

**TOWN OF CLINTON
PLANNING BOARD MEETING
FINAL MINUTES
May 7, 2019**

MEMBERS PRESENT

Art DePasqua, Chairman

Jack Auspitz
Justin Carroll

Paul Thomas

Secretary – Arlene Campbell

MEMBERS ABSENT

Gerald Dolan

Tracie Ruzicka

ALSO PRESENT

Eliot Werner, Liaison Officer

Chairman DePasqua called the meeting to order at 7:30 pm.

VARIANCE APPLICATION:

None

PUBLIC HEARING:

Primrose Hill Farm Site Plan for a Ground Mounted SES – property located at 203 Fiddlers Bridge Road, **Tax Grid No. 6367-00-158739.**

The applicant wishes to install a Ground Mounted Solar Energy System.

Lea Springstead of SunCommon was back before the board on behalf of the property owner. She explained that they are proposing to install a 9.8 kW (DC) Ground Mounted SES. It will be comprised of 28 (350 watts/piece) solar panels, measuring 46'02" x 12'6" (579.91 square feet), 10 feet high. She added that the proposed array will be screened by pre-existing vegetation consisting of hardwood and evergreen trees. These arrays will not be visible from the road.

Mr. Auspitz motioned to open the public hearing, seconded by Mr. Carroll, all Aye, Motion carried, 4-0.

Hearing no comments from the public, the board agreed to close the public hearing. Mr. Auspitz motioned to close the public hearing, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

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APPLICATIONS:

Primrose Hill Farm Site Plan for a Ground Mounted SES – property located at 203 Fiddlers Bridge Road, **Tax Grid No. 6367-00-158739.**

The applicant wishes to install a Ground Mounted Solar Energy System.

Lea Springstead of SunCommon was back for the conclusion of her application. She recapped what had transpired at the previous meeting.

Chairman DePasqua asked for questions and comments from the board.

Mr. Carroll stated that the board needs to declare lead agency.

Mr. Carroll motioned that the Town of Clinton Planning Board approves the following resolution:

Be it Resolved, that the Town of Clinton Planning Board hereby declares itself lead agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617, in the matter of Primrose Hill Farm Site Plan Review Application to allow installation of Ground Mounted Solar Electric System on property located at 203 Fiddlers Bridge Road, **Tax Grid No. 6367-00-158736** for this unlisted and uncoordinated action.

Seconded by Mr. Auspitz, All Aye, Motion carried, 4-0.

The board passed another resolution after reviewing the Short Form EAF.

Mr. Carroll motioned that the Town of Clinton Planning Board approves the following resolution:

BE IT RESOLVED the Town of Clinton Planning Board has determined that the **Primrose Hill Farm Site Plan Approval for Ground Mounted SES** on property located at 203 Fiddlers Bridge Road, **Tax Grid No. 6367-00-158736** will not have a significant impact on the environment; and

BE IT FURTHER RESOLVED the Town of Clinton Planning Board hereby issues a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act 6 NYCRR 617.6 (g) and in accordance with Article 8 of the Environmental Conservation Law.

Seconded by Mr. Thomas, All Aye. Motion carried, 4-0.

The board agreed to re-open the public hearing after two people showed up in the midst of a discussion.

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Mr. Carroll motioned to open the public hearing, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

Mr. and Mrs. Schimmelpfennig, 95 Rynders Road asked about the details of the proposed project. They want to know how their property is going to be impacted by this proposal.

Ms. Springstead explained her proposal and pointed out on the map the proposed location. She underscored that the proposed array will not be visible from the road.

The board agreed to close the public hearing. Mr. Thomas motioned to close the public hearing, seconded by Mr. Autpitz, all Aye, motion carried, 4-0.

Mr. Auspitz expressed his concern about the visibility from the Fiddlers Bridge Road. He suggested revisiting the issue if the visibility becomes a concern once the array is completed.

The board had a lengthy discussion about screening. Based on her experience from getting approvals from the other Towns, Ms. Springstead suggested that the Building Department will hold off on the issuance of the Certificate of Compliance until the Planning Board signs off. She added that she can mail letters to the surrounding properties once the array is up to get the public views.

The board exchanged opinions about screening enforcement if visibility becomes an issue in the future.

After all the discussions were made, the board agreed that a certificate of compliance will not be issued unless a clearance is issued by the Planning Board. Public hearing will also be re-opened if any concerns arise from the surrounding property owners.

The board passed a resolution.

Mr. Carroll motioned that the Town of Clinton Planning Board approves the following resolution:

WHEREAS, **Primrose Hill Farm** has applied for site plan approval to install a proposed ground mounted solar energy system (SES) to be constructed on a 108.7 acre site in an AR-5 Zoning District at 203 Fiddlers Bridge Road in the Town of Clinton, **parcel number 6367-00-158736**, application and site plan prepared by Suncommon/Lea Springstead, dated March 26, 2019; and

WHEREAS, the Town of Clinton has received a letter of authorization permitting Lea Springstead to represent the property owner; and

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WHEREAS, the applicants seek to install a 9.8 kW (DC), 579.91 sq. ft. ground mounted SES, as described in the submitted application, and which will service the residence on the referenced parcel; and

WHEREAS, Section 250-49A of the Town of Clinton Zoning Law provides that an applicant must submit for Planning Board review and approval a proposed site plan prior to installation of a ground mounted SES; and

WHEREAS, applicant has submitted a site plan showing the SES conforms to the minimum required setbacks in the Town of Clinton Zoning Law, and

WHEREAS, the Planning Board has concluded that, with respect to the specific facts of this application, the public health and safety will not be treated by the proposed action; and

WHEREAS, a completed Short Form Environmental Assessment Form has been submitted, the Planning Board has declared itself lead agency for this unlisted, uncoordinated action, and the Planning Board issued a negative declaration for purposes of Article 8 of the Environmental Conservation Law on May 7, 2019; and

WHEREAS, the proposed SES is otherwise in compliance with the requirements of the Town of Clinton Zoning Law and consistent with the Town of Clinton Comprehensive Plan; and

WHEREAS, applicants shall be required to obtain a building permit prior to construction and to comply with all applicable building and fire codes; and

WHEREAS, applicants have represented that the SES will not be visible from the road; and

WHEREAS, the Planning Board has determined that screening is not necessary based on the representation above and visual inspection; however, applicants have agreed to send a letter to all persons who received notice of the public hearing on the application stating that construction of the SES has been completed and notifying such persons that they have 10 days to contact the Town of Clinton Building Department with any concerns regarding the SES, and the Planning Board reserves the right to reopen the public hearing on the application for the purposes of discussing screening to address any such concerns; and

WHEREAS, the Certificate of Compliance shall not be issued for the SES without further action by the Planning Board;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants approval of the proposed Site Plan, conditioned upon payment of all fees.

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Seconded by Mr. Auspitz.

Discussion. None.

All Aye, Motion carried, 4-0.

BOARD DISCUSSION:

Mr. Werner discussed the proposed events moratorium. Public hearing is scheduled at the May Town Board meeting.

APPROVAL OF MINUTES:

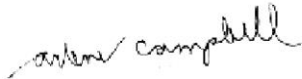
Mr. Auspitz motioned to accept the minutes of April 16, 2019, seconded by Mr. Thomas, all Aye, Motion carried, 4-0.

Mr. Auspitz motioned to accept the minutes of February 19, 2019, seconded by Mr. Carroll, all Aye, Motion carried, 4-0.

ADJOURNMENT:

Mr. Carroll motioned to adjourn the meeting at 8:47 pm, seconded by Mr. Thomas, All Aye, Motion carried, 4-0.

Respectfully Submitted,



Arlene A. Campbell, Clerk
Planning & Zoning Board of Appeals