

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke
January 4, 2023

Public Hearing

7:02PM **St. Croix Solar Project (Tax map # 13.-1-5)** Tory Hanna from Davis Hill Development appeared to obtain a special use permit for a 5 megawatt alternating current solar ground mounted single axis array. The goal is to participate in the NYS Community Solar Program. This location is in National Grid territory. Mr. Hanna stated that a height variance was granted from the Town of Schaghticoke ZBA to accommodate this type of technology. The single axis point tracks the sun from East at sunrise and the West at sunset given more production. Mr. Hanna states they were able to extract 30 acres out of the 700 acres farm from the permanent conservation easement that it has been in. The solar company has worked closely with the Agricultural Stewardship Association and in order for them to obtain permission under the agricultural conservation easement which requires incorporation of a dual use of solar and agriculture. As part of the agreement with the Agricultural Stewardship Association, they have selected sheep grazing as part of the agricultural piece. The final screening plan has been submitted to the Board which incorporates plantings for mitigation of visual impacts located along the fence line, along with visual simulations. The Board issued a negative declaration under SEQR during the December Planning Board meeting. There was no public comment.

7:06PM **Valley Sealing Special Use Permit (Tax map #32.-3-19.11)** Daniel Speach appeared on behalf of his seal coating business to obtain a special use permit. Mr. Speach states that this building is used for his home base for his business. This building is just office space on first floor and storage space in basement. There was no public comment.

Regular Meeting

7:07 Members Present are Frank Alessandrini, Scott Wiley, Wayne Akin, Brian Davidson, Dan Clow and Kristin Pratt, Deputy Town Attorney.
Absent: Robert Weir and Elizabeth Hale

The minutes of November 2, 2022 were reviewed. Motion to accept made by Scott Wiley and Wayne Akin seconded.

Ayes: Alessandrini, Wiley, Akin, Davidson, Clow.

Nays: None

St. Croix Farm Solar Project (Tax map # 13.-1-5) Tory Hanna and Nick Schupp from Renua Energy appeared to seek a special use permit and site plan approval for the proposed solar farm. Frank Alessandrini noted that the required approvals have been granted such as the height variance permitting panels measuring up to 18 feet in height and SEQR with a negative declaration. Frank was wondering about the screening and how they will have the array hidden from the road. The Project representatives explained that they chose to use a combination of hazelbush and Norway spruce stating that at full maturity they will reach 15-25ft and it should take about halfway through the projects life cycle. Frank Alessandrini said the types of plants chosen for the screening was a good choice because the Norway Spruce is the fastest growing spruce there is but wanted to know if it is effective at the array or more effective at the road. The representatives spoke to the adjacent property owner and he requested that the plantings be placed along the fence line as he does not want trees planted in front of his house even if it would not cover the view of the solar array. Additionally, property owner John Moore has expressed that he does not want to have trees planted along the roadway due to a threat of down trees due to a potential storm. Tory Hanna also mentioned that additional plantings would be required if the screening were placed along the roadway. Frank Alessandrini also expressed a concern related to the southerly view from Akin Rd where the elevation is a little bit higher. Wayne Akin has confirmed the area where Frank expressed concerned and stated that it would be hard to see the panels through the trees that are already there. Tory also requested that the decommissioning agreement expressly provide that the Town can't shut them down due to if the inactivity is related to the utility company. The Town's solar law provides for decommissioning of a site if inactive for more than 12 months. Kristin Pratt, Deputy Attorney does not think it would be an issue to add language addressing this contingency to the agreement. Motion to approve sit plan and to issue a special use permit made by Wayne Akin seconded by Dan Clow.

Ayes: Alessandrini, Wiley, Akin, Davidson, Clow.

Nays: None

Valley Sealing Special Use Permit (Tax map 32.-3-19.11) Danny Speech appeared to seek approval for a special use permit. Member Scott Wiley recused himself. Frank Alessandrini has reviewed the original site plan and noted that the building does not meet the required set backs as an existing building. Frank Alessandrini received one request from the County that any asphaltic material be stored on an impermeable surface and preferably under cover. Danny Speech stated that the sealing materials used do not obtain petroleum products and are no longer asphalt products because coal tar was banned in NYS. Motion to declare a negative declaration under SEQR was made by Brian Davidson seconded by Dan Clow.

Ayes: Alessandrini, Akin, Clow, Davidson

Nays: None

Abstention: Wiley

Motion to grant special use permit and site plan approval was made by Wayne Akin seconded by Brian Davidson.

Ayes: Alessandrini, Akin, Clow, Davidson

Nays: none

Abstention: Wiley

New Business

Verbeck Solar Site Plan Amendment (Tax map # 22.-1-27) Patrick Mulkern appeared on behalf of Colliers Engineering to propose site plan amendment. The applicant proposes to extend the special use permit that has already been extended once before. The site plan amendment being proposed seek to reduce the amount of panels from 9,500 to 6,900 panels which included reducing the acreage from 14.6 acres to 13.9 acres. The site plan change to the array is the fencing on the rear side. The fencing and screening on the southern side, eastern portion along the road and the northern portion are all to remain as is. Frank Alessandrini stated that as the site plan only reduces the size that all the existing approvals have been made, he does not think that they need to redo the whole approval process. Motion to approve site plan amendment made by Dan Clow seconded by Scott Wiley.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Scheeren Lot Line Adjustment (Tax map 11.-1-6.111 & 11.-2-1) Brian Holbritter appeared to represent Walter Scheeren to get a lot line adjustment approved. In 2020 two building lots were created. Mr. Scheeren lives on one parcel and his son has recently bought the other house. Mr. Scheeren is hoping to be able to get his sons parcel to the required 7 acres for his granddaughter to be able to have a horse. Mr. Holbritter is proposing to remove the 50 ft right away that was originally created for future development and that will be incorporated with some land in the back. The change being made with the lot line adjustment would be Mr. Scheeren's parcel will go from 43.47 acres to 41.07 and then the other parcel would go from 5.44 acres to 7.84 acres. Mr. Holbritter states that all the criteria remains the same from conservation subdivision. No SEQR determination required. Motion made to approve this lot line adjustment made by Wayne Akin seconded by Dan Clow.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Sheldon Subdivision (Tax map # 11.-1-15.11) Brian Holbritter appeared on behalf of Doug Sheldon who is looking to subdivide a piece of land containing his father's home and a piece where his brother Kevin lives. Mr. Sheldon is hoping to be able to sell his father's home but also give his brother his own parcel and to still be able live in his home. What is being proposed is to create a lot of 3 acres for Kevin but he would only have enough road frontage of 125ft which isn't close to the 200 ft that is typically required. The Applicant meets the requirements for a flag lot. Public hearing scheduled for the next meeting in February.

Viall Lot Line Adjustment (Tax map # 22.-1-7.1) Brian Holbritter appeared on behalf of Clifford and Gary Viall for a lot line adjustment. Clifford and his wife Susan have a parcel of 7.87 acres which is serviced by a 20 foot right of way and Gary's parcel is 9.12 acres. Clifford also owns a parcel next to his 20 foot right of way of 2.79 acres. When their father had passed away they were both deeded his parcel of 138.8 acres which was landlocked by both their parcels. Gary is using part of the field for his approved solar farm that is in the process of being constructed. The brothers want to split the farm land where Gary will own his

half with solar farm and Clifford will own his half. Mr. Holbritter is proposing some lot line adjustments to 4 parcels which will remove the existence of landlocked parcel. Mr. Holbritter is proposing to take a 50 foot strip off of Gary Viall's 9 acres and add that to his half of the farm land this will give him legal access to his half of the farmland. Gary's half of the farm land with the solar farm will then be 68.45 acres. Gary's house parcel will go from 9.1 acres to 8.72 acres. Clifford's original piece will be adjusted up to provide the means of his half of farm land be added to his parcel of 2.79 acres so then there is access to that landlocked piece. Clifford's house piece will go from 7.8 acres to 7.54 acres and his piece of the farmland will be 73.89 acres. No SEQR review is required. Motion to approve made by Wayne Akin seconded by Brian Davidson.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Al's Towing Special Use Permit (Tax map # 51.3-1-6) Frank Alessandrini shared an update for the special use permit. This matter is going before the ZBA to make a determination as to whether this facility is considered a junkyard or an auto repair shop. The Board is on hold until final determination from the ZBA.

Carol Simmon's Subdivision (Tax map # 21.-1-34 & 21.-1-35) Frank Alessandrini also wanted to discuss on how to proceed with this combining of a parcel that has already been subdivided. Brian Holbritter mentioned that he thinks if the deeds haven't been filed with the County that maybe if a letter was presented by the Planning Board that it could be combined back into a single parcel. This matter is on hold until we know if parcels have been sold or where they stand in the process of the sale.

Wayne Akin made the motion to adjourn the meeting at 8:15. Seconded by Scott Wiley.

Ayes: Alessandrini, Akin, Clow, Davidson, Wiley

Nays: None

Respectfully Submitted,


Megan Weir

2.5.23