

**TOWN OF JACKSON
PLANNING BOARD MEETING
December 6, 2022**

The Town of Jackson Planning Board met on December 6, 2022, at 6:30 pm at the Town of Jackson Town Hall. The following people were in attendance-

Board Members:

- Amy Maxwell
- Steve Chuhta
- Kelly Donahue
- Erik VandenBerg
- Mark Mahoney
- Tim Thomas

Others Present:

Absent: Irene Headwell

PUBLIC HEARING

The public hearing for Brian and Jeannette Dunn's subdivision at 2673 State Route 22 was opened at 6:32 pm. Prior to the hearing, Ms. Dunn notified the Planning Board Clerk that neither applicants would be able to attend with their mylar map. Pending approval, the Clerk will contact the applicants to set up a time to come have their maps stamped and signed by the Chair, as long as the mylar map has the same date as the survey maps. The Dunn's proposed project is a 4.477-acre lot containing a farm house and barn subdivided from an 81-acre parcel. The remaining 76.5 acres of land contain a forest and a logging trail. Entry to both lots will be on Route 22. The intent of this subdivision is to create a single residential lot to be sold for residential/agricultural use. The Board opened the floor for public comments. There being no comments, Chair Maxwell closed the hearing at 6:37 pm.

MINUTES

A **motion** was made by Kelly Donahue and seconded by Mark Mahoney to approve the November 1, 2022 meeting minutes as written. Motion carried in favor 6-0.

BRIAN & JEANNETTE DUNN
2673 State Route 22
Parcel Id#: 239.-2-41
Surveyed by: Andrew C. Shauffert
Survey Completed: September 20, 2022

A motion to approve the subdivision, pending review of the mylar map, was made by Mark Mahoney and seconded by Kelly Donahue.

Motion carried in favor 6-0.

JEFFREY TUCKER

After reviewing the prior months meeting minutes, the Planning Board Clerk noticed there was not an official motion made to give the subdivision for Jeffrey Tucker at 224 Colfax Road (Parcel Id #239.-2-52) a negative SEQR declaration or to classify the project as an unlisted action. The Planning Board agreed to vote on this matter now to document in the minutes.

A motion was made by Kelly Donahue and seconded by Erik VandenBerg to give the project a negative declaration.

Motion carried in favor 6-0.

A motion was made by Steve Chuhta and seconded by Kelly Donahue to classify the project an unlisted action.

Motion carried in favor 6-0.

DECOMMISSIONING AGREEMENT – JACKSON SOLAR 1, LLC

Chair Amy Maxwell reported on November's contact with the Jackson Solar 1, LLC project. After a recent transfer of ownership, the project is now being overseen by New Leaf Energy (no longer Borrego Solar). Chair Maxwell stated that the new company has requested copies of several project documents from the Planning Board Clerk, as they are preparing to begin construction. Of the documents requested, the Decommissioning Agreement still needs to be approved by the Town Board and signed by the Town Supervisor. Pending approval, the Clerk will contact the company to provide a copy of the Decommissioning Agreement and request a formal letter stating the change of hands, as expressed in the project's Conditions of Approval.

AGRICULTURAL DISTRICT PARCEL MAP

Board member Steve Chuhta spoke to request the Board pursue purchasing a new agricultural district map from the County to reference at Town Hall. A large updated version of a map with agricultural districts and parcels owners would be helpful to see when discussing subdivision or site plan reviewal projects. Board member Erik VandenBerg questioned if going over documents on a computer/projector would help aide in project reviewal as well. Erik offered to look into the cost of this and bring figures back to the Board. Steve will ask Washington County Planning chair Pamela Landi about options.

A motion was made by Kelly Donahue and seconded by Steve Chuhta to agree to purchasing or obtaining a new paper map that contains agricultural districts and parcel owners from Washington County to display at Town Hall.
Motion carried in favor 6-0.

A motion was made by Kelly Donahue and seconded by Mark Mahoney to amend the prior motion to include a budget of up to \$300.00 to purchase or obtain a new paper map that contains agricultural districts and parcel owners from Washington County to display at Town Hall.
Motion carried in favor 6-0.

SOLAR LAW DRAFT

- Planning Board members commented on how well the joint TB/PB meeting to discuss the Solar Law went. After the meeting, Chair Maxwell took a few key points back to Attorney Terresa Bakner and made some revisions to the draft. She hopes to have the draft to the Town Attorney by the end of the week and to the County by the end of the month.
- After discussing with Barton and Loguidice Engineer Steve Le Fevre, Amy advised the Board that a facility cannot decide its own kilowatt percentage capacity, this is decided solely by New York Independent Systems Operator, Inc. Mr. Le Fevre said there is no specific language to incorporate in the Law that could be held up by the Town regarding this. Board Member Steve Chuhta questioned what the definition of ‘profitable’ would be in the Law. Board Member Mark Mahoney pointed out that we must let the market place dictate what happens. The bond provided by the project company will be the Town’s insurance that the facility will pay for decommissioning no matter what the current market may be. If a project has been abandoned, the operator must notify the Town within 6 months. Steve stated that electrical output provisions should be tied into decommissioning.
- The Board discussed what an acceptable form of notifying the Town of change of ownership would be and specifically, whether an email would be an appropriate form of notification. Steve pointed out that he would like a standardized way for the Town to be notified of these changes, such as a formal letter with company letterhead addressed to the Town Board. Mark said this should be stated in the law.

New Business:

- The Board wished to invite Pamela Landi of the Washington County Planning Agency to a future meeting to give a presentation on using County Planning as a town resource. The Planning Board Clerk will contact Ms. Landi to set this up.
- After November's Planning Board meeting, an applicant was asked to return with a formal survey map containing remaining lands for a subdivision project. This presented some confusion to both the applicant and the surveyor. After reviewing the map again, the Board concluded that the remaining lands still need to be provided through deed references. The Clerk will contact the applicant to follow up.
- The Board discussed the Comprehensive Plan draft and hopefully returning to the project sometime within the next year. Board Member Kelly Donahue added that she would like to have a similar process with the Comp. Plan draft as with the Solar Law draft. The Board agreed to question Pamela Landi about completing the draft when she comes to give her presentation.

A **motion** was made by Board Member Steve Chuhta and seconded by Erik VandenBerg to adjourn the meeting at 8:31 pm.

Motion carried in favor 6-0.

Next Meeting: Tuesday, January 3, 2023 @ 6:30 pm

Adjourned: @ 8:31 pm

Respectfully submitted,

Molly Dixon, Town of Jackson