



Town of Knox Planning Board

Established 1822

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Minutes: June 8, 2023

Present: Todd LaGrange, Ed Ackroyd, Betty Ketcham, Deb Nelson, alternate member Deirdre Keating.

Absent: Bill Pasquini and Kurt Johnson.

The meeting was called to order at 7:32 PM.

Ed moved to approve the May 18 meeting minutes with the next meeting date corrected to be June 8, rather than June 15. Todd seconded and all approved.

Chris Ross of RIC, representing the Knox II solar project at the Koch property, reported that they are in the final stages of negotiations with the town. They expect to begin construction in 2024 or perhaps sooner.

1. RIC revised their cost estimate for decommissioning, as requested, and they commit to a seven year cycle for revisiting the associated bond amount. Todd expressed concern that salvage markets may not exist or pay enough in future years, so periodically revisiting the bond amount will be necessary. Silicon wafers are not recycled now, but new markets could emerge in coming years, and metals and other materials used in solar arrays can be recycled. Chris presented a detailed list to explain the revised bond amount of \$146,588.50 to reflect the estimated net cost of disassembly and disposal, plus site restoration, minus salvage costs. Todd suggested two more years be added to the life of the project for site restoration, from 35 to 37 years, but it is too late to make that change. He asked if the application needs legal review. Town attorneys have not reviewed applications to the planning board in the past. RIC will present their revised proposal for the decommissioning bond to the town board.

Betty moved that the planning board accept the condition that the decommissioning bond be revisited every seven years and that \$146,588.50 is the current bond amount. Todd seconded and all approved.

2. Chris reported that there were two clerical errors in the original SEQR Part 1, which have been corrected, that refer to the array being on fixed racks, when it will be a single axis tracking system. Since the planning board already agreed to the single axis tracking system, no action is needed.

3. The Tennessee Gas Transmission Pipeline, which Chris said has been decommissioned for some time, passes through the area near the proposed project parallel to Koch's driveway and crosses under Thompsons Lake Road. RIC used ground penetrating radar to locate the pipeline and they plan to move

their eastern fence line in 5 feet to provide more clearance to avoid the pipeline right of way. This is a minor change that is not material.

4. RIC asked about an expiration date on approval of their site plan. The zoning ordinance makes no mention of expiration date for site plan approvals, so no expiration date will be enforced.

5. RIC made an agreement with Chris Kryzak for their screening plan to encroach on the Kryzak property. Chris Kryzak sold the property in March 2023, so RIC will make the same offer to the new owners of the property. RIC will ask the assessor for contact information for the new owner.

Deb provided updates on the other, pending RIC solar project (at Thompsons Lake and Old Stage Roads) application:

1. The application package, including public comments and RIC responses, was sent to the Albany County Planning Board (ACPB) for review and approval. It is on the agenda for their meeting at 3:30 pm on Thursday, June 15 at the Albany County Department of Public Works, 449 New Salem Road in Voorheesville near the high school. The meeting is open to the public. Deb plans to attend.

2. Deb read two more public comment letters that were submitted. Copies will be distributed to planning board members, RIC and the Albany County Planning Board:

Verna Chapman of 1727 Thompsons Lake Road expressed her opposition to the project, citing the "cost" of cutting down 22 acres of trees, possible problems with the water shed that crosses her property, a 100 foot elevation change, bad soil/silt and rocks and uneven land. She suggested requiring a bond that would be increased every 5 years to decommission the project if it is approved. She said if "sold, the town has right to approve or veto."

William and Donna Coton of 243 Old Stage Road expressed their concerns and disapproval because the Whipple array has been built and the Koch and Street Road arrays are underway. They said the Whipple site is appropriate, but cutting down 22 acres of trees does not make sense, as "forests absorb CO2 forever and solar arrays last short term." They are concerned about impacts of deforestation/water runoff and visibility of chain link fencing and gates on the property values of neighbors. They believe "the destruction, or at least compromise, of the rural aesthetic character of the hilltown we all love... will negatively impact the visitors approach to Thatcher (sic) State Park." They ask if "the town's monetary gain" is worth these impacts. They said "There are numerous other more appropriate sites in the town and you know requests for future solar projects will be forthcoming. You don't have to approve every proposal."

3. Deb said the planning board will vote on whether to approve this application at the July 13 meeting after the members receive feedback from the Albany County Planning Board. This will be their first vote on this project because it is a new application, separate from the previous application for a similar project in that vicinity. A super majority in favor of the proposal will not be needed for approval unless the ACPB votes against approving it.

Because Tom Wolfe has resigned, the planning board now has only six members and an alternate. Bill Pasquini and Kurt Johnson have not been attending meetings, making them eligible for town board action to remove and replace them. The other four members and alternate member Deirdre have been attending meetings and can cast informed votes. Four of seven members are needed for a quorum. Deb will confirm the necessary number (3 or 4?) needed for approval of a motion if only five of seven members are in attendance.

Deb announced that she has received notice from a resident who has interest in applying for the position Tom resigned. Per discussion among the members in attendance, she will request the town board consider appointing this applicant and taking action to remove Bill and Kurt to make room for two more new members who can commit the time that is required.

Deirdre moved to adjourn, Deb seconded and all approved.

The meeting adjourned at 8:20 PM.

The next meeting will be held on Thursday, July 13, 2023 at 7:30pm

Respectfully Submitted by Amy Lauterbach Pokorny, filling in for Planning Board Minutes Recorder vacancy