

TOWN OF GLEN PLANNING BOARD

MINUTES OF MEETING HELD DECEMBER 19, 2019

A meeting of the Town of Glen Planning Board was held at 7 Erie Street, Fultonville, New York, on Thursday, December 19, 2019 at 6:30 pm.

The following members of the Town of Glen Planning Board were present:  
Tim Reilly, Rosalie Farina, Sandy Hemstreet, Pat Rose, Nancy Langdon

The following member(s) of the Town of Glen Planning Board were not present:  
Tim McMurry, Cheryl Huxhold

Also present at the meeting:  
Representative of Eden Renewables- Travis Mitchell  
Representative of Prime AE- Doug Cole  
Representative of The LiRo Group- Gregg Grates

A quorum of the Planning Board being present, the meeting was called to order at 6:30pm by Chairman, Tim Reilly, followed by the Pledge of Allegiance and a moment of silence. Meeting notes were recorded and drafted by Secretary, Sandy Hemstreet.

Rosalie Farina moved to approve the minutes of the Eden Renewables Public Hearing meeting held on November 14, 2019. Pat Rose seconded the motion. Tim Reilly, Nancy Langdon, and Sandy Hemstreet voted in favor of the approval.

Nancy Langdon moved to approve the minutes of the Planning Board meeting held on November 21, 2019. Rosalie Farina seconded the motion. Tim Reilly, Pat Rose, and Sandy Hemstreet voted in favor of the approval.

Pat Rose moved to approve the minutes of the Montgomery County Shared Services Facility Public Hearing meeting held on December 10, 2019. Sandy Hemstreet seconded the motion. Tim Reilly, Nancy Langdon, and Rosalie Farina voted in favor of the approval.

**Old Business**

**Montgomery County Shared Services Building Proposal:**

Doug Cole of Prime AE indicated his firm had received responses from the LiRo Group on December 19, 2019 as related to his team's initial project findings. Mr. Cole's team completed review of the responses and noted the addressed items in the letter he submitted to the Planning Board on December 19, 2019. For details review attachment **Re: Town of Glen, Montgomery County Shared Municipal Services Facility, Our Project No. 67-1901.**

Mr. Cole drafted parts 2 and 3 of the SEQR for review by the Planning Board. He noted that if he didn't check a section on the document, this indicated he felt there was no environmental impact. He reviewed these items with the Planning Board and, based on them, he completed Part 3 for quantifying moderate / large impact. Mr. Cole indicated none were identified under project review and he recommended no SEQR issues, therefore no SEQR Statement needed. It was also noted that no other agencies had requested to become lead agency on the project.

Based on these findings, Sandy Hemstreet motioned to declare no negative environmental impact, Tim Reilly seconded the motion. Rosalie Farina and Nancy Langdon voted in favor of the approval. Pat Rose abstained from voting.

Tim Reilly noted the County Planning Board reviewed the application, didn't have any questions, and approved it on December 12, 2019. For details review attachment: **Referral Form from Montgomery County Planning Board- Montgomery County Shared Services Facility**

Doug Cole requested an approval of the project with the following conditions:

1. Approval is conditioned upon applicant addressing all Town Designated Engineer (TDE) and Montgomery County Planning comments and full and final approval of the TDE and County.
2. Prior to the issuance of site development and/or building permits by the Town of Glen, the applicant shall:
  - a) Receive TDE approval of the Stormwater Pollution Prevention Plan {SWPPP}.
  - b) Obtain a SPDES General Permit for Stormwater Discharges from Construction Activity from the New York State Department of Environmental Conservation (NYSDEC GP-0-15-002).
3. Add note to site plan: "All fill material to be utilized on site shall meet the requirements of Chapter 17 and Chapter 18 of the New York State Building Code and verified by the Glen Building Inspector."
4. Add note to site plan: "Prior to the issuance of a certificate of occupancy the applicant shall provide the Town of Glen paper and electronic file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities."
5. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Glen the applicant shall attend a pre-construction meeting with the Building Inspector and the TDE to confirm the completion of the above stated conditions.
6. Completion of SWPPP inspections and reporting during construction by a Qualified Inspector.

Tim Reilly requested a motion to approve the application with the six stated conditions from Prime AE. Sandy Hemstreet seconded the motion. All in favor: Rosalie Farina. Abstained: Nancy Langdon, Pat Rose

Motion did not pass. Nancy Langdon indicated she felt we were still missing some materials to make the decision to pass this application. Tim Reilly stated he wasn't aware of the Planning Board missing any items at this time. This application will be reviewed and put forward for motion again at the January 16, 2020 Planning Board meeting.

#### **Eden Renewables:**

Travis Mitchell, of EPI Engineering, representing Eden Renewables, indicated his firm's counsel requested a short form EAF be reviewed prior to signing off on the simple subdivision for Van Epps Solar, which had been approved at the November 21, 2019 Planning Board meeting. The firm felt SEQR should have been completed. The EAF documents were submitted to the Planning Board and indicated the subdivision posed no negative environmental impacts of significance.

Pat Rose motioned to approve the SEQR documents for Van Epps Solar. Rosalie Farina seconded, all in favor; Tim Reilly, Nancy Langdon, Sandy Hemstreet.

In order to keep documents in line with one another, Rosalie Farina motioned to rescind the approval of the simple subdivision for Van Epps Solar approved at the November 21, 2019 Planning Board Meeting. Sandy Hemstreet seconded the motion. All in favor; Tim Reilly, Nancy Langdon, Pat Rose.

Rosalie Farina motioned to approve the simple subdivision of Van Epps solar, having completed SEQR review on December 19, 2019. Nancy Langdon seconded the motion. All in favor; Sandy Hemstreet, Tim Reilly, Pat Rose.

Tim Reilly noted that referral documents from the Montgomery County Planning Board had been returned for Van Epps Solar and Mohawk View Solar. Both were approved. Sandy Hemstreet asked if there was anything of note from the County. Tim Reilly stated the County Planning Board asked if there was any public opposition to date. Tim told them none had been reported to date. For details review attachments: **Referral Form from Montgomery County Planning Board- Van Epps Solar; Referral Form from Montgomery County Planning Board- Mohawk View Solar.**

Travis Mitchell indicated Eden Renewables would be at the January 16, 2020 Planning Board meeting.

**Comprehensive Plan:**

No updates

**Proposed Solar Law Status Update:**

The Town Board has indicated they will begin looking at the proposed solar law for the Town of Glen at a meeting on February 10, 2020 at 6pm.

**Land Use Management Plan:**

No updates / tabled at this time

**Misc:**

Sandy Hemstreet reached out to NYS Local Government Training to get clarification from a Special Use Permit training conducted on December 11, 2019. Sandy indicated she spoke with Christopher Eastman and asked for clarity on how to address the special use permit process in the Town of Glen. She noted that NYS recommends that towns have clear definitions of utilities because “Utilities” could mean so many different things. Each type of utility has a different impact, and each should have different requirements to function and be in harmony with its surroundings.

Sandy noted she submitted the three paragraphs from the Town of Glen Land Use Management documents that speak to utilities. All three do not clearly define utilities. The feedback received from Mr. Eastman noted that if our local regulations do not specifically mention solar, we should assume solar is not permitted currently and we should prepare regulations that set parameters for it.

Sandy noted she did not feel that the Planning Board has the property definitions of utilities in place to properly respond to the solar applications in front of the Planning Board. She noted concern that a lack of parameters makes it very challenging to make an educated and informed decision about something that will impact the town.

Tim Reilly noted he did not agree with this, because the Planning Board had agreed that solar was a utility. He asked if that was still the feeling. Rosalie Farina and Nancy Langdon agreed that the Planning Board felt that solar was a utility but did not feel comfortable making decisions of this magnitude with no approved guidelines for the town.

Rosalie Farina motioned for the Town of Glen Town Board to enact positively and without delay a Moratorium pending the complete review and adoption of more permanent land use regulations of commercial solar construction in the Town of Glen. Suspending all further applications for development and or obtaining any approvals to develop commercial solar arrays pending the complete review and adoption of more permanent land use regulation of commercial solar construction in the Town of Glen.

The Moratorium should last until the Town of Glen has sufficiently reviewed, amended and considered all options and adopted updated land-use management plans and the Solar Law currently in front of the Town Board.

Sandy Hemstreet seconded the motion. All in favor; Nancy Langdon, Pat Rose. Opposed; Tim Reilly

For details review attachment: **By Motion of: Rosalie Farina**

Tim Reilly noted that the proposed Eden Renewables projects would need to continue to move forward. Rosalie Farina motioned to conduct a working meeting on January 8, 2020 at 6:30pm to develop the Planning Board's requirements for the Eden Renewables applications. Nancy Langdon seconded the motion. All in favor; Tim Reilly, Sandy Hemstreet, Pat Rose

### **New Business**

Glen Community Solar application for special use permit was submitted by Eric Wedesky. Mr. Wedesky was not present at the meeting. Application tabled until January 16, 2020 meeting.

Tim Reilly submitted a request for re-appointment to the Town of Glen Planning Board for the full seven-year term. The letter was submitted to John Thomas on December 9, 2019.

### **Training**

Tim Reilly noted that each member of the Planning Board needed to complete 4 training hours by December 31, 2019 and submit them to Sandy Hemstreet. Sandy noted she would be sending the completed training log to the Town Board in January.

### **Committee Reports**

None

### **Public Comment**

Following New Business, Tim Reilly opened up the meeting to public comment. Public comments were as follows:

Giovanni Bove, resident of Reynolds Road, came to the meeting regarding the Glen Community Solar application. He noted a study he found from the University of TX, Austin that found a 20-40% decrease in property values for those homes located directly around solar facilities. Mr. Bove indicated he was very concerned about his property value going down as a result of a proposed facility next to his property.

A member of the public asked how many solar facilities could go into the Town of Glen. Tim Reilly noted that 9MW is the max for the town. The two proposed on Van Epps Road make up 7.5 MW and take up about 90 acres. The application for Reynolds Road is for a 3 MW facility on 77 acres of land. This would max out the Town of Glen.

A member of the public asked what benefit the community gets from solar? The Planning Board noted a 10% discount off of your electric bill if you sign up for community solar. John Thomas noted the town would see some tax benefits from the projects. He also noted the Marcy/New Scotland electric line is being upgraded and there are solar companies hunting for projects along it.

A member of the public asked the name of the solar company proposing a project on Reynolds Road; Solar Projects LLC, [www.solarprovidergroup.com](http://www.solarprovidergroup.com)

Eileen Wagner, of Argersinger Road, indicated she was on the fence about solar. She stated she is not opposed to solar but is concerned about three applications in three months' time. She noted she went to the Eden Renewables open house and they said they would be putting in berms and hedges/trees. Pat Rose confirmed that Eden Renewables does not install berms. Ms. Wagner said she was in favor of a moratorium so that the town could take the time to make good decisions about solar. She also noted she appreciated the town website and the ability to read the meeting notes in advance of tonight's meeting.

**Closing**

The next Town of Glen Planning Board meeting is scheduled for January 16, 2020 at 6:30pm

A working meeting regarding the Eden Renewables solar applications is scheduled for January 8, 2020 at 6:30pm

Pat Rose motioned to adjourn the meeting at 7:53pm. Rosalie Farina seconded the motion. Tim Reilly, Nancy Langdon and Sandy Hemstreet voted in favor of the adjournment.



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Sandra Hemstreet