

GERMANTOWN PLANNING BOARD
MINUTES
AUGUST 29,2024

The meeting was held at the Town Hall with the following members in attendance: Chairman Garrett Montgomery, Kerrie Abela, Jennifer Crawford, Benjamin Davidson and Lauren Williams. Town Attorney Corinne Smith and Town Engineer Adam Yagelski were in attendance.

The meeting was opened at 7:00pm.

Pledge of Allegiance

The minutes of July 25, 2024 were reviewed and on a motion by Kerrie, seconded by Ben, with all in favor and none opposed were accepted with the following amendments: page 2 paragraphs 7 & 8 "one opposed changed to none opposed" and page 2 paragraph 5 add "they are not a current client and therefore she will not recuse..."

Public Hearing(s):

The Reformed Church: Dustin James returned before the board on behalf of the Reformed Church for the continued review of a proposed Subdivision to create two lots parcel 1: 7.08acres and parcel 2: 2.31 acres at the property located at 22 Church Avenue. The applicant stated a new amended AG Data Statement was submitted with the name, address and tax map identification of the land with an operating farm.

The board proceeded to review the Short Environmental Assessment Form (SEAF) parts 2 and 3, discussed the address to be 20 or 22 Church Avenue, and undertook the required "hard look" at the project with regard to the requirements of the NYS Environmental Quality Review Act. On a motion by Lauren, seconded by Ben, with all in favor and none opposed, the board made a "negative declaration" determining that it had not received evidence of significant negative environmental impacts.

On a motion by Kerrie, seconded by Ben, with all in favor and none opposed the Public Hearing was opened. No public comments were received from the audience or zoom attendees: at 7:17pm, 7:18pm and 7:19pm, and on a motion by Lauren, seconded by Ben, with all in favor and none opposed, the Public Hearing was closed.

The board approved the application on a motion made by Kerrie, seconded by Lauren with a 4-yes, 1-abstain, 0- No vote. Member Jen Crawford was recused from this application.

Old Business: Jutta Middel of Renua Energy and Chad Dikenson Managing Director of Free State Solar returned before the board for the continued review of the application for a Site Plan and Special Use Permit for a proposed ground mounted community Solar Farm to be located at 708 County Route 8. The applicant stated the following were submitted as requested: 1-Plan Set Revision, 2-Decommissioning Plan Review, 3-Visual Assessment Report A and 4-Delaware Engineering O & M review letter and requested that the board review part 2 of the Short Environmental Assessment form to declare the application complete.

The board continued their review and discussed the following: landscaping bond be put in place describing owner/applicant responsibility to replace damaged plantings which allows the town to also state plan in a maintenance agreement with confirmed "language", Attorney Smith explained that the application is not complete until SEQR is completed (parts 2 and 3 of SEAF), a public comment informational hearing prior to SEQR for adverse environmental impacts and not on Site Plan, fire safety plan needs more specifications and the DC side still has shock hazard in which the clarification was stated that even after disconnection there is still a shock hazard

Town Engineer Adam Yagelski presented to the board a Draft Full Environmental Assessment Form (FEAF) Part 2 and Memo Analysis to provide support for the boards review of the State Environmental Quality Review. The analysis considered: Decommissioning Plan, Visual Assessment Plan, Fire Safety Plan Review Letter, Stormwater Pollution Prevention Plan, SEQR Summary, Impact Analysis and Elaboration, Small-Medium-Large Impacts, Impact on Land, Impact on Surface Water, Impact on Flooding, Impact on Plants and Animals, Impact on Agricultural Resources, Impact on Aesthetic Resources, Impact on Noise, Odor and Light, Consistency with Community Plans and Consistency with Community Character. A copy of the Draft FEAF and Analysis will be filed with the approved minutes.

All documents were reviewed and the following was discussed: amount of stone coming in, oversized and weight of equipment and vehicles, travel route of construction and its impact to town roads, avoidance of road "T" at Church Avenue and Main Street, rules govern routes, the road is a county road, NYS traffic law will need to be followed, "...repair of Town Roads" to be added to agreements (escrow, performance or decommissioning bond), suggestion of applicant letter of potential routes and an appropriate road use agreement, Attorney for Twin Ponds concerned on how to mitigate damage/repair of Town Road(s) and suggested a survey of pre/post conditions and state applicant responsibilities of repair, Town Attorney Smith suggested "language/agreement" for road repair and stated it could be a listed condition with a line of credit upon approval of application, and the board stated they would request the road condition/repair also be stated in the road use agreement and accuracy will be reviewed of the agreement and the Town Board will have to approve the road use agreement, request that SWPPP be seen by professional, loss of active hay field, cumulative effect on Town and setting a precedent, review of comprehensive plan, board requests review of historical "The Dick House" on corner of county road and its visual impact, 7am-6pm work schedule with potential of holidays to be included, and the board suggests weekend restriction of work hours or by Code Enforcement Officer if complaints are received.

The applicant asked if the inverters were to be moved what considerations would they need to be made aware of and the following was discussed: the new location of system component and noise if the location was at end of road near power poles, ambient noise level at night, request to show sound contours and stick parameters that should be set or adjust plans to show options of placements and have the board review alternatives.

A motion was made by Jen, seconded by Kerrie, with all in favor and none opposed to set a State Environmental Quality Review (SEQR) Act Public Hearing on September 26, 2024 concerning potential adverse environmental impact concerns.

Other Business: The board stated that at their next meeting they will introduce the project set for SEQR hearing, go over part 2, discuss landscape, have draft SWPPP, and that they will accept written comments from the public on the SEQR Adverse Impacts Concerns until September 19, 2024. Public Notice for the Pubic Hearing will be posted and circulated by the Town and that the applicant will notify neighbors with in 200 feet of the property of the application and submit proof of their notice to the Planning Board.

On a motion by Ben, seconded by Kerrie, with all in favor and none opposed, the meeting was closed.

Jami L. DelPozzo-Planning and Zoning Secretary

