

Germantown Planning Board
Minutes
October 26, 2023

The meeting was held at the Town Hall with the following members in attendance: Chairman Garrett Montgomery, Chris Brown, Simon Burstall, Jennifer Crawford, Benjamin Davidson and Lauren Williams. Member Kerrie Abela attended via zoom and appeared in person at 8:15pm. Town Attorney Corinne Smith was also in attendance via zoom.

The meeting was opened at 7:00pm.

Pledge of Allegiance

The minutes of September 26, 2023 were reviewed and with a motion made by Ben, seconded by Lauren, with all in favor and none opposed were approved with the following amendments:

- Correct spelling of applicant and presentation Page 1 Paragraph 1
- Remove entire sentence of "Brock indicatedwells in Town." Page 3 Paragraph 1
- Correct spelling of acuifer to aquafer Page 3 Paragraph 3

There were no Public Hearings held.

New Business:

Twin Ponds Solar, LLC applicant presented to the board for owner Amato DellaVecchia an application for Site Plan and Special Use Permit of 708 CR 8 in Germantown for a proposed ground mounted solar farm.

Prior to any presentation or review, the board commented that no certificate of authority could be located in New York for the engineer/firm located on the submitted documents. If no certificate can be produced the name would need to be removed from documents.

The applicant stated the project will include installing of solar panels, racking frames, and associated switchgear to produce power and connect to the grid, and in addition will also include a proposed gravel access road from Route 8 and extend to the solar facility. In addition they shared with the board full size drawings of the site location, discussed driveways, fire access, parcel acres, slope in topography, existing line of trees for screening with plans to revisit when leaves fall, they are considering all neighbors views and will consider "trouble spots" and will discuss input from GPB as well as the placement of trees on neighbor's property vs owners property to benefit neighbors, conversations have been conducted between applicant with many neighbors with no negative comments received.

The Board proceeded to review all documents submitted which included the following: Landowner consent, Appendix H NYS Standardized Acknowledgment of Property Owner Consent Form, Agricultural Data Statement, Assignment and Assumption of Lease Agreement, Decommissioning Plan, Solar Photovoltaic System, and maps. During their review the following was discussed: tax map id needs to be

verified and then amended as it indicates Clermont and this could be misleading, max height of 20 feet, Zoning district should show AR, location of inverters ,poles , acreage, fencing and its design and material, tree cutting, mature forest, request of wetland delineation, drainage ditch, Class C DEC stream, site plan visit from all GPB members, fire mitigation plan and visit from fire chief suggested, the need of an escrow agreement and account for professional consulting with town attorney and engineers, Ag data statement is to be amended and add Hover Farm and Munner Farm, who receives usage and will that ever change which could not be answered by applicant, page 4 question D.1.g. indicates TBD for measurements and applicant will ask to have reviewed. In addition, review included the discussion of components of credits, production of solar, green attributes, energy costs, changes in incentives and contracts and that all credits are someone else's market not reviewed or suggested by the applicant.

Member Jen stated that although her firm has done work with applicants in the past, she will not recuse herself from this review.

Chairman Garrett encouraged board members to visit the site of project.

Motion is made by Ben, seconded by Keri, with all in favor and none opposed to set an Escrow in the amount of \$3,000.00 with threshold of \$500.00 should the amount be depleted.

Attorney Smith will contact Delaware Engineering for review of this application.

Jennifer Crawford returned before the board to continue her review for a Conservation Subdivision. New documents were submitted and filed for this application which included an amended subdivision application, lot line adjustment form, map and cover letter with a brief summary of changes of conservation area, proposed number of lots, entrance to lots D1-D4, E and F, and proposed lot line adjustment with her neighbor to north. The applicant stated she also appeared before the Town Board and was generally supported by them and discussed 9G feasible crossing, sewer extension with condition of approval, easement and shared driveway and public trail.

The board continued their review of documents and the following was discussed: Lot Line adjustment with neighbor needs to be reviewed and referred by the Building Department/CEO as a separate application with separate maps from this application, the neighbor should be in attendance or a copy of a letter that he/she is in agreement should be submitted, a new SEAF is requested, a shared web link is offered by the applicant. The board also questioned if the maps of the Subdivision should be labeled "Conservation Subdivision".

Attorney Smith read the Resolution Adopting Conservation Findings Report and the question of the adoption was duly put to vote, which resulted as follows: 6-yes 0-no and 1-recused. The Resolution having been approved by a majority of the Planning Board, the same was declared duly adopted as written, on a motion by Chris, seconded by Ben, with all in favor and none opposed.

Motion is made by Ben to declare the Planning Board Lead Agency, seconded by Lauren, with all in favor and none opposed.

Public hearing is set for December 7, 2023 on a motion by Ben, seconded by Lauren, with all in favor and none opposed at which time SEAF parts 1,2, and 3 will be reviewed.

Other Business: A combined November/December meeting date was discussed by the board and on a motion by Chris, seconded by Lauren, with all in favor and none opposed set December 7, 2023 at 7:00pm.

The meeting was closed at 9:05 pm on a motion made by Jen, seconded by Ben, with all in favor and none opposed.

Jami L. DelPozzo
Planning and Zoning Secretary