

**TOWN OF JACKSON  
PLANNING BOARD MEETING  
MARCH 2, 2021**

The Town of Jackson Planning Board met on March 2, 2021 at 6 pm at the Town of Jackson town Hall. 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
- Steve Long
- Steve LeFevre
- Laura Zeppetelli
- William Zeppetelli
- Holden Clous
- Other town Residents

**Public Hearing**

The public hearing was opened at 6 pm for the William and Laura Zeppetelli subdivision. Mr. and Mrs. Zeppetelli gave a brief description of the proposed subdivision. Holden Clous was in attendance with interest in the subdivision. There were no questions or concerns on the project. The public hearing was closed at 6:06 pm.

**Noel Hanf**

Prior to opening up the meeting the board held a moment of silence for former Chairman Noel Hanf who recently passed away. It was said by many members that he was a great friend and mentor and it was an honor to work with such an amazing man.

**Minutes**

A motion was made by Mark Mahoney, seconded by Irene Headwell to approve the February 2, 2021 meeting minutes as written. Motion carried in favor 6-0.

**WILLIAM AND LAURA ZEPPELELLI**

William and Laura Zeppetelli stated that Russell E. Howard, Licensed Land Surveying that completed the survey on February 2, 2021. A motion to approve the subdivision was made by Tully and seconded by Headwell. Motion carried in favor of 6-0.

Roll Call:

Amy Maxwell	Aye	Steven Chuhta	Aye
Irene Headwell	Aye	Mark Mahoney	Aye
Kelly Donahue	Aye	John Tully	Aye

**PAULINE LAPOINT/BORREGO SOLAR**

A couple that recently bought property across from and adjacent to the proposed site were present to express concerns about the solar project. They were concerned with how it would affect their property value and how it would affect the wildlife and hunting in the area. Mahoney addressed their concerns and assured them that the planning board has also brought up these issues and they have worked hard to make sure there will be minimal effect on the environment. Chair Maxwell stated that there will be spacing under the fence for small game to continue to go through the property and Mr. Long stated that there is also spacing between the sections of fencing around the solar panels for large game to walk through. Mahoney said we are unsure at this point how and if it will affect property values.

The planning board was presented with a new part I of the SEQR with any issues corrected. Chair Maxwell questioned Mr. Long about a copy of a new lease agreement. Mr. Long said that it was in the hands of the lawyer and the final lease would not be completed and signed until after the approval of the project by the planning board to cut down on the number of amendments to be attached to the lease. Mahoney questioned if the lease can be in limbo until then. Steve LeFevre assured the board that the lawyer said the lease is valid as written now.

The board reviewed part II of the SEQR to complete questions that were missed or needed more research. Kelly Donahue reached out to the Washington County Division of Parks and Recreation to clarify if there were any officially designated scenic areas near the proposed site. It was confirmed by them that there are not. Mr. LeFevre shared with the board a draft of part III of the SEQR narrative for review that will help to decide how to mitigate any answers of part II that were marked as moderate to large impact.

A copy of the draft resolution was discussed and stated that it can not be finalized and adopted by the board until after the public hearing is closed. Town Clerk Skellie-Gilbert stated that after part III of the SEQR is complete Washington County must review and approve the proposed solar project before the resolution can be adopted. Skellie-Gilbert will call the county to find out exactly what maps and documents they will need to review the project. The planning board hopes to get paper work to the county for review at their April meeting.

The planning board reviewed the revised decommissioning agreement. Chair Maxwell questioned the signature page that only lists Mrs. LaPoint as owner and stated that it should be clarified if it is legal with omitting Mr. LaPoint on the signature page. Mr. LeFevre will check with the lawyer on that. Mr. LeFevre will make small modifications and any points that were unclear will be clarified and rewritten. Skellie-Gilbert said that once the small modifications were made then it can be presented to the town board and the town lawyer for review. Chair Maxwell said she would attend the town board meeting and give an update on the progress, sharing with the board part I and II of the SEQR and let them know there are more documents to come for approval.

The planning board reviewed the revised Resolutions/Conditions of Approval. Chair Maxwell questioned if the engineering escrow agreement would be separate from the O&M escrow agreement. Mr. LeFevre said yes and the engineering agreement is forth coming. Under #4 Mahoney asked that it be added that the site would be monitored by B&L twice a year, in spring and fall, in place of the word "periodic". It was agreed on by the board that anywhere in the document that it states "operator" it should be changed to "Jackson Solar One, LLC". Also, any where it states "Planning board" it should read "Jackson planning board and Jackson town board" and anywhere it refers to "Town" it should be "Town of Jackson". Under #16 it should state "no Jackson town roads". #21 should have a sentence added that states that after the well on the property is tested, post construction, then neighboring properties will be notified with any results, even if the results state no impact.

### **Other**

The State Route 22 resident who made a threat at the October 6, 2020 Planning Board meeting was present at this meeting. Upon telling him he needed to wear a mask in addition to offering a mask to him, he refused. After a brief conversation with Chair Maxwell, she contacted law enforcement for assistance. Law enforcement from both the Washington County Sheriff's Department as well as NYS Troopers arrived just prior to the start of the 6:00 pm meeting. They requested that the resident join them outside. After 25 minutes talking with the resident and confirming the Planning Board procedures with the Chair regarding the open public hearing and the use of GoToMeeting, the resident left the Town property. According to the Trooper, the resident said he would return before March 12, 2021 to provide his input. At February 2, 2021

meeting, the Planning Board had extended the public hearing to the next planning board meeting. ~~March 12, 2021.~~

A motion was made by Mahoney and seconded by Donahue to extend the public hearing for Borrego Solar project until the next planning board meeting ~~March 12, 2001~~. Motion was passed in favor 6-0.

A motion was made by Mahoney to have the planning board meetings start at 6 p.m. instead of 7 p.m. An amendment to the motion was made by Headwell to have the meetings on the first Tuesday of the month at 6 p.m. from September thru May and 7 p.m. June thru August. The motion was seconded by Tully. Motion passed in favor 6-0.

**Next Meeting:** Tuesday, April 6, 2021 @ 6 pm

**Adjourned:** @ 8:50 pm

Respectfully submitted,

Victoria Ruggles

Town of Jackson, Planning Board Clerk