

TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
December 5, 2019

CALL TO ORDER

Chairman Bruce Haeussler called the meeting to order at the Coxsackie Town Office Building at 7:02 PM followed by the Pledge of Allegiance.

ROLL CALL

The following members were in attendance: Chairman Bruce Haeussler, Vice Chairman, Frank Gerrain, William Whitbeck, Joseph Garland, JoAnn Conway, Hal Beaumont, Linda Deubert and Town Attorney Tal Rappleyea. A quorum was declared. Also in attendance were Kevin Schwenzfeier, representing Delaware Engineering; Attorney Jacqui Phillips Murray, representing Freepoint Solar; Heather Vaillant, representing Freepoint Solar; Geoffrey Katt of AEC Solar, representing Starks/Karaszewicz Solar Array; Land Surveyor Robert Ihlanberg representing homeowner, Carol Keinath; student, Grace Flach; Mark Flach; Nancy Harm; and Carol Metz.

MINUTES

A motion was made by Hal Beaumont and seconded by JoAnn Conway to approve the minutes of the meeting of November 7, 2019 as written. The motion was unanimously approved.

GENERAL DISCUSSION

Chairman Haeussler began the meeting with a general discussion:

JoAnn Conway mentioned the puddles at the end of the solar site on Sunset BLVD. There was some discussion that the landscaping was not completed as requested. Bruce will talk to Building Inspector, Ed Pebler to make sure this work is completed in the spring.

Attorney Tal Rappleyea said that the Town is filing a cease and desist order for Northway Mining.

PUBLIC HEARING

Starks/Karaszewicz - Application for a ground mounted solar array at 479 Medway Earlton Rd., Earlton, NY.

Chairman Haeussler stated that all the proper paperwork for this project has been submitted. The chairman opened the hearing to the public at 7:08 PM. Geoffrey Katt of AEC Solar showed photos illustrating that the solar panels will be screened from the road in both directions by the existing tree line. A question was asked about the distance from the road. Katt responded 15 ft. and Haeussler confirmed that it is a town road, not a county road, and this setback meets the requirements. Katt confirmed that this is a residential panel not a solar farm and responded to questions on the specs and size. A question was asked regarding notification of the neighbors. Katt advised that all neighbors had been notified and mailing receipts were sent to board secretary, Patty McIntyre. This was confirmed by the board members.

There were no further comments or questions. At 7:11 Bill Whitbeck motioned and Hal Beaumont seconded to close the public hearing at 7:11. The motion carried.

Hal Beaumont made a motion, seconded by JoAnn Conway to approve the site plan and special use permits for this project. The motion carried.

Patty McIntyre will complete the notice of positive declaration paperwork. The Building Inspector will get copies of everything and will follow up with inspections after the Building permit is filed.

PROJECTS REVIEW-open to the public

Smith – single family ground mount solar: Smith was not present so this was postponed until the January meeting

Sickles – single family ground mount solar: Sickles was not present so this was also postponed until the January meeting.

NEW BUSINESS

Martin/Patrick Lot line adjustment – the applicant came in prior to the meeting and Chairman Haeussler advised the home owner to get a survey and submit the paper work for the board to review.

Keinath Lot Line Adjustment/ Subdivision

Surveyor, Robert Ihlanberg was there to represent the homeowner, Carol Keinath. Keinath owns 2 parcels on RTE 9W 11331 and 11335, located north of the Greene County Historical Society. Ihlanberg presented a survey showing the building and lots. Each parcel is 75 ft. wide. Keinath lives at 11335 and rents 11331. She wants to sell 11331 to the tenant but before doing so she wants to reconfigure the property line so that the garages and barns are all part of 11335. The current property line actually goes through one of the barns.

Keinath plans to make a new driveway for 11331 so that the two houses are not using a shared driveway. There are separate wells and septic systems for the two houses. The proposed changes would not affect the wells, septic or leech fields. Bill Whitbeck mentioned that the property owner would have to consult with DOT regarding the new driveway. Secretary Patty McIntyre will send a letter making a recommendation to the zoning board. A referral letter will be sent to the county.

PROJECTS REVIEW – Freepoint solar

Attorney Jacqui Phillips Murray spoke on behalf of Freepoint Solar. They met with the Zoning Board of Appeals on 10/3, 10/29, and 11/21. On 11/21 the ZBA voted to approve the use variance. The owner of the property was in attendance at the first meeting explaining his financial hardships. The variance was based on the unique hardship situation. The property has been in the family for many years and all prior attempts to sell the property or generate revenue have not been successful. The Town attorney, Tal Rappleyea stated that the ZBA was careful not to set a precedent. There were no objections to the variance at the ZBA.

Kevin Schwenzfeier spoke on behalf of Delaware Engineering, retained by the Town of Coxsackie. He presented a Site Plan Checklist to Freepoint solar with a copy to the board members.

Still needed are: An emergency action plan approved by the local fire department addressing the location of fire and other emergency zones, the project's impact on existing public services, and

adequacy of fire lanes and emergency zones; accessibility of the site by emergency vehicles. A Certificate of Liability Insurance will need to be provided to the Town of Coxsackie. Coordination with NYS DOT will be necessary to understand any requirements or permits for site access. Kevin also advised that Delaware Engineering is still reviewing the storm water pollution prevention plan submitted by Freepoint Solar. More detailed information can be found in the site plan checklist. Jacqui stated that Freepoint Solar has been in touch with DOT regarding permits and they are working with DOT. Kevin advised that DOT won't give final approval until the Planning Board gives site plan approval.

There were questions regarding a revised decommissioning estimate. Freepoint solar removed the salvage value estimate. Freepoint is, however, asking that if a well-established market for solar panels is developed that salvage value can be revisited in the future. It was also noted that there will be no need for concrete removal since no concrete will be used. The steel mounts will be removed and nothing will be left on site after decommissioning.

Bill Whitbeck asked if Freepoint Solar is currently producing any electricity anywhere. They are not currently producing any solar power but they have a variety of projects under review at this time: 3 in Rhode Island, 2 in Greene County, the 2nd location at Potic Mountain Rd in the Town of Athens.

Freepoint Solar confirmed that when this project is complete it will result in a 15% total electric discount to residents in the Town of Coxsackie.

On November 5th new line of site profiles were submitted to Delaware engineering showing line of sight elevations. Copies were provided to board members. Jacqui explained that landscaping will be brought closer to the property line and planting height will be increased from 5 to 8 ft. The only areas where landscaping can't be brought to the property line is in the wetlands. Kevin does not think a berm is needed. Freepoint Solar will update the renderings to include the new landscape plans. The board asked if one panel or pole could be placed on the north end where panels will be most visible, so as to give a more accurate determination of visibility.

A landscaping bond was discussed which would ensure that landscaping meets the board's approval.

Freepoint Solar will be using black tracking panels that are not reflective. They are hoping to use bifacial panels but it is not definite at this time,

A question was asked about utility poles. Central Hudson needs access to poles. Central Hudson determines the location of the poles not Freepoint Solar. Bill Whitbeck asked Kevin to contact Central Hudson regarding the location of the poles. Poles will be included in the updated rendering for public hearing.

ADJOURNMENT

A motion was made by Bill Whitbeck and seconded by Joe Garland to adjourn the meeting at 8:04 PM. The motion was accepted unanimously.

RESPECTFULLY SUBMITTED,

Linda Deubert, Board Member