

Planning Board, Town of Manheim, January 4, 2016

Members Present: Carl Stallman, Sharon Baisley, David Corbett, Bill Timmerman

Members Absent: Robyn Cadwell

Others Present: Attorneys Kenneth Ayers and Grace Mellen, John Haughton, Scott Blumberg, Carole Loucks, Andreas Rivera, and Attorney James Villanueva

Chairman Stallman called the meeting to order at 7:35pm, the pledge of allegiance was recited and roll call of officers taken.

A Motion was made by David Corbett with a second by Bill Timmerman to approve the minutes of the December 7, 2015 Public Hearing on SEQRA and Sit Plan Review of the

Monolith Solar LLC application for a special use permit to site a solar garden at the corner of Barker Road and Route 167 as well as the minutes of the public meeting that immediately followed the public hearing. Ayes All Notice of County Recommendation

The clerk received notice from the Herkimer-Oneida Planning Board that they had no recommendation as to final action; their reason being “No significant Countywide or intermunicipal impacts have been identified with this proposal”.

Site Plan Review

Decommission Plan

Board members reviewed the 12 page decommission plan provided by Monolith Solar. Sharon asked how the town would know if the project was producing or not. Under Sec. 3.2 the town would be notified within 10 days if there is a cessation of operation. The board requested that the notification be in written form. Attorney Villanueva said he will revise the plan to reflect that Monolith will send written notice to the town in case of cessation of operation. Attorney Ayers reminded the board that a special use permit and all conditions thereof is a grant for a use that stays with the property forever. Any future owners of the solar garden will be bound to the conditions set forth in the special use permit.

Advisory Opinion and Recommendations

The board reviewed the summary of the board’s review and findings document prepared by Attorney Mellen from her notes of comments and concern expressed by board members at their December 7, 2015 meeting and found it to be a true representation of their thoughts and concerns on the proposed solar project. It was decided to add the following under Summary and Conclusion: Given the above mentioned findings and the approved Site Plan, the Planning Board recommends that the Zoning Board of Appeals grant the special use permit applied for by Monolith Solar Associates, LLC. The following resolution was introduced, seconded and approved.

RESOLUTION 4 of 2016

Dated: January 4, 2016

**RESOLUTION APPROVING THE REVISED SITE PLANS AND
ADOPTING THE SITE PLAN REPORT, ADVISORY OPINION AND RECOMMENDATIONS TO THE
ZONING BOARD OF APPEALS ON THE
SPECIAL USE PERMIT APPLICATION FOR THE MONOLITH SOLAR PROJECT**

MOTION made by William Timmerman, seconded by David Corbett

WHEREAS, Monolith Solar Associates, LLC (“Monolith”) has submitted an application to the Zoning Board of Appeals for a special use permit for the construction and operation of a ground mounted solar garden on an approximately 5.6 acre parcel at the corner State Route 167 and Barker Road; and,

WHEREAS, site of the proposed ground mounted solar garden is located in an AG-120 Zoning District within the Town of Manheim; and,

WHEREAS, in connection with Monolith’s application for a special use permit the Planning Board is required by the Town of Manheim Zoning Ordinance (the “Zoning Ordinance”) to perform a site plan review and provide a Site Plan Report containing an advisory opinion and recommendation to the Zoning Board of Appeals; and,

WHEREAS, the Planning Board, as part of its Site Plan Review of the Project, held a public hearing at which it received public comment regarding the proposed use and site plan; and,

WHEREAS, the Planning Board has held public meetings at which it received additional information and public comment in connection with the site plan review of the proposed development and use of the project site as a ground mounted solar garden, the use proposed in Monolith’s application to the Zoning Board of Appeals for a Special Use Permit; and,

WHEREAS, the Planning Board has undertaken a thorough review of the proposed site plans, has taken into consideration public comments and has requested additional information and requested changes be made to the originally proposed site plan; and,

WHEREAS, Monolith has provided, and the Planning Board has reviewed, the additional information requested and Monolith has made changes to the originally proposed site plan; and,

WHEREAS, the Planning Board has reviewed the revised Site Plan dated December 4, 2015 and has found that the revised Site Plan meets the requirements of the Zoning Ordinance; and,

WHEREAS, the Planning Board has prepared a Site Plan Review Report and Advisory Opinion for the Zoning Board of Appeals,

Now Therefore Be It RESOLVED, that the Planning Board does hereby determine that the revised Site Plans dated December 4, 2015 meets the requirements of the Zoning Ordinance; and,

Be It Further RESOLVED that the Planning Board hereby approves the revised Site Plan dated December 4, 2015; and,

Be It Further RESOLVED that the Planning Board hereby approves and adopts the Site Plan Review Report and Advisory Opinion dated January 4, 2016 prepared for the Zoning Board of Appeals in connection with Monolith’s Special Use Permit Application; and,

Be It Further RESOLVED that the Chairman of the Planning Board is directed to cause the Site Plan Review Report and Advisory Opinion dated January 4, 2016 prepared for the Zoning Board of Appeals in connection with Monolith’s Special Use Permit Application to be sent to the Zoning Board of Appeals;and,

Be It Further RESOLVED, that the Clerk of the Planning Board is directed to send a copy of this Resolution and a copy of the Planning Board’s Site Plan Review Report and Advisory Opinion dated January 4, 2016 prepared for the Zoning Board of Appeals in connection with Monolith’s Special Use Permit Application to the Zoning Board of Appeals and to the Applicant.

Roll Call Vote:

Carl Stallman, Chairman	Aye
Robyn Cadwell	Absent
David Corbett	Aye
Sharon Baisley	Abstained
William Timmerman	Aye

IN WITNESS WHEREOF, I have affixed my name as secretary on this 4th day of January, 2016

Marie Gressler, Clerk/Secretary

Public Comment: Chairman Stallman asked if any one wanted to comment. No one wished to make any comments.

A Motion was made by Sharon Baisley and was seconded by David Corbett to adjourn the meeting at 8:21pm. Ayes
All

Respectfully Submitted

Marie Gressler
Board Secretary