

A Workshop meeting of the Town of Avon was held on Wednesday, May 23, 2018 at 4:30 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, with the following members present:

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen Malachy Coyne, Paul Drozdziel, and James Harrington (arrived at 4:38PM)

OTHERS: Kimberly McDowell, Clerk, Lance Brabant, MRB Group, Jim Campbell, Town Attorney, Solar Committee Chairman Michael Froome, and Code Enforcement Officer Brian Glise

VISITORS: Janet Manko and Judith Falzoi

Supervisor LeFeber called the meeting to order at 4:35 P.M. led those in attendance in the Pledge of Allegiance and read the following legal notice:

Town of Avon Legal Notice

A Town Board workshop has been scheduled to discuss solar and draft local law T-2A-2018 on Wednesday the 23rd of May at 4:30 at the Avon Town Hall/Opera Block, 23 Genesee Street, Avon, New York.

Dated: May 11, 2018
Sharon M. Knight, MMC/RMC Avon Town Clerk

DISCUSSION – DRAFT SOLAR LAW

Jim Campbell handed each Board member the most recent draft of the Local Law Entitled “Adding Solar Energy Systems article to the Code of the Town of Avon”. Lance reviewed this information and has added the lighter underlined comments throughout as well.

Supervisor LeFeber asked what the recommended way to proceed through the draft to identify what areas need to be revisited or should we go through items one by one. Jim Campbell stated that the first decision should be is this the correct framework you want to use moving forward. The framework has three different categories roof mounted, ground mounted and ground mounted that is large scale for third party consumption. Paul stated that we really only have two types – Type 1: roof mounted and Type 2: ground mounted. David said yes but there is a third which is more for commercial solar system.

Board needs to make policy decisions on where you do/don't want solar development. Thereafter talk about setbacks, buffering, fencing, etc. Deputy Supervisor Mairs asked if you would want to leave those decisions up to the planning board. Jim Campbell feels that is not a good idea. You want to establish a baseline that everyone will use for guidelines for the decision making process for the future.

DISCUSSION – DRAFT SOLAR LAW-continued

Since it is a special use permit, that will fall in the planning board hands but you need to set a parameter for setbacks, buffering, fencing, etc. Jim Campbell suggested that we give some design guidelines and the more we learn about solar they may change. Jim Campbell also suggested once we get a good working draft give it to the Planning and ZBA Board's for their review as well.

Supervisor LeFeber doesn't feel that we should have any solar on prime soil in Avon. Lance stated you can definitely put that into the solar law and application, you can require the applicant to identify the prime soil on the parcel they are proposing to have the solar array on.

Lengthy discussion on exactly what percentage of land should be allowed on a parcel that wants a solar array and also what is considered prime soil. Many parcels can have a mixture of prime/non-prime soil. Jim Campbell stated that we need to understand the definitions of what is considered prime farm land and farm land of state wide importance before determining the percentage for an applicant. Supervisor LeFeber stated that in the 1920's the county did a soil survey that is pretty accurate. Lance stated that you may want a map of Avon that shows where the prime soil is located to make that determination.

Visitor Judy Falzoi stated that in Seneca, NY their solar law states anything that has been farmed within 5 years and have benefited from the tax exemption can't have any solar development on that parcel.

Councilman Drozdziel suggested that we should table this discussion until we get maps that identify prime soil in Avon so we can make a better determination of the percentage we want to impose.

Supervisor LeFeber offered to contact Bob Stryker, Livingston County Soil and Water Conservation District, to come and meet with us to discuss and identify the prime soil in Avon with the result from the survey. Supervisor LeFeber also stated that Tami Snyder, Town of Avon Assessor, can talk to us about tax items.

Supervisor LeFeber suggested that there be another working meeting before the regular meeting on June 14, 2018, but will make a determination at the next Town Board meeting on May 24, 2018.

Additional items for discussion at next working meeting are: fence, drainage consideration, decommission, security bond, and glare definition.

DISCUSSION - DUMP DAYS

Supervisor LeFeber stated that we need to make changes to the courtesy pick up policy and procedures. Due to insurance/liability we should always use Town equipment for pick up. Also, all items being picked up need to be curbside or end of driveway by 9AM on the Friday before Dump Day. All calls will now get directed to Kim McDowell. Kim will have the ad edited to reflect these changes for all future dump days.

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the meeting was adjourned at 6:15 P.M.

Respectfully submitted by:

Kimberly McDowell, Clerk

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Sharon M. Knight, MMC/RMC