

TOWN OF CONCORD BOARD PUBLIC HEARING  
Local Law #2 of 2019

June 13, 2019  
6:30 p.m.

PUBLIC HEARING CALLED TO ORDER BY CLYDE M. DRAKE, SUPERVISOR

ROLL CALL:

PRESENT: CLYDE M. DRAKE, SUPERVISOR  
JAMES M. KREZMIEN, COUNCILMAN  
KENNETH D. ZITTEL, COUNCILMAN  
WILLIAM F. SNYDER, III, COUNCILMAN  
PHILIP DROZD, COUNCILMAN

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk  
BRIAN F. ATTEA, Town Attorney  
DENNIS DAINS, Hwy Supt.

KELLEN M. QUIGLEY, Springville Times  
GEORGE DONHAUSER

Supervisor Drake opened the Public Hearing for Local Law #2 of 2019: Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Times on May 24, 2019. The Notice of Public Hearing was posted on the Town's website and the sign board at the Town Hall on May 17, 2019. Board members had been given copies of the Local Law.

Supervisor Drake opened the floor for public comments. No one else wished to address the Board.

Supervisor Drake advised the Board that there were two places in the Local Law that the word "building" needed to be inserted: At §150-213 General Regulations (B) "... are required to obtain a building permit from the Town..." and (D) "...producing 25kW of energy or less require a building permit from the Town..."

Supervisor Drake noted that the Planning Board had some concerns about Do-it-Yourself (DIY); resident who might want to try to do this on their own. After reviewing the Law further, Supervisor Drake advised that the definition of Qualified Solar Installer gives a resident a path if the resident wanted to do it on their own: Qualified Solar Installer: "A person or organization who has the skills and knowledge related to the construction and operation of solar energy systems and installation and who has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA) shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on the NYSERDA list of eligible installers may be deemed to be qualified solar installers if the Concord Code Enforcement Officer or the Concord Town Board determines such persons having training to perform the installation safely." The downside to DIY is how it could reduce the amount of any federal tax reduction.

Another Planning Board concern was §150-213 General Regulations (M): The Town of Concord reserves the right, by local laws, to provide that no exemption pursuant to the provisions of New York State Real Property Tax Law (RPTL) §487 shall be applicable within its jurisdiction. RPTL §487 is a residential exemption for solar. Supervisor Drake discussed this with the Assessor's Office and the Town does have a couple residents who have this exemption on their tax bills. This RPTL has been around since the 1970s and the maximum term of the exemption is 15 years. This RPTL §487 does not apply to commercial projects.

Councilman Zittel questioned that the location of the solar project was side or rear and not in front. What about a residence that sits back from the road? Town Attorney Attea advised that the resident could seek a variance from the Town.

Motion made by Councilman Krezmien, seconded by Councilman Zittel, to close the Public Hearing at 6:45 p.m. Councilmen Krezmien, Zittel, Snyder & Drozd; Supervisor Drake, voting aye. Carried.

Supervisor Drake advised those in attendance that this Local Law is on the agenda for tonight's meeting.



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Darlene G. Schweikert  
Town Clerk

