



Planning Board

Chair: Robert C. Seem
2445 Traver Road
Seneca Falls, NY 13148-9751
Phone: 315-568-5637

Vice Chair: Alan Smith
2613 Durling Road.
Seneca Falls, NY 132148-9713
Phone: 315-568-5423

Secretary: Lawrence J. Kesel
1234 Middle Black Brook Rd.
Seneca Falls, NY 13148-9753
Phone: 315-568-5330

Minutes for the meeting: November 22, 2022, Tyre Municipal Building.

Members in attendance: Robert Seem, Alan Smith, Lawrence Kesel, Rob Barber, Deborah Geary, Kenneth Hauenstein

Alternate member in attendance: Gene Lambert

Representing Town of Tyre: Ann Marie Heizmann, Zoning Enforcement Officer
Donald Young, ESQ., Young Law Firm, Remote
Mike Simon- Engineer- LaBella, Remote

Guests: Jeffrey Bennett, Reginal Aceto

Open Town of Tyre Planning Board monthly meeting

Vice Chairman Smith opened the November 22, 2022 Planning Board (PB) meeting @ 6:30 PM.

Attendance

Planning Board at 6 members plus alternate in attendance.

Public Comments

No public comments although Bob Seem explained why he was remote and not chairing the meeting. Gov. Hochul’s temporary allowance for remote meetings by municipal boards has expired, but he had tested positive for COVID and did not want to be present and was participating by video. Consequently, Vice Chair Smith will lead the meeting and Mr. Seem will not vote in any motions.

Approval of minutes of prior meeting: October 25, 2022

Motion to accept the minutes of October 25, 2022, as presented

Brought by Karen Thomson

Seconded by Ken Hauenstein

Oral vote, Unanimous

Report of the Zoning Enforcement Officer – Ms. Heizmann

- The Wilkinson subdivision approval is progressing. The plat was signed by ViceChair Smith after the plat was revised as part of the conditions set by the PB.
- Construction of a pole barn on Pucker Street was approved for use as a cattle barn.
- 0 Complaints for the month.

Old Business

- Karen Thomson reported that she will be assuming responsibilities for the Planning Board activities on the town's website. She needs access to WordPress (the website software) and training. Mr. Seem responded that the requested changes will occur shortly.
- Mr. Seem reported that the Town Board's proposed changes to the Towns Site Plan Review law were quite minor. The current law uses the term "Building Permit" will be changed to "Zoning Permit" since the original term created confusion since only the county issues building permits. Attorney Young mentioned he had a few suggested changes that can simplify and clarify the law and asked permission to forward those changes to the Supervisor and Town Attorney. The PB recommended he forward his comments.
- Proposed Solar Law discussion. Mr. Seem noted the Town Board held a Public Hearing the previous Thursday for public information and comment.
 - Ms. Thomson asked for clarification of the road setback specified for large facilities. The proposed setback of 120 feet is in addition to the Zoning Law normal setback. This requirement is somewhat confusing and might present problems for smaller systems
 - A Large Scale Energy System is defined as having a rated capacity exceeding 25 kW. Large home, farm operations and small businesses can need a solar system above 25 kW. The proposed law seems to be directed toward much larger scale systems, but its regulations, by definition, include much smaller systems and may impose difficulties for farms, small businesses and large homes that should not be included in this law.
 - Conversely, the low end of the law's regulation should not be too low. A 5 MW system can take up 25 acres of land.
 - In addition, discussion favored that the town remain engaged in the permitting process for large solar systems >20MW. While the town might not be engaged in the permitting process, it should still be an interested party to ensure the interest and goals of the town are represented.
 - Use of the term "by-right" needs to be defined,

- Mr. Seem reiterated his concerns about the decommissioning portion of the law should protect the landowner from ultimately being responsible for decommissioning should the developer default. The suggestion was made that the Town Attorney should address this concern. Mr. Simon indicated there are information resources on this topic. He also suggested the law should include an escalation clause to account for inflation.
- Attorney Young was permitted to conduct a high-level review of the law and had a number of comments that the PB suggested he share with Supervisor Partee and the Town Attorney (Mr. Graff)

New Business

- None.

Correspondence

None

Training – Mr. Kesel

- He has retrieved his Excel files used to maintain training records. Everyone is up to date.
- Noted Workplace Violence Prevention Training and Sexual Harassment is completed for the year.
- Responded affirmatively to a question whether non-payroll town staff could take the training even though they are not required to take it.

Motion to Adjourn @ 7:25 PM

Brought by Ken Hauenstein

Second by Rob Barber

Oral vote, Unanimous.

Respectfully submitted,



Robert Seem,

Planning Board Secretary Pro Tem

NEXT REGULAR MEETING December 27, 2022, @ 6:30 P.M.