

**TOWN OF JACKSON  
PLANNING BOARD MEETING  
July 2, 2024**

The Town of Jackson Planning Board met on July 2, 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
- Amy Maxwell

**Others Present:**

- Lewis Steele
- Michael Ammaturo

**JUNE 4<sup>TH</sup> MINUTES**

As Board members Amy Maxwell and Steve Chuhta were not present at the June meeting, they abstained from voting to approve the June minutes and approval of the minutes was tabled till the August meeting.

**COMPREHENSIVE PLAN UPDATE**

Erik VandenBerg gave an update on the June 25<sup>th</sup> Comprehensive Plan Committee Meeting. Committee members reviewed example surveys from other Towns and shared ideas over which questions/ideas could be incorporated into a Town of Jackson survey to be handed out at the July 26<sup>th</sup> Town of Jackson Picnic. Erik followed up on thoughts shared at the meeting and drafted a survey for the Planning Board and Town Board to review. Chair Kelly Donahue suggested we take out a bullet that pertained to zoning. She had no other notes on the survey. Board member Chuhta questioned if attendance at the picnic would be large enough to represent Jackson in the survey. Erik stated that last year's picnic had roughly 75 people in attendance. He suggested we hand out copies at Town Hall as well as on our Town website. Resident Lewis Steele questioned if there were questions that pertained to increased regulations. Erik stated there was not but there is an open section for comments. The Board had no further comment on the survey. Board member VandenBerg will make the suggested change and Chair Donahue will share the updated draft survey with Town Board members at the Wednesday Town Board meeting.

## JACKSON SOLAR 1, LLC UPDATE

Chair Donahue shared an update with Board members on the progress of the Jackson Solar 1, LLC project located at 2609 State Route 22. Start of construction on the progress is currently halted as the preconstruction drawings are not in substantial agreement with the project's original site plans dated 2020. Engineering firm Barton and Loguidice is currently working with the project owner, Generate Capital, and EPC firm Mill Creek Renewables to correct the issues. Chair Donahue stated that if the project company does not comply with the conditions of their approval, the Town may have to issue a stop work order. Board member Mahoney suggested a certified letter explaining our next steps if they do not comply with the conditions of the project approval. Chair Donahue will question the Town Attorney on this.

## UTILITY SCALE SOLAR, WIND GENERATED AND ALTERNATIVE ENERGY MORATORIUM

Chair Donahue presented Planning Board members with a draft copy of Local Law #2 of 2024, a Local Law enacting a temporary moratorium on approvals of utility scale solar energy facilities, wind generated energy facilities and alternative energy facilities within the Town of Jackson. Chair Donahue stated that the moratorium was drafted by our Town Attorney following a discussion with attorneys at Whiteman, Osterman and Hanna LLP, who had assisted the Town in drafting the solar law. Whiteman, Osterman and Hanna LLP had recommended the moratorium so the Town can revisit our Utility Scale Solar Law and make necessary revisions and updates as renewable energy industry regulations are changing rapidly. This will also give the Town an opportunity to draft new provisions and/or laws on the siting of wind generated and alternative energy facilities. Board members reviewed the draft law. Chair Donahue shared that the moratorium will be instated for 6 months with two possible six-month extensions. Chair Donahue questioned if the Board would agree to bring the moratorium to the Town Board at the July 3<sup>rd</sup> regular Town Board meeting, and suggest they set a date for a public hearing on the law at that time.

A **motion** was made by Steve Chuhta and seconded by Amy Maxwell to approve Planning Board Chair Kelly Donahue present draft Local Law #2 of 2024, a Local Law enacting a temporary moratorium on approvals of utility scale solar energy facilities, wind generated energy facilities and alternative energy facilities within the Town of Jackson, to the Town Board at the July 3<sup>rd</sup> Regular Town Board meeting and recommend they set a date for a public hearing on the Local Law at that time. Motion carried in favor 5-0

## COMMERCIAL BATTERY ENERGY STORAGE SYSTEMS LAW

Chair Donahue stated she will send out draft copies of the Commercial Battery Energy Storage Systems Law for Board members to review prior to the August Regular Planning Board meeting. Following that, Board members can take revisions and prepare a final draft that will be reviewed by the Town Board. Board members discussed several emergency procedures that could be incorporated into the law. Board members agreed that local fire departments need to be included in the drafting process and that commercial battery energy storage facility companies should be required to pay for any trainings and fire mitigation resources that local responders may need. Chair Donahue agreed to look into emergency response training further and suggested a potential meeting with local fire chiefs.

At this time, resident and interested potential Planning Board member Michael Ammaturo introduced himself to Board members Steve Chuhta and Amy Maxwell, who had not been in attendance when he had first introduced himself.

A **motion** was made by Steve Chuhta and seconded by Amy Maxwell to adjourn the meeting at 7:17 pm.

Motion carried in favor 5-0.

**Next Meeting:** Tuesday, August 6<sup>th</sup>, 2024 @ 6:30 pm

**Adjourned:** 7:17 pm

Respectfully submitted,

Molly Dixon, Town of Jackson