

**APPROVED 3/2/2020**

**TOWN OF CLAVERACK  
PLANNING BOARD  
Minutes: February 3, 2020**

**Chairman Scott Cole called the February 3, 2020 meeting of the Town of Claverack Planning Board to order at 7:00 p.m.**

**Members in attendance were Chairman Scott Cole, Virginia Ambrose, Stephen King, William Michael, Robert Vecchi, Jock Winch, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser.**

**Absent with regrets: Alberta Cox**

**Correspondence was received from the Cornell Cooperative Extension regarding an agricultural event on 2/4/2020 at the center on NYS Rte. 66.**

**Chairman Cole handed Board members the new Town of Claverack Employee handbook and instructed members to read and sign the last page and hand in the signed page to the Town Clerk.**

**Chairman Cole asked members for a motion on the minutes of the January 6, 2020 meeting.**

**Motion to approve the January 6, 2020 minutes was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried.**

**CONTINUING APPLICATIONS FOR 2/3/20:**

**Gellert, Philip Subdivision: Tax Map #(SBL) 112 – 1 – 31 Located at 591 Rte. 217. Subdivision of 2 acres from 6.875 acres.**

**Secretary Jodi Keyser informed the Board that she received a phone call last week from Mr. Gellert informing her that he would not be able to make the meeting and asked to be continued to the March meeting.**

**Martin, Dana & Tracy Special Exception: Tax Map #(SBL) 131 . – 2 – 13 Located at 261 School House Rr. Special Exception for a ground mounted solar array.**

**Scott Stevens from Kasselmann Solar was present for the application. Mr. Stevens informed the Board that his clients are seeking to install a ground mounted solar array that will consist of 36 solar panels producing 14.4 kwts of residential energy to the homeowner. Mr. Stevens continued that the solar array will be situated to the rear of the property on a piece of land that was just added to the parcel with the house from another parcel owned by the Martins. Mr. Kasselmann stated that the solar array meets all setbacks and is shielded from Schoolhouse Rd. and abutting neighbors. Mr. Stevens informed the Board that the solar array will be mounted at a tilt with the rear of the array measuring 9.2 feet high and the front will be 2.3 feet high.**

**Chairman Cole opened the meeting to public hearing at 7:06 p.m.**

**Mr. Rosario Vaina stated that he lives at 2589 County Rte. 27 and he is concerned that he will be able to see this solar array from his house. Mr. Vaina continued that he feels that it is very difficult to tell from just looking at maps what it will look like from his home and he is concerned that if this is approved it will be a problem for him and then what can he do. Mr. Vaina asked the Board if there is any recourse if the solar array is visible from his house after it is approved. Rob Fitzsimmons asked Mr. Vaina to show the Board where his house is located on the map. Mr. Stevens located the site of the proposed array for Mr. Vaina on the map. Rob Fitzsimmons reviewed the list of abutters for the application and didn't find Mr. Vaina's name. After some discussion it was determined that Mr. Vaina is not an abutter of the Martin property but is an abutter to an abutter which would make his property quite a distance away from the solar array and not visible from his home. No further comments. Chairman Cole closed the public hearing at 7:10 p.m.**

**George Schmitt reviewed the SEQRA Part II for the Board. Motion to grant a negative declaration for purposes of SEQRA was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion carried.**

**Motion to approve the Special Exception for a ground mounted solar array at 261 Schoolhouse Rd. was made by Virginia Ambrose with a second from Stephen King. All members were in favor. Motion carried. Mr. Stevens paid \$5.50 for the fees associated with abutter mailing.**

**Klocke Estate Holdings LLC (formerly Drumlin Field Ventures) Subdivision for farm distillery: Tax Map #(SBL) 131 . 00 – 01 – 45 . 112 (SBL)# 131 . 00 – 01 – 45 . 120 & (SBL) #131 . 00 – 01 – 45 . 200. Located at 2554 County Rte. 27. Subdivision and realignment of parcels to create one new parcel. Parcels will be subdivided into a distillery parcel, farm parcel, and two residential parcels.**

**Dan Russell; project surveyor and John Frishkopf; Klocke partner were present for the application. Mr. Russell reviewed the proposed subdivision for the Board members. Mr. Russell stated that the property owned by Klocke Estate Holdings currently consists of three parcels and the owners have asked that the property lines be redesigned to create a 4<sup>th</sup> new parcel. Mr. Russell continued that he was able to redesign the parcels allowing for each one to have road frontage Mr. Russell informed the Board that Parcel #1 will remain an agricultural property bisected by a strip for access to parcels #2 & #3 which will now be used as residential parcels for owners to construct homes and parcel #4 is where the distillery will be constructed. Mr. Russell stated that access to parcels #2 & #3 will be via a shared driveway. Rob Fitzsimmons informed the Board that he received the roadway maintenance agreement from Andy Howard. Chairman Cole asked the Board members if they had any questions. Robert Vecchi asked if he remembered a question regarding the grading of the driveway at the previous meeting. Rob Fitzsimmons stated yes at one point the driveway was an issue and emergency pull offs were required but Mr. Russell has designed the roadways to be 20-foot wide instead of 12-foot wide remedies the issue.**

**Chairman Cole opened the meeting to the public hearing at 7:17 p.m.**

**Chris Kanel approached the Board as the property owner directly across the street.as the property owner directly across the street. Mr. Kanel thanked the Board and applicant for being considerate of all points and creating a use for the property that allows for commercial, agricultural and residential uses. Mr. Kanel stated that he is concerned that at some point the owner wants to turn the agricultural parcel into residential parcel. Mr. Kanel continued that by converting a portion of the agricultural property into residential parcels it will open a big can of worms to allows for this to happen in the future. Mr. Kanel continued that he feels that it is very important to maintain agricultural space in the Town of Claverack. Jock Winch stated that this subdivision will not open the doors for more and more subdivisions of agricultural property because the Town of Claverack has Zoning Laws to keep this from happening over and over. No further comments. Chairman Cole closed the public hearing at 7:20 p,m.**

**George Schmitt reviewed the SEQRA part II for the Board members.**

**Motion to grant a negative declaration for purposes of SEQRA was made by Stephen King with a second from Robert Vecchi. All members were in favor. Motion carried.**

**Motion to approve the subdivision for Klocke Estate Holdings LLC was made by Virginia Ambrose with a second from William Michael. All members were in favor.**

**Maps were stamped and signed.**

**Fees of \$750.00 for the subdivision and \$11.00 for the Special Exception amendment was paid via check received from Mr. Frishkopf.**

**NEW APPLICATIONS FOR 2/3/20:**

**Roma Fence/Bryan Wordon Site Plan Review: Tax Map #(SBL) 120 . 2 – 1 – 11 . 110 Located at 434 NYS Rte. 23-B. Site Plan Review for new use of a fence business with storage and change in signage.**

**Brian Wordon, business owner was present for the application. Mr. Wordon informed the Board that he currently rents space from the Claverack Service Station at 399 NYS Rte. 23-B and has purchased the property at 434 NYS Rte. 23-B, currently the Next Gen Sign business, to relocate his business basically across the street. Mr. Wordon continued that he will be using the building for storage of his equipment and tools.**

Mr. Wordon informed the Board that he will not make any changes to the building only changing the name on the signs. Robert Fitzsimmons asked Mr. Wordon how many vehicles will be parked at the site because the Town has heard from neighbors in the past regarding noise, traffic among other things. Mr. Wordon answered that at most times there will be probably 4 vehicles parked at the site. Mr. Wordon continued that these will be his employee vehicles because they will take the company vehicles to the worksites. Rob Fitzsimmons asked how many company vehicles. Mr. Wordon answered that he has 4 company vehicles including his personal truck. Stephen King asked if there is a plan to install lighting on the signs. Mr. Wordon answered no lights on the signs. No further questions from the Board. Mr. Wordon asked what the size is for a sign on the building. Stephen King answered the Town of Claverack allows for a 16-square foot sign on the building. Mr. Wordon stated that the sign on his building is grandfathered in but he will be making it smaller by removing the arched top. Mr. Wordon informed the Board that he will need to install a new sign next to the roadway because the posts are rotten but the new sign will be the same size as the existing sign just new wood.

Motion to accept the application as complete and set for public hearing at the March meeting was made by Robert Vecchi with a second from Stephen King. All members were in favor. Motion carried.

**Pomplun, Kevin/Keeler, Patrick dba Keeler's Eskimo Bar Special Exception Review: Tax Map #(SBL) 121 . 3 - 2 - 12 Located at 14 NYS Rte. 9-H. Currently Keeler's Eskimo Bar. Special Exception for change of owner to operate restaurant/snack bar adding new items, bathrooms, beer, wine, cider and nitro cold brewed coffee, bocce ball courts, shuffle board court, corn hole and outdoor classic movies to the business with increased year-round operation.**

Mr. Pomplun was present for the application. Mr. Pomplun submitted an updated drawing from his engineer showing the existing business and his proposals at full buildout. Mr. Pomplun informed the Board that he is interested in purchasing the Keeler's Eskimo Bar from owner Patrick & Donna Keeler. Mr. Pomplun continued that his plan is to the Board for a pre-approval based on his submission prior to purchase. Stephen King stated that reading the narrative it appears that the business will go from a few months of the year ice cream shop to a year-round restaurant. Mr. Pomplun answered yes that is his plan. Stephen King asked where he plans to have seating because the building is very small. Mr. Pomplun answered that for the first year he would install a canvas type of enclosure around the covered ordering area and use propane heaters to heat the area during the winter. Mr. Pomplun continued that he understands that to enclose the area would require another application. Stephen King stated that the grading in the rear of the property is very steep and rocky. Mr. Pomplun stated that his plan is to create several terraces into the bank behind the building adding games such as corn hole and shuffle board with seating for outdoor movies but this is shown on the plan to show the full build out of the proposal. Stephen King asked how late movies would be shown. Mr. Pomplun answered that he would be open most of the time from 11:00 a.m. to 10:00 p.m. mostly on Friday and Saturday nights with earlier closings as necessary. Mr. Pomplun continued that movies would not go later than 10:00 p.m. Jock Winch asked Rob Fitzsimmons what the Board should be considering the use of the building as a restaurant or multi-use. Rob Fitzsimmons answered that the Town of Claverack Building Department set the Special Exception as a restaurant/tavern with the games and movies accessory to the primary use. Virginia Ambrose stated that the property seems small for all of the proposed items. Mr. Pomplun stated that he is still considering the purchase but before the sale was finalized he is requesting to get a pre-approval from the Board. Mr. Pomplun continued that he will be selling beer, wine and cider along with smoked meats. Mr. Pomplun stated that he plans to install a large smoker in the rear of the building. Chairman Cole informed Mr. Pomplun that the NYS Liquor Authority will decide on the liquor license not the Planning Board but he is not too sure how the neighbors will feel about a smoker spilling smoke into their homes. Mr. Pomplun stated that the smoker will generate less smoke than a fireplace would so he doesn't

think it will be an issue. Stephen King stated that a bigger issue would be the outdoor movies because this property is at the edge of the residential area also at a very busy intersection which could create distraction for drivers. Stephen King continued that the septic could also be an issue and would require CCDOH along with NYS DOH approval and a permit from NYSDOT would be required for curb cuts due to the change and increased amount of use for the site. Mr. Pomplun stated that he has spoken to Mike DiRuzzio from the CCDOH and the septic system should be just fine with the existing 1,000-gallon tank and 1,000-gallon grease trap. Mr. Pomplun informed the Board that the property is serviced by a private well but could be hooked into the Town of Claverack water supply if necessary. Chairman Cole asked where all of the vehicles would park because the parking lot is not that big and Extra Mart will not be happy with people parking in their parking lot taking the spaces for their customers and attending the Eskimo Bar. Mr. Pomplun answered that people would most likely car pool. Mr. Pomplun continued that he intends to enclose the outside overhang areas that will make for 1,600 square feet of seating so about 40 people could be seated at one time. Robert Vecchi stated that he does not understand what the application is looking for because if it is seeking an approval it is not a full site plan. Mr. Pomplun stated that at this time he is only seeking approval to be allowed to sell beer and wine and to install a meat smoker at the rear of the building. Rob Fitzsimmons stated that it is good for the Board to see the full build out ideas but the Board will need to act on parking, change of use from a couple of months to a year-round restaurant, sale of beer and wine. Stephen King stated that he would need to see a full application to be neater and clearer. Robert Vecchi asked about the specs for the smoker. George Schmitt informed Mr. Pomplun that he will need NYS DOT permits for curb cuts and CCDOH for the septic/water for the site before he would suggest approval from the Board. Robert Vecchi asked if National Grid would need to install a larger propane tank for the gas smoker. Mr. Pomplun answered no the existing propane tank is sufficient. Stephen King stated that the propane tank, well, septic should all be shown on the maps as well as parking and handicapped parking spaces and any curb cuts that would be required from NYS DOT. Mr. Pomplun asked what would be needed for NYS DOT. Rob Fitzsimmons stated that the change of use would require NYSDOT permit for curbing which could take months. Mr. Pomplun stated that he is not seeking to change anything other than the parking. Robert Vecchi informed the applicant that the use is changing because of the increase in use and this requires NYSDOT permitting for curb cuts. James Schwab informed the Board that he is a local farmer that will be supplying meats to the restaurant and he stressed the importance of getting open for the season and is concerned about the NYSDOT approval. George Schmitt informed Mr. Pomplun and Mr. Schwab that the NYSDOT permits can be handled after an approval but that this has a 1 year from date of approval to complete with NYSDOT and if it the curbing is not completed within a year he wouldn't want to ask DOT for an extension. George Schmitt continued that the Board needs to have the NYSDOT permitting paperwork and CCDOH approval. Mr. Schwab stated that he and Mr. Pomplun want to support local agriculture and would request that the Board make a pre-approval so that the business can open sooner rather than later. Virginia Ambrose stated that she appreciates the support for local agriculture and the look at the ideas in a full build out but doesn't understand why so much detail when you don't even own the building. Mr. Pomplun answered that he wanted to be upfront and clear with the Board because he has been before the City of Hudson Planning Board in the past and was hammered about every little detail. Mr. Pomplun stated that he wanted to be clear with the Board of his intentions for the future of the site and the proposed business. Robert Vecchi stated that the problem he has is that if this site plan is approved as is then it has a one-year timeframe for full buildout otherwise it times out. Robert Vecchi continued that if the applicant cannot build some of the things for five years then the approval is no longer good and requires a site plan review. Robert Vecchi informed the applicant that this is not a great way to do this because laws change and could mean that what looked ok today might not be allowed two, three or five years from the approval. Robert Vecchi continued that if the full build out is spread over several years it requires several reviews. Mr. Pomplun stated that at this time he is just asking for the ability to sell beer/wine and to install a smoker in the back of the building. Robert Vecchi

informed the applicant that the NYSDOT curb cuts will be costly and to contact CCDOH to be sure that the septic and well are adequate for the increase in use. Mr. Pomplun answered that the septic system is fine and was replaced about 10 years ago. Robert Vecchi stated that this might be true but it still requires approval from CCDOH and NYSDOT. Mr. Pomplun informed the Board that he has not yet purchased the site but was just looking for a pre-approval of sorts and he is looking to apply to the NYS Liquor Authority for licensing. Mr. Pomplun stated that he envisions selling ribs and other smoked meats, ice cream, beer, wine and plans to use all locally sourced products from local farms and distilleries. Virginia Ambrose informed the applicant that this site is very important to the hamlet residents and she thinks that people will have many concerns with the changes especially an outside smoker. Mr. Pomplun stated that the site doesn't really have neighbors and the smoker has no more smoke than a burning fireplace. Rob Fitzsimmons suggested that Mr. Pomplun bring more information about the smoker for the Board to review. Robert Vecchi stated that he would like to see the hook up to the propane tank, and to make the application more complete. Jock Winch informed the applicant that the Town of Claverack has Zoning Laws and if the use is not allowed then it cannot be added such as the outside movies and that the CCDOH and NYS DOT are big issues that need to be completed. Mr. Pomplun stated that he will check with TOC Building Department to meet with Jay Trapp regarding the uses. Continued to March.

**Claverack Creek Solar LLC Site Plan Review/Special Exception: Tax Map #(SBL) 100 . – 1 – 1 Located at 151 Humane Society Rd. Site Plan Review/Special Exception for the construction of a 37-acre large scale solar energy system.**

Owen Sperlstra and Gillian Black were present for the application. Mr. Sperlman and Mr. Black informed the Board that they are working on both the Claverack Creek Solar and Catskill View Solar application. Mr. Black informed the Board that these solar installations will be 37 and 36 acres respectively. Mr. Black continued that he met with Jay Trapp and the Town Board prior to the development of these sites. Mr. Sperlman informed the Board that the solar panels will be on ground mounted pilings that will rotate as the sun moves. Mr. Black stated that the solar fields will be surrounded with an 8 ½ foot fence and cameras all around for security. Mr. Black explained that the solar fields will send the energy to the grid and will sell to local residents at a 10% savings. Mr. Black stated that the glare from the solar panels is no more than that of a clear pond or lake, do not make any noise, no traffic, little maintenance with a biodiverse planting design and sheep to maintain a couple times of year. Mr. Black continued that the sites will have screening with existing trees and added indigenous plantings around. Mr. Black continued that both sites are outside of the flood risk area and not much water is displaced by the solar panels and what is runoff will seep into the ground. Mr. Black stated that they are currently working with National Grid for installation of the poles and infrastructure to send the energy to the power station. Mr. Black stated that their company is looking to set up a PILOT program. Mr. Black also stated that they are looking into a partnership with a local school district to train students with implementing a solar curriculum. Mr. Black continued that they will pay National Grid to make the upgrades to the system on their end. Mr. Black stated that the benefits will be a strengthened energy grid, cut pollution, more locally sourced energy, supports agriculture through pollination and seeding, local jobs for landscaping, civil engineering, property management, snow removal and bee keepers and goat farmers and will not need to use pesticides unless invasive species are located. Mr. Black stated that the site will not be paved because roadways are not needed which is an environmental benefit. Mr. Black informed the Board that his clients, the Casivant family owns 250 +/- acres and they are currently looking at a 3<sup>rd</sup> site at this location in addition to these two sites. Mr. Black informed the Board that the energy will travel directly through the property to the National Grid substation. Mr. Black stated that this is a good use for the site that is within the Rural Agricultural Zone. Mr. Black informed the Board that the site does not require personnel on a daily basis, will be monitored via cameras and will have typical livestock

fencing, no barbed or razor wire. Mr. Black informed the Board that both sites will have pylons that will have the solar panels installed onto them. Mr. Black continued that the pylons will be installed in the ground via pounding them into the site. Mr. Black stated that during this installation there might be some minor noise from the pounding but no noise after installation. Mr. Black stated that the solar modules will rotate 1 degree every 8 minutes following the arc of the sun. Mr. Black stated that the two sites are screened but will require additional screening in some areas and they will do a balloon test to determine the best spaces to install additional plantings. Mr. Black continued that the newly installed plantings will not be fully grown trees but will grow over time to fill in the area. Mr. Black informed the Board that the utility will connect and upgrade lines down Pulcher Ave. and then onto the substation. Mr. Speulstra informed the Board that each of the solar farms will have two inverter pads with two transformers with two sets of 6 poles at the end of the roadway with National Grid owning the first two sets and the solar company owning the others. Chairman Cole asked how high are the poles. Mr. Speulstra answered that the poles will be at 30-feet but it is a dance with National Grid at this time. Mr. Black stated that the company pays National Grid to install the first two sets of poles then Eden Renewables will install the remaining poles and they will then work together to make sure that the system and lines are all working properly. Stephen King stated that the map is hard to read as to the proximity of the solar farm to the Claverack Creek because of the 100-year flood plain. Jock Winch informed the applicants that the site requires a 100-foot setback for the flood plain. Mr. Speulstra will look at the flood plain. Mr. Black informed the Board that the property has enough room to make it happen and will maintain use of the existing tracks do minimize disturbance. Continued to the March meeting.

Catskill View Solar LLC Site Plan Review/Special Exception: Tax Map #SBL) 101 . – 1 – 1 Located at 132 Humane Society Rd. Site Plan Review/Special Exception for the construction of a 40-acre large scale solar energy system.

Mr. Black and Mr. Speulstra from Eden Renewables was present for this application also. Mr. Black informed the Board that the Catskill View Solar site will require a minor subdivision and will have an easement. Mr. Black continued that ultimately the entire site will consist of 3 separate solar fields the third is in design. Mr. Black continued that all of the parcels will be leased for 25-year lease with the option of 3 more 5-year terms from the Casivant family and they will maintain ownership of the property. Mr. Speulstra stated that he has submitted detailed packets and at this time are looking for feedback and engineer review. Mr. Black stated that this is actually one action but are totally separate fields and one disturbance for SWIPPEs which is still less than one acre. Mr. Black stated that the has submitted an adequate erosion mitigation plan during installation. Robert Vecchi asked what the timeframe is for completion. Mr. Black answered that National Grid has already started the necessary upgrade to the grid and the company would like to have the fields completed by Spring 2021 if everything falls into place. Stephen King asked that the applicant submit a construction disturbance plan with the number of trucks per day, noise pounding decibel, hours of pounding, size of the construction trucks, traffic increase because he knows that the people in that area are going to ask these questions. Mr. Speulstra stated that there will be noise during the day when they are installing the pylons but it is a short timeframe for this to happen. Chairman Cole stated that there is one house, farm, humane society and a very close trailer park. Stephen King informed the applicant that sound travels and the trailer park residents will be impacted. Virginia Ambrose asked if the company has any other local projects in the area. Mr. Black answered no nothing in the United Stated yet but are currently working on a site in Schodack and two more in Dwaynesville and a few others in the works but all are in the United Kingdom but he would be happy to share any information. Stephen King asked where in the U.K. are sites located. Robert Vecchi informed the applicants that the more positive information that they could submit would be the best for them. Mr. Black stated that this site is a great opportunity to let the ground rest and regenerate and they have proof that it creates better soils, hosting beekeepers to pollinate a 3-mile area and the increase of worms.

Mr. Black stated that at the end of a possible 40-year term or end of the 25 year term they will pull out all of the panels using the decommission bond. Mr. Black continued that all of the materials used for the field are recyclable. Virginia Ambrose asked about how the panels tip and turn. Mr. Black stated that the panels are set at 52 degrees east and rotate to 52 degrees west at 1 degree per minute so a rotation of 104 degrees to chase the sun all day from sunrise to sundown. Virginia Ambrose asked how rainwater will get to the ground. Mr. Black stated that the panels are 8-foot wide and are spaced further apart than the width of the panel so rain will run off into the surrounding ground. Robert Vecchi stated that he reviewed the decommission plan and would like to know why the duct vents are left. Mr. Black stated that anything over 4-feet is removed. Virginia Ambrose asked about the subdivision of property into three parcels. Mr. Black answered yes there will be three properties with three different 911 addresses. 151 Humane Society Rd. which will include Mr. Casivant's residence, 132 Humane Society Rd. and 129 Humane Society Rd. Rob Fitzsimmons informed the Board that all three are still under 50%. Jock Winch stated that the Town of Claverack Solar Law for Large Solar fields is really new and this is the first trial and it appears that all of the points have been covered with the lot size needing to be clearer on the size of the parcel and the size of the array. Rob Fitzsimmons stated that the lot size then the size of the solar array meets the total acreage of the parcel with the array meets the requirements of the law. Robert Vecchi stated that he questions the PILOT agreement should be with the Town of Claverack Town Board. Mr. Black stated that the Town Board, Town Attorney and Eden Renewables will provide a proposal for the PILOT plan. Stephen King stated that when that is completed the Planning Board will need a draft copy for the file. Rob Fitzsimmons informed the Board that he will sit with Charles Brewer the Town of Claverack Assessor to figure out the Agricultural Exemption and the taxes. Mr. Black informed the Board that this will be a net benefit to the Town of Claverack and the school district when the property comes out of Agricultural Exemption. Rob Fitzsimmons informed the applicant that this is a good point to let the people know. Stephen King suggested that when the project gets further along it should be uploaded onto the Town of Claverack website for citizens to review. Rob Fitzsimmons stated that the technical review begins he will ask for electronic files for the website. Stephen King stated that this will help to make the residents and neighbors better informed. Mr. Black stated that his company recently had an open house to discuss the new solar laws and large solar fields but it was very poorly attended Mr. Black asked the Board to deem the application complete. Chairman Cole stated that he is not comfortable with deeming the application complete until the Planning Board has met or had a workshop. Rob Fitzsimmons stated that there really isn't a need for a workshop and the applicant is not seeking approval because they will need a subdivision and George Schmitt will need to review. Rob Fitzsimmons continued that Mr. Black actually helped the Town of Claverack write the Large Solar Law. Chairman Cole asked for a workshop to review the new law and applications. Rob Fitzsimmons suggested to allow George Schmitt to do the technical review and it is early in the application so it is better to continue the application and if necessary schedule to meet earlier at the March meeting. Rob Fitzsimmons informed the Board that if they were going to hold a workshop or separate meeting it would require notice for the public. Rob Fitzsimmons continued that the Town Board and Assessor will work on the PILOT and if the Board requests to meet earlier for the March meeting it will be decided closer to the meeting. Continued to the March meeting

**Kipp, Peter & Diana Large Scale Solar Energy System Site Plan Review/Special Exception: Tax Map #(SBL) 101 . - 1 - 14 . 111 Located at 197 Stottville Rd. Site Plan Review & Special Exception for the construction of a 20-acre large scale solar energy system.**

Lindsay McIntire was present for the application. Ms. McIntire informed the Board that her company has installed over 30 large solar fields in NYS and they will send a roster of clients for the Board to review. Ms. McIntire stated that this will be the first field in Columbia County. Ms. McIntire informed the Board that this site is off of Stottville Rd. on property that is owned by the Kipp family. Ms. McIntire continued that the Kipp

family has lived on the property for decades. Ms. McIntire stated that this solar field will be a community solar farm meaning that the community can subscribe to the energy produced. Ms. McIntire continued that the site has existing robust screening. Ms. McIntire informed the Board that unlike the previous applications this site will not require pounding of pylons because they use fixed posts. Ms. McIntire stated that the site is approximately 20-acres. Ms. McIntire continued that they also plan to use a pollination friendly mix consisting of clover and wildflowers that will be planted by a local contractor. Stephen King asked how much distance is between the panels. Ms. McIntire stated that there will be 12-feet between the rows due to fixed panels that are at fixed tilt with an 8-foot fenced in perimeter which will be agricultural fencing, no barbed wire. Stephen King stated that some additional screening will be needed. Ms. McIntire informed the Board that the existing screening was very dense with thick brush but no hardwoods. Jock Winch informed the applicant that the previous large solar applications will install additional screening. Ms. McIntire will do a visual review of the property to determine additional sites for screening. Stephen King stated that screening is very important because this site directly impacts several residential properties. Stephen King continued that removing the brush and planting trees and shrubs might be the best to create the most screening for the neighbors. Mr. ? stated that the field will have a 700-foot gravel roadway to have it permeable for rainwater runoff. Ms. McIntire stated that she has submitted a letter from the ACOE that no permit is needed for the wetlands because they are far enough away. Ms. McIntire continued that unlike the previous solar application their site will not use pylons that need to be pounded into the ground but will be using the type of mounting that will be screwed into the ground so no noise. Ms. McIntire stated that she has not yet submitted the PILOT plan to the Town of Claverack at this time. Mr. ? informed the Board that solar installations are allowed in ACOE wetlands but tree removal is not allowed. Katy Cashen asked how far off of Stottville Rd. will the installation be situated. Mr. ? stated about 300-feet from the roadway. Chairman Cole informed the applicant that all of the residences on the map are marked with the wrong names. Ms. McIntire will check and correct. Rob Fitzsimmons asked if the site will connect to Stottville Rd. Ms. McIntire answered yes and they have already made a 25% payment to clear with National Grid. Chairman Cole asked if the current lines have enough to power the energy down Stottville Rd. to NYS Rte. 66. Ms. McIntire stated that the poles and lines on Stottville Rd. will need to have an upgrade but NYS Rte. 66 are sufficient. Stephen King asked if the project will take 3 to 4 months to complete. Jock Winch asked if there is a decommission plan. Mr. ? stated that this will be submitted for review. Stephen King asked what lease agreement is in place. Ms. McIntire stated that they have a 25-year lease with an option for up to four more 5-year extensions. Chairman Cole stated that he is concerned with the amount of screening and would like to see additional screening along Stottville Rd. and the northern corner where houses sit up on the hill overlooking the field. Rob Fitzsimmons asked how the solar panels move. Ms. McIntire answered that these solar panels are fixed and do not move or rotate. Stephen King stated that more screening is needed and he would need to see a more detailed screening plan because it is so close to several residential properties. Mr. ? stated that he will look at the screening and provide a more detailed screening plan. Chairman Cole informed the applicant that George Schmitt will begin his review. Mr. ? stated that the company has made the escrow payment to the Town of Claverack. Jay Trapp informed Mr. ? that as of the meeting no escrow payment had been received. Mr. ? stated that the payment was sent over a week ago and he will check into this issue. Chairman Cole asked if the field will have some sort of shut offs. Ms. McIntire answered no because it is a 3-phase system. Chairman Cole informed the applicant that just the past weekend there was a car accident on NYS Rte. 66 where the vehicle hit a pole causing the insulators to fall off the poles even though the poles were not damaged. Chairman Cole continued that the power was out for several miles from the site of the accident and what is there to keep the electricity from blowing back. Ms. McIntire answered that the inverter senses a problem and will shut down automatically. Virginia Ambrose asked for the applicant to submit a list of other projects. Ms. McIntire will provide the list of their other sites. Continued to the March meeting.

**Other Business:**

**Chairman Cole informed the Board that they had received a request from the Town of Ghent for LEAD agency for a large scale solar project on property that was previously the site of the proposed Ginsberg's application. Chairman Cole continued that the project is very close to the Town of Claverack/Town of Ghent boundary therefore it requires the Town of Ghent to request LEAD agency status for the application. Katy Cashen asked if there is a limit as to the number of large solar projects that can be installed. Rob Fitzsimmons referred to George Schmitt. Stephen King stated that this project is the 4<sup>th</sup> large solar array within a very close proximity to each other and also the County Airport. Katy Cashen asked if it would be wise to check with National Grid to see what the capacity limit would be on their end. George Schmitt will contact National Grid. Rob Fitzsimmons informed the Board that everyone is rushing to be the first in case the Town of Claverack or other towns begin to put a moratorium on the number of large scale solar fields so it is a first come first serve type of situation.**

**Motion to consent to allow the Town of Ghent to act as LEAD agency for purposes of ELP Solar Ghent project was made by Virginia Ambrose with a second from Robert Vecchi. All members were in favor. Motion carried.**

**Robert Vecchi asked members of the Board why they do not recite the Pledge of Allegiance before each meeting. Robert Vecchi continued that he feels that it is important to have the Pledge before the meetings and knows that the Town of Claverack Zoning Board of Appeals has this in place prior to each meeting. Rob Fitzsimmons informed the Board that it is not a requirement but it is fine to implement.**

**Motion to implement the Pledge of Allegiance at the start of each Town of Claverack Planning Board meeting was made by Robert Vecchi with a second from Virginia Ambrose. All members were in favor. Motion carried.**

**Motion to adjourn the meeting was made by Robert Vecchi with a second from Virginia Ambrose. All members were in favor. Motion carried. Meeting was adjourned at 9:30 p.m.**

**Respectfully submitted.**

**Jodi Keyser, Secretary**