

SOLAR COMMITTEE MEETING

WEDNESDAY NOVEMBER 15, 2023

MEMBERS PRESENT: JAMES CAMPBELL (TOWN ATTORNEY), BRIAN GLISE (CODE OFFICER, TOWN OF AVON), COUNCILMAN MALACHY COYNE, TED GRISWOLD (LIVINGSTON COUNTY PLANNING), COUNCILMAN JIMMY HARRINGTON, PAT RIO, CHUCK MORGAN, BRIAN THORN, DAN BROKAW

CLERK: KIM MCDOWELL

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Jim Campbell welcomed everyone to the meeting, the purpose tonight is to get feedback on the draft revised solar law that was distributed to each committee member. Jim asked that you state the page and item number for everyone to follow along.

Chuck Morgan asked on page 10 (v) regarding safety data sheets, OSA has these sheets with a lot of information. He was wondering if this should reference OSA in the solar law. Jim will reference OSA in any areas that discuss safety data sheets.

Chuck also questioned if we should prohibit solar in flood zone areas due to the height of the panels. There was discussion on if the water would get high enough to reach the panels and the effect on the infrastructure as well. Jim stated flood zone is different than wetlands and it was determined to keep it in the code.

Brian Thorn found a misspelled word for Jim to correct, and he also stated that he was happy with the language about screening that was revised in the code. There was discussion on the landscaping architect's positive impact on screening and what other solar farms are using for trees.

Pat Rio stated being on this committee has been very informative to him and he can answer questions if anyone asks him.

Jimmy asked Ted if the County would add anything, Ted feels this is a good code, but they will make comments after it has been referred to the County Planning Board.

Malachy Coyne had a question on page 66(S) regarding the civil penalty and does that number get adjusted at some point. Jim stated whoever looks at it will look at the whole solar law and determine if that is a good number still. There was discussion on what an applicant might think of this penalty and whether they will fight it or just pay it because it is not a huge amount.

Malachy also asked on page 70, the decommissioning landscape is up to the Town Board and what does that mean. Jim explained it will be up to the Town Board to grant the landowner the ability to keep the landscaping, fencing, roadway, and drainage at the time of decommissioning. Jim stated it either goes back to preconstruction phase or keeps the few things mentioned.

Malachy believes this is a good law and everyone worked hard on it.

Tami Snyder sent a change she would like incorporated into the code. She wanted the statement of production requirement that it be sent to the Assessor's office as well and Jim added that into the code.

Edward questioned what is meant by making sure the building is structurally sound for solar on page 7. Jim stated this is just for any roof mounted solar, both residential and commercial. Commercial will require a professional to verify the building is structurally sound to hold solar panels.

Jim stated he will make the changes to the items mentioned tonight and then he will send it to the Town Board as the proposed set of regulations by adoption as a local law. The Board will then schedule a public hearing after 10 days of review and it will also be sent to the County for review.

Jim feels it will probably be adopted in January and he would like committee members to go to the public hearing in case there are any questions.

Jim thanked everyone for their time and dedication to revising the local law, there was a lot of positive dialogue and suggestions.