

A Work Session to discuss Solar Farms, of the Yorkshire Town Board, was held on February 26, 2018, at the Town Hall 82 S. Main Street, Delevan, NY.

Supervisor Spencer called the meeting to order at 7:00pm with the Pledge of Allegiance to the Flag of the U.S.A.

Roll Call:

Marcia Spencer, Supervisor, Present  
Christopher Edmunds, Council Member, Present  
Kenneth Fisher, Council Member, Absent  
Tammy George, Deputy Supv & Council Member, Present  
Teresa Hewitt, Council Member, Present

Other Town Officials present were: Fred Clark, Town Clerk; Christopher Lexer, Highway Supt & Codes Enforcement Officer, Joe Boberg, Catt County Legislature

Clerk Clark confirmed provided evidence of legal notice ad for Work Session.

The board has scheduled this work session to discuss the topic of Solar Farms, since there has been increased interest noticed in both Yorkshire and surrounding towns. The intent of the meeting is to begin to define a position and direction for the Town of Yorkshire and determine how to best incorporate any defined position.

Board members received communication copies of examples of Town of Holland and Amherst Local Laws related to Solar Energy Systems / Farms.

Supv Spencer began the meeting describing the need for the Town of Yorkshire Town Board to decide if we want to do something on how to manage / regulate solar farms / energy systems within the Town.

Coun Edmunds agreed that some regulations are needed. Coun George asked if Zoning called it out, which was confirmed it was not included in Zoning, so if its not listed, then it is not allowed currently. Coun Hewitt asked if the could force the Town on the topic, to which it was communicated by Supv. Spencer that there is always risk of litigation on topics such as this, as such, it would likely be better if we regulated it to the extent reasonable.

Coun George indicated she had spoken to Code Enforcement in Holland, whom incorporated local laws should they be approached. Wanted to manage. Holland does currently have a solar farm and the electric goes to Holland. Holland had used the East Aurora local law as an initial guide.

CEO Lexer described his view on both residential and commercial solar projects. Indicating that for residential that it covered largely with NYS codes and that the town could consider defining a specific fee associated to the square footage of the residential project. The commercial solar projects are what would need to be defined by location, size, other requirements, etc., should the board consider moving forward with defining. CEO Lexer went on to describe how the current process would work by Special Permitting and the application to the Planning Board and subsequent review with Zoning Board.

Board Members also discussed that any efforts to define local law should include some form of bond or commitment regarding abandonment / decommissioning and whom would be responsible.

CEO Lexer then reviewed the current Zoning maps with the towns that outline the current districts. The initial discussions indicated a desire to keep commercial solar projects within Ag districts and / or the MDP, Master Planned Development area, largely the area known as Kingbrook.

After some further discussions amongst board members, it was concluded that Coun Edmunds and CEO Lexer will work jointly together in the coming weeks to develop a proposal to review with the board on the subject of regulating commercial solar projects and any suggested residential fee changes for residential solar projects. Update at next board meeting March 19, 2018 is anticipated.

Supv Spencer asked Legislative representative Boberg if he had brought something to share. Mr. Boberg proceeded to provide the town with an update on a concern over out of state Municipal Solid Waste being spread at certain areas in Hinsdale, Machias and other locations in the County. It was Mr. Boberg intent to advise Town that it is largely a local responsibility to regulate, that the County is not the lead on the topic. Furthermore, recent communications with DEC seem to indicate their desire to not get involved, so it is likely an EPA issue if there are any reported concerns. He has heard from several towns and residents about the terrible smell this activity generates and some of the run off and even fire concerns that have been reported. Mr. Boberg provided some documentation on the topic for board to review. The intent is to raise awareness of the concern and advise the Town to consider being proactive on its local laws or regulations. CEO Lexer indicated the board might want to review the Solid Waste portion of the Town Zoning Laws to understand if that might cover the concern. The board thanked Mr. Boberg for the information and his time.

With no further business, on a Motion of Coun George, seconded by Coun Edmunds, the meeting was adjourned at 7:53 pm.  
Carried unanimously.

-----  
Fred Clark, Town Clerk