

**MINUTES**  
**LEWIS COUNTY PLANNING BOARD**  
**October 18, 2018**

- (1) **Call to Order:** Chairman Kaido called the regular meeting of the Lewis County Planning Board to order at 2:33 PM in Room 327 on the 3<sup>rd</sup> 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, William Burke, Gary Rosiczkowski and Warren Shaw. Staff Present: Casandra Buell, Senior Planner. Ron Burns joined the meeting at 2:40 PM.
- (3) **Reading and Approval of Minutes:** The September 20, 2018 meeting minutes were received and there were no modifications made by the Board members present. Mr. Rosiczkowski 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 reviews to the Board:

**TOWN OF MARTINSBURG PLANNING BOARD**

Special Use Permit for a 28.6 kW solar PV ground-mount array to be installed on a residential lot located on Duncan Road (tax map parcel # 259.00-02-02.120).

*Proven Energy Systems – Applicant*

The applicant provided the following Project Documentation: 1) Site Plan; 2) Agricultural Data Statement; 3) SEQR Short Environmental Assessment Form; and 4) Town of Martinsburg Land Use Permit Application.

- *Compatibility With Adjacent Uses:*  
The zoning for this area is identified as A (Agriculture). Currently, the property identified is residential and the proposed accessory structure appears to be compatible with the adjacent uses.
- *Traffic Generation and Effect:*  
The roadway is identified as Duncan Road. The applicant is currently utilizing the existing driveway entrance. No changes to the existing entrance are proposed by the applicant for this project and as noted on page 2 of the submitted SEAF, the proposed action will not result in a substantial increase in traffic above present levels. It should be noted the solar array will generate minor traffic associated with its initial construction.

- *Protection of Community Character:*  
 The proposed project is located within the Agriculture zone in the Town of Martinsburg. There is a mixture of residential, commercial and agricultural land uses in this area. It should be noted the Town of Martinsburg completed the SEQR Short Form, a determination that the project would not result in any significant adverse impacts to the environment was reported. Therefore, the proposed solar array does not appear to have an adverse impact on the community character.
  
- *Signage:*  
 No signage is proposed by applicant. Any signage should conform to Article 5. General Regulations, Section 515, Signs.
  
- *Drainage:*  
 The site is currently an existing residential property. There are no currently known drainage issues with the site. Precipitation is currently handled through direct infiltration to soils. Applicant is proposing no drainage system. It appears some trees will be removed and or disturbed to accommodate the proposed solar array. The footprint of the project is .05 acre. Any land disturbances over one acre in size requires compliance with NYS DEC regulations.
  
- *Erosion:*  
 Article 7, Site Plan Review requires submission of an erosion and sediment control plan conforming to the standards and practices contained in the USDA Soil Conservation Service Engineering Field Manual (EFM) and New York Guidelines for Urban Erosion and Sediment Control, or other erosion and sediment control manual recognized by the Planning Board.  
  
 NYS DEC regulations require erosion control plans when the applicant disturbs 1 acre or more. The total amount of land disturbed as reported by applicant will be less than 1 acre (.05) thus under the action level for reporting.
  
- *Parking:*  
 Town law requires parking for all uses to be adequate for peak usage. The proposed solar array has no peak usage, nor does it typically require staffing. Occasional maintenance may be required whereby a technician could temporarily park on the subject property, as this is an accessory structure relative to the residential use. The applicant is proposing no additional parking according to their site plan.
  
- *Community Facilities:*  
 There are no community facilities proposed or impacted by this project. The energy generated from the proposed solar array will be used solely by the applicant.
  
- *Lighting:*  
 Based on the applicant's submission, there appears to be no lighting proposed for this project.
  
- *Landscaping and Screening:*  
 The subject site is currently an existing residential use, no additional landscaping is proposed.

Conclusion:

Alternative green energy applications present an inherent benefit to the environment. This type of energy production reduces the dependence and impact of fossil fuels across the country, providing a cleaner form of energy to the applicant. It should also be noted that this type of application for alternative energy production is supported by the State of New York both on a commercial and residential platform.

***Recommendation: Approve with the following conditions***

1. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Shaw made a motion to approve with conditions, seconded by Mr. Burke, which carried unanimously.

\*Mr. Burns entered the meeting.

Mrs. Buell went on to read the following review:

**TOWN OF PINCKNEY PLANNING BOARD**

Site Plan Review for construction and installation of a temporary 196.85' tall wind test tower to be located at 997 Cronk Road; Tax Map Number 138.00-01-20.111.

*Atlantic Wind, LLC – Applicant*

The proposed equipment will be used for the measurement of wind speed. The tower will have a vertical height of 196.85' from ground surface. The tower will be held in place by a guy-wire system, there will be no permanent supporting structures built. According to the submitted site plan dated 9/25/2018, the proposed tower complies with all set back regulations defined in Article V, Subsection 581.

The applicant provided the following Project Documentation: 1) SEQR Environmental Assessment Form (EAF); 2) Agricultural Statement; 3) Detailed site maps depicting the project parcel and proposed met tower location; and 4) Met Tower design and specifications.

▪ *Compatibility with Adjacent Uses:*

The zoning for this area is identified as RR (Rural Residential) and the proposed action location is located on a parcel that is currently being used as a residence. According to the submitted Agricultural Data Statement, there are no farming operations on the actual subject site.

The proposed facility complies with the intent of Article IV, Subsection 410 of the Town of Pinckney zoning criteria. The proposed use also meets the general interpretation of the County Comprehensive Plan, specifically, Chapter 3, Page 60, Subsection, Opportunities/Alternative Energy.

The proposed use is consistent with the regional character and according to the submitted Agricultural Statement, the temporary tower installation will require the clearing of a 220' diameter circle of wooded land; however, the remainder of the wooded areas would remain wooded and the residence will not be impacted.

- *Traffic Generation and Effect:*  
According to the submitted EAF, the applicant has determined that the proposed action will not result in a substantial increase in traffic above present levels. It should be noted the proposed tower will generate minor traffic associated with its initial construction.
- *Protection of Community Character:*  
The proposed project is located within the RR zone in the Town of Pinckney. The temporary operation of this facility should easily blend into the community's rural nature without creating any adverse conditions. Additionally, on page 2 of the submitted EAF, the applicant has noted that the proposed action is consisted with the predominant character of the existing landscape.
- *Signage:*  
No signage is proposed by the applicant nor is it required by the Town of Pinckney. If the applicant does decide to put a sign on the proposed project area, compliance with Article V, Subsection 595-7 is necessary. *"Signs shall not be permitted on towers except for signs displaying owner contact information and safety instructions. Such signs shall not exceed five square feet in surface area."*
- *Drainage:*  
The site is currently zoned RR. According to the submitted EAF, the proposed action site does contain wetland or waterbodies regulated by a federal, state or local agency; however, the proposed action will not physically alter, or encroach into, any existing wetland or waterbody. The applicant also states that the federal-regulated wetlands are located on the host property, but not near the proposed Met Tower location. Furthermore, the applicant does not propose to disturb the wetlands and would be locating the tower several hundred feet away from any mapped features.

The footprint of the project is less than 1 acre. Any land disturbances over one acre in size requires compliance with NYS DEC regulations.

Based on the information supplied by the applicant, the proposed tower should not create any adverse environmental concerns for the area.

- *Parking:*  
This will be a remote electronically monitored system. No parking is proposed.
- *Community Facilities:*  
There are no proposed services connected to the facility. This type of facility meets the intent of Article IV, Subsection 410 "Allowed Use", Article V, Section 581 and Article 6, Et al of the Town of Pinckney's zoning. The applicant also notes that the project does not require water or sewer service, energy distribution facilities, or access to electrical, gas or solar hookups.
- *Lighting:*  
According to the applicant, no outdoor lighting is proposed and per FAA regulations, the town is not required to be equipped with an emergency light.

- *Landscaping and Screening:*  
The applicant is not proposing any landscaping for the subject property.

***Recommendation: Approve with the following conditions***

1. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mrs. Buell noted that any DEC requirements regarding the wetlands are intended be covered under the conditions recommended.

Mr. Burke made a motion to approve with conditions, seconded by Mr. Shaw, which carried unanimously.

Mrs. Buell went on to read the following review:

**TOWN OF PINCKNEY PLANNING BOARD**

Site Plan Review for construction and installation of a temporary 196.85' tall wind test tower to be located at 120 Pinckney Road; Tax Map Number 139.00-01-02.000.

*Atlantic Wind, LLC – Applicant*

The proposed equipment will be used for the measurement of wind speed. The tower will have a vertical height of 196.85' from ground surface. The tower will be held in place by a guy-wire system, there will be no permanent supporting structures built. According to the submitted site plan dated 9/25/2018, the proposed tower complies with all set back regulations defined in Article V, Subsection 581.

The applicant provided the following Project Documentation: 1) SEQR Environmental Assessment Form (EAF); 2) Agricultural Statement; 3) Detailed site maps depicting the project parcel and proposed met tower location; and 4) Met Tower design and specifications

- *Compatibility With Adjacent Uses:*  
The zoning for this area is identified as RR (Rural Residential) and the property is currently rented by a local farm to cultivate hay.

The proposed facility complies with the intent of Article IV, Subsection 410 of the Town of Pinckney zoning criteria. The proposed use also meets the general interpretation of the County Comprehensive Plan, specifically, Chapter 3, Page 60, Subsection, Opportunities/Alternative Energy.

The proposed use is consistent with the regional character and according to the submitted Agricultural Statement, the temporary tower installation should not deter the current agricultural uses.

- *Traffic Generation and Effect:*  
According to the submitted EAF, the applicant has determined that the proposed action will not result in a substantial increase in traffic above present levels. It should be noted the proposed tower will generate minor traffic associated with its initial construction.

- *Protection of Community Character:*  
The proposed project is located within the RR zone in the Town of Pinckney. The temporary operation of this facility should easily blend into the community's rural nature without creating any adverse conditions. Additionally, on page 2 of the submitted EAF, the applicant has noted that the proposed action is consistent with the predominant character of the existing landscape.
- *Signage:*  
No signage is proposed by the applicant nor is it required by the Town of Pinckney. If the applicant does decide to put a sign on the proposed project area, compliance with Article V, Subsection 595-7 is necessary. "*Signs shall not be permitted on towers except for signs displaying owner contact information and safety instructions. Such signs shall not exceed five square feet in surface area.*"
- *Drainage:*  
The site is currently zoned RR. According to the submitted EAF, the proposed action site does contain wetland or waterbodies regulated by a federal, state or local agency; however, the proposed action will not physically alter, or encroach into, any existing wetland or waterbody. The applicant also states that the state-regulated and federal-regulated wetlands are located on the southern portion of the property and since the state wetlands check-zone extends 100' in all directions from the state wetlands, the proposed tower location falls on the outer edge; however, the applicant does not propose to disturb the wetlands.

The footprint of the project is less than 1 acre. Any land disturbances over one acre in size requires compliance with NYS DEC regulations.

Based on the information supplied by the applicant, the proposed tower should not create any adverse environmental concerns for the area.

- *Parking:*  
This will be a remote electronically monitored system. No parking is proposed.
- *Community Facilities:*  
There are no proposed services connected to the facility. As reported by the applicant, the tower will be placed on the ground surface, no earth (dirt) will be removed. Additionally, no permanent structures will be constructed. This type of facility meets the intent of Article IV, Subsection 410 "Allowed Use", Article V, Section 581 and Article 6, Et al of the Town of Pinckney's zoning. The applicant also notes that the project does not require water or sewer service, energy distribution facilities, or access to electrical, gas or solar hookups.
- *Lighting:*  
According to the applicant, no outdoor lighting is proposed and per FAA regulations, the town is not required to be equipped with an emergency light.
- *Landscaping and Screening:*  
The applicant is not proposing any landscaping for the subject property.

***Recommendation: Approve with the following condition***

1. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Burns made a motion to approve with conditions, seconded by Mr. Kaido, which carried unanimously.

Mrs. Buell went on to read the following review:

**TOWN OF PINCKNEY PLANNING BOARD**

Site Plan Review for construction and installation of a temporary 196.85' tall wind test tower to be located at 322 County Route 194; Tax Map Number 156.00-01-08.100.

*Atlantic Wind, LLC – Applicant*

The proposed equipment will be used for the measurement of wind speed. The tower will have a vertical height of 196.85' from ground surface. The tower will be held in place by a guy-wire system, there will be no permanent supporting structures built. According to the submitted site plan dated 9/25/2018, the proposed tower complies with all set back regulations defined in Article V, Subsection 581.

The applicant provided the following Project Documentation: 1) SEQR Environmental Assessment Form (EAF); 2) Agricultural Statement; 3) Detailed site maps depicting the project parcel and proposed met tower location; and 4) Met Tower design and specifications.

▪ *Compatibility With Adjacent Uses:*

The zoning for this area is identified as RR (Rural Residential) and the property is currently rented by a local farm to cultivate hay.

The proposed facility complies with the intent of Article IV, Subsection 410 of the Town of Pinckney zoning criteria. The proposed use also meets the general interpretation of the County Comprehensive Plan, specifically, Chapter 3, Page 60, Subsection, Opportunities/Alternative Energy.

The proposed use is consistent with the regional character and according to the submitted Agricultural Statement, the temporary tower installation should not deter the current agricultural uses.

▪ *Traffic Generation and Effect:*

According to the submitted EAF, the applicant has determined that the proposed action will not result in a substantial increase in traffic above present levels. It should be noted the proposed tower will generate minor traffic associated with its initial construction.

▪ *Protection of Community Character:*

The proposed project is located within the RR zone in the Town of Pinckney. The temporary operation of this facility should easily blend into the community's rural nature without creating any adverse conditions. Additionally, on page 2 of the submitted EAF, the applicant has noted that the proposed action is consistent with the predominant character of the existing landscape.

- **Signage:**  
No signage is proposed by the applicant nor is it required by the Town of Pinckney. If the applicant does decide to put a sign on the proposed project area, compliance with Article V, Subsection 595-7 is necessary. “*Signs shall not be permitted on towers except for signs displaying owner contact information and safety instructions. Such signs shall not exceed five square feet in surface area.*”

- **Drainage:**  
The site is currently zoned RR. According to the submitted EAF, the proposed action site does contain wetland or waterbodies regulated by a federal, state or local agency; however, the proposed action will not physically alter, or encroach into, any existing wetland or waterbody. The applicant also states that the state-regulated and federal-regulated wetlands are located on the host property, but the tower is not proposed within these wetlands.

The footprint of the project is less than 1 acre. Any land disturbances over one acre in size requires compliance with NYS DEC regulations.

Based on the information supplied by the applicant, the proposed tower should not create any adverse environmental concerns for the area.

- **Parking:**  
This will be a remote electronically monitored system. No parking is proposed.
- **Community Facilities:**  
There are no proposed services connected to the facility. As reported by the applicant, the tower will be placed on the ground surface, no earth (dirt) will be removed. Additionally, no permanent structures will be constructed. This type of facility meets the intent of Article IV, Subsection 410 “Allowed Use”, Article V, Section 581 and Article 6, Et al of the Town of Pinckney’s zoning. The applicant also notes that the project does not require water or sewer service, energy distribution facilities, or access to electrical, gas or solar hookups.
- **Lighting:**  
According to the applicant, no outdoor lighting is proposed and per FAA regulations, the town is not required to be equipped with an emergency light.
- **Landscaping and Screening:**  
The applicant is not proposing any landscaping for the subject property.

***Recommendation: Approve with the following conditions***

1. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

Mr. Rosiczkowski made a motion to approve with conditions, seconded by Mr. Shaw, which carried unanimously.

**(7) Report of County Planner:**

Response from municipalities regarding previously submitted/reviewed projects:

- None

(8) **Unfinished Business:** None

(9) **New Business:** None.

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

Respectfully submitted,



Casandra Buell  
Senior Planner