

PLANNING BOARD - TOWN OF KNOX - ALBANY COUNTY

P.O. Box 56, Knox, N.Y. 12107

Established 1822

PLANNING BOARD MEETING MINUTES

Minutes: 11 May 2017

Present: Bob Price, Bob Gwin, Tom Wolfe, Brett Pulliam, Betty Ketcham, Travis O'Donnell, Deb Nelson

Meeting was called to order at 1935.

1. Minutes from the April 2017 meeting were reviewed and approved with no modifications.
2. **Public Hearing: Gillenwaters Subdivision-Knox Cave Road**
 - a. David Gillenwaters addressed the Board regarding a planned subdivision of two parcels of his property on Knox Cave Road near Wilty Road. Mr. Gillenwaters notified 14 neighbors by registered letter; he provided the Board with receipts of 12 signatures and two returns. The audience and Board expressed no concerns with the subdivision. Mr. Gillenwaters did not have the Mylars yet but when ready, he will contact Bob Price to have them stamped.

Brett Pulliam made a motion that the Board approves the proposed minor subdivision. Tom Wolfe seconded the motion. There were 7 Yea: Bob Price, Tom Wolfe, Brett Pulliam, Betty Ketcham, Travis O'Donnell, Bob Gwin, Deb Nelson and 0 Nay.

3. Public Hearing: Community 2.0 / Vesta Community Housing

- a. Jared Pantella, civil engineer and Steve Longway, electrical engineer for Labella Associates and Justin Beiter of Community 2.0 attended the meeting prepared to discuss the solar array project with the public. They opened the public hearing by conducting a project presentation on the proposed solar installation.
 - i. North Country Ecological visited the site with the Army Corps of Engineers on 8 May 2017.
 - ii. The proposed project will results in 9.8 acres of tree removal, 1.47 acres of scrub brush removal and .09 acre of wetland disturbance.
 - iii. The proposed project will be comprised of 6,570 solar panels on 365 solar tables with a 2.04 MW (DC) / 1.5 MW (AC) output. The access roadway is 20' wide and 1,650' long. A 6' black vinyl-coated chain link fence will start 450' off the road and stretch 3,290' around the solar array; it will include 6-strand, Y-shaped barbwire on top.
 - iv. The new turnaround plan includes a turnaround at the beginning of the property and at the end of the road. Labella will provide this updated plan to the local Fire Department.
 - v. Earthwork is required only for the access roadway and will require 7,700 CY of material (dirt and stone)—an estimated 770 truckloads.

- vi. The Decommissioning Plan will be initiated by a drop in production below 50% capacity. The plan includes removal of all structures including panels, racking systems, transformer and switchgear, fence, foundations, utility poles, the gravel access roadway and the replanting of trees and shrubs to allow the site to revert to its native condition.

b. Public Comment

i. Mitchell Lustig, 1228 Berne Altamont Road

- a. Stated that views from his property and elevation were not included in the presentation. His main living areas are located on the second floor of his home.
- b. Stated that Labella did not visit his property.
- c. Stated that the proposed project, while located in a residential area, does not “feel” residential and noted that “no one will be residing there”.
- d. Inquired as to the rules for protection of local wetlands.
- e. Inquired as to the process and criteria for special permitting.
 - 1. The Zoning Ordinance is posted on the town website and includes criteria for special permitting under the Site Plan Review process.

ii. Bob and Carly Digeser, 1264 Berne Altamont Road

- a. Requested clarification on setback and allowable use in a residential zone.
- b. Requested a better map of the fence line around the array.
- c. Requested total acreage of “affected” property out of the 32.5 acres that will be purchased by Vesta Community Housing.
 - 1. 13.3 acres including the fence line.
- d. Commented that residents do not have all the information necessary for the public hearing; Labella has said they will provide or they are still investigating.
- e. Commented that Labella did not visit their house as indicated during the last meeting. They would like to have elevated view of the project site done from their house.
- f. Inquired as to whether construction techniques will impact wetlands.
- g. Inquired as to who will benefit from the power of the solar array.

iii. Kathleen Minucci, 1690 Township Road

- a. Inquired as to Vesta Community Housing’s relationship to the project.
 - 1. Vesta has owned the land since 1988. This project will not impact the existing buildings. Vesta is negotiating to sell the property to the developer.
- b. Inquired as to how the project will affect the town of Knox. Will residents benefit from the energy or receive a discount from National Grid?
 - 1. Benefit to the Town will be in the form of a PILOT (Payment in Lieu of Taxes) negotiated with the Town Board. There will be no public hearing for the PILOT.

2. Guilderland School district will also benefit from the project.
- iv. Evan Johnson, 1924 Berne Altamont Road
 - a. Inquired as to the approximate cost of the build.
 1. Approximately 6.5 to 7 million dollars.
 - b. Inquired about the Decommissioning Plan and whether the money will be available to dismantle the site.
 1. There will be a bond in place so money necessary to decommission the site will be set aside with an escalation cause based on cost of living and the Town of Knox will be listed as the beneficiary.
 - c. Inquired as to whether an archaeological survey has been done on the proposed site.
 1. SHPO (State Historic Preservation Office) has cleared the property and provided a “no effect” letter.
 - v. Jeff Perlee, 1189 Berne Altamont Road
 - a. Expressed concern for potential that project is not in accordance with the Zoning Ordinance and is inconsistent with surrounding uses.
 - b. Stated that Labella did not visit him and no viewpoint image has been prepared for his property.
 - c. Inquired as to whether the Board is aware of other towns that are willing to issue Special Use Permits for solar arrays in residential areas.
 1. The Planning Board reviewed other local town ordinances when updating the Zoning Ordinance as it relates to both small and large-scale solar arrays.
 - d. Urged the Board to consider whether the granting of a Special Use Permit for a commercial project is justified in a residential area.
 - vi. Gary Grotti of Delanson
 - a. Stated that the local residents will incur increased delivery fees and cost of energy since the transmission cost for National Grid will rise.
 - vii. Fran Porter, 1119 Berne Altamont Road
 - a. Stated that there is already significant noise pollution at her residence that will increase during construction; however, she is a proponent of renewable energy and the solar array will result in less transport of fossil fuel. She expressed her support for the project based on what she has learned in the recent meetings and thanked the Board for transparency during the process.
 - viii. Suzanne Hale, 1263 Berne Altamont Road
 - a. Inquired as to what type of air quality testing will be done throughout the construction process.
 1. The DEC has guidelines for construction activities and will need to be adhered to in order to obtain the permit.
 2. SWPPP (Storm water Pollution Prevention Plan) includes dust control. Labella will be required to prove to the DEC that there will be adequate dust control before the permit is

- issued. Labella plans to use water to keep the dust level at a minimum.
3. A DEC-trained representative will visit the site once a week to make sure that standards are being followed. The representative issues a weekly report that Labella agreed to provide to the Town. The Town Clerk will post the weekly report on the town website for public viewing.
 - b. Stated that current viewpoints are not representative of the view from their house as it sits at a higher elevation. Viewpoints were created from the base of their driveway, which is at street level.
- ix. Joe Breitenbach
- a. Stated that the project does not fit the location. It is not an ideal property, would be located on residential land, not “a hayfield” and will required a chain-link, barbwire fence on forested land. He pointed out the mission statement of the Planning Board and asks the Board to really consider the project, as it “does not fit on the mountain”.
- x. Rick Fortune, Town of Knox Fire Commissioner
- a. Inquired as to the height of the panels.
 1. 7.5' high maximum
 - b. Indicated that the Fire Department received a letter asking for comments, questions and concerns. The Fire Department responded and requested verbal confirmation that it was received by Labella.
 1. Labella has received and has not yet responded.
 2. The new turnaround plan includes a turnaround at the beginning of the property and at the end of the road. Labella will provide this updated plan to the local Fire Department.
- xi. Laura Martin
- a. Stated that the Planning Board is a “go green” group and the Board rejected the business district by the Highlands but is willing to put up a chain-link fence for this project.
- xii. Kathy Johnson, 1093 Berne Altamont Road
- a. Inquired as to the rate of return on the notices as she noted that many neighbors were not present.
 1. Jared Pantella stated that in addition to the first rounds of mailings, he also sent 12 certified notices to the residents that attended the last meeting and provided their name/address. He received 10 return receipts and two indicated that the owner was notified but had not yet been picked up yet from the post office.
 2. In addition, Jared Pantella utilized a service offered by the USPS to mail cardstock fliers to 1,000 residents along the postal routes Rural 1 and Highway 1. This also included residents that have P.O. Boxes in Altamont.

Deliberation and voting on the Community 2.0 solar array will take place at the June 2017 Planning Board meeting and will be open to the public. They will consider all public

comments when making their decision. The Board thanked the audience, expressing appreciation for the turnout and stated that this is the kind of involvement that the Town needs. There is a lot to consider based on the concerns expressed by the residents and Chairman Price invited the audience to send any pertinent information to him directly before the June meeting deliberation.

Betty Ketcham made a motion that the meeting be adjourned. Brett Pulliam seconded the motion. There were 7 Yea: Bob Price, Tom Wolfe, Brett Pulliam, Betty Ketcham, Travis O'Donnell, Bob Gwin, Deb Nelson and 0 Nay.

Meeting adjourned at 2138. Next meeting - Thursday, 8 June 2017 @ 1930.

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