

**12-21-2021 – PUBLIC HEARING ON PROPOSED UPDATES TO THE TOWN OF SARDINIA
COMPREHENSIVE PLAN**

Present:

Councilman Leonard R. Hochadel
Councilman Matthew Krist
Councilman John D. Marsh
Supervisor Beverly A. Gambino

Absent:

Councilman Mike Domster

Also Present:

Town Clerk Jennifer L Bray
Approx. 4 guests

Supervisor Gambino called the Public Hearing to order at 4:03 pm immediately following the Public Hearing on the proposed Local Law regarding Cannabis Opt Out for Dispensaries. Supervisor Gambino stated that the Public Hearing was to hear comments regarding updates to the Towns Comprehensive Plan. Supervisor Gambino introduced Andrew Reilly from Wendle and noted that he has been working on the update to the Comprehensive Plan.

Mr. Reilly gave a brief presentation to the board regarding the process of updating the Comprehensive Plan including background information and information used to form an update to a portion of the Comprehensive Plan. Mr. Reilly noted that the Town currently has a Plan from 2003 and that in 2017 the Town passed its first Solar Legislation. He noted that the Town received a grant from Erie County in 2020 to begin the process of updating the Comprehensive Plan to include information regarding solar projects. Mr. Reilly stated that the Town passed an update to its Solar Zoning Law in May of 2021 which was the most important part of this process. Mr. Reilly then explained that Solar Projects had been granted under Article 10 in the past but have changed and are now governed under Article 94c both of which are handled by New York State. He noted that while these projects are required to consider local zoning and comprehensive plans that they can't be overly burdensome or they can apply to the State for a variance to the Zoning. Mr. Reilly noted that both the State and Erie County are concerned about protecting Agriculture lands and this was considered when updating the Plan. He also noted that the application process for solar projects with the State is very strict and of the 3 projects that have been applied for all have been denied at this time. Mr. Reilly discussed the Vision Map for the Town that laid out different areas for potential growth and noted there may need to be more updates done to the Plan as time goes on.

Supervisor Gambino asked if there was any comments, questions or concerns. John Schiener asked if the Comprehensive Plan would give structure to the proposed solar project in Town. Mr. Reilly stated that the Zoning update that was done in 2021 gives the most structure but that the Comprehensive Plan as well as Regional Plans help too but the Comprehensive Plan can't stop a solar project. Mr. Schiener asked if the only area in Town the solar was not allowed was in the Hamlets? Mr. Reilly confirmed that and noted that other areas allow it with restriction. Mr. Schiener noted that the Town of Sardinia has a lot of prime farm land in town. Mr. Reilly noted that New York State supports prime farm land in agriculture districts and has put conditions on projects that use more the 50% of the prime farm land and require mitigation from them. Mr. Schiener noted he applauded the Town for working with the County but still has concerns regarding view shed, agriculture and other potential projects that the land could be used for.

Supervisor Gambino stated that the State takes most of the choice out of the Towns hands but we still have to do our best to protect the Town. Supervisor Gambino then asked three times if there were any comments, questions or concerns. There were none. There being no other comments, questions or concerns Supervisor Gambino asked for a motion to close the Public Hearing. **On a motion from Hochadel, seconded by Krist the Public Hearing was adjourned at 4:25 PM. Carried 4 ayes, 0 noes, 1 absent.**

Respectfully Submitted,

Town Clerk