

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke
December 6, 2023

PUBLIC HEARINGS

There were none scheduled or heard.

REGULAR MEETING

7: 00 P.M. Members present were: Frank Alessandrini, Dan Clow, Elizabeth Hale, Vince Ragone, Chris Reynolds and Bob Weir. Brian Davidson was absent.

Kristin Pratt, Deputy Town Attorney was present.

The minutes of November 1, 2023 were reviewed. Dan Clow made a motion to approve the minutes as submitted. Bob Weir seconded.

Ayes: Alessandrini, Clow, Hale, Ragone, Weir

Nays: None

Boyko/Northline Solar Farm (Tax Map #41.-1-34). Tyler Garrity, Project Engineer, Creighton Manning Engineering, LLP, appeared to propose a 5 megawatt solar facility to be located in an RA district in an existing field on a 71± acre parcel at 154 Northline Drive. Mark Nelson, SolSource Power, and the applicant, Michael Boyko, were present. A project narrative and survey maps were received at the November meeting. Mr. Garrity distributed visual simulations, as requested by the Board, including drawn notations of the proposed location of the solar arrays. Jason Dell, P.E., Lansing Engineering, representing the Town, reviewed the project and submitted written comments to the Board at the November meeting. Chairman Alessandrini stated that the concerns have been addressed by Creighton Manning Engineering to the satisfaction of Jason Dell, P.E. The Board reviewed the visual submissions which included ten images of the proposed site, taken from the perspective of Northline Drive and Madigan Road. In addition, the Board discussed the visibility of the solar array. The Board unanimously agreed that the site will provide appropriate screening through the existing topography and vegetation. A visual of the proposed access road and 8 poles was included. There is an existing farm access road for farming activity that will continue to be used as such. In addition, the distance from the roads to the project's fencing, ranging from 590' on Northline Drive to 2080' on Madigan Road, is noted on the image. There will be "standard" locks on the gates. There are plans to consult with the Melrose Fire Chief. The SWPPP was submitted and accepted. At the November meeting a negative

declaration under SEQR was issued. Two checks were received: a \$100- check for the Special Use Permit application and a \$100- check for the Site Plan Review. Mr. Nelson submitted a NYSEDA form to Chairman Alessandrini to confirm that the solar facility was approved by the Planning Board.

Chris Reynolds made a motion to grant approval for Special Use Permit and Site Plan Review for the Boyko/Northline Solar facility contingent upon the 'standard conditions' which Atty. Pratt will provide. Vince Ragone seconded.

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

Nays: None

St. Croix Solar Facility (Tax Map #13.-1-5). No one appeared on behalf of the applicant. Chairman Alessandrini stated that he received a request from Tory Hanna, Davis Hill Development, for an extension of time for the commencement of the 34.6± acre St. Croix Solar Facility, to be located in an RA district at the corner of Master St. and Ridge Road, property of John Moore. The Site Plan Review and Special Use Permit were granted on January 4, 2023. Chairman Alessandrini noted that National Grid has not completed the planned substation on schedule, delaying the beginning of the solar project within the allotted time.

Dan Clow made a motion to grant the extension within the limitations of the Zoning Law. Vince Ragone seconded.

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

Nays: None

Root Lot Line Adjustment (Tax Map #20.18-1-14 & 15). Brian

Holbriiter, land surveyor, appeared and presented a survey map to exhibit the proposal. William Root, the applicant, was present.

Mr. Holbriiter explained that Mr. Root is proposing a lot line adjustment in order to construct a residence facing South Pearl St. and located in a HD in Hemstreet Park. Mr. Root owns two parcels of property, located back to back with access from both South Pearl and South Linden Streets. He currently has a residence at 144 South Linden and would like to construct a dwelling on the adjacent parcel which faces South Pearl St. The total acreage of the project is 0.52± acres. In order to build the proposed 30' X 40' dwelling with a 22' X 25' garage, and to meet the Zoning Code, Mr. Root requested 2 area variances from the ZBA. The variances were granted at the November 2, 2023 ZBA meeting. Mr. Holbriiter explained that there is a change in topography, a bank, where the Pearl St. rear boundary meets that of the South Linden St. lot. Upon the granting of the subdivision waiver, a buildable lot will be created for the construction of a dwelling. In addition, both lot depths and lot sizes, each over 11,000 square feet, would meet the Zoning Law requirements and would be consistent with the character of the neighborhood. A check for \$25- was received.

Vince Ragone made a motion to approve the lot line adjustment. Bob Weir seconded.

Ayes: Alessandrini, Clow, Hale, Ragone, Reynolds, Weir
Nays: None

ADMINISTRATIVE ITEMS

Discussion of Zoning Law Enforcement Chairman Alessandrini led a discussion with regard to the issues of non-compliance by both applicants that received approvals and those that require approvals and have not sought them from the Planning Board. There are a number of Special Use Permits that were granted by the PB with contingencies, such as Constable Tree and Remodel-Now (located on NYS Route 40) and Clemente Small Engines (located on Milky Way), all businesses where compliance with the site plan reviews and special use permits are currently disregarded by the business owners/applicants. In addition, businesses are being conducted without the required special use permits, such as a landscaping business owned by Delos Santos on Hansen Road, lighting and a structure at the corner of East Schaghticoke Rd. and NYS Route 40, owned by Brian Rohloff, and the “coffin artist’s” business on NYS Route 40. The Board discussed possible solutions with Deputy Town Attorney Kristin Pratt. Chairman Alessandrini suggested that deficiencies may be noted within correspondence addressed to non-compliant businesses, requiring compliance within a specific amount of time. In order to revoke special use permits previously issued, the Zoning Law requires that recipients be provided with 60 days to comply and a public hearing is required. Should the businesses fail to comply, the special use permit may be revoked, rendering the business unable to operate. In addition, the sequence of events was discussed as Zoning Law is not detailed related to procedure for the revocation process. Frank Alessandrini informed the Board that he plans to attend the next Town Board meeting to broach the Board’s concerns with the TB members. The ZBA Chairman, Ed McDonough, plans to attend the meeting as well.

Dan Clow made a motion to adjourn the meeting at 7:50 p.m. Chris Reynolds seconded.

Ayes: Alessandrini, Clow, Hale, Ragone, Reynolds, Weir
Nays: None

Abbreviations:

EAF - Environmental Assessment Form

HC -Highway Commercial District

Quality Review Act

*HD - Hamlet District
Plan*

NYS - New York State

NYSERDA - The New York State Energy Research

Appeals

and Development Authority

RA -Residential Agricultural District

SEQRA -State Environmental

SWPPP- Storm Water Pollution Prevention

PB - Planning Board

ZBA - Zoning Board of

Respectfully Submitted,

date:

Elizabeth Hale, Clerk, Planning Board, Town of Schaghticoke