Town of New Lebanon

Zoning Rewrite Committee

Minutes – July 25, 2022

Present: Deb Gordon, Britt Buckenroth, Elizabeth Brutsch, Greg Hanna, Jim Carroll, Tony Murad, Steve Powers, Mark Baumli and Ted Salem. The meeting was live streamed.

The meeting was called to order at 7 PM.

1. Renewable Energy - Britt and Steve

Britt and Steve handed out a map thought to be 3-phase wiring in town but probably was transmission lines. Steve will seek to clarify. They also distributed a map indicating that virtually the entire town could be considered a viewshed. This requires some refinement. They noted that the model code was updated and will review if changes to the town’s code are indicated. They also proposed restricting large-scale solar to 5 mw/25 acres.

2. Telecommunications - Ted, for Donald

Ted presented a high level overview of proposed changes (per handout, also see below). Committee feedback included:

* do not exempt town or any entity
* commercial use on a public tower should be considered Type 2
* set back should be tower height +25%

3. Event Venue - Greg and Elizabeth

After discussion, consensus emerged to allow this use in RA-5 with strict conditions that Greg and Elizabeth will draft for the next meeting.

4. Historic Overlay - Deb

No update, other than to clarify that the Event venue use just discussed could be included as a use in such an overlay

5. Zoning interface with other codes

Held over due to time constraints.

6. Junkyards

Held over

7. Multiple Use complex

Held over

The meeting was adjourned at 8:35 PM

The next meeting of the ZRC will be Monday, August 22 at 7 PM.

Respectfully submitted, Ted Salem, Chair

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| SUMMARY OF PROPOSED CHANGES TO CHAPTER 189 TELECOMMUNICATIONS FACILITIES* Transfer review/approval authority from Town Board to Planning Board
* Add site plan review to review process, if applicable per 205-14
* Retain special use permit with separate procedures/time frames from Chapter 205 - Zoning
* Create designation for Small Wireless Facility that meets all of the following criteria:
	+ does not extend the height of an existing structure to a height of 50 feet,
	+ each antenna no more than three cubic feet in volume;
	+ all wireless equipment cumulatively total no more than 28 cubic feet; and
	+ the facility will not result in human exposure to radiofrequency radiation in excess of the applicable FCC safety standards.
* Creates four application types, with associated application requirements shot clock time frames:
	+ Type I: co-locations of small wireless facilities: P in Commercial; SP in Residential
	+ Type II: co-locations which do not meet the definition of a "small wireless facility." P in Commercial (with exceptions); SP in Residential
	+ Type III: new small wireless facilities; SP
	+ Type IV: new towers and all other wireless facilities; SP
* Adds “shot clock” time frames to review/approve an application;
	+ Shot clock varies per Application Type
	+ Detailed procedure for initial review of application for completeness by ZEO/tolling of shot clock
	+ Shot clock waiver by mutual consent
* Exclusions: replace “local government with Town of New Lebanon
* Retains siting priorities: 1) co-location; 2) town property; 3) commercial/industrial; 4) commercial; 5) residential/agricultural.
* Retains setback requirement (tower height + 10%) but adds 500 feet from residence, school/daycare,and house of worship and any parkland
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