

TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
August 5, 2021

CALL TO ORDER

Chairman Bruce Haeussler called the meeting to order at the Coxsackie Town Office Building at 7:00 PM followed by the Pledge of Allegiance.

ROLL CALL

The following members were in attendance: Chairman Bruce Haeussler, Frank Gerrain, William Whitbeck, JoAnne Conway, Linda Deubert, Nathan Tailleir, Joseph Garland, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were, David Meier, Helen Meier, Jennifer Crawford, representing Crawford & Associates Engineering, Laura Darling, representing Yang/Sommer, LLC, Tom Grunstra, Richard Countryman of Solar Generation, Giuseppina Agovino, MaryLou and Lloyd Zimmerman, Patrick Doyle, Mary Garvey, John Sickles and Corinne and Chris Valentino.

MINUTES

A motion was made by Frank Gerrain and seconded by Joe Garland to accept the minutes of the July 1, 2021 meeting. The motion was unanimously approved.

BOARD DISCUSSIONS

Chairman Haeussler updated the Board regarding the request of the Town of Athens Planning Board to assume Lead Agency for an application for a subdivision of the lands of MaryLou and Lloyd Zimmerman (87.00-1-21). Part of this land is within the Town of Coxsackie Residential Agricultural-2 zone, specifically 26 acres within the proposed Lot 1. None of the subdivision lines are proposed within Coxsackie, and the nearest subdivision line is over 1000ft from the Town line. Chairman Haeussler wanted to discuss it with the Board, before agreeing to this. Jennifer Crawford displayed a map of the planned subdivision. By allowing them to take lead agency, this Board does not give up the right to stay involved in and comment on anything that may be considered an environmental impact. Bill Whitbeck made a motion to allow the Town of Athens to be designated as Lead Agency for the subdivision, seconded by Frank Gerrain. All were in favor. It is expected that the Town of Athens will copy the Town of Coxsackie Planning Board on everything.

OPEN TO PUBLIC

PUBLIC HEARING – MEIER SUBDIVISION

A motion was made by Joe Garland to open the public hearing for the subdivision of The property is located at 580 Flint Mine Rd, parcel 70.00-4-27. Jennifer Crawford from Crawford & Associates presented the plans for a subdivision on behalf of Eric Meier. The right of way discussed at last month's meeting has been extended to meet the required 200 feet as outlined in the zoning law. The future intent of the subdivision is for solar, but for the purposes of the Planning Board at this time, the laws regarding

subdivisions are what need to be considered. Once the property is subdivided, the owners will have to come back before the Planning Board for Site Plan approval, unless it qualifies under Article 10, and then it would go before the Public Service Commission. Discussion on the fact that some of the solar under Article 10 will be on halt if there is not enough property surrounding it. Some Planning Board members felt that the intent of the use of the property was presented in a misleading manner at the last meeting, however it was reiterated that this public hearing was solely for approving/disapproving the subdivision of the land, and that a decision cannot be based on future intent. No members of the public spoke regarding the subdivision. All receipts of notifications to neighboring properties were received. SEAF Part 2 was completed with all answers showing no, or small impact. A motion to declare a negative declaration was made by Bill Whitbeck and seconded by Joe Garland. Six members approved the motion, and 1 member, JoAnne Conway, was opposed. A motion to close the public hearing was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor.

A motion to approve the subdivision was made by Joe Garland and seconded by Bruce Haeussler. All were in favor.

FPS SOLAR

Jacqueline Murray, representing FPS Cocksackie Solar LLC spoke regarding a request to extend the completion date of the solar project located on Route 9W across from Pegasus Restaurant. They have been making progress, but the steel cannot be delivered until December 2021. The current completion date in the approved project is listed as March 2022 (One year from approval). CS Energy(construction company) has stated that this deadline cannot be met. They are requesting to extend the completion date be extended to December 2022 in hopes that all deadlines can be met. They have closed on the property in May, and all the panels and steel have been ordered. Chairman Haeussler reminded Ms. Murray that before the start of construction, berms and trees need to be done, and he felt that this portion of the project could have commenced. A motion to approve extending the completion date from March 2022 to December 31, 2022, was made by Joe Garland and seconded by Frank Gerrain. All members were in favor.

TOM GRUNSTRA – RESIDENTIAL SOLAR

An application for ground mount solar installation on the property located at 235 Johnny Cake Lane was submitted by Richard Countryman of Solar Generation on behalf of Tom Grunstra. The property is zoned rural residential but is a vacant lot. An 11 .8 KW ground mount solar array with a footprint of less than 500 feet is proposed for personal use. He submitted drawings to show where the panels would be located. It will not be visible from Johnny Cake Lane. A motion to schedule a public hearing for September 2, 2021, was made by Frank Gerrain and seconded by Bruce Haeussler. All were in favor. Notification to neighbors within 500 feet must be completed, and certified return receipts sent to Secretary McIntyre. Chairman Haeussler recommended that he bring aerial photos to the public hearing to show how it impacts the adjoining properties.

JOHN SICKLES – SUBDIVISION

Mr. Sickles submitted an application for a subdivision of his land located at 135 Johnny Cake Lane, Cocksackie. He wanted to get an idea from the Planning Board as to what the process was in getting this started. He would like to subdivide his property in the back. He knows he will have to extend the access road and a deeded right of way must be constructed and extend 200ft into both properties. Attorney Rappleyea also suggested that he do a road maintenance agreement. Frank Gerrain reminded him that the regulations say that only 2 lots can be used with a common use driveway. He will need an attorney to execute the deeds. Mr. Sickles wanted to make sure it was feasible before he officially had maps done. He will let Secretary McIntyre know if his survey maps are ready for the September meeting, and then a public hearing can be scheduled.

OTHER

Chris and Corrine Valentino attended to meet the Planning Board with the idea of doing some future development of possible rental property. No plans currently, just getting a feel for the process.

ADJOURNMENT

A motion was made by Bill Whitbeck and seconded by Joe Garland to adjourn the meeting at 8:07pm. The motion was accepted unanimously.

RESPECTFULLY SUBMITTED,

Patricia McIntyre, Secretary