

**Town of New Lebanon
Zoning Re-Write Committee
Meeting Minutes – February 23, 2016**

Attending: Chuck Geraldi, Mark Baumli, Tony Murad, Greg Hanna, Wes Powell, Cynthia Creech, Cissy Hernandez, Ted Salem, Chair

1. Amend 205-11.D. (1) [a] - Zoning Administration and Enforcement - to change the period to remedy a zoning violation from 10 days to 30 days to conform to the 30 day period to remedy a building violation as per recent change to the NYS Building Code. No action at this meeting. **Action Item: Tony will draft amended language for the above noted section.**
2. Amend 205-7.B. (4) (d) [1], i.e., the fence ordinance to permit barbed wire in non-farm situations where it would not be harmful. No action at this meeting. **Action Item: Ted will revise language of the above referenced section.**
3. Sharpen language in 205-14 G. (7) [a] to clarify that a common driveway should be taken into consideration when determining compliance with the 60 foot road frontage requirement. No action at this meeting. **Action Item: Tony will draft amended language for the above noted section.**
4. Amend 205-14. E (1) to develop expedited procedures/requirements for the sketch plan conference, in situations involving an already developed/improved site.

Cissy clarified that the major issue was the need for applicants to provide topographical maps. She determined that the Building Office had access to US Geological Survey maps and could provide same to applicants. This resource would be made available to all applicants. Therefore, the only change that would be needed would be to add a parenthetical comment in the above section that maps are available in the office.

There was also discussion about whether there should be differing SPR requirements depending on the scope of the project. Cissy clarified that the Planning Board has authorized her to develop a checklist of requirements that the PB would use at the sketch plan conference to advise applicants what they will specifically need to provide and that these requirements will be determined on a case-by-case basis.

5. Amend 205-14 to authorize the Zoning Board of Appeals, rather than the Planning Board, to conduct site plan reviews.

There was no discussion on this specific proposal, however, Tony questioned why SPR was needed at all for certain uses, e.g., HO-3. **Action Item: Tony will develop a list of uses that currently require SPR that he will propose should not.**

6. Signs – This is essentially a placeholder in anticipation of the possible need to review the sign ordinance later in the year if issues emerge from the current enforcement. There was discussion that sign requirements for temporary signs for uses such as the farmer's market may be unduly onerous.

7. Solar Energy – Review the appropriateness to permit larger scale solar arrays and small scale residential, ground mounted installations.

Cynthia clarified that if the Town Board passes a local law exempting the Town from the statewide exemption to property taxes for solar installations such local exemption would apply to both residential and commercial uses. Ted noted that the state will be issuing a model solar local law at the end of March/early April. Following a wide-ranging discussion, the following agreements emerged:

- The committee continues to have interest in pursuing changes to the zoning law to permit solar uses – including commercial.
- The committee should stay focused on solar energy and address wind, geo-thermal and other forms at a future time.
- The state model should be used to craft the NL local ordinance.
- The committee, in collaboration, with the CAC should conduct one or more community forums; but it should wait for the issuance of the state model and use that as the basis for the forum.
- The state model should be posted to the website and noted when the forum(s) is announced.
- The committee supported adoption of the unified permitting process, including the definition that it apply to projects up to 12kW, and that its adoption should be brought to the Town Board.

Schedule for future meetings:

The next meeting will be held Tuesday, March 22 at 6 PM in Town Hall.

Respectfully submitted,

Ted Salem

2-24-16