

**TOWN OF JACKSON
PLANNING BOARD MEETING**

April 4, 2023

The Town of Jackson Planning Board met on April 4, 2023 at 6:30 pm at the Town of Jackson Town Hall. The following people were in attendance-

Board Members:

- Amy Maxwell
- Kelly Donahue
- Erik Vandenberg
- Mark Mahoney
- Steve Chuhta
- Irene Headwell
- Tim Thomas

Others Present:

- Terrence Nolan – New Leaf Energy
- Sharon Dunn – Resident
- Ceara Dever - Resident
- Dwight McGee
- Gary and Rit Pierce - Residents
- Kathleen Fraher

PUBLIC HEARING

The Public Hearing for Daniel and Ceara Dever’s subdivision at 250 Dunbar Road was opened at 6:30 pm. Chair Maxwell welcomed Ceara to give a brief description of the project. Ceara explained that she built a home some years ago on her parent’s property and now wishes to divide the 33-acre property between the 2 homes, one lot will remain her parent’s and the 10.37 acres that contains her residence will become hers. Gary and Rit Pierce spoke at this time as their mother lives in a neighboring property to the Dever’s. When they saw the notice for the hearing in the paper, they wished to attend as they had always desired to meet the owners of the property. Ceara showed them on the map where the property would be subdivided and explained the layout of the land. There being no further comments at this time, Chair Maxwell closed the hearing at 6:35 pm.

OPEN REGULAR MEETING 6:36 PM

MINUTES

A **motion** was made by Erik Vandenberg and seconded by Kelly Donahue to approve the March 7, 2023 meeting minutes as written. Motion carried in favor 5-0 with Thomas and Headwell abstaining.

DANIEL AND CEARA DEVER
250 Dunbar Road
Parcel Id #: 239.-1-10
Surveyed by: Corner Post Land Surveying, PLLC
Survey Completed: November 2, 2022

A motion to approve the subdivision was made by Mark Mahoney and seconded by Erik Vandenberg.
Motion carried in favor 7-0.

Roll Call:

Erik Vandenberg	Aye	Irene Headwell	Aye
Mark Mahoney	Aye	Amy Maxwell	Aye
Steve Chuhta	Aye	Kelly Donahue	Aye
Tim Thomas	Aye		

DWIGHT MCGEE

Property owner Dwight McGee was present with his attorney Kathleen Fraher to help better understand what type of subdivision would be possible for his property at 122 Colfax Road. He wishes to create 3 separate lots of the property and convey one lot to the neighboring land owners to the west of his parcel that have road access off of Colfax. The Board explained that property across the road can be adjoined and that doing this would keep Mr. McGee from having to do a major subdivision, as it would create 2 lots and remaining lands as opposed to 3 new lots. Board Member Mahoney said it would have to be a question for the surveyor if the space between the properties is short enough to adjoin them. Mr. McGee and Ms. Fraher agreed to have a new map drawn of this plan to hopefully present at the May PB meeting.

JACKSON SOLAR 1, LLC

New Leaf representative Terrence Nolan was present to discuss completing certain items of the Conditions of Approval as stated in the May 2021 Resolution approving site plan for the Jackson Solar 1, LLC project. Both Terrence and the Board went line by line through the conditions, most notably which items are completed and which items still require attention. The following conditions were discussed;

1. The Board had no comments on Condition 1 as this condition has already been confirmed to be completed.
2. The Board discussed the Decommissioning Bond form. Board Member Mahoney asked how New Leaf decides what bond company they choose to buy their bond

from. Mr. Nolan stated that they have a highly rated bond company they use that our Town Attorney would most likely be able to confirm is satisfactory. Board Member Thomas questioned what would happen in the event that this bond company sold the bond to a lower rated bond company. Mr. Nolan wasn't sure of this and agreed this would be a question for our Attorney.

3. The Town Board will be reviewing and voting on approving the Escrow Agreement between the Town and Jackson Solar 1, LLC at the Wednesday, April 5th Town Board meeting. Upon approval and the posting of the \$15,000 bond, this condition will be completed.
5. The Board discussed the Operation and Maintenance bond as mentioned in Condition 5. Mr. Nolan stated that New Leaf has sent a template over to the PB Clerk, Chair, and Town Attorney to be reviewed. Both the PB Clerk and Chair Maxwell did not recall seeing this bond template. After looking back into her email, the PB Clerk discovered the template and printed out a copy for the Board to review. All members agreed that this still needs to be reviewed by the Town Attorney and then New Leaf can follow up with the posting of the bond.
7. The Board reviewed the copy of the Lease Agreement as sent over by New Leaf Engineer William Peregoy. Chair Maxwell had discussed this item with Attorney Teresa Bakner who confirmed this document would adequately meet this condition as there is a POA for the land owners. Everyone agreed that this satisfies this condition but will have the Town Attorney review and confirm to be sure.
8. The Board reviewed the Acknowledgement of Receipt of the NOI by NYSDEC. The Clerk had also received the SWPPP prior to the meeting via email. The Board questioned whether or not we still needed to receive the Notice of Intent. Mr. Nolan called Mr. Peregoy to question this. Mr. Peregoy stated that this document would be included in the SWPPP but would send it over as a single pdf. The PB Clerk later received the document via email. This condition will be satisfied following reviewal and confirmation from the Attorney.
9. The Board reviewed the written proposed schedule as provided by William Peregoy of New Leaf. Board Member Mahoney stated that the document is difficult to understand. All Board members agreed that they would prefer a simpler and cleaner version of the document to help better explain to the public what this project is aiming to do. Board Member Steve Chuhta stated that this does satisfy this condition, but we ask that a simplified document be provided. Terrence agreed.
11. There is one outstanding fee to be paid by a bill from Whiteman, Osterman and Hanna. Newleaf has agreed to pay this remaining amount and a check should arrive to the Clerk prior to tomorrow's TB meeting.
12. The Board reviewed the letters from both NYSERDA and the USACOE as provided by New Leaf. The Board all agreed that these letters satisfy this condition.

15. The Board discussed the letters stating the transfer of ownership of the Jackson Solar 1, LLC project and agreed that this condition is satisfied.
25. The Town Attorney will review the Certificate of Liability Insurance to confirm that the document is acceptable.

After discussing the Conditions of Approval, Board Member Mahoney brought up the need to review the building plans of the project prior to Amy signing the Resolution. After discussing, the Board questioned when the last building plans were received. Chair Maxwell pulled out the old plans that were dated 12/28/2020. Mr. Nolan called New Leaf Engineer William Peregoy on the phone to discuss this. Mr. Peregoy stated that Generate (the company taking over the project) will provide drawings of the plans closer to the beginning of construction of the project. Board Member Mahoney questioned how we are assured that the plans will be what they say it will. Mr. Peregoy said that our Escrow Agreement should protect us. Mr. Nolan requested we add a paragraph into the Resolution that will be signed at the May Planning Board meeting, that the plans were provided to and approved by the engineer hired by the Town, as well as approved and signed by the Chair of the Planning Board prior to the commencement of construction. Board Members agreed to this.

The Board reviewed the remainder of the Resolution. Mr. Nolan stated that he will send over a new updated draft of the Resolution prior to the May meeting. He pointed out the risk that the company feels being so close to their deadline and not having the project signed off on. Chair Maxwell pointed out that this project has been ongoing for years now and the Planning Board is simply trying to do the best they can for the Town of Jackson and its residents.

PROJECTOR/TV SCREEN FOR TOWN HALL

Board Member VandenBerg recently went to Best Buy to look into price points on screen tv's, laptops, wall mounts and an HDMI screen caster to set up at Town Hall to review maps and documents. The total of everything came to around \$2,000.00. He then went to BJ's to get prices on the same items and the total there came to about \$1,000.00, but this did not include the screen caster and installation was not included like with Best Buy. Board Member Mahoney stated that he believes we should go a little bigger than a 55-inch tv. Board Member Thomas pointed out that if we had a touch screen laptop, we could zoom in to see better. All seemed to agree that 55 inch seems adequate in this case. Board Member Headwell questioned whether or not we should go with the more expensive set up. All agreed that we could set the equipment up ourselves and therefore would be able to buy the less expensive items from BJ's. Chair Maxwell stated that she will present this to the TB during her report at the Wednesday TB meeting.

WHAT'S NEXT?

The Planning Board discussed what projects they wish to take on now that the Solar Law is close to completion. The Board brought up the possibility of reviewing the subdivision or site plan laws next, as well as looking at a renewable energies law. The Board also questioned whether or not it's time to return to the Comprehensive Plan Draft. Planning Board Clerk Dixson will send on the current draft from 2014 to County Planner Pamela Landi to review and hopefully get some comments and possibly add her to a future agenda.

New Business:

- Board Member Headwell brought up having another town picnic after discussing the idea with Washington County Aging Advisory Council Representative Quimby Mahoney. Chair Maxwell will present this idea to the TB during her Planning Report at Wednesday's meeting.
- Chair Maxwell advised the Board of the three Public Hearings for Local Laws that will be held at the Wednesday, April 5th Town Board meeting beginning at 8:00 pm.

A **motion** was made by Kelly Donahue and seconded by Mark Mahoney to adjourn the meeting at 8:33 pm.

Motion carried in favor 7-0.

Next Meeting: Tuesday, May 2, 2023 @ 6:30 pm

Adjourned: @ 8:33 pm

Respectfully submitted,

Molly Dixson, Town of Jackson