

**North Salem Planning Board Minutes**

**June 8, 2016**

**7:30 PM – Town Meeting Hall**

**PRESENT:**            **Cynthia Curtis, Chairwoman**  
                         **Charlotte Harris, Board Member**  
                         **Christopher Brockmeyer, Board Member**  
                         **Gary Jacobi, Board Member**  
                         **Bernard Sweeney, Board Member**  
                         **William Agresta, AICP**

**ABSENT:**            **Roland Baroni, Town Attorney – not required to attend**

<b>ATTENDANTS:</b>	<b>Palaia Subdivision:</b>	<b>Daniel Hollis</b>
		<b>David Palaia</b>
		<b>Dawn Didomenico</b>
	<b>Town Councilman:</b>	<b>Brent Golisano</b>
	<b>Conservation Advisory Council:</b>	<b>Lori Tripoli</b>

**Chairwoman Cynthia Curtis calls the June 8, 2016 North Salem Planning Board Meeting to order.**

**1. Palaia:** Daniel Hollis (owners – David Palaia & Dawn Didomenico)  
**Subdivision** (location – 1 Wallace Road)

- Consider Letter of Recommendation to the Zoning Board of Appeals

Cynthia states as she said would do, she drafted a letter based upon all of the points that were put in the previous Memos from the Planning Consultant, and sent it around to the Board. Cynthia states since this is a Draft, she would like to go through it to see if there is anything the Board has questions about or wants modified and we will discuss it point by point. Cynthia states there is one thing she is going to add and refers to the cc's at the end and states the letter will go to the Town Board Members too and she neglected to put them on the typed Draft. Cynthia states some of the points mentioned at the last Meeting from our Planning considerations talked about the development of the Ordinance through the Master Plan and the significance of Section 250-16, what it means, how it is being applied in this instance, the specifics of this property with regard to environmental considerations, and what the deduction calculations came out to. Cynthia states in sending it over to the Board of Appeals she went back to the two Memos that Will wrote and dropped in those points. Charlotte confirms those are the Bulk points. Cynthia asks the Board whether they have any questions or comments on the first or second Page. Gary refers to the second Page about midway through and states there is language such as "The area variances requested by this Applicant seek to completely set aside, (100% set aside), this section..." Cynthia states yes, and refers to further down on that Page where the specific calculations are listed for this property and states basically you would have to not apply anything from 250-16, so it is in its entirety at 100%, and there is nothing to calculate, it is just the fact that you wouldn't apply the environmental constraints at all. Gary asks whether there are any of these environmental issues on this lot. Cynthia states yes and refers to the third paragraph up from the bottom on Page 2 and states it is 0.50 acres for Lot 1 and 0.53 acres for Lot 2 taking into consideration the environmental constraints. Will states that is just a portion, and they would need additional acreage. Will states there are more of those resources. Cynthia states yes, she thought Gary just wanted the calculation part of it. Cynthia asks Gary if he would like Will to take him through it. Will states you have the acreage and to map all of the different resources, when you look to get

to the four acres, you can only count 50% of those resources within those four acres. Will states being half an acre short on each Lot isn't the only amount of those types of land that are on the property. Will states they are short on property because they don't have any more land. Will states someone could have an eight acre lot that ends up being short an acre. Charlotte confirms that could be due to wetlands or other environmental issues. Will states whatever amount it is, the Variance is asking to count those lands that otherwise would not have been counted. Gary asks how big the Variance is that is being proposed. Will states it is approximately half an acre on each Lot. Will states that is just the mathematical equation of the minimum lot area. Will states it is a half-acre that those lands equate to so those are on the order of 12 or 13 percent, but the way to get there is to be able to count all discounted land. Cynthia states she quoted the whole section of the Code right above it on that page. Cynthia states Christopher pointed out a grammatical error in the second paragraph up from the bottom on Page 2 of the word "satisfying" which she will correct. Christopher states otherwise, having reviewed it, it capsulated all of his thoughts and concerns. Cynthia asks whether she left anything out and states she knows parts are a little repetitive. Cynthia states she at least got in everything that the Board Members mentioned, as well as comments in Will's Memos. Cynthia states when she sent it over to the Board she mentioned that she had sent it to Roland and he did review it. Cynthia states she will send it one more time to Roland. Charlotte asks whether Roland made any changes. Cynthia states yes. Cynthia confirms the Board has no further comments. Cynthia states as she mentioned, she will attach the Notice under SEQR to the letter just for an easy reference for the ZBA Members, and this will be copied to the Town Board.

**Chairwoman motions that the Letter to the Zoning Board of Appeals will be Finalized, Sent to the Town Attorney, and to the Zoning Board of Appeals. Christopher Brockmeyer seconds. All in favor. No opposed.**

After the motion Cynthia states we will finalize the letter and confirms with Dawn that it is alright if she sends it over to her as a pdf.

Mr. Hollis asks how soon they might get a copy so they will be able to put their packet together. Cynthia states as soon as she signs it and sends it over to the Board of Appeals we can have it sent to Mr. Hollis too. Mr. Hollis states that will be swell and via e-mail is fine. Cynthia asks Mr. Hollis if he has made his Application to the Board of Appeals yet. Mr. Hollis states he can't until this happens. Mr. Hollis states they are shooting for the July 14<sup>th</sup> Meeting. Cynthia asks Mr. Hollis what his deadline is. Mr. Hollis states he thinks next week and they are working on the packet. Mr. Hollis states probably by the end of the week at the latest. Will states Mr. Hollis doesn't need the letter in order to make his Application to the ZBA. Mr. Hollis states he wants it as an Exhibit. Mr. Hollis states that is part of his Application. Charlotte asks whether it may be added afterwards. Will states the way it should have been done is that it goes to the ZBA and they make a Referral to the Planning Board and the Planning Board makes a Report to the ZBA. Will states that is how it is set up under State Law. Will states we are jumping the gun with something the ZBA doesn't even have yet. Cynthia states the letter will go over to Roland and when he gives her the okay then it will go out.

## **WORK SESSION:**

### **2. Solar Regulation Discussion:**

Cynthia states we had received from Charlotte, as well as Paul Taft, a Model Solar Energy Law. Cynthia states that Will has taken all of the items that he had in his file including the Model Law, as well as some of our preliminary comments on how to attack solar energy in Town, understanding that everyone is in favor of it, but at the same time we are a little cautious as to what could happen on a larger scale, and put a Draft together to allow solar energy for any property owner to provide the energy for their own use on their own property. Cynthia refers to this having to do with the energy that someone would need on their own property and states

that Will structured this Draft such that if someone has a Single Family Home it is an Accessory Use by Right and if someone is part of a Non-Residential Development or a large scale Residential subject to Site Plan then it automatically becomes a Site Plan Amendment. Cynthia states the Non-Residential people would come to us, not simply because they are putting solar energy on, but because it is part of a Site Plan Approval or a Conditional Use Approval. Will states it would be same is someone wanted to add a dumpster enclosure, build a little shed, or add parking. Cynthia states what we are not showing in this proposal are any kind of solar farms, such as if someone wanted to come in on a Commercial level to just simply sell the energy. Will refers to the Definition of Principal Solar Energy System on Page 1 and asks the Board whether they want to keep the Definition and add this to the Prohibitive List in the Code or just be silent about it. Cynthia states the Board should think on that as arguments could be made both ways. Cynthia asks the Board if they are comfortable with the general approach to the proposal before they go any further. Christopher states it makes sense. Cynthia states we tossed around the idea, if it is an Accessory Use by Right, whether we ever get to a point where it is too big and maybe we need to tighten up the Regulations on it through the Permit process. Cynthia states initially she thought yes but then pulled back and thought maybe we should see if we could cover it all with the Standards in the Regulations so that it doesn't trigger going to a Board, but would work for everybody. Cynthia states as the Board is reviewing the Draft they have to remember that someone could have a little tiny lot in Purdy's or Croton Falls, or a lot of homes in a row on Hilltop in R1 and R1/2 Zoning versus 4 acre Zoning where someone may have 100 acres and no one is going to see it. Cynthia states we have to think about all the different scenarios for the Single Family Home and one of the main items that Will put in his Draft, which we saw in the Model, is to keep the panels out of the front yard. Cynthia states she thought about the fact that people could have front yards and be way back in the woods and wonders whether those people have to go to the ZBA and if they do, hopefully it will be for an Area Variance and not a Use Variance. Will states that is interesting. Will states it is really an Area Variance because it is a restriction of location because they could still have the Use somewhere else. Cynthia states right now that is the way it is set up, so as it could not go in a front yard without going for a Variance. Christopher asks whether there is a solution if we were to establish a setback Requirement from the road. Cynthia states if we are writing something that is generic and works for all of the Zoning Districts then a setback in an R1/2 and R1 Zoning District is not going to help. Cynthia states it would be 50 or 75 feet. Christopher states then someone simply could not do it in an R1/2 or R1 Zoning District. Will states there is a setback Requirement that meets the setback of whatever District it is. Will states the second part would be to keep the panels out of front yards. Will refers to people having larger properties in terms of what they would have to do. Will refers to the Standard needing to be differentiated in order to accept certain Zones. Christopher states his view is that it doesn't matter whether it is a hundred acre property or a half acre property we don't want to see a free standing solar panel 25 feet from the road. Will states he agrees. Christopher states he hasn't had a chance to look through this latest version and talks about someone putting solar panels on their roof, which might be 25 feet from the road, versus putting a free standing solar panel in their front yard. Christopher states to him those are different issues. Charlotte states she agrees. Cynthia states if it is on a roof the structure already is allowed to be that distance. Charlotte states there are no setback issues when the panels are on a roof. Will states it has to meet the setbacks so if the building is non-conforming someone wouldn't be able to do it. Cynthia states then they would have to go for a Variance. Will states there is a distinction between roof mounts and ground mounts as the ground mounts have a restriction on the front yard. Will refers to his Draft and states he thought he added something in about roof panels being on the back of the house. Will states if someone puts the panels on the back there may be more opportunity for tiling versus on the front they would have to match the roof line. Will states in theory, for most houses, if they meet the setbacks, this will not be an issue. Charlotte refers to Peach Lake. Cynthia states that half acre zoning would need a 30 foot front yard and one acre zoning would need a 35 foot front yard. Cynthia states that is nothing and even if it was a 75 foot setback these panels are going to take up a lot of footage. Cynthia states she thinks it is more important to write it for the specific setbacks for each District versus the number of people who are extremely set back from the road. Will states there is also no guarantee that just because it is set back from the road that it will not be visible. Cynthia states that is right,

those people would probably want the panels as far away from their house as they could. Will states you could have a house setback 300 feet and there could be one big open field. Christopher states a lot of the placement of these panels depends in large part on what the property itself looks like. Christopher states someone may simply not have an option except to put a panel or panels 15 feet from the road and if our Zoning Regulations say someone can't do that then they can't do that. Cynthia states then someone may have a good argument to go to the ZBA and state their case. Will states it is really no different than building a pool and having to deal with septic, well, and wetlands. Christopher refers to the Tree Cutting Regulations as they relate to the solar panel issue. Cynthia refers to the language used such as "to the greatest extent possible someone would have to avoid situations like that". Christopher asks whether someone would have to get a Tree Cutting Permit. Cynthia states normally when someone is going for a Building Permit and want to take down trees, they would not need to get a Tree Slashing Permit because it is part of a Building Permit Application. Will states we should look at those thresholds. Cynthia states if to energize a property with solar it takes 5,000 square feet of panels and they cannot go on the roof and are going to be on the ground there could be 10,000 square feet of trees coming down because they may say that the panels will take up 5,000 square feet, but 10,000 square feet of trees will need to come down. Charlotte refers to the trees blocking the sun. Cynthia asks the Board whether they want to have a cap on how much land disturbance there can be, otherwise it triggers either a Board review or a Variance. Cynthia states right now it is set up as an Accessory Use and a Building Permit would be required so long as the underlining Zoning and Setbacks are met. Cynthia refers to the Draft and states we could have started at a stronger stand where someone has to go for Permits. Charlotte talks about making it fairly easy for homeowners to do it. Cynthia states we have to recognize that some of the homes in this Town are going to require big systems, especially if they are trying to obtain energy for more than one structure. Cynthia refers to people having accessory apartments, heating swimming pools, and lighting tennis courts. Cynthia states there could be a lot of use. Cynthia asks Gary how many solar panels would be needed for an average size home. Gary states it all depends on how much sun hits the panels. Gary states if the land is already on a slope and facing south fewer panels would be needed versus a southeast or southwest exposure. Cynthia states then the strength of the angle matters. Gary states if you look at solar panels that are put up in Alaska they are vertical. Cynthia states in order to catch the sun. Gary states he personally doesn't want a cap although if he did he would say there should be a percentage of the lot and no more than say 25%. Cynthia states that would be picked up by the Development Coverage. Bernard refers to immediate neighbors in terms of what effect this would have in terms of sight. Gary states it gives a negative effect. Charlotte states it definitely does. Cynthia states the only protection would be the setbacks. Cynthia states if it is a side yard, 1 acre would be 20 feet, 2 acres would be 30 feet, and 4 and above are 75 feet. Cynthia states on the Commercial aspect, when people come to us for Site Plan, we can try to deal with that and maybe get some buffering of plantings in. Charlotte asks whether we are going to allow commercial solar farms. Cynthia states no, we are allowing commercial properties to do what a home would do, but they would come to us as part of Site Plan, and they could put panels on the roof or on the ground. Charlotte talks about controlling the buffering. Gary states the problem with landscaping is that it could only be done to the north, and not to the east or the west. Cynthia refers to the panels going up eight feet and talks about whether low bushes could be planted underneath. Gary states yes, but you would still see the glare. Cynthia states they would be seen from the second floor. Gary states you would even see them when driving by unless the bushes are really thick. Gary states the panels are bright. Christopher states you would see them all the time and can't shield them, as it defeats the whole purpose. Cynthia asks whether the glare diminishes. Gary states not when the sun goes down. Cynthia asks whether there are finishes that may have less of a glare. Gary states there might be. Cynthia states she has seen pictures, but have not seen panels in use. Cynthia states she is anxious to go over to Hunt Lane and see the panels that went up on the barn. Charlotte states the panels can be seen from the road. Will states it is probably doubtful that many commercial properties would put panels on the ground unless they build them into a canopy structure because it chews up land that otherwise could be used. Cynthia refers to the Town of North Castle and states Roland mentioned a Company there that has a Permit to take 10 acres of side yard. Gary states that is Swiss Re. Cynthia states they can't put the panels on the roofs. Will

states that is a big property. Gary states some people are putting canopies up over parking lots in order to serve two purposes. Cynthia states Gary mentioned that it gets hot underneath. Gary states it will only be a factor during July and August. Cynthia asks whether people would not want to park their cars underneath. Gary states he doesn't think it gets any hotter underneath there than it does in Arizona. Will asks whether it gets hot because it has its own heat. Gary states when the sunlight hits the panels they are not insulated on the bottom, so there is heat loss through there. Gary states the good news is with natural gas so cheap, no one is in a hurry to do this. Cynthia puts up the Elliott barn on the screen that is under construction. Will states those are the panels you don't want. Cynthia and Charlotte ask why. Will states there are panels that are black and don't have all of those white lines crossing through them. Gary states there are less intrusive panels. Charlotte states in a way that is better looking than the old corrugated roof. Gary states it isn't as bad as the roof. Christopher states he remembers three or four years ago these little Mid-evil Villages in Germany had solar panels on the roofs of the buildings. Christopher states at first it is a little jarring but one gets used to it. Charlotte states they are a lot better than the free-standing panels. Christopher states personally he doesn't have any serious issues with regulating panels on roofs. Christopher states he does have a desire to regulate them to the greatest extent practicable in terms of free-mounts on the ground. Gary refers to the Elliott barn and states it will be pushing a lot of power back into the grid. Gary states that barns don't use much power. Cynthia states they are converting all of their energy to electric heat. Charlotte states they have a guest house/cottage also. Gary asks whether panels are going up on the house. Charlotte states they have an indoor ring that has lights. Gary states lights don't use that much power. Charlotte refers to the big florescent monster lights and states they use a fair amount of power. Will states that is a task someone could take on in terms of talking with the electric company about restrictions. Christopher states his personal experience is that when someone has a solar system they have to sign a contract with NYSEG and they are required to give credits and he doesn't know whether there is any limitation to that. Will states in Connecticut, Connecticut Light and Power and Eversource somehow have the ability to do the same thing and they can limit people in terms of the size of their systems. Christopher states he doesn't think that is the case in New York. Christopher states what is unfortunate in New York is that if you are producing a certain amount of solar, and continue to accumulate credits, there is no way to transfer them. Charlotte states you can't sell them. Christopher refers to his houses in North Salem and upstate and states even though they are both with NYSEG, he can't transfer the credits. Gary states they do not give you cash. Cynthia states one exercise that might be beneficial to us, just for general understanding, is to try and get a sense of how many panels it takes to provide electricity for a 2,000, 4,000, or 10,000 square foot house. Gary states he thinks it could be done on a per foot basis. Gary states per 10,000 square feet of house you may need 10 square feet of panels. Christopher states that is tough if someone has electric base board heating, and a hot tub and pool. Gary states it would be an average. Cynthia states we have to start somewhere and get a sense for this. Will refers to the major installers and states they know about this because this is what they do. Cynthia states she thought she would talk with the installers for the Elliott property and the installers for the June Road property at Turkey Hill Farm. Cynthia asks Mrs. Tripoli if the CAC has done any homework on solar energy. Mrs. Tripoli states they have not, as they have managed to keep themselves busy. Mrs. Tripoli states they could probably consider it. Cynthia refers to Janie Selendy and states she may have some information. Mrs. Tripoli states they are meeting on June 20<sup>th</sup> and she will bring it up. Will asks whether there is any program in Town in terms of partnering. Cynthia states we are part of the Northern Westchester Energy Consortium (NWEC) and she can reach out to them to see what kind of information they might have. Cynthia states every other Town is doing this also, so maybe we could pick up information from them. Cynthia states not everyone has had a chance to fully digest the Draft yet. Cynthia states one of the main items we have to think about is if we go the route of Accessory Use by Right, and don't have a stopping point, if it ends up being a 5,000 or 10,000 disturbance on the land, can we live with that. Cynthia states that is assuming it meets coverage and bulk setbacks. Charlotte confirms Cynthia is talking about free-standing panels. Cynthia states if someone wants to put panels up on their barn roofs, house roofs, and shed roofs, that is fine. Christopher confirms that 10,000 square feet would be ¼ of an acre. Will states you could change the threshold so 1,000 square feet would not be for a roof, only for the

ground. Will states right now the cutoff is 1,000 square feet. Cynthia states that is right and we are not saying what happens after that. Will states after that the Applicant would have to go through the Board. Cynthia states yes, for Commercial. Will states for Residential also. Cynthia states that is the part she missed and asks Will where he referred to Residential in the Draft. Will states it is listed on Page 4, but it is more specific on Page 6. Will refers to the 1,000 square foot roof or ground area limitation and states anything 1,000 square feet or less would require a Building Permit, and anything 1,000 square feet or more kicks it up to the Board. Cynthia states she was confused with No. 2 on Page 6 because we never use the term Site Development Plan with Single Family Residential. Cynthia states maybe we should call it something else and refers to Special Permits or Conditional Use Permits. Cynthia confirms that a Residential Property would come for Site Plan Approval. Will asks why the Board would want to kick it to Conditional Use, as that is a bigger task than Site Plan. Will states the other way to do that is to cap it so people receive a Building Permit and anything above a certain threshold, no one can do. Cynthia states or they would go for an Area Variance through the ZBA. Will states a homeowner has to come before the Board for a Wetland Permit. Cynthia states that is true. Christopher states he doesn't understand what 1,000 square feet means in terms of energy production and asks whether it is considered large by most standards. Cynthia states that is why she thinks we need to do our homework first. Christopher states it sounds as if a good amount of energy could be run off of it. Cynthia states if she understood correctly, the one Building Permit that Bruce did give, for ground panels, was for 5,000 square feet. Cynthia states she doesn't know whether it actually has been built yet, but Bruce told her someone was coming in for a Permit. Charlotte states that would be 1/8<sup>th</sup> of an acre. Cynthia states this was for a Single Family Home on June Road and she will follow up to see if it actually happened and what the net result was. Will states the house could be 10,000 square feet. Gary states on days like today you would not get any output, and if it is sunny tomorrow, you might get enough output to sell back to the utility on Thursday which covers what you used on Wednesday. Cynthia states or they are planning on getting rid of their oil heat and converting everything to electric heat. Will refers to the Elliott barn and asks how big it is. Will asks if the barn is the only structure the property owner is doing. Charlotte states it is probably 30 or 40 feet wide, by 100 feet long. Gary states if it is 40 feet wide you would have 20 feet on the side that is being paneled. Cynthia asks what the size of the panels usually are. Gary states they are about six or seven feet tall and three feet wide. Gary states there will be about 60 panels on that roof, and if we are right, and each panel is 6 feet by 3 feet, that would be 18 feet. Gary states there would be about 1,000 square feet of panels on the roof. Will states if you compare that to 5,000 square feet, it would be five times that. Charlotte states visually that gives us an idea how big 5,000 square feet would be. Christopher states he just looked on the internet and states solar panels, depending on the size, the wattage will range from 100 to 345 watts per panel. Christopher states someone would have to divide whatever their house energy use is by that to figure how many panels they would want. Christopher states it would be a good idea to find a local installer to come in and give us all the nuts and bolts on this. Cynthia states she will reach out to the NVEC as they must know some of these numbers. Cynthia states forgetting whether it is 1,000 or 2,000 square feet, the Board should think about whether they want to have a stopping point that would trigger someone having to come to us. Gary states the answer is yes, but he doesn't know what that point is. Charlotte agrees. Cynthia asks the Board whether they care if someone has more than 1,000 square feet on their roof, or just on the ground. Gary, Charlotte and Bernard state just on the ground. Cynthia states when she mentioned this to Will he thought we should care. Will states if someone did 5,000 square feet on existing roofs, you shouldn't care, but if they did 5,000 square feet on the ground, you would care about that. Cynthia refers to Page 6, Item A2 and states she would take the words "of roof area" out and just leave it as "ground area". Will states he will make the change. Gary states the most he would say about roofs is not to have the panels hanging over. Cynthia states yes. Gary talks about the existing footprint of the roof being utilized. Charlotte asks Gary if he has ever seen panels hanging off of a roof. Gary states he hasn't but that doesn't mean they don't exist. Will states if the installers are conscientious they will never put the panels over the roof. Cynthia asks whether the panels generate any noise at all. Gary states no. Cynthia refers to what Christopher had mentioned in regards to panels that rotate with the sun. Gary states the only noise would be the motor rotating the panels. Cynthia refers to someone having a whole field

of panels that rotate with the sun in terms of noise. Christopher states one panel does not produce any sound at all, but if you amplify that by 100, it would. Gary states during the day the panels rotate slowly, and at night they all flip back towards the east. Charlotte asks whether any of the roof-mounted panels tilt or are motorized. Gary states they can if the roof has a southeast or a southwest tilt or angle. Gary states you want the panels pointed as far due south as you can. Charlotte states that would create a visual disturbance, versus flat panels that wouldn't. Cynthia states Will added provisions on Page 6, Item A2. Cynthia refers to the screen and talks about the Model Ordinance and states they actually built special tilting areas for them on the roof. Gary states he doesn't think that those move or rotate, they are tilted to capture the best angle of the sun. Cynthia states she thinks they were put on a flat roof. Gary refers to the panels on the upper left hand corner of the screen and states they are tilted that way to get the maximum sun. Will states he looked on the internet and the size of the panels are typically 65 x 39 for Residential and Commercial is 77 x 39. Will states they are thin. Gary states yes, they are getting to be like the flat panel televisions and not that heavy. Gary refers to the Elliott barn and states it doesn't look like it would hold a lot of structural weight. Cynthia asks whether they totally override the gutter system or is it necessary to redo the gutter system. Will states they are problematic in terms of snow because the snow flies off of them. Cynthia states it must be like having a metal roof. Gary states if the panels are not sloped enough the snow may not come off of the roof and the panels will lose their effectiveness. Gary states he doesn't have a problem with the panels on the roof and as the picture on the screen shows, it could also be a nice improvement. Bernard states he agrees, but someone may not have such a wide-slanted roof, and aesthetically it would not look very nice. Cynthia refers to Page 7, Item 2A where it talks about not having solar panels more than 18 inches off the surface of a roof. Cynthia refers to Page 7, Item 2B in terms of a maximum angle deviation and maximum roof height. Cynthia states we have to think about this. Christopher refers to maximum angle deviation and states if someone has a roof that is 37 degrees they could go up to 45 degrees and asks is that is how it could be conceptualized. Will states yes, whatever the tilt is. Christopher refers to the Elliott barn and states it is probably at a 30 or 35 degree angle. Cynthia states we do have flat roof homes in Town. Gary states they would probably want to have panels that are angled. Will states he assumes that some of this will self-regulate itself because the process is easier to do versus structures being put in so the panels may be angled. Cynthia puts up the Millbrook School on the screen which is off of Route 22. Charlotte states the school has about 600 acres and they have an arrangement with one of the solar companies. Charlotte states she believes they are leasing the equipment. Gary states that way the tax flows back to the manufacturer. Christopher asks whether the panels power the whole school. Charlotte states she hasn't read the article, but does not think the panels power the whole school. Charlotte states it is not a huge school. Charlotte states they have some very high tech buildings. Cynthia refers to the ground underneath the panels and states she would like to know what happens there over time. Cynthia asks whether the grass will continue to grow or will it die. Christopher states he has to imagine the grass would die. Charlotte states the heat would probably fry it. Will states some type of weed species would probably grow. Cynthia states so long as there is some kind of ground cover, you wouldn't have to worry about soil moving. Gary states the building in the upper left hand corner is beautiful. Charlotte states it is a beautiful school and they have a lot of Leed Certified Buildings. Charlotte states the building Gary referred to is a Math and Science Building. Cynthia refers to the screen and states these panels are in Ohio and they stick up on a pole. Cynthia states this shows us what people could try to do. Christopher states whenever he has seen the panels installed in fields they don't really have any soil or land disturbance. Christopher states as long as there is a fairly mild slope, they can go anywhere. Charlotte refers to Route 7 in Vermont and states every farm seems to have huge solar fields. Cynthia refers to what an impact there would be when looking across the Titicus Reservoir, seeing trees coming down, and solar panels going up. Cynthia states the phones at Town Hall would be ringing off the hook. Will refers to the panels at the Millbrook School and states they are probably not visible. Charlotte states they are in a field way up in the back of the property. Cynthia states when they did the Comprehensive Plan, the Open Space Committee prepared a Map of the view sheds and half the Town has a significant view shed. Cynthia states we have homework to do and asks who will take on different portions of this. Gary states he will take on the math portion. Cynthia states she will talk with Bruce

and find out what Applications he has already processed and see what information she may retrieve from those files. Cynthia refers to obtaining the names of the solar companies and states she could e-mail the names if anyone wants to call one or two of them to see if they have materials for us to see. Christopher asks whether they would come in and talk with us. Cynthia states if we invited them she is sure they would. Cynthia asks if someone would be interested in contacting NWECC. Cynthia states the Town is a part of the NWECC in Westchester and it is all about energy. Christopher states he will contact them. Cynthia states Christopher could probably obtain the contact information through Amy Rosmarin. Cynthia states Warren may also have it. Gary states if someone has a time of day meter, that was not a good deal, and the Town signed up for them. Cynthia asks if Gary is talking about a day and night meter. Gary states yes. Charlotte states Gary is correct, as they have one and her Husband John did the math, and it did not make sense to have it. Cynthia asks whether they went back through at least a year's worth of bills. Charlotte states yes. Cynthia states she has a day and night meter and her bill was about the same. Cynthia states she signed into wind energy and those rates were a little bit better than the NYSEG rates. Cynthia states she thinks it uses water power also at some point. Will refers to the portions he highlighted in the first few Pages and states he didn't know if the Board is going to allow the heat aspect. Gary states a lot of houses in Florida have the panels for their hot water, such as for washing machines and dishwashers. Cynthia states her Husband Frank talked about putting a panel in where the water circulates through. Will states it is a collecting device. Cynthia states she thinks this should be included as some people may be doing it. Charlotte asks whether solar farms are listed in the Draft. Will refers to the Definition of Principal Solar Energy System on Page 1 and states this is something the Board has to think about in terms of allowing them, or if not, including them on the Prohibited List to be very clear, or just be silent and list what is allowed. Cynthia states she thinks we should put them in and say they are prohibited. Christopher states he doesn't think we want to have solar farms that are Commercial operations where people are deriving revenues by farming it out. Gary states he isn't sure whether the Board has the ability to do that and states there might be a Federal Law. Cynthia states it might be coming and she had asked Roland about it when the Board first started the conversation. Cynthia states at that point Roland said there wasn't a Law yet. Will states that would be based on a Public Utility level in terms of exemptions. Cynthia states if that is coming down the pike we have to be ready to write something about that to the best we can. Cynthia asks if Will highlighted anything else that the Board should be thinking about. Will refers to Page 8 and states they talked a little bit about setbacks. Will states they have everything related to User Groups and the thought is whether we apply the Principal Use User Group to the Standards. Will states this goes back to the question in terms of when something is too big. Will refers to Page 4 and states the Board would actually have to Amend the Schedules. Cynthia refers to the Bulk, Setback, and User Group and talks about creating a new line in the Bulk Table. Will states it would take it away from being Accessory in some respects. Will states we don't have User Groups for Accessory Uses. Cynthia talks about forgetting about the Single Family Residential and just concentrate on the Commercial structures. Will states they have User Groups also. Will states that is a problem because in the Commercial Districts there could be multiple Uses within different User Groups. Cynthia states she wonders what happens with the Development Coverage. Cynthia states we are not calling it Building Coverage we are calling it Development Coverage. Cynthia states the panels on the ground would trigger the maximum Development Coverage. Will states it depends in terms of whether the building includes structures. Will states if they are covered with the Definition of Building they would trigger in both, and if they don't meet the Definition of Building they would only trigger the maximum site coverage. Will states you are chewing away the site coverage with the panels. Cynthia refers to Use Group J and states the difference is between 60% and 20% or 40% and 20%. Will talks about there being two or three Uses within two or three User Groups and wonders what the Development Coverage would be. Cynthia states it may say that the more restrictive would apply, and she will go and look at that. Cynthia states we have to do a little more homework in terms of plotting this out and talks about when she brought a Map of Fields Lane in when the Board had been discussing the sizes of the lots. Cynthia states she will bring in some sample properties in different Zoning Districts so we can see how the Maximum Development Coverage may play out, including the setbacks. Will states the Board wouldn't want to give a pass in terms of coverage. Cynthia states she isn't

talking about giving a pass, she wants to see if it is feasible. Will states it may not be feasible because some of the properties are too small. Cynthia states someone may have to put the panels on the roof if they couldn't put them on the ground without getting a major Variance. Will states it might be easier to get a Variance for solar energy then it would be for additional building. Christopher talks about limiting the total footprint of the solar panels and states people may not have those problems. Christopher states if we state that someone may not disturb, for example, more than 4,000 square feet, regardless of the size of their property, then we wouldn't really need to worry about bulk or development issues. Will states if someone is at or close to the cap now and they want to do solar energy they may be stuck. Christopher states someone would need to get a Variance. Cynthia refers to a Commercial facility having a big parking lot and talks about having a structure over the parking lot. Will states there are other options. Cynthia states she is not saying we need to change anything she is just trying to figure out what the potential impacts might be. Will states you will find that if the properties are smaller, putting the panels on the ground becomes more difficult, because trees and buildings will shade everything. Will states if someone only has ½ of an acre or 1 acre, there is not much they will be able to do on the ground. Charlotte states that is where the roof makes more sense. Cynthia states we have to think about the roof installation in terms of height, angle, and visual impacts to see if the basic Standards work. Cynthia states we didn't plug in numbers for that.

### **3. Next Meetings:**

- Regular Meeting – July 6, 2016 (may change to July 13<sup>th</sup>)
- Work Session – July 20, 2016 (may cancel)

Cynthia states she will not be here for the July Work Session and the next Meeting is coming up as July 6<sup>th</sup>. Charlotte states she will not be here. Cynthia talks about landing the Meeting in between. Charlotte states she won't be here the following week either. Christopher states he is not here July 6<sup>th</sup>, but he could be here July 13<sup>th</sup>, 20<sup>th</sup>, or 27<sup>th</sup>. Gary states he is available any Wednesday in July. Bernard states he is okay in July, but not in August. Cynthia asks Will if he is available on July 13<sup>th</sup> as opposed to July 6<sup>th</sup>. Will states he is fine for either July 6<sup>th</sup> or July 13<sup>th</sup>. Cynthia talks about changing to July 13<sup>th</sup> in order to accommodate Christopher. Cynthia states she is thinking of moving the Meeting to July 13<sup>th</sup>. Christopher confirms the Board will not meet on July 20<sup>th</sup>. Cynthia states it looks like we will not have a Work Session in July, but we will have a Work Session in August. Cynthia states she had sent an e-mail to the Board, and by August or September the Chamber of Commerce will start their conversations on signs. Christopher asks whether the Chamber is going to have their conversation and then come to us with ideas or should the discussion be more collaborative. Cynthia states there will actually be a Committee and when she spoke with Renea Dayton she was working on putting together a group that would advocate for different issues and one of them was signs. Cynthia states right now Mrs. Dayton is just gathering information and feedback. Cynthia states the Board is open to whatever the best way to go would be. Cynthia states she spent a lot of time with Mrs. Dayton explaining why our Code is written the way it is, to think outside of the box not only as a business, but also as a resident and neighbor who drives by. Cynthia states she spoke with Mrs. Dayton about safety issues in regards to the sandwich signs. Cynthia states she mentioned to Mrs. Dayton that people put the sandwich signs up and when someone tries to come out of a driveway they cannot see oncoming cars. Cynthia talks about whose liability it would be. Cynthia states if the Town has a Regulation so that sandwich signs may go wherever people want them to go, that could be a problem, and that is why we regulate signs, and pay close attention especially to the sandwich signs that seem to get bigger and bigger. Cynthia states that Mrs. Dayton was going to start talking to the various business owners to see what their needs are and what their experiences have been. Cynthia states she thinks Mrs. Dayton should come in for one of our early Work Sessions on signs and see how far she has gotten and what kind of feedback she has received. Cynthia states she was shooting for September, and hopes the Board could finish up solar in August and get it over to the Town Board. Cynthia states we will jump into signs after that. Cynthia states the Subdivision Regulations would go on the back

burner for now. Cynthia states we have a lot of merger issues and lot line issues whereas people own two lots and if they are two separate lots how do we put them together as one. Cynthia states she has been working with Karen Futia and Roland on this and she believes the Regulations can help clean it up. Charlotte asks if Cynthia is referring to making Lot Line Adjustments easier. Cynthia states not in a case where someone is moving a lot line, but in a case when someone is combining. Will states he doesn't understand why that is so hard, as someone takes a map, creates a map, and shows the parcels. Cynthia talks about the cost of the Survey. Cynthia states now someone cannot obtain a Building Permit without a Survey. Charlotte refers to Frank's Memo on the Edmonds Property. Cynthia talks about Will making it a Condition of the Approval that the Stormwater aspect is updated. Will states they have to do the Stormwater Pollution Prevention Plan (SWPPP) according to their Project and their Project is bigger than what the Wetland Permit is. Cynthia states ours is a Recommendation of Approval on the Wetlands aspect of it, but for the Permitting aspect coming out of the Building Department they now have to look at it. Will confirms he will write a Draft Resolution of Re-Approval for Edmonds.

**4. Resolution:**

**Chairwoman motions to adjourn the Planning Board Meeting. Charlotte Harris seconds. All in favor. No opposed.**