

TOWN OF GLEN PLANNING BOARD

MINUTES OF MEETING HELD JULY 15, 2021

A meeting of the Town of Glen Planning Board was held at 7 Erie Street, Fultonville, New York, on Thursday, July 15, 2021 at 6:30 pm.

The following members of the Town of Glen Planning Board were present:

Tim Reilly, Sandy Hemstreet, Tim McMurray, Susan Whiteman, Nancy Langdon, Rosalie Farina, Cheryl Huxhold

The following member(s) of the Town of Glen Planning Board were not present:

A quorum of the Planning Board being present, the meeting was called to order at 6:33pm 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.

Cheryl Huxhold motioned to approve the minutes of the Planning Board meeting held on June 17, 2021. Rosalie Farina seconded the motion. Tim Reilly, Tim McMurray, Sandy Hemstreet, Susan Whiteman and Nancy Langdon voted in favor of the approval.

Tim McMurray motioned to approve the minutes of the Planning Board Special meeting held on June 28, 2021. Cheryl Huxhold seconded the motion. Tim Reilly, Sandy Hemstreet, Susan Whiteman, Nancy Langdon, and Rosalie Farina voted in favor of the approval.

Old Business

Borrego Solar

Greg Gibbons, Borrego Solar
Doug Cole, Prime AE

Doug Cole provided a walk through of the comment letter dated July 13, 2021. Doug noted Borrego has provided all requested and required information. A vegetative buffer between the Shrine and the property was noted on the Visual Site Assessment and added as a condition of approval. There has been no response from the Town of Glen Volunteer Fire Department to multiple attempts by Borrego for feedback. Doug noted the project plan meets the requirements approved in other solar projects in the Town of Glen, so is being deemed acceptable. Language from the SWPPP was added under Storm Water and seeding/topsoil information was added under decommissioning at the conclusion of the project's life. A June 23, 2021 letter from NYS Parks and Rec noted no identified archeological finds and no additional work required. DEC letter noted no Article 24 wetland permit would be required. Greg noted that in the roadway topsoil will be removed and saved as per Ag & Markets requirements for future use.

Susan Whiteman questioned how the Town is keeping track of soil testing, conditions of approval, and decommissioning of projects. Planning Board noted this is a Town responsibility and a bigger picture item than relate to the Borrego project.

Johnathan Tingley, representing the Shrine, asked if the vegetative buffer in the 50ft setback between the Shrine and the project site could be maintained as part of the condition of approval. Greg indicated Borrego's willingness to maintain as much vegetative buffer around the project as they have control over and agreed to making this request as part of the conditions of approval.

Ag & Markets letter regarding the Borrego project suggested a possible re-alignment of the solar array to avoid use of Prime Ag soils. Greg noted that moving the arrays to any other location would result in more visibility

to the public. The current set up mitigates use of Prime Ag land as best possible. Mowing will be conducted 2 times per year to reduce vegetation within the fenced in area and the removal of 8 acres of trees will occur for the project. The landowner has requested no additional trees be planted to replace those being taken down.

Doug Cole reviewed each line item of the EAF Parts 2 & 3 with the Planning Board. Based on this review and proposed conditions of approval it was determined there was no significant impact to the environment for this project.

Conditions of approval were provided:

1. Permit for storm water
2. Decommissioning surety
3. Cost estimate of decommissioning plan to be updated every five (5) years
4. Vegetative buffer to be retained between the cemetery and the project site (retain approximately 15ft buffer) throughout life of project
5. SWPPP performance inspections to be submitted to the Town of Glen
6. Soil samples required at start of project to ensure soil amended to current condition (or as close as possible) at conclusion of project
7. Vegetative buffer on eastern side of project site, boarding the Shrine (in the 50ft setback between Shrine property and project) to be maintained throughout life of project

Motion to issue a Negative Declaration

Motioned: Sandy Hemstreet

Seconded: Cheryl Huxhold

Discussion: Susan Whiteman- confirmed the energy would be connecting to the 3-phase power as noted on the project plans

All if Favor: Tim Reilly, Tim McMurray, Rosalie Farina, Susan Whiteman

No: Nancy Langdon

Motion to approve a special use permit for the Borrego Solar project with seven (7) conditions of approval noted above:

Motioned: Tim McMurray

Seconded: Sandy Hemstreet

Discussion: none

All if Favor: Tim Reilly, Cheryl Huxhold, Rosalie Farina, Susan Whiteman

No: Nancy Langdon

Tim Reilly to get Greg Gibbons copies of signed EAF with negative declaration. The project will be sold and the next owner will apply for the permits.

Western Supreme Buddhist Temple

No representative present.

Tim Reilly spoke with Doug Van Duesen of Lamont Engineering. They are still waiting on the archeological findings at this time.

Land Use Management Plan:

Tim Reilly will take the updates to the August Town Board meeting for their review

Comprehensive Plan:

N/A

New Business

Subdivision- Tom Hayes, Reynolds Road

Tom looking to sell the trailer across the street from main property. Has well and septic. Been in place for 30 years. The lot is non-conforming and pre-dates current town code. This is a sub-standard lot, being less than 2 acres, and our current zoning would prohibit the subdivision.

Planning Board unable to take action on the request. Recommendation to apply to Zoning Board of Appeals for a variance and ask for their approval.

Other option is to sell the parcel to another owner, adjusting their lot lines, and then new owner could subdivide as a conforming lot of 2 acres.

No action taken

Solar Moratorium

Recap of what was discussed at Town Board meeting regarding a solar moratorium. Tim Reilly requested feedback from Planning Board on what we would be looking to accomplish with a moratorium (what updates are needed to current law?) Brett Phettaplace of Town of Amsterdam offered assistance, as they just passed a solar moratorium that was reviewed by 2 lawyers. Planning Board to reach out to Town Board and Bob Krueger to ensure we assist as needed in drafting moratorium language for the August 9, 2021 public hearing.

Hitching Post

Discussion on installation of permanent hitching post at Town Hall to accommodate the Amish attending meetings. Noted that for larger meetings a tie line would be necessary, but that there should be some way for those stopping in to tie up their horses for regular business. Tim Reilly to discuss with John Thomas for permission.

Communication Updates

N/A

Public Comment

1. Illene Wagner- noted solar moratorium meeting requires five (5) day advance notice to the public (legal notice)
2. Brett Phettaplace recommended the Town and planning Boards review the Comprehensive Plan in advance of making adjustments to the solar law to ensure alignment. He recommended use of a SWAT Analysis to determine Strengths, Weaknesses, Analysis and Threats related to the law. He also noted that more than one extension can be done on a moratorium, noting Town of Amsterdam has done 90 day and 120 day extensions.
3. Steve Helmin- shares concern about soil samples and how they will be kept track of by the Town. Assuming decommissioning requires updating and assumes the new Town Board would review them when they come up for update. Feels the creation of a moratorium on solar would fall to the Town Attorney. Wondering about restrictions on builds in rural residential based on soil types.
4. Susan Whiteman- concerns about staying on top of decommissioning plans. Brett Phettaplace recommended a maintenance agreement drafted by the Town Attorney to help with this. These agreements are unique to every project.
5. George Galeazza- will Borrego be using herbicides under the panels? Can the Planning Board require no herbicide usage?

Closing

The next Town of Glen Planning Board meeting is scheduled for August 19, 2021 at 6:30pm

Rosalie Farina motioned to adjourn the meeting at 8:31pm. Susan Whiteman seconded the motion. Tim Reilly, Tim McMurray, Nancy Langdon, Cheryl Huxhold, and Sandy Hemstreet voted in favor of the adjournment.

A handwritten signature in cursive script, reading "Sandra Hemstreet", with a long horizontal flourish extending to the right.

Sandra Hemstreet