

MINUTES
LEWIS COUNTY PLANNING BOARD
September 20, 2018

- (1) **Call to Order:** Chairman Kaido called the regular meeting of the Lewis County Planning Board to order at 2:31 PM in Room 327 on the 3rd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Chairman Kaido.
- (2) **Roll Call:** Board Members Present: Michael Kaido, Tim Petersen, Patricia O'Brien, Gary Rosiczkowski and William Burke. Staff Present: Casandra Buell, Senior Planner.
- (3) **Reading and Approval of Minutes:** The August 16, 2018 meeting minutes were received and there were no modifications made by the Board members present. Mrs. O'Brien motioned to approve the minutes; Mr. Burke seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:** None
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Mrs. Buell read the following review to the Board:

TOWN OF TURIN TOWN BOARD

Proposed zoning text amendment to the Town of Turin Rural Development Law that would define regulations related to renewable energy facilities.

Town of Turin – Applicant

The General Municipal Referral Form and SEAF were submitted by the Town of Turin Attorney, Joseph W. Russell.

Town of Turin Rural Development Law Changes

- Additional definitions to include “Road, Private Approved,” “Solar Energy System, Principal,” “Solar Energy System, Small,” “Solar Energy System,” and “Wind Energy Facility.”
 - These definitions are thorough and precise; omitting possible confusion for the documents reader.
- Current definition of “Wind Power Generating Facility” will be deleted.
 - It appears that this definition has been replaced and expanded with the new “Wind Energy Facility” definition.
- Wind Energy Facilities and Solar Energy, Small and Principal, land use permit requirements will be added to Section 240.
 - It appears as though these land use activities have the appropriate permit requirements associated with the associated definitions. The proposed zoning text amendment will require land use permits for all small solar energy facilities and special use permits will be required for all principal solar energy and wind energy facilities.

- The proposed lot frontage minimum for the “A District” has been lowered from 400’ to 300’ for all principal and accessory uses and structures, other than signs.
 - This change appears to be appropriate for the current and future land uses.
- In Section 320, Height of Structures, the Town of Turin is proposing to add regulations and exemptions to town height regulations.
 - Currently, the Town’s zoning caps the height of all structures at 40’, except agricultural structures. The proposed addition will include the 40’ height regulation; however, the Town has clearly defined additional exemptions and will allow a special use permit if the project meets certain criteria.
- The final sentence, *“In no case shall large amounts of refuse be incinerated without consulting local officials,”* will be omitted from Section 325.
 - Since the current volume is defined as “large amounts,” it makes sense to omit this from the zoning language as the meaning is variable.
- Section 345, Sewage Disposal, will be omitted from the proposed Town of Turin Rural Development Law.
 - It is not recommended that the Town of Turin remove this section of the Rural Development Law as it could impact public health with respect to drinking water. At a minimum, State Standards should be represented in the Town of Turin Rural Development Law.
- The proposed Section 365 will illustrate the regulations as it pertains to the design and installation, height restrictions, compliances, plan applications, utility notifications, modifications and fees of small solar systems. Further regulations are defined within this new section for roof and ground mounted solar energy systems.
 - It appears that the proposed text amendments are very thorough and should be easy to follow by any applicant.
- Section 415, Campgrounds, will be omitted from the updated zoning law.
 - According to the Land Use Permit Regulations as defined in Section 240 of the existing zoning law, a campground requires a special use permit and must be reviewed by the Planning Board before a land use permit is granted. Since these regulations are already set, the omission of Section 415 should not cause confusion.
- It is proposed that Section 445 be changed to “Wind Energy Facilities” as opposed to the existing “Wind Power Generating Facilities” as per the definition change. The setback, submission, safety, nuisance, environmental, visual, interference, noise, and shadow regulations and requirements are all thoroughly defined in the proposed amendments. The proposed setback requirements have been increased from 1.5 to 2 times the height from the ground to the tip of the blade at its most extended position. It should also be noted that the setback regulations currently set under Section 445 (1c) and Section 445 (1d) have been removed.
 - It appears that the proposed amendments are well defined and in the best interest of Town of Turin residents.
- The proposed addition of Section 450, Principal Solar Energy Facilities, establishes requirements pertaining height, setback, compliance, fees, site plan review, expected documentation, utility notifications and connections, signage, safety, monitoring, maintenance modifications, abandonment or decommissioning, and financial surety.
 - This text amendment appears to cover all of the necessary information in relation to larger solar facilities, especially the requirements as they pertain to abandonment or decommissioning.

- A revision to Section 1050, Referral to the County Planning Board, is proposed to change the threshold required that triggers County Planning Board review from 500 feet to 250 feet.
 - This revision is necessary to bring the law up-to-date as this is now a county-wide threshold.

In review of the documents provided by Town Attorney Joseph W. Russell, it appears that the zoning text amendment will comprehensively define the regulations set by the Town of Turin and the concerns of the residents.

Recommendation: Approve with conditions

1. It is not recommended that the Town of Turin remove Section 345 of the Rural Development Law as it could impact public health with respect to drinking water. At a minimum, State Standards should be represented in the Town of Turin Rural Development Law.

After a brief discussion regarding, Mr. Petersen made a motion to approve with conditions, seconded by Mrs. O'Brien, which carried unanimously.

(7) Report of County Planner:

Response from municipalities regarding previously submitted/reviewed projects:

- None

(8) Unfinished Business: None

- (9) New Business:** Mrs. Buell thanked the Board members that attended the recent Land Use Training and informed them of additional Local Government Training being held at SUNY Potsdam on October 9th.

- (10) Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Burke, seconded by Mr. Rosiczkowski, which carried unanimously. Chairman Kaido adjourned the meeting at 2:55 PM.

Respectfully submitted,



Cassandra Buell
Senior Planner