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**Planning Board Minutes**  
**February 17, 2022**

**Planning Board Members Present**, Steve Lester, Julie Pellett, Daniel Compton, Fred Fink, Matt Rogers, Michael Donohoe **Joined by Zoom:** Michael Woodruff, Terrence Boyle (Nussbaumer & Clarke Engineers and Surveyors) **Others Present**, Kimberly Rayburn (Secretary), James A. Kier (Building & Zoning) Jeremy Years (Years boundary / Land Surveyor) Peter Dogos (DRS) Dan Compitello

**Lester opened the meeting at 7:30 pm.**

**I. TW2-22 & TW3-22 Two (2) Parcel Lot Line Adjustments for properties located on St Rt 444 for the Mead Family.**

1. Parcel 1 of 2289 St Rt 444 tax # 68.00-1-1.000 owned by Mark Mead of 1.9 +/- acres will be annexing .9 into the farm field North of his house tax # 68.00-1-3.111. He will also be gaining 3.0 +/- acres of that same farm field directly behind his house and up to Rt 44 south of his house encompassing the farm (right of way) existing driveway entirely onto his property. Making his parcel 4.00 +/- acres.
2. Parcel 2 of 2299 St Rt 444 tax # 68.00-1-2.000 owned by Clara Mead of .5 +/- acres will gain 1.8 +/- acres from farm field behind and South of per house tax# 68.00-1-3.111 making her parcel a legal lot of 2.356 +/- acres.

Jeremy Years (Surveyor) explained the proposal while the Board reviewed the maps. There are two (2) existing parcels with houses surrounded by the farm parcel. The family would like to reconfigure the parcels. While doing so, they would make one of the lots a conforming lot to today's minimum lot size standards and also square off the existing laneway to the farm behind the lots that runs between the 2 houses so it is completely one 1 parcel. A discussion was held. Woodruff stated this is in compliance with zoning, it looks straightforward with no issues.

**The SEQR is a Type II action with no further action required. Compton motioned and Fink seconded. All Board members present voted aye.**

**Compton motioned and Donohoe seconded to approve both parcel lot line adjustments #TW1-22 for 2289 tax# 68.00-1-1.000** owned by Mark Mead annexing .9 into the farm field North of his house tax # 68.00-1-3.111. He will also be gaining 3.0 +/- acres of that same farm field directly behind his house and up to Rt 44 south of his house encompassing the farm (right of way) existing driveway entirely onto his property. Making his parcel 4.00 +/- acres.  
**#TW3-22 2299 State Rt 444 tax # 68.00-1-2.000** owned by Clara Mead will gain 1.8 +/- acres from farm field behind and south of per house tax# 68.00-1-3.111 making her parcel a legal lot of 2.356 +/- acres.

**Whereas:**

1. As discussed in the meeting minutes above.
2. Maps presented are accepted for parcel lot line adjustments.

**Record of Vote:**

**Lester Aye Pellett Aye Compton Aye Rogers Aye Donohoe Aye Woodruff Aye Fink Aye**  
**All Board members present voted Aye, with the exception of Rogers who abstained. Vote was carried.**

**II. In Person meeting with Delaware River Solar (DRS) to discuss and review the 2017 Special Use Permit #TSP5-17 granted in 2018, they were given an extension in Sept of 2019, and again in 2020. Last extension expired 10/1/2021. Review revised plans to make the project smaller.**

The Board reviewed the 2018 Approval and the outstanding items required in order to obtain a building permit.

2018 Approval

**Whereas:**

The following will need to be turned into the Code Office before a building permit or a certificate of compliance is given.

- A final SWPPP report will need to be accepted by the Town Engineer (*Done and on file with the Town*)
- A decommissioning plan and amount that will cover the removal of the system in the future needs to be determined, approved and accepted by the Town Attorney and the Town Board. (*A Decommissioning Plan and Bond details need to be determined, approved and accepted by the Town Attorney and the Town Board. (Section 2) of previously approved Plan needs to be updated*)
- A NYS DOT permit is obtained for improvements. The culvert is widened and lengthened as the drainage needs to be sized to take all storm water flows and to accommodate the widened condition of the driveway (*Received and on file with the Town*)
- Delaware River Solar must comply with all Large-Scale Solar regulations from Town Code section 135-83.2 Solar Energy Law
- An as-built map of the installation will be provided after installation is complete
- Approval includes all discussions held in previous Planning Board minutes including but not limited to landscaping and maintenance hours
- Any future changes need to be brought in front of the Planning board for approval.

The Board Looked at new maps for any missing items or major changes. They discussed the decommissioning wording and bond that will be required to be put in place and re-approved as the requirements have changed. They also discussed the name change, in a letter dated August 9, 2019 a request to extend approval and a requested a name change. Peter stated that for each project a LLC is set up. DRS is still the owner, they would like the SUP and building permit to be in the name of the LLC (NY East Bloomfield I, LLC).

Peter Dolgos from DRS spoke to the Board and stated that NYSEG changed the size of their system due to the capacity they have on that particular line. They revised their site plan to stay inside the same footprint and have less panels than originally proposed. The project went from 8,000 to 3,000 arrays/modules. The access road will be longer but pervious to allow water to drain. They will not be changing the disturbed area. The project will be less evasive. The new panels allow less panels to produce the same amount of energy. Compton asked them to explain the capacity rating. Dolgos stated the project went from a 2 mw system to a 1.2 mw system using less panels but will be more efficient. He stated that there was a change in the panel's efficiency. It changed over a three-year period, but now its not changing much. He explained that even if the system stayed at a 2 mw system it would be a smaller size due to the panels. A discussion was held on the substation. It was noted that between this project and the other one this substation will be maxed out. The Board wanted to know if it was the Oakmount substation, Dolgos did not know. Rayburn asked if DRS has a deadline with the utility? Dolgos stated they get extended as well.

A discussion was held on the screening. It has been downsized to match the smaller size. Lester stated that the decommissioning page C -106 is missing some documentation that was included on the first plan. He would like the wires and conduit to be shown on the west side panels. A discussion was held on the wires going to the pole on the opposite side of the road to a pole in Compton's front yard. Compton stated currently the pole leans to the east, he would like to know what the easement is for the utility for guy wires or will the pole be replaced. Compton asked about the O&M plan, Rayburn stated it was all previously approved, nothing in the O&M will change.

Lester stated the cover sheet needs to be corrected as well. The information on the number of panels and the system's mw has not been updated to the new system totals on the following pages.

A discussion was held on having the Town Engineer take a quick look at the new smaller plan provided. They discussed the timeline to go live. DRS hopes to go live by the end of this year.

**Woodruff motioned and Rogers seconded to approve the extension of the original 2017 Special Use Permit. #TSP5-17 granted in 2018, for property leased from John Bennett tax # 67.00-1-1.100. DRS was given an extension in Sept of 2019, and again in 2020. The last extension expired 10/1/2021.**

**Whereas:**

- 1. As discussed in the meeting minutes above**
- 2. The original whereas have been completed in order to obtain a building permit with the exception of the decommissioning plan that needs to be revised and approved by the Town Attorney and Town Board with new bond requirements and amounts**
- 3. The newly revised plan will be reviewed by the Town Engineer**
- 4. A building permit must be obtained by October 1, 2022**
- 5. There will be minor changes to the site plan, panel information size of the system and changes to c-106 for decommissioning**

**Record of Vote:**

**Lester Aye Pellett Aye Compton Aye Rogers Aye Donohoe Aye Woodruff Aye Fink Aye**  
**All Board members present voted Aye, vote was carried unanimously.**

**III. Discussions**

**Topics for review 2022**

1. Continued review of the Comprehensive Plan's suggested updates for zoning districts changes
2. 5 G placement of antenna's
3. Battery Storage
4. More research and code considerations for cannabis in the future
5. Look into code for event centers vs current code that allows for a SUP for each event on 50 acres or more
6. Look at the schedules for any items that need to be updated or clarified

**IV. Meeting Adjourned**

**Fink motioned and Pellett seconded to adjourn @ 8:50 pm.**  
**All Board members present voted Aye, Vote was carried.**

Respectfully submitted,

Kimberly Rayburn  
Planning & Zoning Board Secretary