

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke

March 3, 2021

The Planning Board met, in accordance with the Governor's Executive Orders, as updated, via videoconferencing/teleconference utilizing the Zoom Application on Wednesday, March 3, 2021.

Kristin Pratt, Deputy Town Attorney, explained the Zoom Application. Attorney Pratt stated that the meeting was being recorded, would be available on the Town of Schaghticoke website and would be later transcribed. Atty. Pratt stated that minutes were being taken and that the chat feature was available for assistance with technical difficulties and that e-mail could also be used, should the chat feature not work. In addition, Atty. Pratt emphasized that public comments were better expressed verbally than through the chat feature in an effort to capture all public comments in a format that can be preserved.

PUBLIC HEARING

7:33 PM West Wind Farms Solar Farm Expansion (Tax Map #22.-1-1.121). Chairman Frank Alessandrini read the Notice of Hearing. Patrick Mulkern, Senior Project Engineer, Maser Consulting, appeared to represent the applicant and owner, Westwind Properties of ENY, LLC. Dan Farnan of Maser Consulting and Brian Maliszewski were also present.

Patrick Mulkern provided the public and the Board with a summary of the proposed 3 MW DC solar expansion to an existing 2MW facility to be located on a 181 acre parcel located in an RA district on Verbeck Avenue. The project is to be located on 14.6 acres; the residual acreage will be used by the owner for agricultural purposes.

This application is for the subdivision of a 181 acre parcel into two lots: (1) lot #1: 153.66 acres; and (2) Lot #2: 27.69 acres. The Project will be located in the southern area of Lot #1. The existing 2 megawatt solar energy facility is located on Lot #2 and is under the same ownership and is operated by the same lessee as the proposed Project.

The Application also includes a Special Use Permit to operate the proposed solar farm on approximately 14.69± acres of proposed lot 1. The proposed solar farm as a separate facility with its own distribution point, separate from the 2 MW facility, to National Grid. Solar arrays and converters, concrete pads and a racking system for the solar panels will

be located within the proposed expansion. Landscape screening consisting of 2 rows of fast growing specimens -Red Cedar, Norway and White Spruce and Eastern White Pine- is planned to sufficiently screen the proposed solar field, northeast and south of the project. An 8' high security fence is planned as well as a 14' wide access road. In addition, Mr. Mulkern noted that this solar facility is a community solar project, open to subscribers to use the energy produced and distributed through National Grid.

There was no public comment. The public hearing closed at 7:40 p.m.

REGULAR MEETING

7:40 P.M. Members present were: Chairman Frank Alessandrini, Wayne Akin, Dan Clow, Elizabeth Hale, and Scott Wiley. Brian Davidson and Robert Weir were absent.

Deputy Town Attorney, Kristin Pratt was present. In addition, there were representatives for several applicants and two members of the public who appeared through Zoom.

The minutes from the February 3, 2021 meeting were reviewed. Wayne Akin made a motion to approve the minutes as submitted. Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Hale, Wiley

Nays: None

Curto Timber Harvest Special Use Permit (Tax Map #10-4-2.2 and 10-4-7). Nicholas Curto appeared to propose a selective timber harvest on his 41.073± acre property, a licensed tree farm, in an RA district at 599 Knickerbocker Road, with 1.78 acres reserved for his residence and outbuildings. Mr. Curto exhibited a power point presentation of the silvaculture selective harvest plan and submitted a comprehensive written review of the forest and timber harvest plan prepared by the licensed forester, Gregory Monick of Mt. Anthony Consulting Forestry, LLC in Bennington, VT. Mr. Curto stated that he planned to begin the timber harvest from 39 acres of the total parcel in the Fall of 2021, that the harvest would take place over frozen ground, that there would be no clear cutting, that disturbance would be minimal and that there would be no work conducted on the property during the weekends. In addition, Mr. Curto noted that he has been practicing good forestry management for a number of years and that this harvest with five stands is expected to yield 40,000 board feet of wood as well as pulp wood, leaving 65-75% of tree top canopy.

Kristin Pratt, Deputy Town Attorney, stated that she spoke with Mr. Curto's attorney with regard to a 16 acre annexation of the Weir property to Anne and Nicholas Curto in June of 2003. However, though the lot line adjustment from the Weir family was approved by the Planning Board in 2003 and the Weirs subsequently conveyed the parcel to the Curtos, the lot line adjustment map, signed by the PB Chairman, was never filed with the Rensselaer County Clerk. Nicholas Curto replied that he was aware of the situation, had spoken with his attorney, and has contacted a surveyor who will create

the required survey, reflecting the lot line adjustment and that he will file the map reflecting the lot line adjustment with the Rensselaer County Clerk. Frank Alessandrini advised Mr. Curto to submit 3 copies to him for stamping and signature and to submit two of the signed copies and a mylar copy to the county for filing. The Board will require a paper copy to file with the Town's records. A public hearing will be scheduled for the April, 2021 Planning Board meeting.

Stillwater Renewables - Viall Solar Farm (Tax Map # 22-1-7.1). Dallas Manson, Business Development Representative for Nexamp, Inc. appeared before the Board to discuss the need to install a different racking system from the one that was approved by the Planning Board for the 16 acre Viall Solar Farm project located on the Stillwater Bridge Road in an RA district. Due to COVID19, the project was delayed and it was discovered that the planned racking system for the solar panels was not suitable-and was obsolete- for the 15% sloped topography of the project, as the racking system would cause more environmental disturbance. A new racking system, which supports the panels, was located; however, the height of the new racking system will increase the height of the panels from 12' to a maximum height of 16'4". Ms. Manson added that the panels will tilt from east to west and will move slowly. While the panels will not remain at 16'4" for the entire day, utilizing the new product will require the panels to be at this height for a portion of the day. The Town Zoning Law as modified by the Solar Law limits the maximum panel height to 12' for large scale solar projects. Ms. Manson stated that the submission of an application to the ZBA for an appeal for an area variance of 5' was planned to be submitted to the ZBA to allow for the greatest possible tilted height of the panels at 17'.

West Wind Farms Solar Farm Expansion (Tax Map #22.-1-1.121) Patrick Mulkern, Sr. Project Engineer, Maser Consulting, appeared to represent the applicant and owner, Westwind Properties of ENY, LLC , for an expansion of the West Wind Solar Farm located in an RA district on Verbeck Avenue. Dan Farnan of Maser Consulting and Brian Maliszewski, applicant, Forefront Power was also present. Information from Laberge Consulting Engineers indicates that the applicants have addressed all concerns and a negative declaration of SEQRA was granted. Currently, the 14' width of the access road, which does not meet the Fire Code requirements, has not been approved by the Building Inspector, Scott Frisino, or the Fire Chief, but approval of same be included in the conditions of approval. The panels maximum height will conform to 12'; they are stationary. Subdivision plat and all reviews by Laberge, the consulting engineers, was completed and is satisfactory.

Kristin Pratt read some of the conditions to this decision and made adjustments to items number 12 and 16.

Wayne Akin made a motion to approve the 14.6± acre subdivision. Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Hale, Wiley

Nays: None

Dan Clow made a motion to grant approval for Site Plan Approval and Special Use Permit for the expansion of the solar farm to be located on the property of James Czub on Verbeck Avenue with conditions to be written by Attorney Kristin Pratt.

Scott Wiley seconded.

Ayes: Alessandrini, Akin, Clow, Hale, Wiley

Nays: None

Frank Alessandrini stated that the Capital District Regional Planning Commission has announced the Spring presentation webinar series and registration is open.

Scott Wiley made a motion to adjourn the meeting at 9:04 p.m. Wayne Akin seconded.

Ayes: Alessandrini, Akin, Clow, Hale, Wiley

Nays: None

Abbreviations:

EAF – Environmental Assessment Form	PB – Planning Board
HC – Highway Commercial District	RA- Residential Agricultural District
NYS- New York State	SEQRA – State Environmental Quality Review Act

Respectfully submitted,

date: April 10, 2021



Elizabeth Hale, Clerk

Planning Board, Town of Schaghticoke