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Planning Board Members Present: Melanie Eggleston, Susan Martindale, Chair, James Heber, Vice Chair
Chad Reinemann, Mary Beth McGarahan and Holly Rippon-Butler and Jeff King

Members Absent: Britt Basinger and Lisa Black

Town Employees Present: Dave Brennan, Town Attorney, Charlie Baker, Town Engineer, Richard Colozza, Code Enforcement Officer and Tia Kilburn, Clerk

Chair Martindale addressed all in attendance and asked them to stand and salute the flag at 7:00 pm. She stated due to Covid-19 meetings are being conducted differently including extra cleaning of the room, social distancing, mandatory masks and limited number of people at one time physically in attendance. The meeting was in compliance.

She introduced the first item on the agenda, Application #0001-20, Bernard Shaw, a lot line adjustment and minor subdivision being represented by Dan Shaw. She asked Mr. Shaw for a recap or update. Mr. Shaw stated he had a survey conducted and the Clerk made packets for the Board members, he added he followed all the recommendations of the Board.

The Board then reviewed the survey, Chair Martindale asked Mr. Shaw to elaborate on the project.

Mr. Shaw discussed the survey and stated it was all one parcel and they propose 2 fields which are tillable one is 11 acres and the other 5 acres. He said the purchaser of one lot currently owns a lot next to it and they may want to come in for a lot line adjustment to combine the two. He explained his sister's property will gain from the lot line adjustment and the existing barn is included in that, she will be getting 4 acres. Chair Martindale said it looked like 3 acres, Mr. Shaw responded there is a small swampy area across the road she also wanted to keep. He stated they agree to No Further Subdivision.

Vice Chair Heber reiterated the "lot revision" labeled on the map was the lot line adjustment to Ms. Garnsey. Mr. Colozza added it will become almost 5 acres, Mr. King agreed.

Mr. Reinemann reiterated the lot labeled 3 will not be further subdivided. Discussion ensued on lot 3 and it was determined it would not be further subdivided however, it could have one single family residence built.

Chair Martindale asked if there were any questions, Mr. Reinemann asked if this needed a variance, the Clerk responded yes and explained they left off with this Board requesting a survey and then due to Covid it was delayed. Discussion ensued on the need for a variance for the lot with the existing residence, the Clerk asked if they wanted to join the Zoning Board of Appeals, ZBA for a joint public hearing, Vice Chair Heber agreed. Mr. Shaw interjected this Board was going to make a recommendation to the ZBA.

Vice Chair Heber made a motion to refer this application to the ZBA with a favorable recommendation.

Mr. Reinemann asked if on lot 3 there would be a restriction, it is not on the current map? Vice Chair Heber said yes, it cannot be subdivided and he suggested Mr. Shaw add it to the map so the ZBVA will understand.

Mr. Colozza said the Board could approve it under the Agricultural Protection District regulations, APD without a variance, for the substandard lot as long as he does that to the large lots, open fields. Vice Chair Heber asked if that would get complicated. Mr. Colozza responded the intent of the APD is not to use up land, leave as much open

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space as possible with a reduced lot size. Vice Chair Heber stated it is in the subdivision regulations, Ms. Rippon Butler asked if it was in the book, Mr. Colozza said in the Zoning Book under the APD, he added so if a farmer wanted to subdivide out 1 or 1 and half acres for a house you could tag the larger lots as no further subdivision to preserve the agricultural use and you can do that here, you don't need to send for a variance. Vice Chair Heber stated this Board has not done that before, Mr. Colozza said the intent is to not bread 5 acre increments out of agricultural, the intent is just what he is doing, keep the house with a smaller lot and keep the bigger farm fields.

Mr. King asked if the substandard lot to be created is the one at the intersection, 1.2 acre, Vice Chair Heber responded yes, lot 2, Mr. Colozza added the one that has the house is the one that will be the only substandard lot, the other 2 big lots are farm fields as long as they are tagged as agricultural use, that is what is in the Zoning Book. Mr. King agreed that made sense.

Discussion ensued on agricultural use and zoning.

Mr. Colozza stated it is legal and up to this Board or send it to the ZBA for a variance. Mr. Reinemann stated in his opinion they could give a favorable opinion on the lot line adjustment and the subdivision and let the ZBA comment without seeing the law, he felt they should let the ZBA comment, traditionally they refer it to them with a recommendation. Chair Martindale stated they would have the opportunity to redefine it. Mr. Colozza agreed and said once you send it to them, they could do anything. Ms. Eggleston asked what are the pros and cons?

Mr. Colozza explained; the idea is, bigger farms take even 100 acres and start subdividing it into 5 acres that's 20 homes, so for the lot behind the house every 5 acres could be a house and it keeps whittling away at the agricultural land, the object of this was the law gives you the opportunity to look at it by reducing one lot you are leaving the larger lot for agricultural so the famer does not have to start going around little subdivisions. You have time to review the law because you are going to set a public hearing then at the public hearing you can still say no and send it to the ZBA. Mr. Reinemann agreed and said he wanted to look at the language of the law. Ms. Rippon Butler asked what page was on, Vice Chair Heber said it starts on page 37.

Discussion ensued on a conservation designed subdivision.

Mr. Shaw stated they support that; because to make that a standard lot they would have to cut into the field and ruin the field. Ms. Rippon Butler agreed and asked if it would be a deed restriction. Vice Chair Heber responded it will be on the mylars and subdivision maps, no further subdivision. Ms. Rippon Butler asked if in the future someone could build on that lot, Vice Chair Heber stated one house, and added Mr. Colozza is correct this Board has the right to do it. Mr. King agreed and said it fits the intent. Mr. Colozza said the law was written to still allow breaking up farm land with a subdivision but not as intrusive.

Chair Martindale asked if there were a 2nd on the motion. Vice Chair Heber stated he rescinds his motion to refer it to the ZBA, he added they can make it a faster process if they set up the public hearing and get it done, it's at the Boards discretion. Mr. Reinemann agreed.

Vice Chair Heber made a motion to schedule a public hearing for application # 0002-20, for a conservation subdivision.

Ms. McGarrahan 2nd the motion.

All in attendance unanimously agreed.

Mr. Shaw asked if there were anything he needed before the next meeting. Vice Chair Heber stated the language needs to be on the plat, no further subdivision and the right to farm because of the agricultural district. Mr. Shaw

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asked if he could get that from the Clerk, Vice Chair Heber responded yes. Mr. Shaw asked if it needed to be put on the mylar, Vice Chair Heber stated on the map for now, they did not want the mylar until they are all done. Mr. Reinemann added and the surrounding neighbors.

Chair Martindale announced the next application # 0006-19, Adam Schweikert, the Clerk stated he is not present. She then announced application # 0002-19, Irony Alliance and stated at the last meeting they were looking for a design of the bridge, paperwork from Army Corp. of Engineers. Mr. Colozza stated eventually he will have to go to all the other agencies, Army Corp, DEC and etc. Chair Martindale stated the 1st thing to do is to review the proposed bridge, Mr. Colozza agreed.

Mr. Phillips, attorney for the applicant, submitted photos of conceptually what the bridge will look like, he stated between now and before when they were here it has downsized. In stead of the bridge being a truck bridge it is now going to be at most an ATV bridge, because of Covid and people not being able to do the engineering they were not able to have it for this meeting, they will give the Board a sense of what the bridge will look like and then they would like to ask to table until they can provide specific information on the plan.

Mr. Story explained; the suspended bridge. Rather than have the towers, there will be cables to hold it up, a simple suspension bridge with what they call dead men on each end it is the oldest type of suspension bridge there is. He showed photos of where the bridge will sit on the mainland and island. Ms. Eggleston asked if it was the original site location? Mr. Story responded yes, it is the same he then submitted photos showing the stairs to the bridge, he stated his will not have stairs but a ramp, it is a simple bridge with dead men, cables and had rails. Ms. McGarrahan asked if it will be constructed of wood, Mr. Story said yes and supported by cables, actually everything will be steel except the actual deck walk. Ms. McGarrahan asked how high above the river would it be? Mr. Story stated in the middle it will be 11' above the 500-year flood. Chair Martindale asked if that was the lowest point of the bridge? Mr. Story responded yes, and they had the 500-year flood in 2011 and it only came up 9' so this will be over that, the Corp. of Engineers requires it to be 1' over that. Mr. Reinemann asked if it will require berms at each end of the bridge to get the grade correct, Mr. Story stated on the island it will be a little bit higher, on the mainland they have enough because it is higher in that particular spot.

Mr. Reinemann asked if it would be gated, Mr. Story said no it is just a bridge like any other bridge, although he may put a gate on it to keep people off. It will only be rated for 4 wheelers, people or a horse. Chair Martindale asked how wide the deck would be, Mr. Story stated about 6' and a 450' span between the 2 dead men, the river is only 300' wide but the dead men have to be up higher so that will give it extra length. Mr. Reinemann stated for visual impact this bridge seems like it is much reduced vs. having the towers. Mr. Story agreed.

Ms. Eggleston stated had a check list of items to go through and she asked if they had that list and everything that has been completed except the final design. The Clerk responded no. Vice Chair Heber agreed and stated he has to get past this Board to go on to other agencies.

Mr. Story stated it will be pretty much on grade except on the mainland, they need to raise the abutment to get a little more height, the abutment will be under the ground so you are not going to see them except the top of them.

Mr. Reinemann said the intent would be for this board to approve it pending seeing the design after all the other permitting agencies. Mr. Story agreed, after he gets a conceptual approval here, he has to go to DEC, Corp. of Engineers and Office of General Services, there is a unified application they have and they will have a hearing and finalize it. Mr. Reinemann reiterated the intent is to get this Board to approve prior to all that, Mr. Story said yes, the Corp. of Engineer wanted to make sure the Town was ok with all that before they started work on it.

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Mr. Phillips stated the final plan will show the height of the river, the dead men on either side and the dimensions of the dead men, one question he asked the Town attorney is whether the information they provided to the ZBA gets imported into this hearing or should they specifically extract that information and put it into this record. Mr. Brennan, Town Attorney, stated he would defer that to how the Planning Board wants to handle that as to what they want to see and what their comfort level is; his suggestion to them is to ask it be separately submitted. Mr. King stated he was ok with that, Chair Martindale reiterated they have to look at that before they can make a conceptual decision. Mr. King said they are still going to come back and submit a conceptual design to this Board. Mr. Brennan addressed Mr. Phillips and suggested they put it in the submission so this Board will have everything in the same spot to look at. Mr. Phillips stated they thought they would have it done before this meeting and he asked if there were anything else the Board wants them to provide for the next meeting. Vice Chair Heber stated what they really need is the design, layout of each side because they are looking at it as shoreline overlay, they are not looking at building it or approving the design. Mr. Reinemann interjected visual impact is a big thing on the shoreline, he would like to see an elevation view of both ends to see the grade impacts and what it looks like in terms of the profile. Vice Chair Heber stated they will also need that for other agencies, Mr. Reinemann added and where it is located on the site. Mr. Phillips agreed.

Ms. Rippon Butler asked if the highlighted items were submitted or is that what they are talking about now, such as the sediment control and PCB's, Mr. Phillips asked where the list was, the Clerk explained she highlighted items in the meeting minutes and she could give him a copy. Mr. Phillips agreed. Ms. Rippon Butler asked what this Board should be approving before they received the material, Vice Chair Heber said the approval would be contingent on DEC and the other agencies, this Board's approval would not be the final approval until he gets everything done. Ms. Rippon Butler reiterated that this Board is giving an approval to go get those things done. Vice Chair Heber agreed and added that once this Board gets the layout and design, they can look at the impact to the shoreline overlay district.

Mr. Reinemann stated this Board may not take lead on SEQRA, State Environmental Quality Review Form DEC or Army Corp. of Engineers may. Vice Chair Heber replied no, Ms. Eggleston interjected she thought they told this Board to do it. Mr. Brennan said he would look into it, but they are not going to take lead agency, and then he asked if it were a type 1 or unlisted action. Discussion ensued.

Mr. Brennan stated he thinks this Board is thinking a conditional approval based on plans being submitted and the SEQRA review then there will be conditions in the approval based on OGS and other agencies for all the permits they need, he said he does not believe this Board is saying go get the permits and come back for a subsequent review. Vice Chair Heber agreed. Mr. Brennan clarified that if the design is presenting showing details of the site plan and profile views, details and location then this Board will issue a conditional approval saying they are granting the approval subject to you getting all the permits from the involved agencies it won't come back after they get the permits, it will be done with the conditional approval. Mr. Reinemann stated and the SEQRA, State Environmental Quality Review Form, Mr. Brennan responded that will be part of the conditional approval, they have to comply with SEQRA, and he will have to look and see if this is a coordinated review or uncoordinated, he believes he said it was an unlisted action and they have to comply with SEQRA with any approval they give. Mr. Brennan then stated he needs to look at it and see if it is a coordinated review or uncoordinated, he stated he believes it is unlisted action and they have to comply with SEQRA with any approval they give. He then added it needs to be a long form and he will check with the Zoning Board to see what they did.

Ms. Rippon-Butler stated part of that is what the bridge will look like, Mr. Brennan said they need to submit whatever, the Board asks for, renderings or information of what it will look like from various view point, he advised the Board if they wanted that to ask for it now. Mr. Reinemann added elevation views, Mr. Phillips that is

part of the site plan, they can also do an artistic rendition of what it will look like looking up and down stream from a boat. Mr. Reinemann explained when he says elevations, he wants to see a profile of the bridge showing each side to see the grading to be done and then a rendering on top of it. Mr. Phillips agreed. Mr. Brennan interjected the expectation is a regular site plan drawing that you are use to seeing when they get the design hashed out they will provide a site plan by an engineer or architect stamp, Ms. Rippon-Butler asked if they had determined if the River was similar to the Road, Mr. Heber that was Zoning, Mr. Brennan agreed that was handled at through the ZBA process and at this point it is properly before this Board for approval.

Mr. Phillips stated they will work on the information this Board is seeking and they would like to table this until the next meeting, the Board agreed.

Chair Martindale introduced a New Business application #0003-20, Omni Navitas Solar for 235 Wall Street.

Dan Csaplar introduced himself representing Omni Navitas the solar developer for this project and Civil Engineer, Eric Kenna of C & S Engineers, Syracuse NY.

Mr. Csaplar stated they are proposing a 5 mg watt solar array at 235 Wall St, it generates 5 mega watts of renewable electricity, Omni Navitas specializes in constructing solar arrays at no cost to the landowner, they have gotten approval in NY and Massachusetts. He said consumers of this electricity will receive up to a 10% reduction in their electricity bills, this array itself could power up to 750 homes, the next step for them is to go through the permitting process with this Town. They have already received confirmation from National Grid there is enough capacity on the 3-phase wiring that runs along Wall St they can connect to. They try to be as minimally invasive as possible, solar arrays will be single axle tracking panels, to increase the efficiency of the panels they will tract the sun East to West. The arrays themselves will be pile driven into the ground, when the 25 year lease period is up they will take the panels out of the ground and restore the land back to it's original condition. They are proposing 2 alternate access roads, 1 is existing, gravel and the only cement would be under the transformer pads, currently there are 5 proposed on the site plan, the construction process takes 3 – 6 months and after it's constructed it will just sit there and generate electricity. Operations maintenance teams will be sent out about every month or 2 to mow the grass, clean off the panels and check everything.

Mr. Kenna explained; the 2 access routes, National Grid requires access on the South end and they will place 5 or 6 poles to get the electricity transition from the solar to National Grid, they need a turn around for their trucks to access the pole line, they didn't want their maintenance crew going in and all throughout the stream area and wetlands, that access will be for National Grid and Omni Navitas plans on using the existing road from the North it has existing culverts and they don't have to worry about the streams they will use the existing crossings, the panels are trackers so the rows run North and South, they landscape flat about 4 or 5' off the ground & max tilt is 7 – 7.5' off the ground. They will be doing a SWPP, Storm Water Protection Plan, once they get the layout the Board is good with, right now they show 90' setback but will change it to 100' as required for the fence. Right now they are proposing a row of plantings where it is most visible from the Road, evergreens. IF there is something else the Board wants, they are happy to listen and take into consideration anything the Board would like. He indicated on the site plan where the transformers will sit on concrete pads and he submitted photos of other sites and of this site.

Ms. McGarrahan asked if the access Rd on the plan was the existing one to the North, Mr. Kenna said yes and there are pretty good culverts existing as well, they looked at placing the arrays at different locations of the site but that would have entailed creating crossing for the stream and wetlands.

Chair Martindale stated the lot is 109 acres and asked how much coverage were they proposing? Mr. Kenna

discussed the lot, a big part has steep slopes and he indicated the proposed locations of the 3 sets of arrays, the total disturbance is 34.5 acres, includes fence, proposed trees, concrete pads and the arrays as the whole foot print, the reality is people say they can put them in the ground with pile driven racks and that is not a disturbance, that is not how they do it, you can't build it without disturbing the land, everything inside the 3 fenced areas and the trees they are planting all count as disturbance, it's 34.5 acres. He explained for the lot coverage they look at the footprint of the rows, footprint of the pads and actually the footprint of the panels, they are not counting the space in between the rows, that will be 16' between each row, the panels are 6.5' wide, 16' space and another 6.5' panels, the panels themselves count but the spaces in between and driveway around the outside the fence they don't count because that's open grass field and they are not adding an impervious surface in there so the lot coverage is under 10 acres, actually 9.68 acres. They differentiate between coverage and disturbance; it will be disturbed as they build but after they will plant grass or hay and it will be mowed about twice a summer to get the grass down around the panels but it doesn't have any impervious surface.

Mr. Reinemann asked what the size was of a single panel, Mr. Kenna responded an array is one rack, and a single panel being roughly 3.5' x 6.5'. Mr. Reinemann asked how tall, Mr. Kenna said 6.5' tall, they lay flat on the racks, the racks are basically tube steel that goes right down the center, they rotate back and forth, there is a motor that moves the entire rack together. Depending on the actual racking they buy, he has seen them at 270' long in one run and the motor turns the whole thing together. Also depending, some will be shorter than others as they come off slopes and around the banks but basically, they will rotate together.

Mr. Reinemann reiterated they are rotated upright, Mr. Kenna responded yes about 6 or 6.5' and about 4 – 4.5' flat, the fence will be 8' and 7' is the requirement. Mr. Reinemann asked what kind of fence, Mr. Kenna said typically it is chain, he has seen square box wire but no barb wire.

Chair Martindale asked about delineation of the wetlands, Mr. Kenna said they will be doing delineation of all the stream areas and they have to topo, the Army Corp. of Engineers will make a determination if there are areas they will require a permit. Chair Martindale asked if the transformers have any PCB's, Mr. Kenna said they are the same as the ones National Grid uses. Ms. Rippon-Butler asked if they had something to show the fence, Mr. Reinemann stated it looks like each array will have a fence. Mr. Kenna said he did not have anything to show but it will probably be chain link and around each section so it leaves the land in between to be used still. Mr. Reinemann reiterated around each grouping; Mr. Kenna agreed.

Ms. McGarrahan asked if the conduit will be under ground, Mr. Kenna said it does not have to be throughout the array, most will be along the road, underground throughout the site but not in the stream, they don't have to trench up and down every aisle, only to the racks and then make the transition underground. Chair Martindale stated that would be considered a disturbance, Mr. Kenna said yes if there is a trench, for disturbance purposes they included everything inside the fence.

Ms. McGarrahan asked about lighting on the site, Mr. Kenna said at the gate of each array, but no constant lighting, only if there is a problem and maintenance needs them. Ms. McGarrahan then asked if there would be any noise from it, Mr. Kenna said no noise, it is similar to what you hear from other transformers, the motors don't make noise, maybe just a low hum. Mr. Brennan asked if the lighting could be switched from motion sensor to spring wound timer, Mr. Kenna said yes. Mr. Brennan added someone will complain that the motion sensors get set off by something besides people, he is use to seeing spring wound timers, the technician shows up and 10 or 15 minutes later it shuts off, the tech can keep it on but if they leave it will wind down and shut off.

Ms. Rippon-Butler wanted to clarify they are getting a special permitted use and it happens to be limited to 20% of

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the total lot coverage? Mr. King asked if she was asking if it were 20 or 30% coverage? Ms. Rippon-Butler said yes, clarifying what they are looking at is a special permitted use. Mr. King said it is in the Town Law, this is the first solar array they have to look at. And asked if the Board has method to determine the lot coverage, is it spelled out in the Law, he asked how is it calculated? Mr. Brennan stated he will have to look at it and see what it says about that, there is a fairly recent amendment to the solar regulations that was added around 2016 or 2017, discussion ensued on determining the lot coverage. Mr. Kenna stated when they see coverage like this, they determine the impervious areas. Mr. Brennan stated if a panel is 3' x 6' and it lays flat that's 18 sq. ft of coverage, and if you have 16' of grass between them Mr. Kenna is saying that is not considered part of the 20%, MR. Brennan stated he would look into that and get back to the Board.

Ms. Eggleston referenced Mr. Colozza letter and asked if the list outlining things that need to be submitted have been received. Mr. Colozza said not everything, he was looking for a lot more of the dimensions of what is going into the site and not just the setbacks, basically there is a map with the setbacks but it's not telling the distance for roads, unless they are driving on grass that the farmers are using, if they are putting in a road for trucks to turn around on there will be stone and it's counted against the total coverage, need the road width and depth into the lot listed. Mr. Kenna agreed and said they indicated it stating it is included in the coverage, Mr. Colozza said it needs to be on the plot plan so they can calculate it, he said he is not distrusting anyone but they need to see all the dimensions of everything, the transformer is it a 6' x 8', is it 4' out of the ground. Discussion ensued on the plot plan and missing information needed for compliance with the Solar Law.

Ms. Eggleston asked if there was a plan for decommissioning? Mr. Colozza said yes, it should be in your packet, Mr. Brennan stated Mr. Colozza letter was dated June 23 and then there was another submission from Omni Navitas. Ms. Rippon-Butler asked if they could see pictures of other projects similar to this? Mr. Brennan suggested a list of any near by ones within driving distance the Board may want to look at, Mr. Kenna agreed.

Mr. Colozza asked what transfer station they were going through for the phase 3? Mr. Kenna stated he would have to look that up.

Mr. Heber asked about the AC/DC conversion from the panels, Mr. Kenna stated the panels are D/C and converted to A/C before it goes out to the grid. Mr. Heber asked if the conversion was on the panels, Mr. Kenna explained off, wiring throughout the arrays and every so often there is a inverter to make the conversion. Mr. Dan interjected the substation is Weibel Ave, Saratoga.

Chair Martindale asked the lifespan of the panels, Mr. Kenna said the rule of thumb is they decrease in efficiency by a % each year, by the end of 25 years it drops to about 75%. Discussion ensued on replacement of the panels as technology creates more efficient ones. Ms. Rippon-Butler asked what happens to the old panels if they are recycled, Mr. Kenna said it is in the decommissioning plan and they are recycled.

Mr. Kenna then stated he would like to discuss with the Board what they would like to see and move on to the SEQRA, State Environmental Quality Review and public hearing. Chair Martindale stated first they would like to see the coverage, in the Town's Solar Law it cannot exceed 20%, so if you have 100 acres and take out 20 acres to use 80 acres should remain, looking at the topo it looks more like they are using 75 to 80 and only 20 is left. Mr. Kenna said the map displayed is not showing the entire parcel, they made it to a scale the Board could see everything inside the fence area which is at 36%, they are over the 20%.

Ms. Rippon-Butler asked how taxes were affected, Dan stated as the developer Omni Navitas will take any increase the landowner sees and they also pay the taxes on the entire array. Mr. Brennan explained they will

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partially lose the ag exemption and there is a roll back or pay back of 5 years, they will take care of that, the next step under 489 of the Real Property Tax Law they are exempt from taxation unless the taxing entity opts out and says they are taxable. Mr. Heber asked for clarification. Mr. Brennan explained; it is subject to a "PILOT", Payment in Lieu of Taxes, unless the community opts out and says it will be taxed at full value, Northumberland has not opted out nor has the School District or the County, it is subject to tax exemption, they have notified us of their intent for the project and now it's up to us to notify them we are going to require a "PILOT" agreement, our Town Assessor, Walter Smead is also the Assessor for Clifton Park and he has done about 4 of these so he has the idea how to do the "PILOT". He explained NYSEDA has a chart that tells what the taxes are per megawatt, Dan agreed with him and added NYSEDA has a good site online to calculate taxes to split between Town, County and School. Mr. Heber asked if there is a Law that says they have to do so many applications, Mr. Brennan said yes, Mr. Kenna said basically they have to notify them they are taking land out of AG use.

Mr. Reinemann stated there is no grading plan and asked if the arrays were on the hillsides, Mr. Kenna said yes and you can see the lower end from the street. Mr. Reinemann added he would like to see the screening especially in and around the houses. Mr. Kenna indicated the screening on the plot plan and where they stopped there is a natural existing tree line. Mr. Brennan asked what is on the backside, Mr. Kenna stated more homes, but there is the existing tree line and they are planting a row of trees.

Chair Martindale asked what the elevation of the houses on the backside was, they overlook the vally now, she asked what kind of impact will be on those neighbors, Mr. Kenna said they have to look at the elevation. Mr. Reinemann stated he would like to see a grading plan to see if the trees are down low and how effective they are at screening. Mr. Kenna indicated a big knoll and said they didn't want to do full grading and "SWPP", Storm Water Protection Plan, until they had some idea on the design.

Mr. Brennan stated Charles Baker, Engineer from EDP on behalf of the Town sent a memo and when the board is ready they should discuss the next steps and expectations and what the preference is for the next steps and what the Board would like us, as Attorney and Engineer, to do for the Board in advance of the next meeting.

Chair Martindale asked if there were any questions, Ms. McGarahan stated the North side elevations look pretty flat and asked what the plan for screening was there, Mr. Kenna said they didn't have any because of the natural tree line.

Chair Martindale stated the Board would like clarification of what is included with the coverage on the plan and if anybody else had any concerns or what needs to be addressed, Mr. Heber stated everything in the memo from EDP needs to be addressed. Mr. Kenna said his list included; sheep grazing, spring light timers, "SWPP", roads, pictures of the arrays and lot coverage specification. Mr. Heber asked if there was going to be any grading or if it was just setting poles, Mr. Kenna said the racks can handle typically 15% slope North – South, anything over that and they have to do some grading, they are trying to avoid the slopes, East and West they can tolerate a lot more. He added that from the Stormwater standpoint they are working with DEC, grades between 10 & 15% have to consider that and the impervious area. Even though they tilt and will disperse the water the water will be running down, once they get the final lay out, they will address all these things. Mr. Heber said that will be a big part of what they approve and how much disturbance at this site. Mr. Brennan asked if they submitted a Full EAF, Mr. Kenna said yes and Dan asked if the Board was willing to begin the SEQRA process, Mr. King responded the Board is not prepared to do that just yet, there are additional questions that have to be answered.

Mr. Kennan asked if it comes back they are over 20% coverage that would then put them into a variance request, Mr. Brennan responded yes, Mr. Kenna stated he assumed that was handled by the ZBA, Zoning Board of

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Appeals, Mr. Brennan again agreed and added if after review He and Richard Colozza, Code Enforcement Officer, have concerns over the coverage Mr. Colozza would refer it to the ZBA. Mr. Kenna asked if this Board would still be lead agency on SEQR, Mr. Heber and Mr. Brennan responded yes, discussion ensued, Mr. Brennan stated they need to get the answer to coverage and then it will be determined.

Mr. Kenna discussed a project they did in Schodack that was similar and said they went to the ZBA for a PUD, the response from Army Corp of Engineers took 14 and ½ weeks, so they let them to the ZBA while they were waiting for the response from Army Corp. Mr. Brennan stated it is probably best this Board be lead agency whether or not they need a variance and how they get through the process can be discussed. He asked if the Board wanted Mr. Colozza to complete a review of all the new material and have Mr. Baker complete a more detailed review and then come back next month, in the meantime he, himself, can go through the legal aspects, each may put a report together and see if the Board is in a position to declare themselves lead agency and circulate the notice to the involved agencies. Chair Martindale asked if there were any questions or comments from the Board, none were noted, she then stated they will table this application and wait for additional information. Mr. Brennan said he and Mr. Baker would be present at the next months meeting and after that the Board may request him to attend meetings.

Chair Martindale asked about Application # 0006-19, Adam Schweikert, Mr. Colozza stated they need to make sure it is buildable and the idea of subdivisions is to make sure they are buildable, either this Board asks for it or the ZBA will. Ms. Eggleston asked if it had enough space between the well and septic's, Mr. Colozza stated they did not know, they were not located on the map. Discussion on the date of the application, the delay in review and what was missing from the map. The Clerk stated the applicant was not ready to proceed.

Mr. Brennan said Mr. Colozza could write them a review letter telling them what is missing and put it on next months agenda, Mr. Colozza agreed.

Chair Martindale asked if there were a motion for the March meeting minutes.

Ms. McGarrahan made a motion to accept the March minutes,

Mr. Heber 2nd the motion,

All in attendance unanimously agreed.

Mr. Reinemann made a motion to adjourn the monthly meeting at 9 pm,

Mr. Heber 2nd the motion,

All in attendance unanimously agreed.

Respectfully Submitted,

Tia Kilburn, Planning Board Clerk