

PUBLIC HEARING  
TOWN OF SHELBY  
PROPOSED LOCAL LAW-SOLAR ENERGY SYSTEMS LAW OF 2018  
OCTOBER 9, 2018

Present:        Kenneth Schaal, Deputy Supervisor  
                  William Bacon, Councilman  
                  Stephen Seitz, Councilman  
                  Jeff Smith, Councilman  
                  Darlene Rich, Town Clerk  
                  Bethany Centrone, Council for Bond, Schoeneck & King  
                  Michael Fuller, Highway Supt.  
                  Kirk Myhill, Planning Board Chair  
                  Miranda Bennett, Bookkeeper  
                  Paul Gray, Constable  
                  Claude Grimes, Constable

Excused:        Ed Houseknecht, Supervisor  
                  Trisha Laszewski, Assessor  
                  Dan Wolfe, Code & Zoning Officer

Others :	Mallory Deifenbach, Daily News	Dave Mahar
	Edward Zelazny	Chester Zelazny
	James Zelazny	Brian Murray Sr.
	Dina Barone	Kim Weatherbee
	Eric Chambers	

Public Hearing was called to order at 6:15pm

Purpose of the Public Hearing- To hear comments on the adoption of proposed Local Law entitled "Solar Energy Systems Law of 2018".

Kirk Myhill Planning Board Chair said we have solar energy regulations but it did not cover commercial solar. Have worked with Dan, Code Enforcement Officer and the Town of Ridgeway and Town of Yates. This would allow Dan to authorize residential roof mounts and free standing solar units. Bethany Centrone, town attorney said this would expand what we have. This would give the Planning Board more control over what is going on in the town. Special Use Permits for utility scale-solar energy systems minimum lot area would be 15 acres and maximum lot acres would be 50 acres. The height of a utility-scale solar energy system shall not exceed 20 feet.

Public comments: Chester Zelazny-Asked how many regulations do we need in Town of Shelby and how many food trucks coming in. Deputy Supervisor said Kirk has been working on regulation for food trucks. It is becoming more popular. Medina has been looking into it also. Chester then asked if any of the trucks have caused an accident. Deputy Supervisor said he does not believe or has heard of any accidents. Eric Chambers said he shared Chet's concerns. There is a cloud over Shelby. Feels people are being chased out. Jim Zelazny asked what was the

biggest difference in Shelby's proposed solar energy system's law and the one in Ridgeway and Yates. Look at what Shelby wants. Don't go to other towns.

Dina Barone said the Town of Shelby opted out of section 487 exemption of the New York State Real Property Tax Law. All three municipalities were advised on solar law by Hodgson Russ. Two towns should get a discount, as it is cut and paste. It is a conflict of interest left and right. This law is in violation of town law 3 and 5 of 2017 and in violation of the Comp Plan Law is in violation of the Western Comp Plan. Deputy Supervisor said the Town Board will be reviewing all comments. Chester Zelazny said the before anything happens money will be gone. The study never went any place. Dina Barone said it is creating another set of candy-coated laws. Deputy Supervisor said the Town Board would be reviewing all comments.

After no other comments a motion to close public hearing by Councilman Seitz, seconded by Councilman Smith.

Ayes – 4, Opposed-0, Absent-1

Motion carried

Meeting adjourned 6:35 PM

Respectfully submitted,

Darlene A. Rich, MMC, RMC  
Town Clerk