

# MINUTES OF THE JOINT MEETING OF THE TOWN OF RICHLAND PLANNING BOARD & ZONING BOARD OF APPEALS

**Date:** Monday August 16, 2021

**Place:** H. Douglas Barclay Courthouse

**Board members present:** Chairman Ron Novak, Joe McGrath, David Scott, Brian Leary, Jonathan Goodsell, and Alternate Craig Sternberg. ZBA Members present were Charles Deaton, Jamie Foster, and Marshall Minot.

**Others in attendance:** John Howland CEO/ZEO and 8 members from the public.

**Call to order:** The meeting was called to order at 7:00 pm with the Chairman leading the pledge of allegiance.

Omni Navatis representative called and said he was going to be late.

Motion McGrath 2<sup>nd</sup> Scott to approve the July 19, 2021, minutes. All in favor.

Craig Polhamus from 188 Hager Dr. addressed the board. He would like to construct a tiny home on his property. He has an existing dwelling on there now. Both boards feel that this is still a dwelling and would require a variance. Mr. Polhamus feels it is not a dwelling and should not be listed as such. Both boards agreed to have the attorney look into it.

Next item was a public hearing for special permit and site plan application #21-31 & 32 submitted by Omni-Navatis for Dean & Toni Nicholson 1527-66 Co. Rt. 28. Motion McGrath and 2<sup>nd</sup> by Scott to open the public hearing. All in favor. Rueben Hall, representative of Omni Natavis, explained about the solar project. Ryan McGreggor asked how long the construction would take and Hall responded about 4 months from start of construction. McGreggor said he was in favor of the project. Diane Watkins stated that she was concerned about the drainage from the project into the Grindstone Creek. Grindstone Creek is far enough away that there would not be an impact on the creek. Craig Sternberg stated that he was in favor of the project because of its remote location. Motion Scott and 2<sup>nd</sup> Goodsell to close the

public hearing. All in favor. Chairman Novak read the response from the County 239 review. There was no concern from the County. A discussion was held in regard to the decommission plan. Chairman Novak would like to see the full amount of \$136,485.00 and not the \$30,408.00 as originally proposed. This number was calculated by decommission plan minus salvage value. Rueben Hall spoke to his client, and they agreed to leave the decommission plan at \$135,485.00. Motion Leary and 2<sup>nd</sup> McGrath to approve the special permit. With the following added conditions:

1. A letter from the applicant stating that all construction of the facility meets all the requirements of local law #2 of 2021.
2. Applicant shall submit a decommission plan signed by a NY State licensed engineer that meets local law #2 of 2021.
3. The cost of the decommission surety bond shall be based on the total cost of decommission. Cost only and adjusted annually for inflation.

A motion was made by McGrath and 2<sup>nd</sup> by Leary to approve the site plan with the same conditions as the special permit and that the perimeter fence be constructed of black vinyl material. All members in favor.

The ZBA held a discussion about a possible variance for the subdivision of a property located on Krebs Spur. A map was supplied for review. Both the PB and ZBA feels that the property can subdivide by a waiver and not require a variance.

A motion by Foster and 2<sup>nd</sup> by Deaton to approve the February 16, 2021, minutes. All members in favor.

Meeting adjourned at 9:03 pm.

John Howland