

COURTS AND LAW ENFORCEMENT COMMITTEE MEETING
June 14, 2018

Present: Legislators Larry Dolhof, Greg Kulzer, Jerry King and Ron Burns, County Manager Ryan Piche, Sr. Building Code Officer Ward Dailey, Fire & Emergency Services Director Robert MacKenzie, III, and EMS Assistant Jennifer Maracchion, Sheriff Michael Carpinelli, Undersheriff Jason McIntosh, Investigators Richard Knight and Edward Amelio. Reporter Nick Altmire

Legislator Kulzer called the meeting at 8:30 a.m.

Legislator King made a motion to approve the 5/17/18 committee meeting minutes, seconded by Legislator Burns and carried.

Sr. Code Enforcement Officer Ward Dailey reviewed his attached report

Ward has received three calls for commercial solar projects. The permit application fee would call for a \$300 flat fee plus a 12 cent per square foot assessment for the entire area covered by the solar array, equating an estimated \$30,000 for a project encompassing 5-6 acres. Alternatively, Ward recommends amending the permit application fee schedule to include any green energy (to include solar) projects based on the established fees for wind/cellular/communication projects that would reduce the estimated fee for a 5-6 acre solar project to \$6,100.

Legislator King made a motion to amend the permit application fee schedule as recommended above, seconded by Legislator Burns.

In response to Board Chairman Larry Dolhof, Ward clarified that hydro projects are regulated by the Public Service Commission who provide their own code inspectors. However, biomass projects would be inclusive, but not related sub-stations. Ryan Piche would review the existing schedule with Ward and determine appropriate amendments to include all green energy projects. The motion carried.

Legislator King inquired about a junkyard within the Town of Leyden as to whether it would be under the jurisdiction of the Junkyard Law or under agriculture. Ward affirmed the referenced property is a junkyard, stating that the use goes with the land. For instance, if a junkyard owner dies, the property may remain as a junkyard if a new applicant is approved by the Town Board. The use is connected to the land not the individual. Approval of a junkyard application on any new piece of land would be at the discretion of the respective Town Board.

Mr. Piche posed the Village of Copenhagen's request for the County to enforce their property maintenance law. Ward relayed the Village does not have zoning, and he was unsure whether the Village had officially filed their law with the Department of State. Ward affirmed the Village had opted out of code enforcement, therefore, the County Code Officers would enforce any complaint pursuant to the NYS Property Maintenance Law.



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Legislative Courts and Law Committee
June 14, 2018

Personnel

No change in personnel

Munis

Audit

Budget is on track

State Mandates

No new mandates

Department Statistics

Building permits to date 200

Annual junkyard inspections to date 7

Junkyard license renewal 0

State mandated inspections of businesses, multi dwellings and places of assembly to date 122

Report

In November of 2017, I spoke to this committee in regards to the fee schedule for commercial solar projects.

The frame and components which support Solar panels is definable as a structure, a Structure is defined as "anything constructed or erected with a fixed location on the ground.

At present the fee schedule for commercial solar is determined by the application of a flat \$300 base fee, along with an assessed 12 cents per square foot. The square footage of area that a solar array covers can be considerable.

For example the proposed \$3,000,000 dollar commercial solar project in the Town of New Bremen covers approximately 5.73 acres or 249775 square feet of land which equates to a permit application fee of \$30,273 dollars (approximately .01 percent of the project valuation)

This same solar projects permit application fee if considered within the valuation established by the legislators for wind /cellular/ communication projects would be based on a fee schedule of \$300 dollars for the first \$100,000 dollars plus \$ 2 for each additional \$1000 dollars of project cost, would equate to a permit application fee of \$6100 dollars. (approximately .002 percent of the project valuation)

The committee may wish to consider amending the current fee schedule to include commercial solar projects within the same fee schedule as wind / cellular / and telecommunication towers.

Committee Review

Ward john Dailey