

**TOWN OF JACKSON
PLANNING BOARD MEETING
February 6, 2024**

The Town of Jackson Planning Board met on February 6, 2024 at 6:30 pm at the Town of Jackson Town Hall. The following people were in attendance-

Board Members:

- Kelly Donahue
- Erik VandenBerg
- Mark Mahoney
- Steve Chuhta
- Irene Headwell

Others Present:

- Lewis Steele
- Alan Brown
- Nancy Brown
- Ashleigh Yurschak Brown
- Eric Strebel
- Supervisor Jay Skellie

Chair Kelly Donahue opened the meeting at 6:30 pm and addressed those in attendance inquiring about the potential Norbut solar project on Ackley Road. She stated that Norbut will not be on the agenda tonight, and as of this date they have not submitted an official application to be reviewed for this project. Chair Donahue pointed out that the Planning Board has worked hard over the past few years to try to get out in front of solar with the Town’s Solar Law that was passed in May of 2023. She added that the Planning Board has done this to protect the Town the best that we can, putting in many hours to be sure we do this in the right way. Chair Donahue stated we are now working to draft up a Town Comprehensive Plan and a Commercial Battery Energy Storage System Law to continue doing what we can to protect the Town from new things that may come our way. She added that if there is time after discussing items of action on the agenda, she will invite those in attendance to speak if they wish to.

JANUARY 2ND MINUTES

A **motion** was made by Mark Mahoney and seconded by Erik VandenBerg to approve the January 2nd, 2024 meeting minutes as written. Motion carried in favor 5-0.

ALAN AND ASHLEIGH YURSCHAK BROWN SUBDIVISION

Ashleigh Yurschak Brown presented a sketch plan for a minor subdivision at 64 Waites Lane, tax map ID #238.-1-23.1, on behalf of owner Alan Brown, who was also in attendance. The application seeks approval to subdivide the 223.14 parcel into 1 lot of 98 acres and remaining lands of 125.14 acres. Lot 1 contains a house, barn and cattle farm. The purpose of this subdivision is to convey lot 1 to Colin and Ashleigh Brown. Ashleigh explained that the property

is currently under a conservation easement held by the Agricultural Stewardship Association and they have approved the subdivision along with the National Resources Conservation Service. They are currently waiting on the final survey of the property to be complete. Ashleigh continued to explain the places on the sketch plan map that are part of the easement.

After reviewing the sketch plan map, Board member Steve Chuhta requested to have a copy of the letter on file of the Agricultural Stewardship Association's approval of the project. Board member Mahoney added that when the final survey is complete, the Board requires a locus map to be inset on the map so they can see where the parcel is within the Town. The map should also show the lot 1 to be created and remaining lands. Ashleigh agreed to furnish these items to be reviewed at the March Planning Board meeting.

[Supervisor Jay Skellie enters at 6:35 pm]

COMPREHENSIVE PLAN UPDATE

Board member VandenBerg updated the Board on the Comprehensive Plan Committee meeting that was set for January 23rd at the Town Hall. As all members were not in attendance, the meeting will have to be rescheduled for another date that works with everyone. Board member VandenBerg hopes to set a time to reconvene within a couple of weeks.

NEXT STEPS FOR PLANNING BOARD

Board members discussed copies of other local Planning Board bylaws that were provided by Washington County Planner Pamela Landi. All agreed that a basic format should be used to draft the bylaws. Board members agreed that updates to how the Board handles budgeting, times the Board regularly meets and appointments of Chair and Vice Chair should be made. Chair Donahue agreed to come up with a new draft that redlines all of the changes to the old bylaws.

COMMERCIAL BATTERY ENERGY STORAGE SYSTEMS MORATORIUM

Chair Donahue presented a draft moratorium on commercial battery energy storage systems for the Board to review. Chair Donahue stated the purpose of the moratorium is so the Planning Board can continue to research and draft a law on commercial battery storage usage without the concern of applications coming through. The Town Board will have to approve the moratorium following the public hearing to create the local law. Chair Donahue explained different points of the moratorium as Board members reviewed on the television screen. Board members discussed the 6-month timeline with 2 (3) month extensions if needed, as well as the fine amounts for violating the law being set at \$500 for a first offense and \$2,500 for a second offense. Board member Chuhta questioned why the fine amounts are so low. Chair Donahue stated that in her research drafting the document, these amounts were consistent in other NYS commercial battery energy storage system moratoriums. Board member Chuhta asked if commercial battery energy

storage system is the term recognized by NYSERDA for what the Town is trying to permit. Chair Donahue agreed to take questions to the Town Attorney.

A **motion** was made by Mark Mahoney and seconded by Steve Chuhta to request the Town Board review the Local Law Enacting a Moratorium on Commercial Battery Energy Storage Systems and resolve to approve following reviewal by the Town Attorney and the public hearing set on this local law. Motion carried in favor 5-0.

New Business:

- Chair Donahue and Clerk Dixson have received the resignation of Planning Board member Tim Thomas due to his relocation out of state. Chair Donahue requested Board members think of other potential people that may be interested in filling the vacancy.

There being no other business at this time, Chair Donahue asked Board members if they would allow the guests in attendance to speak. Board members agreed. Eric Strebel spoke to identify himself as an employee of Dionondehowa Wildlife Sanctuary and School who has come on the Sanctuary's behalf despite himself not being a resident of the Town. He stated that he understands a formal application has not yet been submitted to the Town by Norbut Solar, but the Dionondehowa Sanctuary and School still has concerns regarding the potential project and its environmental impact. He shared a packet with Board members highlighting their concerns and invited Board members to come visit the property.

At this time, resident Lewis Steele handed out copies of a visual impact map of the potential Norbut Solar project on Ackley Road. He pointed out that the map covers a one-mile radius and that he has concerns with the elimination of forest land and the removal of acreage from agricultural farmland. He also stated that in regards to the visual impact of the project, this would affect the character of the Town as it's visible from the surrounding lakes that have a large impact in the community.

A **motion** was made by Steve Chuhta and seconded by Erik VandenBerg to adjourn the meeting at 7:07 pm.

Motion carried in favor 5-0.

Next Meeting: Tuesday, March 5, 2024 @ 6:30 pm

Adjourned: @ 7:07 pm

Respectfully submitted,

Molly Dixson, Town of Jackson