

PLANNING BOARD
March 25, 2021

MEMBERS: Robert Harris Chairman
Robert Spencer
Beverley Snell
Merle Snell
Margaret Darroch
Michael Hartman – Code Enforcement

The meeting was called to order by Chairman Robert Harris at 7:00 p.m.

The first item of discussion was a burial on private property. New York State does permit, the resident would have to get ok from the County and the Town. The rules and regulations would include:

A large amount of land; specified size was not noted.

The burial would have to be noted in the deed to the property.

A perpetual care clause, this would have to be arranged for future sale of the property.

Currently there is no provision in the Town of Hartland code to permit a home burial. It was proposed by the Town of Hartland Planning Board to enact a recommendation to prohibit home burials in the town.

Code Enforcement Officer, Michael Hartman presented current issues within the town concerning fences. Royalton has just passed a law for fences.

Motion by Bob Spencer, seconded by Margaret Darroch to present to Town Attorney for potential local law with specifications for fences.

Ayes: 4 Nays: 1

Discussion of solar law and the involvement of the Planning Board. The Town of Newfane recently held a meeting regarding solar projects. If a board does not rule within a year of proposal for solar projects, it is automatically approved. Margaret Darroch attended the Newfane meeting and stated that the town had based their solar law on the same law presented by the State. She said that the Planning Board should be included in the discussions and decisions with regards to solar. It is the responsibility of the Planning board to uphold the Comprehensive Plan for the Town.

Mike Hartman said that the town does have a solar law in place, however, it is based on a much smaller scale utility.

Chairman Harris would like to know if there is a map that shows the properties that are projected for the solar.

Hartman said that he had one in the beginning and then the solar company had changed the map, he does not have an updated one.

The Town of Royalton opposes the solar project, and they are opting out of the 487 exemption. Any project that comes will have to pay full taxes on the land. This directs the IDA; they will not pursue the project if the town does not want it.

Bob Spencer recalled that the board was directed to not place any anti-solar signs in their yards because they sat on a town board. Town board members have pro-solar signs in their yards and that has never been addressed.

Chairman Harris said that this solar project is big, and every other project has involved the planning board, why not this one?

Hartman explained that there really is not a plan presented yet and when there is there it will go to the planning board. 94b takes away home rule, however, they will still have followed our code for zone- setbacks, etc. The Town cannot say no.

Questions such as does this fall under farmland protection, can we rely on State and County, can we put stipulations, when does special use come into practice, such as no solar on prime farmland, SEQR.

Hartman said that yes, those items would have to be followed. He suggested that the board do their research on those items, become informed. Hartman also stated that the planning board should review the Comprehensive plan, meet once a month, and look at solar laws, educate yourselves. Take a look at codes around the county. Cambria and Newfane have updated their codes.

Motion by Bob Spencer, seconded by Margaret Darroch to adjourn the meeting at 8:00 pm.

Ayes: 5. Nays: 0.

Cynthia Boyler
Secretary