

**TOWN OF MAYFIELD PLANNING BOARD
NOVEMBER 20, 2019
6:00 P.M.
TOWN OF MAYFIELD TOWN HALL**

MEETING NOTES

PRESENT:

**JOHN KESSLER, CHAIRMAN
AARON HOWLAND, VICE CHAIRMAN
JERRY MOORE
FREDERICK CASTIGLIONE, ALTERNATE
ADRIEN ZAMBELLA, ALTERNATE**

**SEAN M. GERAGHTY, SENIOR PLANNER
DAMON CURLEY, CODE ENFORCEMENT OFFICER**

OTHERS PRESENT:

ARTHUR YOST III

I. CALL MEETING TO ORDER:

The meeting was called to order at 6:00 p.m.

II. APPROVE MINUTES OF LAST REGULAR MEETING:

MOTION: To approve the minutes to the October 16, 2019 meeting.

MADE BY: Aaron Howland

SECONDED: Jerry Moore

VOTE: 4 in favor, 0 opposed

**III. ARTHUR YOST III - PROPERTY TRANSACTION ALONG WARREN ROAD
AND RED BUNCH LOOP:**

A. Background:

Arthur Yost III owns a piece of property with frontage on both Warren Road and Red Bunch Loop in the Town of Mayfield [Tax Map Parcel No. 136.-2-4.11 (20+/- acres)]. He also owns an adjacent Tax Map Parcel with access

on both Red Bunch Loop and Warren Road [Tax Map Parcel No. 136.-2-4.12 (3+/- acres)]. Mr. Yost intends to shrink the size of the larger parcel to approximately 2.65+/- acres around an existing house and well on Red Bunch Loop. Approximately 13.9 acres of the larger parcel will be combined with his other property to create a 17+/- acre parcel with access on both Red Bunch Loop and Warren Road, while the remaining 8+/- acres will be transferred to Duane Yost and Nancy Holtz (Tax Map Parcel No. 136.-2-4.2).

PLANNING BOARD DISCUSSION: Planning Board Member Aaron Howland asked Mr. Yost if he had previously amended the property lines on this particular property?

Mr. Yost indicated that he did previously adjust a property line, but is now adding additional property to one of the parcels.

Planning Board Chairman John Kessler asked if any of the septs or wells will need to be repositioned?

Mr. Yost indicated that all of the onsite infrastructure will remain in place.

PLANNING BOARD ACTION:

MOTION: Recognizing that Arthur Yost's property transaction along Warren Road and Red Bunch Loop is not subject to the Town's Subdivision Regulations and to approve the transaction as a lot line amendment.

MADE BY: Jerry Moore
SECONDED: Adrien Zambella
VOTE: 4 in favor, 0 opposed

IV. SOLAR FARM MORATORIUM:

A. Background:

During its September 18, 2019 meeting, the Town of Mayfield Planning Board briefly discussed the Mayfield Town Board's request that the Planning Board offer some feedback and recommendations with regards to regulating Solar Farms in the community. At that time, Sean Geraghty, a Consultant with the Fulton County Planning Department, suggested that he be allowed to do a little research and offer up some suggestions for addressing the Solar Farm issue in the Town of Mayfield. The Town Board has instituted a 6-month moratorium on Solar Farm development and if that moratorium needs to be extended, the Town has to show that some type of analysis or progress is being made towards resolving the issue of how the community is going to regulate Solar Farms from here on forward.

During its October 16, 2019 meeting, the Planning Board began discussing some of its options for modifying its current Solar Farm Regulations. The Board discussed what Solar Farm companies are looking for and compared that with what the Town of Mayfield is willing to accept. The Board looked at both the Mayfield Zoning Law text and map to identify some of the current parameters and limitations on Solar Farm projects. As a result of that discussion, the County Planning Department was asked to do some additional research.

(NOTE: Planning Board Alternate Fred Castiglione arrived at the meeting.)

B. Adirondack Park Agency:

The County Planning Department contacted the Adirondack Park Agency (APA) to see where the Agency stands with regards to Solar Farm projects within the Park. The Planning Department was able to speak with a representative at the APA who indicated that there are currently no Solar Farm projects in the Park and there are none working through the APA's permitting process. The APA indicated that there are no specific regulations or guidelines for Solar Farm developments in the Park, and that any developer wishing to submit a Solar Farm project within the Park would have to comply with all of the APA's current regulatory framework. This would include compliance with the APA's environmental regulations, height and bulk requirements and aesthetic limitations.

PLANNING BOARD DISCUSSION: County Consultant Sean Geraghty talked about his conversation with a representative from the APA. Mr. Geraghty pointed out that it may be very difficult for a Solar Farm developer to not only find the right piece of property within the Adirondack Park borders, but also be able to comply with all of the APA's height and bulk requirements, as well as aesthetic requirements. He stated that the APA was in the process of updating its Renewable Energy Guidelines but has discontinued that effort and, for the time being, will simply require that a Solar Farm project comply with all of the APA's existing guidelines.

After several minutes of discussion, there was a consensus among Board members that the northern part of the Town of Mayfield, which sits in the Adirondack Park, should essentially be left alone, since anyone wishing to develop a project in that section of the Town would need to go through a very rigorous review process with the APA.

C. Map Review:

1) Resource Hub and Commercial Districts:

As a result of the discussions that took place at the October 16, 2019 meeting, the County Planning Department made some adjustments to the current Town of Mayfield Zoning Map to show, for illustrative

purposes, where Solar Farm projects could still take place in the community if the Resource Hub Zoning District and the Commercial Zoning District are added to the list of districts that do not allow Solar Farm developments.

PLANNING BOARD DISCUSSION: Mr. Geraghty showed Board members a copy of the Town's current Zoning Map. He reminded the Planning Board that the Residential-1, Residential-2, Lake Area 1 and Lake Area 2 Districts do not allow Solar Farm projects. He stated that, during last month's meeting, Board members suggested that the Resource Hub District, as well as the Commercial District, be added to that list of districts that do not allow Solar Farm developments. For illustrative purposes, Mr. Geraghty showed Board members a revised Town Zoning Map with all of the properties that are zoned under one of those six classifications whited out. Mr. Geraghty reminded Board members that, during last month's meeting, Planning Board Member Aaron Howland suggested that Solar Farm developments not be allowed in the Resource Hub District given the infrastructure investments that have been made in those areas. Likewise, Mr. Geraghty pointed out that Planning Board Member Jerry Moore had suggested that, given the limited amount of commercial property in the Town, those areas should also be off limits to Solar Farm developments.

2) NYS Road 500' Buffer:

The Planning Department also looked at the concept of leaving the current Zoning Regulations in place and establishing a 500-foot zone along State roads in the Town where the physical components of a Solar Farm development would be prohibited.

PLANNING BOARD DISCUSSION: Mr. Geraghty pointed out that the revised Zoning Map also shows a 500' buffer zone whited out along State roads where Solar Farm infrastructure would be prohibited. Several Board members stated that they felt the updated Zoning Map showing the whited out Zoning Districts, along with the buffer zone along State roads, gave them a much better perspective on where Solar Farm developments should be focused.

3) Overlay Zone:

As part of some additional analysis, the Planning Department looked at some of the current properties in the community where Solar Farm projects might be more welcome and the idea of establishing an Overlay Zone could be considered.

PLANNING BOARD DISCUSSION: Mr. Geraghty then showed Board members the map of the Town of Mayfield depicting the location of prime and State-important agricultural lands, as well as DEC wetlands. He noted that the southeast corner of the Town contains a great deal of prime agricultural soil and therefore the Town may want to

keep Solar Farm developments away from that area. He reminded Board members that, during last month's meeting, the Planning Board had talked about creating an Overlay Zone for Solar Farm developments that would essentially be the only properties in the community where a Solar Farm project would be considered. Mr. Geraghty pointed out that, based on the updated mapping, several larger parcels in the southwest portion of the Town could conceivably work for a Solar Farm project. He noted that National Grid's infrastructure is also more accessible in this area of the Town.

Board members then held a lengthy discussion about their concern that there will probably be property owners who are not in favor of tightening up the Town's Solar Farm Regulations because they will want to have the ability to use a portion of their property for a Solar Farm project.

Mr. Geraghty agreed that one of the primary beneficiaries of these types of projects is typically a farm operation that is no longer operating at full capacity and has land available for these types of developments.

Board members talked about the process a property owner would have to go through to obtain a variance for a Solar Farm project if the Planning Board does not recommend that their particular property be included within the Solar Farm Overlay Zone.

Mr. Geraghty asked if Board members had any other suggestions for narrowing the focus of where the Town would like to see or would like to allow Solar Farm projects to occur?

Board members held a brief discussion on this issue, but eventually felt that the potential areas for Solar Farm developments had been narrowed enough.

Mr. Geraghty suggested that he be allowed to talk with Town Supervisor Rick Argotsinger about the Board's discussions before preparing a final recommendation for the Planning Board to submit to the Town Board. Planning Board members felt this was a good option.

Planning Board Member Jerry Moore asked if a public hearing will have to be held on the proposed changes to the Solar Farm Regulations?

Mr. Geraghty stated that a public hearing will be necessary to change any aspect of the Town's Zoning Law.

V. OTHER BUSINESS:

A. Code Enforcement Update:

1) Borrego Solar Decommissioning Bond:

Town Code Enforcement Officer Damon Curley noted that the Town is discussing the amount of the Decommissioning Bond for Borrego Solar's Solar Farm Project on NYS Route 29. He stated that there seems to be a difference of opinion as to the amount that is required for that Decommissioning Bond.

Mr. Geraghty pointed out that the Bond amount was agreed upon during the May 15, 2019 Planning Board meeting and was reiterated in the applicant's final correspondence on August 9, 2019 to be \$680,124.45. He stated that the current figure of \$356,800 is not acceptable.

2) Sacandaga Brewing:

Mr. Curley noted that the Sacandaga Brewing Project is moving right along and the renovations that have taken place within the building are very impressive. He stated that the company is hoping to begin brewing beer in the spring of 2020.

VI. CLOSE OF THE MEETING:

MOTION: To close the meeting at 6:27 p.m.

MADE BY: Jerry Moore

SECONDED: Frederick Castiglione

VOTE: 5 in favor, 0 opposed