

MINUTES OF THE PLANNING BOARD MARCH 16, 2022 – TOWN OF KINGSBURY

Minutes of March 16, 2022

MEMBERS PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarso
Les Macura
Todd Murphy– Alternate

MEMBERS ABSENT:

Randy Weaver (Excused)

PLANNING & ZONING ADMINISTRATOR

Todd Humiston

TOWN ATTORNEY

Jeff Meyer, ESQ., Town Attorney

The meeting was called to order by Chairman Dingman at 7:00 P.M.

Roll call of all Members and Officials.

PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarso
Les Macura
Todd Murphy– Alternate

AYES: 7

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

Chairman Dingman stated there are not any minutes to approve.

BORREGO SOLAR SYSTEMS INC., contract vendee of Tax Map # 154.-1-36 commonly known as 67 Hillview Drive Town of Kingsbury, located in RA-1A Residential Agriculture District is seeking Site Plan approval for the construction a 5 MW AC solar array at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman stated this is a public hearing.

<https://www.kingsburyny.gov>

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Chairman Dingman introduced Alec Manning, Creighton Manning Engineering and Terrence Nolan, Senior Project Developer, Borrego Solar to address the Board.

Mr. Manning stated he is here tonight proposing a solar farm on Hillview Drive and has a visual assessment narrative for this project.

Mr. Nolan apologized for being late. They have been involved and interested in this project for months. They have a lease with the existing landowners, Yolam Construction Inc. Yolam Construction have been mining this property. Shortly after the lease agreement Mr. Nolan stated Borrego Solar became aware of a moratorium on solar in the Town of Kingsbury. Mr. Nolan stated he had the opportunity to participate in the solar workshops and has also been in communications with the Town Board as they considered the new Solar Laws. He was very happy to be a part of this. He feels they are at a point now where they fit in with the new Solar Laws. They have made some changes from the original submission. One of the changes is they pulled back some of the panels to meet the 500 feet of the nearest resident. They are using 20 acres of the 73 acres of land. They have their study back from National Grid which confirms they can connect to the transmission lines. They have signed their agreement with National Grid and now are here for the very first time to present this proposal. With perspective to the visual, they have done some visual assessments with this project, the most you will see is the poles at the very end of the road. The arrays cannot be seen from any of the neighboring residential streets, it is fairly well screened with a much larger parcel. Mr. Nolan stated this is the conclusion of his introduction and would be happy to answer any questions.

Chairman Dingman stated this is a public hearing and there are people in the audience that may have questions.

Chairman Dingman question Mr. Nolan if he had talked to any of the neighbors.

Mr. Nolan stated at this point they have not. They are getting letters ready to send to the neighbors. They have attended all of the public workshops on solar presented to the Town Board. At this stage because we are finally in front of the Planning Board, we are ready to communicate with the neighbors.

Mr. Humiston stated as soon as we know when Borrego Solar will be back before the Board, the neighbors will be notified.

Chairman Dingman stated one of the things he would like to see Mr. Nolan do is talk to the neighbors because this proposal is so invisible. One of the major problems we have with the neighbors is they don't want to see the panels.

David Wilcox, 32 Pleasantview Drive questioned if notifying the neighbors is restricted to a five foot radius from the project.

Mr. Humiston stated the Town mails letters to any property that is within a 500 feet of the 73 acre property line. Anything beyond that is by word of mouth, the Post Star newspaper, and the site posting sign.

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Mr. Wilcox stated the site posting sign was only up for a couple of days before it came up missing. 500 feet is pretty limited when you get to the top of hill on Pleasantview and Hillview Drive. Mr. Wilcox questioned if the notifications could be 1,000 feet instead of 500 feet.

Mr. Nolan stated he is comfortable with notifying the neighbors to a 1,000 and would like to meet with the neighbors to answer any questions they may have.

Mr. Humiston stated he would get a list of addresses for Mr. Nolan.

Mr. LaSarlo suggested to Mr. Nolan documenting a list of names of the neighbors they speak with. In the past we have had people say they were not notified.

Mr. Humiston asked the Board to assign the Town Engineer, Jarrett Engineers, PLLC to review this project at the applicant's expense.

Lorraine Forcier, 318 Geer Road questioned if the solar panels were going to tilt or be stationary and how tall they will be.

Mr. Manning stated they will be stationary, pitched at a twenty five degree angle. They will be ten feet at the highest.

Discussion ensued among the Board with questions addressed by the Applicant.

ON A MOTION BY TIM LASARSO, seconded by KAREN LAROSE all in favor, the meeting moved into executive session to discuss potential litigation at 7:35 p.m.

PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarlo
Les Macura
Todd Murphy– Alternate

AYES: 7

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

ON A MOTION BY RANDY GETTY, seconded by KAREN LAROSE all in favor, to exit executive session at 8:28 p.m.

PRESENT:

Robert Dingman, Chairman
David Gauci

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Randy Getty
Karen LaRose
Tim LaSarso
Les Macura
Todd Murphy– Alternate

AYES: 7
NAYES: 0
ABSTAIN: 0
MOTION CARRIED

ON A MOTION BY TIM LASARSO, seconded by DAVE GAUCI there will be a special meeting on March 24, 2022, at 7:00pm located at the Kingsbury Vol. Hose Co # 1 Inc. 3715 Burgoyne Avenue, Hudson Falls, NY 12839

PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarso
Les Macura
Todd Murphy– Alternate

AYES: 7
NAYES: 0
ABSTAIN: 0
MOTION CARRIED

ON A MOTION BY TIM LASARSO, seconded by RANDY GETTY all in favor, the meeting was adjourned at 8:30 p.m.

PRESENT:

Robert Dingman, Chairman
David Gauci
Randy Getty
Karen LaRose
Tim LaSarso
Les Macura
Todd Murphy– Alternate

AYES: 7
NAYES: 0
ABSTAIN: 0
MOTION CARRIED

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Michelle Radliff
Secretary