

A Public Hearing on proposed Local Law “A” or alternatively Local Law “B” of the year 2022. Local Law “A” is entitled, a local law amending the Zoning Law of the Town of Livingston in relation to solar energy uses or Local Law “B” entitled “A local law to extend and impose a temporary three (3) month moratorium on large scale solar installations within the Town of Livingston.” was held at 7:00 pm prior to the regular town board meeting.

Supervisor Guzzi presented the proposed law on the projector screen for the audience and gave the proposed changes to the solar law (as highlighted below) and then opened the floor to public comment.

By the adoption of this local law any moratorium on large scale solar installations, as instituted by the adoption of the Town of Livingston Local Law #1 of 2022 or thereafter extended, is deemed repealed.

b. A site plan with survey performed **only** by a NYS licensed land surveyor showing by metes and bounds, all installations, structures, setbacks, coverages and building envelopes, the parcel boundaries, inclusive of the delineation of the applicable zoning districts, expressly demonstrating the setbacks and sideline requirements. **Said survey shall show metes and bounds and area (to two decimal places) of the following:**

i. Out bounds of entire tax map parcel.

ii. Area and metes and bounds of C-1 Zone.

iii. Area and metes and bounds of project site.

The Decommissioning Plan shall be reviewed as to substance and cost and approved by the Town’s engineer. The Owner shall at all times have a bond or irrevocable letter of credit to cover the cost of the decommission. Removal of Large-Scale Solar Energy Systems must be completed in accordance with the Decommissioning Plan. If the Large-Scale Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and **collect upon the bond or irrevocable letter of credit, and/or** impose a lien on the property to cover these costs to the municipality.

d. **Lot Coverage.** A Large-Scale Solar Energy System that is ground-mounted shall not exceed 25% of the lot area within the permitted zoning district on which it is installed. For clarification, this coverage calculation is not to be considered 25% of the entire lot, **only 25% of the portion of lot area which lies within the C-1 Zone.** The area of a solar energy system includes all the land inside the perimeter of the solar energy system, which extends to any inter connection equipment.

h. There shall be provided to the Town, prior to system activation, a set of “As Built” plans submitted by a NYS licensed land surveyor to be reviewed and approved by the Town’s engineer, demonstrating compliance with the approval and conditions of any such approval.

f. The Planning Board shall requires that a location of a proposed solar panel be demonstrated by a survey performed by NYS licensed land surveyor, showing the parcel boundaries inclusive of the delineation of the applicable zoning districts, showing the proposed solar installation location, expressly demonstrating the setbacks and sideline requirements all by metes and bounds.

Emilie Flanagan of Carson-Power, asked about clarification on the 25%, and what it included. Per the Board, it's everything within the fenced area that is being used.

Mary Susan Knauss asked where the 25% figure came from? The Board said they looked at the C-1 districts as to where and how much of it they wanted to be allowed for solar use, and she then asked if there are any parcels that fit that criteria and the Board said they do not have that information.

Supervisor Guzzi read letters from the Livingston Democrat Committee and Livingston Republican Committee that were both in favor of the proposed changes in the law.

There being no further comment, the board voted to close the Public Hearing.

Resolution # 66

Motion to close the Public Hearing

A motion was made by Councilperson Massaro, seconded by Councilperson Conte to close the public hearing and the hearing was closed at 7:24 pm.

Votes: 5 Ayes, 0 No

The regular monthly meeting, of the Town Board of the Town of Livingston, County of Columbia, and the State of New York was held at the town hall, 119 County Route 19, Livingston, NY on the 14th day of July, 2022.

Present:

Supervisor James Guzzi

Deputy Supervisor Will Yandik

Councilperson William Bender

Councilperson Phil Massaro

Councilperson Fred Conte

Town Attorney Robert Fitzsimmons, Esq.

Supervisor Guzzi opened the regular meeting of the Town Board with the pledge to the flag, at 7:25 p.m.

Resolution # 67

Motion to approve the monthly minutes

A motion was made by Deputy Supervisor Will Yandik, seconded by Councilperson Conte to approve the minutes of the June monthly town board meeting.

Votes: 5 Ayes, 0 No

Communications: the Town Clerk read a letter from the NYS Association of Towns announcing a continuing education class on Short Term Rentals and giving sign up information for interested parties.

Supervisor's Report

The following reports were read by Supervisor Guzzi:

Town Supervisor

Town Clerk- Total local shares remitted to town of \$5956.40 for June

Highway- Mowing road side and lawns, paved 1 mile on White Oak Road, Vosburgh Road, Ten Broeck Road and Old Route 82. Put shoulders on all roads that were paved. Did ditching on Hapeman and Pleasant Vale Roads

Building Dept- 14 permits, 0 C/O, 6 Abstract C/O's, 0 Mobile Home. 0 Fire Violations, 0 Fire Inspections, 0 Weddings \$ 3600.85 month-Total year to date\$ 35.126.19

Dog Control- 4 dog calls for the month

Assessor- 21.5 hours, 13.5 file maintenance hours, 2 property owner meetings, 3 parcel transfers, 0 building permits processed, 8 phone calls, 24 emails, 26 exemptions, 0 file/map maintenance, 0 Splits/mergers, 3 Sales, 5 data corrections, 0 valuations, 5 address changes, 0 site visits. The Board of Assessment Review met on 6/2 and approved 5 corrections through stipulations and 3 additional petitions were submitted but withdrawn prior to the hearing date. Basic and Enhanced Star eligibility was reviewed and updated for the final role filing of July 1st. The NYS Tax and Finance IVP database was reviewed and updated. 11 parcels were removed from eligibility due to delinquency on property tax bill payment and 13 parcels changes from Star exemption to Star Credit as requested by the property owners. The Assessor's Clerk will be on maternity leave from July through September and so the Assessor's office will not be open Monday evenings during that time.

Resolution # 68

Motion to approve the monthly reports as read

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Massaro to approve the monthly reports as read.

Votes 5 Ayes, 0 no

Town Attorney Robert Fitzsimmons read the long form Environmental SEQR for Local Law # 2 of 2022 and said if the Town Board agrees with the answers they can issue a negative declaration for purposes of SEQR

Resolution # 69

Motion to approve the EAF with a negative declaration for Local Law # 2 of 2022

A motion was made by Deputy Supervisor Yandik, seconded by Councilperson Massaro to approve the EAF with a negative declaration for Local Law # 2 of 2022.

Votes 5 Ayes, 0 no

Resolution # 70

Motion to adopt Local Law # 2 of 2022 amending the Zoning Law of the Town of Livingston in relation to solar energy uses.

A motion was made by Councilperson Massaro, seconded by Councilperson Conte to approve Local Law # 2 of 2022, amending the Zoning Law of the Town of Livingston in relation to solar energy uses.

Votes 5 Ayes, 0 no

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The Town Board issued a Proclamation for the Linlithgo Reformed Church commemorating their Tricentennial. Deputy Supervisor Yandik read the proclamation celebrating their 300 years and gave a history of some of their highlighted moments throughout the years. Consistory members James Andrews and Deb Morgan were on hand to accept the proclamation. They announced that the church will be having a barbecue on September 25th in celebration of the event.

Rec Park- Donna Campion gave an update on the children's summer program including a slide show presentation on what they have been doing so far. Approximately 70 are registered.

Committee Reports

Buildings- no report

Senior Citizens Advisory Council- no report

Planning and zoning- no report

Ethics- no report

Highway- as per the supervisor's report

Communications- no report

Office Support- no report

Historian- no report

County Environmental Management- no report

Emergency Management- no report

Special Projects- no report

Twin Lakes: no report

Audit Committee:

Resolution # 71

Motion to pay bills

A motion was made by Councilperson Massaro, seconded by Councilperson Bender, to pay the bills as presented.

58-64 Highway

163-197 General

Vote 5 Ayes, 0 No

Public Comment

Wayne Decker and his son, of Boy Scout Troop 42, are attending the meeting for the son's merit badge. Wayne is also involved with the Southern Columbia Little League and asked about permission to revamp one of the fields to accommodate the intermediate players. Councilpersons Bender and Conte will meet with him to go over details and see if it can be done.

Fire Chief Joe Jahns spoke about a recent accident at the light at the Bell's Pond intersection and safety concerns with the intersection, and asked the Town Board for a letter for the State addressing those concerns that he could take to the Columbia County Traffic Safety Board, of which he is a member. The Town Board agreed to provide a letter.

Resolution # 72

Motion to adjourn the meeting

A motion was made by Councilperson Conte, seconded by Councilperson Bender, to adjourn the meeting.

The meeting was adjourned at 8:09 pm

Respectfully Submitted,

Tammy Molinski

Town Clerk

DRAFT MINUTES