

**TOWN OF JACKSON  
PLANNING BOARD MEETING  
December 15, 2020**

The Town of Jackson Planning Board met on [December 15, 2020 at 6 pm at the Cambridge American Legion.] The following people were in attendance-

**Board Members:**

- Amy Maxwell
- Mark Mahoney
- Irene Headwell
- Nick Rowland (absent)
- Steven Chuhta
- Kelly Donahue
- John Tully

**Others Present:**

- Town Clerk, Tammy Skellie-Gilbert
- ReJean DeVaux
- Adam Fishel
- Steve Long
- Tom McDermott (GoTo)
- Laura Zeppetelli (GoTo)
- Sharron Dunn (GoTo)
- Sami Aslam (GoTo)
- Jay Skellie (Town Supervisor)
- Marilyn Woodard
- Carol Kelley
- Christine Eldred (The Eagle)
- Joseph Donahue
- Steve LeFevre
- Betsy Ehrenfreund
- Others

**PUBLIC HEARING-WILLIAM E. DAILEY, JR. TRUST**

The public hearing was opened at 5:30 PM for the William E. Dailey, Jr. Trust minor subdivision. Tom McDermott was in attendance, via GoTo with interest in the subdivision. Marilyn Woodard and Carol Kelley gave a brief description of the proposed minor subdivision. Linda Ford and Carol Brownell spoke with Tammy Skellie-Gilbert prior to the public hearing and had no objections to the project. There were no questions or concerns by the public. The public hearing was closed at 5:40 pm. All maps were signed by Chair Maxwell at the close of the public hearing.

## **PUBLIC HEARING- PAULINE LAPOINT/BORREGO SOLAR**

The public hearing was opened at 6 pm. Several town residents were in attendance, both in person and via GoTo. ReJean DeVaux gave an overview of the proposed solar project and shared maps with those in attendance. An adjacent neighbor asked if the solar savings would be available to the town residents. Mr. DeVaux said yes, people can subscribe to the solar savings once the project is complete. Another resident questioned if the solar project would help the town with the taxes. Steve Long said yes, the town will receive more tax money from the solar project. Town supervisor Jay Skellie clarified that the solar company will be paying the taxes on the 28 acres they will be leasing on the property.

The tenant the lives on the property being leased is opposed to the project and the impact it will have on the land around the house. He also questioned what was going to happen with an existing pond that is on the property. Adam Fishel said that the pond will stay in place and that the current plans have the pond on the outside of the fenced in area. Mr. Fishel did state that the ARMY Corps. of engineers said those wet lands are non-jurisdictional and may be used as a settling ponds in the future. The tenant also questioned if there would be any health risks with the solar panels being close to the house. Mr. DeVaux said that there would be no issues with health concerns. The tenant asked about visual barriers and noise barriers for the adjoining neighbors. Mr. DeVaux said there can be visual barriers, such as shrubs or a fuzzy hedge link fence, put in place. Mr. Long stated the only noise issue will be during the construction from excavators, loaders and the drilling for the holes the panels will be screwed into. They get the construction work done as soon as possible to minimize the length of time of noise.

Kelly Donahue questioned how the size of the project is determined and is it a good size for the Town of Jackson and why they chose the property they did. Mr. Long answered that the size is determined by the spacing of the panels. He stated that the property was chosen because the property has good infrastructure and the property owner has to agreed to a lease for the project. Donahue asked if Borrego would be the owners for the whole lease agreement. Mr. Long said they stay on until the building of the project is complete and then they sell to another company. The project is its own LLC so the whole LLC will be sold. Joe Donahue asked when would the sell of the LLC happen. Mr. DeVaux stated that they typically find a buyer and have a sell agreement before the construction starts.

Mrs. Donahue also questioned who would be able to subscribe for the solar savings. Steve Long said it will be open to anyone in the subscribing area. Town Supervisor Jay Skellie asked if businesses would be able to subscribe as well. Mr. Long said that it will be open to all personal and business within the load zone.

Mrs. Ehrenfreund asked how long the panels will last and who is responsible for taking them down once their usefulness has ended. Mr. DeVaux stated that they will be used until they fail to produce more than 85% of their use, which is about 25 years. The decommissioning of the project is the responsibility of the owners of the lease at the time when they are ready to end. Supervisor Skellie asked if the lease stays with the land owner even if the current owner sells the property. Mr. DeVaux said that it is part of the lease agreement that the LLC and lease stays with the property no matter what for the 25 years of the lease.

Mark Mahoney questioned that once the project is complete who will be in charge of and how will they control the plant life and ground maintenance of the property. Mr. DeVaux said the LLC owner will mow and trim trees as needed. [No herbicides or insecticides will be used]. There will be a specific Operations and Maintenance (O&M) in place for such issues. The O&M will be paid for by the owner and they will be the ones contacted if there are any issues. Mr. Long said that the owner of the project will have a name and phone number placed on the fence of the property for anyone to contact them with issues as well.

[Mr. Mahoney questioned figure 13 of the EAF part one about the existence of the Southern Bluets, which are listed as endangered. Mr. DeVaux said that they were, at one time in the area, but not specifically on that property. Additionally, Mr. Mahoney asked what the electromagnetic radiation level from this project would be and if it would be a concern to the neighbors. Mr. DeVaux the only area that there might be a concern is only around the utility pads, which would be fenced off with no access to people.]

Mr. Mahoney asked if there was a government agency in place that would watch over the project. Mr. DeVaux said they would need a building permit and code enforcement would be over them. Town Clerk Tammy Skellie Gilbert questioned whether or not they would need a building permit per new regulations from the state and county. Mrs. Skellie Gilbert said she would check with the county and find out.

Steve LeFevre recommended that the public hearing stay open for a little longer in case others have questions on the project. Mr. Mahoney questioned how long we could leave the public hearing open. Mr. LeFevre said that we should leave it open until at least the next planning board meeting. Mr. Mahoney made a motion to postpone the closing of the public hearing until January 7, 2021. Irene Headwell seconded the motion. Motion carried 6-0.

[A response was received from NYS Department of Agriculture and Markets, Division of Land and Water Resources about the letter and maps that were sent out for “notification and seeking input” on the Borrego solar project. The letter is on file.]

**Next Meeting:** Tuesday, January 5 @ 7 pm

Respectfully submitted,

Victoria Ruggles  
Town of Jackson Planning Board Clerk

[Amendments from original minutes in brackets]