

Town of Stanford
Meeting Minutes from Comprehensive Plan Review Committee
December 8, 2020

Committee Members Present via Video/Conference Call

Gary Lovett, Committee Chair

Rosemarie Miner, Secretary

Tom Angell

Conrad Levenson

Karen Mosher

Jeff Spiers

Richard Bell

James Sansum

Others Present

Wendy Burton, Town of Stanford Supervisor, Committee Liaison

Nina Peek, VP AKRF, Inc. Committee Consultant

Madeleine Helmer, Deputy Project Manager, Planning AKRF, Inc

Public Comment

One member of the public was present, Marsha Shaw.

The meeting opened at 7:30 pm via Zoom Webinar.

Gary reviewed the proposed agenda:

1. Approve minutes of November 24 meeting.
2. Discuss future CPRC schedule.
3. Discuss alternative energy installation.
4. Discuss mining.

The committee reviewed the minutes from November 24, 2020. There were no questions or comments. The minutes were unanimously approved by the Committee.

DISCUSSION ABOUT FUTURE CPRC SCHEDULE

- Gary reviewed a tentative schedule for forthcoming meeting dates and topics. The committee agreed that 7:30 pm was a convenient time to meet moving forward. The proposed schedule is:
- December 22: Break
- January 12: Review draft chapters and maps (*Note: Meeting date subsequently moved to Jan. 13*)
- January 26: Climate Smart Communities (Cornell Cooperative Extension presentation that will outline ways the town can become eligible for more grants as it relates to making progress toward resilience)
- February 9: Historic hamlets (Charlie Shaw) + Short-term rentals
- February 23: Future land use map discussion
- March 9: Review full draft of the Comprehensive Plan
- Late March: Hold town meeting, revise plan as necessary
- Early April: Present plan to Town Board

Questions that came up:

- Wendy suggested a preliminary public meeting for the CPRC before presenting to the Town Board who will also solicit public comment at a public hearing. However, this step isn't necessary, and the committee should decide if this feels effective.
- Tom Angell feels that public opinion may have changed enough for us to host another feedback session before submitting to the Town Board.
- Richard Bell suggested a public session for questions, exclusively related to clarification, which can then be addressed in writing before a public comment session.
- Nina outlined different options for the committee to structure this feedback process:
 1. Make a presentation and collect written comments but do not respond.
 2. Make a presentation and ask public attendees to submit comments in writing. The committee can then address each concern and provide reasons for including or not including each revision. This is effective because all feedback is documented.
 3. Make a presentation and follow it with a live Q&A session.

In Nina's opinion it is probably a good idea for the committee to have a public comment session before presenting the final version to the Town Board.

- Gary will revise the proposed schedule to include time for the CPRC to present and review feedback.
- Before the January 13th meeting a couple of chapters will be circulated to CPRC members for review. CPRC members should share their mailing address after the meeting via email if they want a physical copy of the maps mailed to them by AKRF.
- Tom felt that the land use maps he saw last were a bit complicated and too numerous. This will be further addressed in the Future Land Use session of CPRC. In general, members would like to see simple and easy to read maps.

DISCUSSION ON ALTERNATIVE ENERGY INSTALLATION

Solar

NYSERDA developed a guidebook and model legislation for solar adoption at the local level which was circulated by Gary before the meeting. NYSERDA is the New York State Energy and Development Authority, a quasi-public organization focused on energy efficiency and renewable energy.

The Comprehensive Plan can make a recommendation on solar policies for the Town to adopt, either basing it on the NYSERDA legislative template, or it can recommend customized legislation for the Town to adopt. The CPRC can be as general or as specific as we would like to be.

The Town of Stanford has a current solar law that states a right to solar with restrictions on ground mount units.

There is no certainty regarding the specific restrictions for ground mount solar units but Tom Angell directed the committee to [the Town's current code](#) (Chapter 80, Energy Systems).

Concern over large scale solar units was expressed and Nina clarified that municipalities currently have some land use control regarding locating systems that exceed 25 megawatts (requiring thousands of acres) by adopting specific legislation, but the state is amending the regulations. These amendments would limit local control.

There is concern over the visual impact of large-scale solar projects and ground mounted solar. The Committee will make recommendations for more specific language in the current legislation and code. Nina will review existing regulations to offer clarity where it is vague and to expand with proposed language from NYSERDA's model solar legislation. As it stands, the Town law reads:

"The large-scale solar energy systems are allowed special permit within the RC district and on town owned property."

An average home, under current efficiency standards, requires 16 – 25 panels. A property with a large compound with multiple buildings could potentially require a large ground-mount installation. Current Stanford code doesn't limit size or amount but does limit aesthetic presentation (cannot be more than 12 ft above grade). The ground-mount system is considered an accessory structure. This places it under regulations that apply to accessory structures; for example:

- Number of accessory structures is limited
- Size of the installation must be less than 10 percent of the main home's footprint
- Structure must meet setback requirements

James recommended that language be included that ensures that homeowners are able to install adequate ground-mount systems to power their home, barns and studios on a single property.

The Committee may want to reconsider the placement of solar systems under accessory structures in the Town's code for clarity.

Wind

Nina suggested that the Town is unlikely to see a proposal for a large-scale wind power project because of its location and terrain. Small scale wind turbines are a possibility. However, Nina suggests that the CPRC take a clear position on the energy source.

Current limits on the height of a structure and the proposed limits to structures on a ridgeline inevitably affect wind turbine installation. There is some concern about the noise pollution.

Nina will provide proposed language on the installation of wind turbines for personal use throughout the Town.

Questions that came up in discussion:

- Are there other areas in Town that would be of interest for a larger solar installation? The Town dump was an option but does not have the appropriate topography.
- Members are concerned with the protection of farmland because a farm would be an easy target for a large-scale solar installation. The Committee would like to see more specific language around approved locations and would like to define “large-scale solar installations” in the law. Should large solar farms be banned from prime agricultural soils? How do we incorporate specific site recommendations for large-scale solar installations in the Comprehensive Plan?
- Recommendations for solar installations can be tied to zoning e.g., restricting ground mount solar in historic hamlets while allowing roof mount solar anywhere in the Town; visibility restrictions for ground mount solar installations in all zones. NYSERDA categorizes each system in Tier 1 – 3 based on the percentage of consumed electricity under current efficiency standards.
- Can we allude to the possible conflict between the “right to farm” and the “right to solar” and provide a framework for reconciliation?

DISCUSSION OF MINING

The CPRC is addressing mining because of feedback from the public. There is currently one active gravel mine in the Town now that Darling mine is out of commission. A portion of the Darling mine is before the Planning Board now with a plan for reclamation. According to the DEC, mines are required to have a plan for environmental reclamation at the end of the life of the mine. Current Town code allows mining only in the current AR district after being approved for a special use permit. The Town also requires an environmental impact statement for any mining, including that of sand and gravel. DEC considers a mine to be in active operation if it removes more than 200 cubic yards every 18 months.

Questions that came up in discussion:

- Does NYS DEC permitting processes supersede Town regulations for mining activities? Nina clarified that the Town can specify where mining is allowed, while DEC issues the permit and the state regulates the process of mining.
- Can anyone owning property in the AR district open a mine? Technically, yes, according to the current Town Code and the Town requires a special permit and an environmental impact statement. The DEC issues the mining permit.
- Members would like to see more specific restrictions in the Comprehensive Plan to protect the water table and prevent contamination to neighboring wells, a problem reported by property owners near current mines. Nina suggested a mining overlay (smaller than the current AR footprint) that allows existing mines to opt in to the zoning overlay. Any mines not included in the overlay at the time of the adoption of zoning code amendments would

- require a zone change through the Town Board, and an environmental impact statement. If approved by the Town, the applicant would then apply to DEC for the mining permit.
- Does the Town want to restrict solar farms but keep the option to mine on the table? Is this in alignment with the rest of the language in the Comprehensive Plan?
 - Nina will draft language for the proposed regulation via zoning overlay for mining.

OTHER ITEMS

Jeff will provide Madeleine with a comprehensive list of graveyard locations with the historic sites differentiated.

There will be a short presentation on Climate Smart Communities at the Town Board Meeting on Thursday Dec. 10. Wendy invites the committee to attend via the link on the website. Wendy also will not be able to attend on Tuesday, January 12, 2021. The meeting may be changed to Wednesday, January 13, 2021, depending on Nina's availability. *(Note: Subsequently determined that the next meeting will be January 13.)*

Meeting adjourned at 9:21 pm.

Next Committee meeting will be held on:

January 13, 2021

The public is invited to listen to these meetings by signing on through the following

Zoom link: <https://zoom.us/j/99284835503>

Meeting minutes submitted by:

Rosemarie Miner

CPRC Secretary