

**TOWN OF HENDERSON PLANNING BOARD MINUTES**  
**12105 TOWN BARN ROAD, HENDERSON NY**  
**November 8, 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, Bob Ashodian, Ken Vance, and Robert Whiteman

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

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**1. JCIDA – David Zembiec, CEO – PILOT programs –**

- David presented handouts to the board and spoke about PILOT programs and answered questions from the public.

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**2. PRESUBMISSION – 2 new Subdivisions will be presented.**

- Patsy Storino presented a small subdivision on Butterville Properties, LLC, parcel 98.00-1-22.1 which will be on the agenda for the December meeting.
- The second subdivision was not presented.

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**3. CONTINUATION OF CASES FROM OCTOBER –**

**Request of Anthony and Patricia Watson**

**Located** at 13710 Bayview Drive

**On** Parcel 97.19-1-17

**On** LF

**Request** to demolish existing structure and build new structure on existing footprint.

**Bordering** property owned by Richard and Judith Carta Jr, and Ellen J. Waite

**DISCUSSION:** Mr. Watson presented new drawings as requested by the board at the October meeting.

**PUBLIC COMMENTS:** - There were no objections.

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**SEQR MOTION:** by Ken Vance, second by Robert Whiteman, declares the proposed action to be a **TYPE II ACTION 11** under Article Eight of the NYS Environmental conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

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

**CLOSE PUBLIC HEARING MOTION** by Bob Ashodian, second by Robert Whiteman.

**DECISION MOTION** by Ken Vance, second by Robert Whiteman, **approves** the proposed request.

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

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**Request of William Leepy Gleason**

**Located** on 3071 Stony Point Lane

**On** Parcel 105.13-1-39

**On** LF

**Request** to build a 14 x 32' addition w a 6/6' mudroom and privacy fence in back 3' high.

**Bordering** property owned by Giangobbe, Trustee Anthony, c/o Jessie C. Giangobbe, George and Denise Chartrand.

**DISCUSSION:** Wants to build a 3' fence for a dog enclosure.

**PUBLIC COMMENTS:** No opposition

**SEQR MOTION:** by Robert Whiteman, second by Bob Ashodian, declares the proposed action to be a **TYPE II ACTION 11** under Article Eight of the NYS Environmental conservation Law, which determines there is no significant impact on the environment and no further review is necessary.

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

**CLOSE PUBLIC HEARING MOTION** by Bob Ashodian, second by Robert Whiteman.

**DECISION MOTION** by Robert Whiteman, second by Ken Vance, **approves** the proposed request.

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

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**4. 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 and family of Albert J. and Thelma R. Schneider, and Melinda Whitney. .

**DISCUSSION:** The planning board noted that the application is not yet complete but opened the floor for public comment on the project. A motion was made by Bob Whiteman to keep the public comment period open; Ken Vance seconded the motion. All in favor.

A letter dated November 8, 2023, outlining suggested items to consider in the Gilman Road Solar Project design was received from the Henderson Fire Chief and made part of these minutes.

Travis Mitchell, PE from edp and Frederick Ball, Business Development Manager – NY NEXAMP presented a slide presentation and answered questions from the October meeting. They confirmed that there is no battery storage in the Gilman Road Solar Project with this application. Any damage to Gilman Road will also be in the agreement.

- Decommissioning Bond – Held by the town.
  - o Warranted for 25 years.
  - o Panels will be recycled.
  - o All materials will be removed, and the land restored.
  - o Compliant with town zoning
- Battery Storage
  - o Adding battery storage would be a new project.
    - No battery pad on Gilman Road
    - Per Atty Jim Burrows – battery storage not part of the application

**PUBLIC COMMENTS:** Opposition to the project was voiced by several area residents and a moratorium was requested.

**MOTION** by Robert Whiteman, second by Ken Vance to keep the meeting open.

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

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**MOTION** by Ken Vance, second by Robert Whiteman to accept the October 10, 2023, minutes.

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

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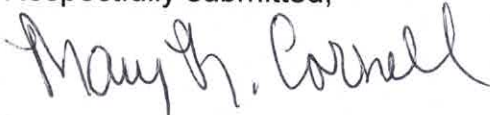
**New Business:** Next regular meeting, Wednesday, December 12, 2023, to be held at 5:00 pm.

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**ADJOURNMENT MOTION** by Bob Ashodian, second by Robert Whiteman adjourns the meeting.

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

Respectfully submitted,



Mary M. Cornell  
Planning Board Clerk

Attachment: Letter from Henderson Fire Chief



# Henderson Fire Department

8939 NY-178 · PO Box 3 · Henderson, NY 13650  
Emergency Rescue · 911



Bill Griffith  
Fire Chief  
315.854.4567



Spencer Stuckey  
Assistant Chief  
315.777.7202

November 8, 2023

Mr. Mike Contino  
Henderson Planning Board  
12105 Town Barn Road  
Henderson, NY 13650

**RE:** Gilman Road Nexamp Solar Farm Project; Henderson Fire Department discussion with Henderson Planning Board

Dear Mr. Contino –

The following items are suggestions from the Henderson Fire Department to incorporate with the plans to help the response from the Henderson Fire Department in the event of an emergency at the Gilman Road solar farm:

- Access road from RTE-3 on the Northeast end of property with four-foot personal access gate for emergency personnel
- Increase fire break on outside of perimeter fencing from 25-feet to 40-feet – residential home in woodland to the south of site
- Perimeter access road around entire exterior of the perimeter fence
- Piped dry-pipe sprinkler system with fire department connection (FDC) around the entirety of perimeter fence that activates with water pressure
- Non-combustible ground covering (concrete, asphalt, etc.) for entirety of site

- If energy storage is installed, ensure minimum 100-foot separation or 10-foot non-combustible firewall separation
- Annual meeting with Nexamp site engineer and manager, Henderson Planning Board, and Henderson Fire Department

The following items are requested to be purchased by Nexamp for the Henderson Fire Department to help with the emergency response, community safety, and firefighter safety:

- Three (3) MSA 5-gas meters including Hydrogen Cyanide monitor, with replacement of like units every 3-5 years.
  - Financially cover annual maintenance and calibration of gas meters
- Three (3) 750 gallon per minute (GPM) oscillating ground monitors
- Five-Hundred (500) feet of 5-inch supply line

Best Regards,



Bill Griffith  
Fire Chief

CC: Henderson Fire District Operations Manager  
Henderson Planning Board