

**Town of Cambria
Planning Board Meeting
September 17, 2018**

The regular monthly meeting of the Planning Board of the Town of Cambria was called to order by William J. Amacher, Chairman, at 7:00 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: William J. Amacher
Roger Schreader, Sr.
Douglas Mawhiney
Michael D. Sieczkowski
Gerald E. Kroening

Members Absent: Garret Meal

Also Present: Randy Roberts, Councilman, Town Board Liaison
Gary Billingsley, Attorney

A motion was made by Mr. Schreader and seconded by Mr. Sieczkowski to approve the minutes of the August Meeting as presented, unanimously approved, motion carried.

The public hearing notice was read as it appeared in the town newspaper.

New Business

**Subdivision
PBSD-2018-008**

**Thomas Ohol
5832 Comstock Road, Lockport, NY 14094
Regarding SBL# 121.00-2-46.211
Vacant Land located on Campbell Blvd.
One Lot Minor Subdivision**

Mr. Ohol was present at the meeting and would like to create a lot that will be 150 feet by 300 feet. Subdivision approval had been previously granted by this Board at the April 16, 2018 meeting to create a lot with the dimensions of 300 feet by 300 feet. Mr. Rutherford the potential buyer of the proposed lot would like the lot cut in half and create a 150 feet by 300 feet lot. Mr. Rutherford would like to construct 50 foot by 80 foot pole barn for storage and for his graphic works business. The Board reminded him that prior to construction he will need site plan approval from this Board.

A motion was made by Mr. Sieczkowski and seconded by Mr. Mawhiney to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Kroening and seconded by Mr. Schreader to approve this one lot minor subdivision, all in favor, motion carried.

New Business**Site Plan**

PBSP-2018-010 Cambria Vines N' Bines-Robert Johnson
4329 Lower Mountain Rd, Lockport, NY 14094
SBL# 92.00-1-19.11
Roof Mounted Solar Array

Public Hearing Notice

Site Plan Approval for a 14.85 kW roof mounted solar array installation including 45 solar panels with dimensions of approximately 77 inches by 39.1 inches by 1.57 inches and 2 inverters upon said premises pursuant to Local Law No. 2 of the year 2017, which amended Local Law No. 1 of the year 2015 Regulating Solar Energy Systems in the Town of Cambria.

Mr. Johnson and Ms. Fitch a representative from Solar Liberty were both present at the meeting. The proposed Solar Array would be mounted on the metal roof and conform to the roof dimensions of the existing 36 foot by 64 foot out building. Mr. Johnson stated that a considerable amount of power is used in drying grains. He has purchased a pellet boiler which cuts down on electrical consumption, but still uses a significant amount. Mr. Johnson feels the proposed Solar Array will off-set some of the cost. He further stated that Solar Arrays he has in place elsewhere are beneficial.

Public Hearing Open

Amy McQuay, 4308 Lower Mountain Rd stated that she supports this site plan.

Public Hearing Closed

According to Ms. Fitch if the metal roof needs to be replaced the Solar Arrays would need to be removed and put back in place by a crew from Solar Liberty, at the expense of the owner. The Arrays have an automatic shut off should the panels become too hot. The Solar Arrays power cut off will be located at the breaker box and an additional shut off will be located outside for use by the fire department in the event of a fire. According to Mr. McCann shut offs must be in place according to the New York State Building Code. The separate disconnect switch is needed in case of fire. According to the National Electric Code (NEC) it must be located 20 feet from the main distribution panel. The NEC is the standard for the safe installation of electrical wiring and equipment in the United States. It is part of the National Fire Codes series published by the National Fire Protection Association (NFPA). These systems will stay energized for a period of time so it is crucial to correctly disable the system in the event of a fire. A Fire Safety Plan is developed for fighting a fire on each property that has a solar array. The plan is discussed and filed with each fire department.

Site Plan-Cambria Vines N' Bines-Robert Johnson continued

A motion was made by Mr. Kroening and seconded by Mr. Mawhiney to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Schreuder and seconded by Mr. Kroening to approve this roof mounted solar array with the following conditions:

1. Applicant shall comply with Local Law No. 2 of 2017 which amended Local Law No. 1 of 2015 regulating Solar Energy Systems in the Town of Cambria, the New York State Fire and The National Electric Code.
2. Applicant shall remove Solar Arrays and all related equipment, stands and/or mounts within two (2) years of such time as the Solar Array permitted hereunder shall cease to function.
3. Applicant shall file a Fire Safety Plan with the Code Enforcement Officer, who will forward same to the local volunteer fire companies; and
4. Applicant shall obtain a Building Permit prior to construction, all in favor, motion carried.

**Site Plan G. Scholand, Esq-Representing Crosslake Fiber USA LP
Concerning SBL#107.00-2-31
Vacant Land Lockport-Junction Road
Underground Fiber Optic Cable**

Mr. Scholand was present at the meeting representing Crosslake Fiber he stated they would like to construct a building that will be 12 feet by 26 feet. The small building will have a four (4) space parking lot, generator, fence and landscaping will be in place.

This site plan was approved by the Zoning Board of Appeals at the August Meeting with the following conditions: trees will be in place and extend along the rear of the building and the monthly generator test will be run between the hours of 7:00AM-7:00PM. In addition construction of this building was recommended for approval by the Niagara County Planning Board.

The proposed site will include a 1000 gallon tank for diesel fuel for use in the generator. According to Mr. Scholand the gravel driveway will require a permit from New York State which is pending. This project will only use .25 of an acre so the company he is representing will be interested in subdividing and selling the remaining roughly 39 acres. The original site plan included solar but that created too many complications therefore Crosslake has decided to remove that from the site plan.

Site Plan- G. Scholand, Esq-Representing Crosslake Fiber continued

According to Mr. Scholand this is part of a larger fiber optic project. The Lake Ontario Project which will run fiber optic cable under water from Buffalo to Toronto. The proposed fiber optic cable will run parallel to Lockport-Junction Road on the west side shoulder of the Road and create very few or no traffic issues. Other structures like this will be in place every 50 or 60 miles as part of the larger fiber optic project. The proposed building will house computers that will collect beams of light and amplify the beams and send them back out stronger through the fiber optic cable. According to Mr. Scholand Crosslake Fiber is not an internet supplier they build the infrastructure that is necessary for this type of project. He further stated they should be getting the building permit in the next few weeks. He estimates that it would take approximately 3-6 months to complete this proposed project.

A motion was made by Mr. Sieczkowski and seconded by Mr. Kroening to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Sieczkowski to approve this proposal with the following conditions: trees will be in place and extend along the rear of the building and the monthly generator test will be run between the hours of 7:00AM-7:00PM, all in favor, motion carried.

Old Business**PSP-2018-007****David-Aliza Edbauer****4715 Plank Road, Lockport, NY 14094****Concerning SBL# 93.03-1-11.12****Ground Mounted Solar Array**

A motion was made by Mr. Sieczkowski and seconded by Mr. Kroening to table this proposal for Mr. Edbauer's ground mounted solar array until he contacts the Board and this item is ready for consideration, all in favor, motion carried.

Reports:

Chairman- Mr. Amacher stated the Public Information Meeting regarding the Solar Farm will be held Wednesday, October 3, 2018, at Niagara Community College 3111 Saunders Settlement Road, Room E-107 from 4:00PM-7:00PM and Thursday, October 4, 2018, at Cambria Fire Hall, 4631 Cambria Wilson Road from 4:00PM-7:00PM. All interested residents should plan to attend. He further advised Board members and the public to look for additional information on the Solar Project website www.bearridgesolar.com. According to Mr. Amacher you can view the entire application on-line.

Reports-continued

Building Inspector- Mr. McCann provided a map of the proposed Solar Farm to all Board Members. To his knowledge the proposed Solar Farm will be of no benefit to the Town of Cambria.

Attorney- Nothing at this time

Board Members- Mr. Roberts stated the proposed Solar Farm has filed Article 10 with the State; this limits local control over the siting process. The State will appoint a seven (7) member Board of whom there will be two (2) local representatives. Mr. Roberts encouraged residents to voice their opinion and if public opinion is against the proposal they may not continue with the project. The residents of the Town of Cambria need to voice their opinion at these meetings, whatever their opinion may be. The Town Board is staying on top of all of this as it happens. Mr. Roberts stated that it appears this area was chosen for the proposed solar farm because of transmission lines and flat land.

A motion was made by Mr. Sieczkowski and seconded by Mr. Kroening to adjourn the meeting at 7:48 PM.

The next meeting of the Planning Board will take place Monday, October 15, 2018 at 7:00PM.

Respectfully Submitted by
Melinda Olick

Melinda Olick