

TOWN OF GLEN PLANNING BOARD

MINUTES OF MEETING HELD APRIL 20, 2023

A meeting of the Town of Glen Planning Board was held at 7 Erie Street, Fultonville, New York, on Thursday, April 20, 2023, at 6:30 pm.

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

Jd Downing, Sandy Hemstreet, Nancy Langdon, Jenn Mete-Jeffer, Boddy White

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

Tim McMurray

A quorum of the Planning Board being present, the meeting was called to order at 6:30pm by Chairman, Jd Downing, followed by the Pledge of Allegiance and a moment of silence. Meeting notes were recorded and drafted by Vice Chair, Jennifer Mete-Jeffer.

Housekeeping

1. Boddy White motioned to approve the minutes of the Planning Board meetings held on February 16, 2023. Sandy Hemstreet seconded the motion. The Planning Board voted as follows:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Jd Downing	X		
Jennifer Mete-Jeffer	X		
Sandy Hemstreet	X		
Nancy Langdon	X		
Tim McMurray			
Boddy White	X		

Old Business

Updates from the Chairperson

Jd Downing met with Tim Reilly and Ron Crewell from the Town Board. They discussed the 5S solar project and the concern of communication issues between the Planning Board and the Town Board. The 5S solar project site is a mess, they are not following the process and they went on neighboring land. The Planning Board Secretary position has been advertised. The Planning Board does not currently have a Secretary. The Town Board is pursuing the ability to have access to the Town of Glen website through Montgomery County.

The response from the Town Supervisor indicated he believed everything was going well, being adequately communicated and progressing in an appropriate timeline.

Bylaws Review

Jd Downing received the bylaws back from the Town Board with changes made that were not highlighted, requiring us to go line by line to note any changes. We will review for the next meeting.

Land Use Management Plan Discussion

Jennifer Mete-Jeffer stated the review has been completed by the committee and this was not intended to be an end-to-end review of the entire document, rather a review of the “changes” made in 2017 to accomplish the goal of codifying everything by the end of the year. The wind mills and wind turbine definitions were missing from the beginning and Doug Cole from Prime Engineering will be adding them. It was agreed that, separately, the Planning Board should begin an end-to-end review as is stated in our laws should be the process.

Jd Downing wondered how the codification process will determine which line item to keep or not keep when there are discrepancies between the various documents.

Sandy Hemstreet asked why a slaughterhouse was not included in the industrial park. It was noted in this case we mimicked what Montgomery County already had in place for the allowable uses. Doug Cole noted there is a big waste issue with a slaughterhouse.

Wind Turbines are noted to be allowed for personal use. Is a wind law moving forward? The Town Board brought it up at their last meeting but have not moved forward.

Sandy Hemstreet asked why a sawmill was added to special use permit? Doug Cole mentioned there are a lot of things to consider when one goes in – noise, fire risk, etc. The Amish have many of these around and there was recently a fire at one of them. They aren’t, however, large industrial operations.

Enforcement remains a problem on many of these points we are considering adding.

The Planning Board should go through the rest of this document from the committee and make comments for our next meeting.

New Business

ConnectGen

Not in attendance.

Jd Downing stated an update was provided at the Town Board meeting that they will not be combining Mill Point 1 and 2 into a single submission to ORES as they were hoping to. There will be public meetings announced for May and they plan to submit to ORES in July.

Their contractor TRC sent out a letter to Glen and other nearby municipalities (within 5 miles of the project) requesting information such as copies of laws, etc. This is an ORES requirement. Our Town Supervisor indicated Glen will not be responding as it is information they can already find on their own.

Wind Law

Jd Downing noted Tim Reilly sent an email with a wind law draft attached. It is a copy of the law Duanesburg has in place with modifications being made for Glen. There are comments from Attorney Teresa Bakner. There are differing opinions on if industrial wind turbines should be allowed or not. The Town Board stated they were intending to extend the wind moratorium.

Jennifer Mete-Jeffer stated that there are two main reasons industrial wind turbines clearly do not fit in the Town of Glen. 1- They do not fit within our Comprehensive Plan, which is the top legal document for the Town. One local municipality won in court via their Comprehensive Plan and developers flat out say there is no way to fully mitigate the impact of the turbines. 2- The Town of Glen residents have made it clear that they do not want one. This includes a petition with many signatures (unsure of the total) that was presented when the last project was being reviewed.

We have this somewhat addressed in the Land Use Management document; however, can we make this more clearly stated just within that document? We should include Sandy's notes on what to add. Sandy Hemstreet added that we should perhaps email both lawyers about adding the wind turbine into our Land Use Management document versus the need for a stand-alone law.

Committee Updates

Jennifer Mete-Jeffer noted two questions received from the public, not intended to be answered here.

- 1- Is VanEpps Solar replacing the shrubs this spring as promised?
- 2- When will the wind test tower be taken down by Borrego (now New Leaf)?

Jd Downing mentioned the VanEpps project is currently going through review by the Town Board to be sure the PILOT agreement is being followed through on. NYS has new valuation rules in place that could negate that agreement as well.

Carver Project

Jd Downing noted an email discussion where DEC reached out about Carver's plans to bring in fill to raise the elevation of a field near a flood zone. They were issued 7 permits by the Town of Glen some time ago and those were recently renewed despite these known issues. The permits can be legally revoked. A flood study has not been completed. A traffic study was also not completed for one of their buildings.

Doug Cole from Prime Engineering expressed concern over a potential Stormwater Management issue. If DEC has reached out as well, that's even more reason to address this. Additionally, pieces of the project seem to be being presented, rather than the entire project scope. This should go through the SEQR process as a whole. Doug also brought up that other municipalities issue Site Development Permits versus a Building Permit so there is no confusion as to what is allowed to be completed with or without a permit. There's a gap that needs to be filled in the process. Site Development would include clearing trees, putting in a roadway to the site, etc. This is also applicable in the case of the 5S solar project.

The Planning Board should alert Tim Reilly and Tom DiCaprio to this. Jd will send an email.

Public Comment

Kathy – Is not in favor of industrial wind turbines and would like to see a law in place saying so. Does she need to contact the Town Supervisor to express this? Also, if Borrego completes the EIS in the Town of Florida will they come back here?

David Russo – He is waiting on NYS to get back to him as DEC directed him to do. He is also concerned about the Carver project filling in and causing more flooding. Lastly, it hurts the town by not enforcing what we have written as the law. He is considering applying for the open Planning Board position.

Ron Crewell – Expressed his appreciation for what the Planning Board is doing. He also is in favor of wind turbines for personal use only, written into law.

Closing

The next Town of Glen Planning Board meeting is scheduled for May 18, 2023, at 6:30pm.

Boddy White motioned to adjourn the meeting at 8:34 pm. Sandy Hemstreet seconded the motion. Jd Downing, Jennifer Mete-Jeffer and Nancy Langdon voted in favor of the adjournment.

Jennifer Mete-Jeffer

DRAFT