

MINUTES OF THE PLANNING BOARD JUNE 21, 2023 - TOWN OF KINGSBURY

Members present: Robert Dingman (Chairman)

Les Macura

David Gauci

Randy Weaver

Todd Murphy

Planning/Zoning Administrator: Todd Humiston

Kingsbury Town Attorney: Jeff Meyer, ESQ.

Excused: Tim LaSarlo, Randy Getty, Karen LaRose

The meeting was called to order by Chairman Dingman at 7:00 PM.

Roll call of all members and officials.

Chairman Dingman entertained a motion to approve the minutes of March 15th, 2023. On a motion by Randy Weaver, seconded by David Gauci, the minutes of the March 15th, 2023, Kingsbury Planning Board meeting were approved.

AYES: 5 NAYES: 0 ABSTAIN: 0 MOTION CARRIED

Chairman Dingman introduced **Gary Wells of GW Paving Inc.**, Owner of Tax Map 129.2-6.1, commonly known as 4049 State Route 4 in Hudson Falls, located in Zoning District COM1A Commercial, who is seeking Site Plan Approval to construct a 50x70 metal garage on a concrete slab for commercial use.

Mr. Wells stated that the proposed storage building will be metal with wood-framing and four foot frost walls on a six foot slab with a crushed stone parking area around the building.

Mrs. Wells stated that DOT has approved the plans. She noted that there are currently no plans for signage, septic, floor drains or employees.

Chairman opened and closed the public hearing at 7:06 PM with no comments or questions from the public.

The short Environmental Assessment Form was reviewed by the Board Members and David Gauci made a motion determining no negative impacts and Les Macura seconded with all others voting in favor.

AYES: 5 NAYES: 0 MOTION PASSED

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Chairman Dingman stated that there should be downward facing outside lighting and no outside storage. He noted that the building plans will need to be approved by the Kingsbury Code Enforcement Officer.

On a motion by Randy Weaver, seconded by Les Macura with all others voting in favor, the site plan was approved.

AYES: 5 NAYES: 0 MOTION PASSED

A full copy of this resolution is hereto annexed following these minutes.

Chairman Dingman stated that there will not be a Planning Board public hearing for Kruger Energy until after SEQRA is approved and the Zoning Board of Appeals approves the variance.

Mr. Michael Frenette, representing **Kruger Energy**, stated that they are interested in building a 5 MW AC solar farm at 249 County Route 41 and reviewed their previous information from the March Planning Board meeting.

Mr. Frenette added that a single-axis tracker will be used to direct the panels towards the sun and construction will last six to eight months. He noted that the SWIFT is in the process of being completed but is not available for Planning Board review at this time.

Chris Koeny, representing CT Male Engineers, stated that they have achieved the dimensional standards and DEC storm water regulations, as well as providing substantial setbacks, planning of vegetative buffers, and adding a pervious gravel surface for the access road. He reviewed layouts showing contours and elevations, landscaping plans species selections, perimeter fencing, and the access road map. He noted that the County Planning Agency is not allowing any curb cuts off County Route 41.,

Mr. Frenette stated that half of the site is zoned as Residential Forestry and not suitable for farming or urban subdivision. Five acres of prime farmland on the site will be preserved for the existing hay production.

At the request of the Board Members, Mr. Frenette stated that he will provide safety data, tech sheet, and recyclability of the panels and decommissioning plans.

Mr. Meyer stated that the Town of Hartford's residents complained of noise and vibrations from posts being pile-driven on a solar project on Route 196 where construction was longer than advertised and was performed during the weekends.

Mr. Frenette stated that ground screws could be used for this project although they go slower.

Chairman Dingman requested that the plans be reviewed by the Kingsbury Engineer at Kruger's expense. He noted that gradient drainage plans and a New York State endangered species letter for that area are also required.

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Mr. Frenette stated that they will be requesting a Town PILOT for the project. He noted that an Engineering Procurement Company will be responsible for hiring crews and local labor is preferred. He estimated approximately 20-50 employees will be hired for the construction of the solar farm at prevailing wage. He also stated that Kruger Energy will be paying for some of the Burgoyne substation upgrades, and area residents will be able to receive up to a 10% discount on their electricity bills.

Chairman Dingman stated that the SWIFT needs to be submitted by Kruger Energy before the Planning Board can analyze the SEQRA.

Randy Weaver asked what would happen to the access road should the owner decide to sell the house and Mr. Frenette stated a new road would need to be built elsewhere. Mr. Koeny stated that the Planning Board could overrule the County recommendation with a super majority vote to allow a curb cut subject to Highway Department approval.

There being no further business to discuss, Les Mecura made a motion to adjourn, and David Gauci seconded. With all voting in favor, the June Kingsbury Planning Board Meeting was adjourned at 8:07 pm.

Alie Weaver, Planning Board Secretary