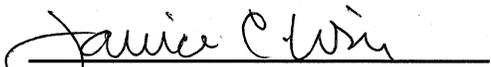
Nothing new to be taken on at this time.

Next Meeting

The August meeting was scheduled for August 15, but Ms. Pooley will be unable to attend then. It was agreed to meet on August 22 instead.

Minutes of June 20 Meeting: approved.

Respectfully submitted,

  
Janice Will, Recording Secretary