

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke
June 7, 2023

PUBLIC HEARINGS

Les Peters Subdivision (Tax Map # 50.-1-24.1). Brian Holbritter, land surveyor, appeared to represent the applicant, Les Peters. Les Peters was present. Mr. Holbritter reviewed the application for a proposed four lot subdivision of property measuring approximately 12.22± acres into lots measuring .94± acres, 1.02± acres, 9.14± acres and 1.08± acres. The property is located in an RA district on Calhoun Drive. There is one lot with an existing home; three new building lots will be created. Jackie Stellone, a resident of Schaghticoke, questioned the existence of a strip of land, extending to the northwest and connecting to the northerly side of Lot #2. She stated that the strip of property would remain “isolated”. Mr. Holbritter replied that the subdivision is planned in the manner that Mr. Peters preferred and that Mr. Peters specifically wanted that section of property inaccessible. Chairman Alessandrini explained that the Zoning Code would not permit the property to be subdivided again. Dominick Pasinella, a neighbor who resides across the street from the proposal, stated that he supported the proposed subdivision. The public hearing closed at 7:10 p.m.

REGULAR MEETING

7:10 P.M. Members present were: Frank Alessandrini, Dan Clow, Elizabeth Hale, Chris Reynolds and Bob Weir. Brian Davidson was absent. Kristin Pratt, Deputy Town Attorney was present. The minutes of May 3, 2023 were reviewed. Dan Clow made a motion to approve the minutes as submitted. Chris Reynolds seconded. Ayes: Alessandrini, Clow, Reynolds, Weir
Nays: None
Abstention: Hale

Les Peters Subdivision (Tax Map # 50.-1-24.1). Brian Holbritter, land surveyor, appeared to represent the applicant, Les Peters, who was present. Mr. Holbritter reviewed the application with the Board. The proposal is for a four lot subdivision of property measuring approximately 12.22 acres into lots measuring .94 aces, 1.02 acres, and 1.08 acres. The property is located in an RA district on Calhoun Drive. There is one lot with an existing home; three new building lots will be created. At the May meeting the Board reviewed and completed Part 2 of the Full Environmental Assessment Form.

The SWPPP has been reviewed and approved by the Town Storm water Officer, Brian Davidson; however, it has not been signed. The \$270.- application fee was received.

Chris Reynolds made a motion to approve the four lot subdivision, contingent upon approval of the SWPPP. Elizabeth Hale seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Reynolds, Weir

Nays: None

David Dean Accessory Apartment (Tax Map #42.-1-9.112). David Dean submitted a revised proposal for an accessory apartment to be constructed at the Dean residence in an RA district on 2.6± acres at 72 Madigan Road. A plan was submitted to the Planning Board at the May meeting for a detached accessory one bedroom apartment for David's mother-in-law; however, at that meeting Chairman Alessandrini explained the intent of the Zoning Law with respect to attached versus detached accessory apartments. While the language in the Zoning Law is not entirely clear on this issue, the Board has taken the position that the intent is for detached accessory apartments to be located in existing detached structures rather than free-standing detached structures.

The revised plan shows that the accessory apartment will not be connected directly to the main structure, but through a proposed breezeway connected to the existing garage at the rear of the residence. The garage is connected to the main dwelling through another breezeway. The Board believes that the revised plan technically meets the language of the law, and therefore, the Zoning requirements.

Keith Harrington, who will realize the greatest impact, submitted a letter to the Board, expressing his support of the proposal.

The revised plan requires the submission of an application to the ZBA for an area variance for two side yard setbacks. Mr. Dean submitted the application and a public hearing is scheduled for the July ZBA meeting.

Fane Site Plan Amendment (Tax Map #61.-1-20.111). Mark Danskin, land surveyor, appeared to propose a site plan amendment to be located in an HC district at Warren Fane, Inc. on NYS Route 40. Mr. Danskin submitted a survey which showed that the entrance to the 72 acre site is paved. Mr. Fane is proposing an 8' X 18' scale house to be located on a gravel surface with a 70.5' travel lane, north of the existing scale house. The application, application fee, a check for \$100.-, and short form EAF were received. The Board expressed no concerns. As a minor site plan amendment, SEQR is not required.

Dan Clow made a motion to grant approval for the amendment to the site plan. Bob Weir seconded.

Ayes: Alessandrini, Clow, Hale, Reynolds, Weir

Nays: None

ASD Schaghticoke Solar II (Tax Map #22-5-9.2 and 22-5-12.21). Paul Kruger, Director of Development for ActiveSolar Development and Jason Dell, P.E. Lansing Engineering PC, appeared to present a proposal for the development of a 5.85 megawatt solar facility with 10,732 fixed solar panels to be located on a 20.9± acre parcel in an HC district along Old Schaghticoke Road. The property is owned by the Town of Schaghticoke and is the site of the old landfill. The solar facility is proposed to be sited west of the National Grid transmission lines and substation.

Mr. Kruger circulated paperwork entitled Company Qualifications, ActiveSolar Development LLC. The information includes the company profile, projects, project development experience, and project financing capability, etc.

It was stated that the landfill site is an ideal location for a solar facility since its visibility will have little to no impact on the neighborhood or cars passing through on NYS Route 67. In addition, the Town will benefit through the lease with ActiveSolar Development.

The landfill is capped and is zoned Highway Commercial. Under the Town Solar law, the proposal would not be permitted; commercial solar is solely permitted in the Residential Agriculture (RA) districts. Mr. Dell presented the survey of the site. There are two parcels with a total of 20.9± acres: one lot measuring 14.9± acres and the other is a 6± acre parcel. Both Mr. Dell and Mr. Kruger appeared before the ZBA at the June 1, 2023 meeting to request use and area variances.

The Board determined that the application is a Type I action (as is Solar I). Attorney Pratt noted that both DEC and NYSEDA will need to be notified of the application, and submission of an Agricultural Data Statement is required. Kristin Pratt, Deputy Town Attorney, stated that she would prepare the coordination letter to each of the involved agencies and, following the receipt of replies from the agencies, the Planning Board would be able to declare lead agency status enabling the Board to act upon the SEQR at the earliest at the August 2, 2023 meeting. The ZBA cannot act prior to the SEQR determination. Upon a SEQR determination, the ZBA may hold a public hearing for the variances at the August 3, 2023 meeting.

ASD Schaghticoke Solar I (Tax Map #22.-5-9.2 and 21.-2-4.2). Paul Kruger, Director of Development for Active Solar Development and Jason Dell, P.E., Lansing Engineering PC, appeared to present a proposal for the development of a 5.98 megawatt solar facility with 10,982 fixed (twenty-five degree tilted) solar panels to be located on a 29.8± acre parcel in an RA district along the Stillwater Bridge Road. The property is owned by the Town of Schaghticoke. Jason Dell exhibited a map of the site and explained that an application will be submitted to the ZBA for area variances to permit 0' side yard setbacks on both the easterly and southerly lines of the property, along the National Grid property boundaries. There are residences along the north side of the proposal. Screening, such as berms and "screens", will be considered to reduce visual impact. In addition, it was pointed out that an

additional benefit to the Town is a greater tax benefit through the solar tax that will be levied.

Chairman Alessandrini advised the applicant that the Town does not participate in PILOTs.

Mr. Kruger noted that each site can produce 6 million kilowatt hours per year and serve 1,000 households. In addition, Mr. Kruger stated that ActiveSolar agents promote subscriptions within the towns where the solar farms, which qualify as community solar facilities, are located.

Elizabeth Hale made a motion to adjourn at 7:56 p.m. Dan Clow seconded.

Abbreviations:

DEC - Department of Environmental Conservation

R - Residential District

EAf - Environmental Assessment Form

RA -Residential Agricultural District

HC -Highway Commercial District

SEQRA -State Environmental Quality

Review Act

HD - Hamlet District

SWPPP- Storm Water Pollution Prevention Plan

NYS - New York State

ZBA _-Zonign Board of Appeal

NYSERDA - New York State Research and Development Authority

PB - Planning Board

Respectfully Submitted,

date:

Elizabeth Hale, Clerk
Planning Board, Town of Schaghticoke