

MINUTES OF THE PLANNING BOARD AND PUBLIC HEARING
APRIL 20, 2022 – TOWN OF KINGSBURY

MEMBERS PRESENT:

Tim Lasarso
David Gauci
Randy Getty
Karen LaRose
Les Macura

PLANNING & ZONING ADMINISTRATOR

Todd Humiston

The meeting was called to order by Mr. LaSarso at 7:00 P.M.

Roll call of all Members and Officials.

Mr. LaSarso entertained a Motion to Approve the Minutes of March 24, 2022.

ON A MOTION BY Mr. Gauci, seconded by Ms. LaRose. the minutes of the March 24, 2022 meeting were approved.

MICHELE HIPPICK, owner of Tax Map 154.-1-44 State Route 196, Town of Kingsbury, located in Zoning District, RA-1A Residential Agriculture District is seeking Site Plan approval to subdivide one lot into three lots at this location.

Ms. Hippick stated that she currently owns approximately twenty acres that she would like to subdivide into three separate parcels; two of which to be approximately 6.7 acres each with the intention of selling.

Mr. Humiston stated that he foresaw no issues with this request but noted that the parcels would need to be surveyed prior to county approval of the subdivision.

Mr. LaSarso stated that Ms. Hippick would need to come back to the Planning Board with the survey map showing the new boundary lines with the curb cuts.

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 of a 5 MW AC solar array at this location.

Mr. Greg Gibbons stated that the potential solar farm would be located at the dead end of Hill View Drive which is currently vacant and cleared of most trees. The project would consist of two fenced-in areas; one area to be approximately two acres and the other approximately 18 acres for a 5 Megawatt Alternating Current System. He stated that the fences would be 7' high, have a 20' wide access driveway and there would be no buildings constructed on the site outside of two 25' x 15' central equipment concrete pads. He also stated that there would be a 500'

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setback to any residential buildings, noting that LaBella analyzed visual simulations and agreed that the site is very well screened.

Mr. Humiston stated that the fencing would require a screen mesh based on the new code and Mr. Gibbons stated that they will follow any code requirements.

Mr. Gibbons stated that they are also working with the US Army Corps of Engineers to address any possible wetland concerns. He also stated that there would be no traffic once construction is complete and there would be an opportunity for interested parties to subscribe as this is a community solar project. He noted that notices were sent out to residents 1,000' away from the potential site and PILOT notification has been sent to the appropriate taxing jurisdictions.

Mr. LaSarlo stated that there are concerns of four-wheelers and dirt bikes accessing that property and asked if there would be gates installed and Mr. Gibbons stated that it would not be a problem to install gates.

An attendee from the audience asked how long the solar farm would be at the location and Mr. Gibbons stated that a 25-year lease would be in place with a possible option to extend to a 40-year lease. He noted that a cash escrow would be held by the Town for decommissioning if, for some reason, the current owner did not decommission the site themselves.

Mr. Gibbons addressed other public concerns by stating that there will be no energy or battery storage on the site and that the existing energy poles would be used with the one-phase converted to a three-phase. He also stated that the Department of Environmental Conservation confirmed that there were not any endangered species that might be impacted with this solar farm outside of the Northern Long-Eared bat which inhabits in the trees, and should they need to clear any of those existing trees, they would apply for permitting to do so. He also noted that 6" wildlife gaps would be present to for rodents or smaller animals to access the grasslands in the solar farm area.

Mr. Getty made a motion to declare SEQR and Mr. Gauci seconded. All voted in favor by voice vote.

Mr. LaSarlo closed the public hearing at 7:35.

HILLTOP CONSTRUCTION INC., contract vendee of Tax Map 137.-2-1.5 and 137.-2.1.6 commonly know as Lot 4 and 5 Casey Road, Town of Kingsbury, located in PIC-75 Park Industrial/Commercial District is seeking Site Plan approval of construction of a 1-story garage/office building with approximately 10,902 square feet of total building footprint, with associated site improvements.

Mr. Dan Ryan, engineer for Hilltop Construction, stated that this site consists of two parcels located in the Airport Industrial Park. He noted that of the 3.8 acres of these combined lots, there is only 1.6 acres that are buildable due to wetland deed restrictions. He stated that this site will be the location of Hilltop Construction's office building of 10,902 square feet and will have

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30 parking spaces available. Mr. Ryan stated that this office building will have a loading dock located in the back of the building, downcast exterior lighting will be installed, and grading design for drainage will sheet towards the wetland areas.

He also stated that they are in receipt of the county's determination of having no county impact.

Mr. Ryan stated that there are currently no plans for fencing due to having no plans for outside storage at this time but acknowledged that should there be outside storage in the future that the area would need to be paved, fenced, and screened.

After some discussion concerning the majority of the 30 employees being at job sites vs. the office, Mr. Humiston stated that there would be no need for a variance for the 30 parking spaces. Mr. Ryan stated that the estimated delivery time for the pre-engineered building is 18 months.

Mr. Humiston stated that since the building was under an acre, SEQR would not be required however SEQR was read with the board's negative determination with Mr. Getty making the motion, Ms. LaRose seconding and all others approving by voice vote.

ON A MOTION BY Mr. Gauci, seconded by Mr. Getty the site plan was approved by all others via voice vote.

ON A MOTION BY Mr. Gauci, seconded by Mr. Murphy all in favor, the meeting was adjourned at 7:50 PM.