

Town of Yates  
Regular Planning Board Meeting /  
Public Hearing  
February 2, 2017

Chairman Donald Lamay called the Regular Planning Board Meeting to order at 7:00 pm with the Zoning Board in attendance, at the Town of Yates, 8 S. Main Street, Lyndonville, NY 14098.

Those Present: Donald Lamay, Chairman of Planning Board  
Mark Hughes, Planning Board Member  
Richard Kurz, Planning Board Member  
Ed Urbanik, Planning Board Member  
Ralph Smith, Planning Board Member  
Dawn Metty, Deputy Clerk  
Dan Wolfe, Code Enforcement Officer  
Gary Daum, ZBA Chairman  
Don Melfi, ZBA Member  
Jim Taylor, ZBA Member  
Marcia Clark, SUP Applicant  
Jordan Levin, Solar by CIR Coordinator  
Larry Wolfe, Resident  
Paul Lauricella, Resident

MINUTES:

Chairman Donald Lamay entertained a motion to accept the minutes from January 5, 2017 meeting.

RESOLUTION # 4-2/17

RESOLUTION TO ACCEPT THE MEETING MINUTES FROM JANUARY 5, 2016 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the meeting minutes from January 5, 2016 as presented to each Board Member.

Offered: Ed Urbanik  
Seconded: Richard Kurz

Votes: 4 Ayes (Lamay, Kurz, Hughes, Urbanik); Ralph Smith abstained (not present at last meeting)

Both the Planning and Zoning boards reviewed and discussed Marcia Clark's applications for a special use permit and an area variance. The special use permit is for the installation of a 3.35kW ground mounted, grid connected solar PV system. The area variance is for a 10' side setback variance.

Dan Wolfe – A 15' side setback is required, she needs a 10' variance

A question of how big the unit will be was asked.

Jordan Levin (Coordinator for CIR) – Explained that it will be a 5 panel system – 10' tall – 12'-15' wide (tops). 2 panels wide (7' per panel). About 10' back. Only time a variance is asked for is when it's really needed.

ZB Chairman Gary Daum asked why 15' doesn't work and will there be any buffering (shrubbery, etc.)

Jordan Levin (Coordinator for CIR) – There's shading from the house and trees and no shrubbery would grow and end up blocking from the sun.

Ralph Smith – Concerned about setting precedent by giving the variance. Trees could be trimmed or cut down.

Jordan Levin (Coordinator for CIR) – In some cases trees can be trimmed, others not.

Ralph Smith – They can always be cut down or trimmed – it is always feasible.

Ralph Smith also asked if there were any ground mounted solar panels in Yates.

Dan Wolfe – Maybe one

No more questions

Adjourn to planning board public hearing

Chairman Donald Lamay called the public hearing to order at 7:45. This public hearing is for a special use permit for the installation of a 3.35kW ground mounted grid connected solar PV system on property.

Questions and concerns have been discussed.

There were no other questions/concerns

Closed public hearing

Chairman Donald Lamay entertained a motion to approve Marcia Clark's special use permit for ground mounted solar system.

RESOLUTION# 5-2/17

RESOLUTION TO APPROVE MARCIA CLARK'S SPECIAL USE PERMIT FOR GROUND MOUNTED SOLAR SYSTEM

RESOLVED, to approve Marcia Clark's special use permit for ground mounted solar system.

Offered: Ed Urbanik  
Seconded: Mark Hughes

Votes: 4 Ayes (Hughes, Kurz, Urbanik, Lamay); Ralph Smith abstained

Ed Urbanik briefly let the board know that there were several zoning regulations for solar on the County Planning Board agenda. Do have copies from the meeting and will drop off at the Town Hall if anyone wants to look them over

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Donald Lamay entertained a motion to adjourn the meeting.

Offered: Ralph Smith  
Seconded: Mark Hughes

Votes: 5 Ayes (Smith, Hughes, Urbanik, Kurz, Lamay); 0 Nays