

TOWN OF HENDERSON PLANNING BOARD AGENDA
12105 TOWN BARN ROAD, HENDERSON NY
October 10, 2023 at 5:00 PM

Committee Members: Chairman Michael Contino, Kenneth Vance, John Treadwell, Robert Ashodian, Robert Whiteman.

CALL TO ORDER and PLEDGE OF ALLEGIANCE

ATTENDANCE: Mike Contino, Ken Vance, Bob Ashodian, Bob Whiteman

John Treadwell recused himself from this meeting.

NOTE: Subdivision Requests do not have to be referred to the County. Town Board Resolution adopted September 10, 1992; NOW, THEREFORE, BE IT RESOLVED, that the Town of Henderson hereby agrees that the following actions shall be considered to be of a local rather than of inter-community or county-wide concern and shall therefore be exempt from referral to the County Planning Board pursuant to General Municipal Law, Section 239m; Site Plans/Special Permits for new buildings or additions consisting of less than 500 square feet where the principle use will occur within the new structure; unless the new building or addition will require a new or improved access point onto a State or County roadway; All Site Plans/Special Use Permits for the placement of individual single and two family houses, including mobile homes, or manufactured houses. No applications that fall within these guidelines will be referred to Jefferson County Planning

Request for Gilman Road Solar, LLC, a subsidiary of Nexamp, Inc.

Located on 10746 NYS Route 3

On Parcel # 98.00-1-5

In AR

Request to construct a 1.9 MW (dc) solar farm on a 127.7+/- acre parcel of land in the Town of Henderson. The proposed solar farm will be constructed on approximately 11.0+/- acres (fenced area).

Bordering property owned by Windswept Ventures, LLC, Thomas B. Wallace, Joan T Woods and John H. Treadwell II, Flat Rock Association, Inc, Alan J. Pope, c/o Coughlin & Gerhart LLP, John H. Treadwell II, Joan T. Woods, Rocky Ridge Properties, LLC, c/o Stephen W. Yaussi, Stephen W. Yaussi, Stephen W. Yaussi, David Cean, Frank Cean and family of Albert J. and Thelma R. Schneider and Melinda Whitney. .

DISCUSSION:

Fred Bar and Travis Mitchell from NexAmp gave a slide presentation on the proposed Gilman Road Solar project. There was much discussion and questions from the public. The public was asked to submit questions to Mike Contino or Mary Cornell so they can be compiled into a list.

PUBLIC COMMENTS: Much opposition from the public; concerns about fire and water contamination, loss of pristine views by solar panels. Will Lipczynski, the Fire Chief from Chaumont spoke at length regarding the recent battery storage fire at their solar field in Chaumont. He presented important information and will be attend the public hearing on November 8 at 5 pm in the TOH garage. Frank Cean spoke about the loss of his view that he's kept pristine and private for many years. Steve Yaussi and other local residents also voiced concern and opposition about fire safety, lack of education of local fire departments and water and soil contamination. Mike Contino will be meeting with Henderson fire chief Bill Griffith and Will regarding education for the fire departments. Most important to keep everyone safe and knowledgeable on procedures to deal with solar field fires or other incidents.

MOTION by Bob Whiteman, second by Ken Vance to keep the hearing open at this time.

MOTION by Bob Whiteman, second by Ken Vance to declare the town the Lead Agency.

RESOLUTION # PB100-1-10/23 OF 2023
Notice of Intent to Declare Lead Agency
Gilman Road Solar, LLC, a subsidiary of NEXAMP, Inc.

WHEREAS, the Town Planning Board for the Town of Henderson is vested with the authority to process an application and render a determination for the Solar Project to be located at 10746 NYS Route 3, Henderson, NY and designated as Tax Parcel #: 98.00-1-5 (the "Subject Property"); and

WHEREAS, the activities by the Town Planning Board in reviewing approving the application for the Gilman Road Solar Project in connection therewith constitute an Action and the Planning Board's activities, are subject to the State Environmental Quality Review Act and regulations promulgated thereunder at 6 NYCRR, Part 617 ("SEQR"); and

WHEREAS, the proposed action is a SEQR Type 1 Action pursuant to §617.4(b)(6) (i); and

WHEREAS, all potential involved agencies related to the Project are identified on the Full EAF Part I prepared by the Applicant/Developer and submitted to the Planning Board; and;

WHEREAS, at a regular meeting of this Town Planning Board held on October 10,

2023, the Town Planning Board recommended that a SEQR Type 1 Action – Coordinated Review be conducted with the Town Planning Board of Henderson serving as Lead Agency and to do so it must seek consent from all other Involved Agencies.

NOW, THEREFORE IT IS resolved that:

1. The above recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Chairperson for the Town of Henderson Planning Board is authorized to prepare, and submit, an appropriate notification letter to all Involved Agencies advising involved Agencies of the Application by Gilman Road Solar Project, and seeking consent for the Town Planning Board to serve as Lead Agent for a coordinated review for SEQR purposes.
3. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Robert Whiteman, and seconded by Board Member, Kenneth Vance, and upon roll call vote of the Board was duly adopted as follows:

Michael Contino – Chairperson	Yes <u>__X__</u>	No <u>____</u>
Kenneth Vance - Vice Chairperson	Yes <u>__X_</u>	No <u>____</u>
Robert Ashodian – Member	Yes <u>__X</u>	No <u>____</u>
Robert Whiteman – Member	Yes <u>__X</u>	No <u>____</u>

Dated: October 10, 2023

Mary Cornell, Planning Board Clerk

WHEREAS, the Town Planning Board for the Town of Henderson is vested with the authority to process an application and render a determination for the Solar Project to be located at 10746 NYS Route 3, Henderson, NY and designated as Tax Parcel #: 98.00-1-5 (the “Subject Property”).

Roll Call voting (**4-YES**): Mike Contino, Robert Ashodian, Robert Whiteman, Ken Vance.

PRESUBMISSION – Both cases will return in November for review/completion

Anthony and Patricia Watson - request to demolish existing structure and build a new structure on the existing footprint.

William Leepy Gleason – request to build addition and privacy fence.

MOTION: Bob Whiteman, second by Ken Vance to accept the September 5, 2023, minutes.

Roll Call voting (YES) Mike Contino, Robert Ashodian, Robert Whiteman, Ken Vance.

New Business: Next regular meeting, Wednesday, November 8, 2023 for a public hearing in the TOH Garage at 5:00 pm..

ADJOURNMENT MOTION by Bob Ashodian, second by Ken Vance adjourns the meeting.

Roll Call voting (YES) Mike Contino, Robert Ashodian, Robert Whiteman, Ken Vance.

Respectfully submitted,

Mary M. Cornell

Planning Board Clerk