

Town of Fenner Planning Board Minutes: 12/20/2023

Present: Monica Cody, Andy Stone, Andre Schokker, Pete Snyder, Andy Bishopp, Sue Yanulis

Absent: Judy Carmon

Community Members in attendance: Dave Senehi, Sue Hollenbeck (for Thomas Seitz on phone), Bobby Hollenbeck, Wayne and Mrs. Emmons

Andy Stone called meeting to order at 7:30 pm.

Discussion of Meeting Minutes from 11/15/2023:

Correction: The Seitz subdivision notes should be corrected to "1000ft" of road frontage (not 100ft). Tax ID for the Seitz subdivision is 70-2-18 and should be added to the minutes.

Motion to approve the meeting minutes with corrections from 11/15/2023 by Pete Snyder, seconded by Andre Schokker. Motion carries.

7:35 Public Hearing for Subdivision of tax parcel ID #70-2-18 for Thomas Seitz at 4032 E Mile Strip, Canastota, NY 13035

There are 19 acres on one side of the road. A house and 6.2 acres are on the other side of the road. 25.13 acres in total. Mr. Seitz would like to separate the two sides of the road into 2 parcels for sale of one lot. Each has over 1000 feet of road frontage and neither would create a non-conforming lot. A map of the parcel has not been received as of 12/20/23, but Mr. Seitz noted that they were dropped in the drop box at the Town of Fenner last Friday, but they may have been dropped in the Highway Department. Board members looked in all available mailboxes including the Little Free Library but did not find the drawings. Mr. Seitz' niece is attending as representation (Sue Hollenbeck and Mr. Seitz is on speaker phone.)

Andy Stone opened the public hearing at 7:35PM. No comments were made by community members in attendance.

The SEQR was reviewed and corrected from the applicant's provided evaluation. (There will be no well on the property and no dwelling.) There are no designated wetlands on the property.

Andy Stone closed the public hearing at 7:50PM.

Pete Snyder motioned to accept a negative SEQR declaration, second by Andy Bishopp, motion carries.

Pete Snyder motioned to approve the subdivision, second by Andre Schokker, motion carries.

Mr. Seitz will bring a mylar copy to be signed after a new survey is completed; a copy of the survey must be provided to the town and to the county so a new parcel number can be assigned. The Planning Board will need to keep a copy as record, too.

7:45 Public Hearing: subdivision for Wayne Emmons on lot 077.00-02-02.0

Andy Stone opened the public hearing at 7:45 for Wayne and Laura Emmons. No comments were made by community members in attendance.

Mr. Emmons would like to separate 2.176 acres from his house lot.

The SEQR was reviewed. The original lot has a well, the proposed new lot does not have a well. The house has a current septic system, no new systems will be installed on the proposed new lot.

Andy Stone closed the public hearing at 8:00PM.

Pete Snyder motioned to accept a negative SEQR declaration, second by Andy Bishopp, motion carries.

Pete Snyder motioned to approve the subdivision, second by Andre Schokker, motion carries.

Andy Stone signed the mylar copy and provided it to Mr. Emmons to file at the county.

Dave Senehi

Mr. Senehi went to NY ISO and they said he could connect to the line based on results of his feasibility study. The next study is for System Impact. NY ISO switched his project back to a 3 Breaker Ring Bus connection (the previous design). (Note: Dave was at Planning Board in April and May 2023 to have the design changed to a different connection from the 3 Breaker Ring Bus at their request.) Dave fought the newly required change-back because NY ISO are not supposed to require him to change from the line tap because his bid was already in place. NYSERDA offered to give Mr. Senehi his bid money back. He may file with the FERC (Federal Energy Regulatory Commission) to fight the required change which is costly and lengthy. Mr. Senehi is going to put in another bid, now with the 3 Breaker Ring Bus design. NY ISO said that they have the ability to make this change because they modified the NY regulations to require 3 Breaker Ring Buses be used. The interconnection is for 19.9MW. The req's would be sold directly to NYSERDA. The 3 Breaker Ring Bus is very expensive and would be cost prohibitive without the NYSERDA req's. The interconnection has been the biggest issue with this project. There is capacity on the line right now, even with potential solar and Liberty Renewables wind on the line.

NY ISO will be moving to a Cluster Study system to evaluate projects instead of the Queue system that has been in place.

It was discussed that Mr. Senehi's Special Permit will need to be revised back to using a 3 Breaker Ring Bus to include this change. A public hearing is set for January 17, 2024 at 7:35PM. The last revision was made in May 2023. All historical records for Mr. Senehi's project should be pulled by the Town Clerk to have available during the meeting, if needed.

Review of Town of Fenner Fee Schedule for applications and Permits (last revised in 2016)

The Planning Board review of the fee schedule was compared with current rates in effect by the Town of Nelson. There are things that Nelson charges for that Fenner does not. It was discussed that the hourly bill rate of the Code Enforcement Officer, Town Clerk, and any billable board hours for each fee event should be determined and included in addition to the time estimated for Planning Board efforts. It was also discussed that the Planning Board could only comment about the application fees that include Planning Board involvement, and there may be other costs that should be accounted for in each fee, if so determined by the Town of Fenner Supervisor/Board.

- Mobile and Modular home fee should include 2 hours of Planning Board time and any hours associated with Town Clerk involvement for meeting prep and follow-up/filing.
- Application fee for zoning board of appeals should include an hour of Planning Board time that typically occurs before the applicant goes to the Zoning Board.
- Application for Special Use Permits should include 3 hours of Planning Board time.
- Line Changes should include 3 hours of Planning Board time with follow-up for documents.
- Minor Subdivisions should include 3 hours of Planning Board time.
- Major Subdivision- 4 hours of Planning Board time.
- Solar Panel Application- \$50 per panel for household application. Commercial Solar is not a permitted use, therefore should have a violation associated with it at \$50/panel to cover Planning Board time for 94-C involvement.
- Trailer Park Permits- 4 hours of Planning Board time.
- Special User Permit- 3 hours of Planning Board time.
- Consideration should be made to create a Special Use Permit Addendum fee of 3 hours per instance of Planning Board time for previously approved Special Use Permits that require modifications.
- Consideration should be made for the addition of a Wind Farm application of \$50/mW to cover Planning Board time.

This is based on a billable rate of \$20/hr.

Motion to close by Sue Yanulis, second by Andre Schokker at 9:56 PM. Motion carried.

Respectfully Submitted,

Monica Cody