

**MINUTES MEETING
Town of Halfmoon Planning Board
October 24, 2022**

Those present at the October 24, 2022, Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Rich Berkowitz
Thomas Werner
Mike Ziobrowski

Planning Board Alternates:

Brendan Nielsen
Chuck Lucia

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

The Chairman opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call the Planning Board meeting to order, have the Board members have you had a chance to review the minutes?

Rich Berkowitz: I make a motion to approve the minutes.

Mike Ziobrowski: I'll second it

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Rich Berkowitz: I abstain

Don Roberts: Okay Rich abstains he wasn't here

Public Hearings:

22.143 Greene Subdivision, 217 Fellows Road - Minor Subdivision

Don Roberts: Would anyone like the notice read? (No comments) Anyone here for Greene subdivision? After all of that they are not even here, okay I guess we will come back to it, alright.

The applicant failed to show.

Greene Subdivision, 217 Fellows Road - Minor Subdivision TABLED. Applicant failed to appear.

22.135 Crescent Commons PDD Lot Line Adjustment, 17 Circle Ln - Minor Subdivision

Don Roberts: Would anyone like the notice read?

Lyn Murphy: I am recused on this one.

Resident: Yes, can you please read it?

Don Roberts: Okay, that's the first time in years, okay alright. *Town of Halfmoon Planning Board Notice of Public Hearing October 24, 2022, Crescent Commons PDD Lot Line Adjustment, 17 Circle Lane & 1475 Route 9 -Minor Subdivision (22.135) Please take notice that the Planning Board of the Town of Halfmoon will hold a Public Hearing on Monday, October 24, 2022, at 7:00 p.m. or as soon thereafter as the agenda allows. The meeting will be held in the A. James Bold Meeting Room at the Halfmoon Town Hall, 2 Halfmoon Town Plaza, Halfmoon, New York and broadcast online through the "Microsoft Teams" program. A Teams link will be posted on the "NEWS" and Planning Department pages of the Town of Halfmoon website by 4:00 pm on the day of the meeting. The applicant is requesting a lot-line adjustment between 1475 Route 9 and 17 Circle Lane. The purpose of the lot line adjustment is related to the recently approved Crescent Commons PDD. It will allow the commercial use proposed in the PDD to include parking and/or stormwater management area(s). (The details of this design will be incorporated into the Site Plan application expected to be submitted in the near future.) The lots are currently: Lot 1 (1475 Route 9) = 1.39 ac.; Lot 2 (17 Circle Lane) =0.40 ac. and they wish to convey approximately 0.21 acres from 17 Circle Lane to 1475 Route 9. Following the lot-line adjustment, the lots will be Lot 1 (1475 Route 9) = 1.60 ac.; Lot 2 (17 Circle Lane) =0.19 ac. Please take further notice that at such Public Hearing any and all interested persons will be heard. Comments may also be made in writing by hand delivering or by mailing them to the above address or by email to: rharris@townofhalfmoon-ny.gov. All written comments must be received by 9:00 am on Monday, October 24, 2022, to ensure delivery to the Board prior to the Public Hearing. A copy of the application and related documents are on file in the office of the Planning Board in Town Hall and may be read and inspected by any interested person. Richard M. Harris Coordinator – Building, Planning & Development Dated October 11, 2022. Go ahead Sir.*

Brian Ragone: I don't know how much more I can say, you pretty much said what I was going to say. Brian Ragone Landscape Architect, Environmental Design Partnership. Im here with Mike Klemkevicj from MRK Realty, the applicant for the project and it's a lot line adjustment two parcels, both within the recently ammended Crescent Commons PDD, again the first parcel is the Emma Jaynes, 1475 Route 9, 1.4 acres, the second one is 17 Circle Drive owned by Frank Benjamin, its about 4/10 of an acre and the proposal is to take 2/10 from the Benjamin parcel and combine it with the MRK parcel, it will leave .2 acres for the Benjamin parcel and the MRK parcel will then have 1.6 acres, that's it.

Don Roberts: That's it right? A reminder this is a public hearing just for a lot line adjustment only

Brian Ragone: Right

Don Roberts: Okay at this time we will open a public hearing, if anyone in the public wishes to speak please come up and say your name address and any comment you may have. Come on up please M'am

Marcia Keys: Hello Marcia Keyes 34 Plank Road Waterford. Thank you for reading the public hearing announcement because I hadn't had a chance to read it before and I don't know if anyone else has either, could someone just explain the reason why this needs to be done and how it will contribute to the ultimate project that will potentially we haven't seen yet but I guess we are going to see sometime in the near future?

Don Roberts: Do you want to address that please?

Brian Ragone: So, this is a parcel that is part of the overall PDD it's in the residential part of it. It will be for like you said, it's for more parking or possibly stormwater management areas it's going to be transferred to the commercial part of it, to get the design to work.

Don Roberts: Okay did you hear that M'am?

Marcia Keys: More parking?

Brian Ragone: More parking, more storm water management, we haven't decided yet we haven't gotten that far yet.

Don Roberts: Okay? Anyone else like to speak? (No comments) Anyone online wish to speak? (No comments) Okay we'll close the public hearing comments by the Board members?

Rich Berkowitz: I make a motion to have a negative declaration for SEQR

Marcel Nadeau: Ill second it.

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Rich Berkowitz: I make a motion to approve the minor subdivision

Tom Werner: Ill second it.

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

Brian Ragone: Thank you

Don Roberts: You're welcome

Crescent Commons PDD Lot Line Adjustment - Minor Subdivision APPROVED. Board held a Public Hearing and approved a lot-line adjustment

22.050/22.043 **Bridgewater 1 Solar, 6 Brookwood Rd. – Site Plan & Special Use**

22.051/22.042 **Bridgewater 2 Solar, 4 Brookwood Rd - Site Plan & Special Use**

22.044 **Bridgewater 1 Solar & Bridgewater 2 Solar, 4 & 6 Brookwood Rd - Minor Subdivision**

Don Roberts: Would anyone like the notice read? (No comments) Okay go ahead.

Anna Rehder: Anna Rehder with EDP and Im here with Sean Ryan of Eden Renewables the developer

Don Roberts: Okay

Anna Rehder: We've got a quick presentation for the public hearing to go through to kind of share with the public what Eden Renewables is all about Ill give you guys a quick review again of the project and then again go into any further questions.

Don Roberts: Its quick right?

Sean Ryan: Yes, we'll keep it short and sweet

Sean Ryan: Sean Ryan, Eden Renewables, we're based out of Troy, we've got some offices in London, we're a solar developer based out of Troy New York, we have some offices in London and some in Africa with the focus on community solar and some stand-alone storage projects. We've got 165 mega watts of projects in the Capital Region all 7 ½ mega watts in size, 14 approved with 12 in construction, 8 currently in the approval process for 22 total. What we feel the benefit are of solar power its free renewable and abundant, it helps affordability it improves the grid resilience, reduces air pollution, and cuts carbon emissions. Low-cost clean energy, 7 ½ mega watts for these projects is enough to power about 1200 averaged sized homes, annual savings of about 7000 metric tons of CO2 which is comparable to planting 123,000 tree seedlings grown for 10 years annually. Benefits to the people who sign up about 10 % savings annually on your electricity bills which equates to about one free month of electricity per year as a subscriber with no cost to those people. We practice bio-diversity management on these solar farms to make sure that nothing is affected, we've got 10 plus years of experience in developing bio-diversity habitats on these farms and 7 plus years of ecological surveys to monitor and improve the sites. We've done repopulation of endangered birds in UK solar field habitats and in Argyle we've done habitat creation and management for threatened and endangered species in New York. We practice planting polymer friendly habitats with wildflower meadows to produce nectar and bring local pollinators in, beehives provide the pollination in local farming and it's critical to the AG industry and it's responsible for about 500 million worth of crops annually. We practice our community engagement that was on October 6th here in the Town Hall we do an open house for the public to come prior to the public hearing just to get out there and get ahead of everything if anyone has any question they can come and ask us personally instead of like coming here and we update them regularly with posts and emails on social media. That's all I've got.

Anna Rehder: It's a little hard to see on the screen but this is just a quick overview of the site location, this just shows where it is on the Town mapping. Its in the waterfront commercial area, you can see down there again it's a little hard to see on this mapping. The main take away is that in this zone solar is an approved use with a special use permit. This is the site mapping that the Town received and should be on the Town website and such, it's a little bit easier to see on the aerial so Ill show it that way, I've got this shows the subdivision for this project is a little complex so I've tried to color code it, we've got red, green , yellow and blue those are the four existing lots and then you can see how we've updated those lots to create 2 flag lots where there are 2 non-conforming lots.

Richard Harris: I just want to point out for the audience this is the existing solar field on Town property, water district property in the Town, that's not their project, adjacent to the north.

Anna Rehder: Here you can see the solar project that we are proposing, we've got some DEC wetlands to the south that we're not touching at all, there's 2 solar farms the main change since we've been before the Board last is that both of the solar farms are completely fenced in separately, previously they had a shared fence line in the middle and they were not completely separated from each other, that's been updated so each solar farm now has a gated fenced surrounding area that's completely separated from the second solar farm. Additionally, we have changed the access road from impervious gravel to pervious gravel just to work better for the storm water purposes. The lot frontages are on Route 4 on the flag lot but the access as Rich stated will be off Brookwood Road through the Town water treatment facility currently has its access, there is an existing gravel road we'll be widening, I think its about 10 fee right now we're going to widen it to 20 feet and then we will also be extending it through the existing agricultural fields to allow access to the equipment pads and solar fields. The next slide I have shows an enlargement of the interconnection area so this is, you can kind of see it, it's a pad and a three pole layout so this is tow projects so each project has a pad and 3 poles and they connect into the existing powerlines that run along the Canal Way Trail, the Champlain Canal Way Trail, there you can kind of see the water on the other side. So, this has a lot less poles, since sometimes you see on solar farms a lot of the time, they will have 7 poles these projects have a reduced number of poles so that they are less visually, you don't see as much of the electrical equipment, and that's all we have.

Don Roberts: Very good, thank you now just before we go any further Im sure you're aware of this but just for the record, the Town will be requiring a removal bond just in case things don't go quite the way you wish.

Anna Rehder: Yes, I think we have, we submitted in August a decommissioning plan that went through all of the numbers for what would happen when it needs to be removed.

Don Roberts: Okay just so there are no surprises, thank you. Okay at this time we will open the public hearing would anyone from the public wish to speak. You must have done a good job, would anyone online wish to speak? Okay seeing no one wishes to speak we will close the public hearing, comments by the Board members.

Richard Harris: I do want to say we did not receive, we did mail out the public notices per the Town Code and we have not received any emails or written letters for the Board.

Don Roberts: Great, thank you.

Tom Koval: These are all fixed panels?

Anna Rehder: No these are a tilt system, so they track with the sun.

Tom Koval: So, they are going to be tracking from east to west I assume?

Anna Rehder: Yea, they'll track from east to west and then they lock at night, and I think it's in the plans, what their height is its 15 feet which is within the Town Code height limit.

Tom Koval: And you have access from Hudson River Road the Canal doesn't create a land lock situation on these properties?

Richard Harris: No, they're actually taking land that's landlocked and through that subdivision that she talked about, but it is a little convoluted on paper they will be flag lots to Hudson River Road, Route 4 but they have an existing easement, the current owners of the property have an existing easement

Tom Koval: Through the Railroad?

Richard Harris: No through the Town property to get out to the road, so if approved this lot will be a flag lot to Hudson River Road but they are not using it or crossing it.

Tom Koval: But it crosses the Railroad?

Richard Harris: The parcel does, but they are not going to be crossing it physically the same as this parcel, but they have an existing easement and I've been at a couple meetings, Frank Tironi's been in regarding their use of the Town easement and what can go in there, so Frank is aware of it and Lyn's been involved too with it

Tom Koval: The fire departments looked at this for their access through that easement?

Richard Harris: Yea we sent it to them we're waiting to hear from them on that

Tom Koval: Yea because that road going back on the easement will have to be able to handle fire equipment

Anna Rehder: Yea, it's been designed to meet the international fire code they're 20 ft wide roads and they have the required turning radius's that a fire truck

Tom Koval: 80,000 lb. road?

Anna Rehder: Yup, so the road design is designed for fire trucks, they have to get large trucks back there anyway to install the solar equipment so the roads are rated for both the large equipment and the fire trucks and there are turnarounds at the end of all the single access roads, this is the subdivision so you cant see it as well but all the turning radii and turnarounds are per the international fire code.

Tom Koval: Alright thank you.

Don Roberts: We cannot act on this tonight we are waiting for County approval so

John Higgins: Im trying to understand how a gravel road is going to be maintained in the winter accessible to an 80,000 lb. fire truck, you plan on just plowing the gravel, sooner or later you're going to run out of gravel.

Anna Rehder: Im not sure, Sean do you have any insight into the maintenance of the sites after they are built?

Sean Ryan: I don't

Anna Rehder: I don't have an answer for you right now but that is something I can look into and get back to you

Don Roberts: This lady behind you might have an answer

Stephanie Thomlinson: Stephanie Thomlinson with Eden Renewables. So once the project is constructed there is going to be a whole operation maintenance plan put into place that will be presented to the Town as well as work with the fire department for approval to ensure that the plowing is appropriate and consistent, the road is cleaned off and the gravel is maintained even if that means putting fresh gravel in.

John Higgins: Also, you know obviously you're going to have to deal with mud in the spring and everything else so, the plan that you develop has to be very detailed on exactly how you plan on maintaining it so that the sites are accessible for emergency vehicles.

Stephanie Thomlinson: We already, some of our sites that are under construction have already been using the rubber mats under the tires to avoid rutting on with the mud and the wet conditions so that's something that all comes kind of a little later but is accounted for before the construction.

John Higgins: Okay thank you

Rich Berkowitz: What is the life span of one of these panels?

Sean Ryan: About, the useful life is about 25 years and then we have leases for 40 years with the landowners and at the end of the panels useful life we can recycle them and still, they're still around 85% efficient

Rich Berkowitz: How are they recycled?

Sean Ryan: Just used in a less intense setting usually, like re-used more than recycled, NYSERDA also classifies them as just general waste so.

Rich Berkowitz: What's in the solar panel, is there anything toxic if it, no?

Sean Ryan: Just silicon

Rich Berkowitz: And what happens if, how do you know if one of these panels breaks down or isn't functioning properly?

Sean Ryan: The production will drop, they are all in strings so if a panel in the middle line of panels is dysfunctional it will knock out everything past it.

Mike Ziobrowski: It's in series.

Sean Ryan: Yea

Rich Berkowitz: So, you'll know is one goes bad and then how often does this happen?

Sean Ryan: Im unsure, I can't imagine too often, unless like there is hailstorms or something, I really don't know.

Rich Berkowitz: And if, are they checked every 6 months, every year?

Sean Ryan: Yea those will be in the operation and maintenance plans.

Tom Werner: What's the land under the panels itself, is it natural grass or turf or is this gravel?

Sean Ryan: Yea its natural grass and then we have the, we plant the pollinator flowers and wildflowers

Tom Werner: Does that have to be maintained, mowed occasionally or?

Sean Ryan: Yup, yup, yea mowed or sheep grazing is an option that a lot of solar farms use.

John Higgins: Where you gonna use sheep on this one?

Sean Ryan: I don't know do you? Sorry

Stephanie Thomlinson: I don't know that we have sheep proposed on this site, I do not believe we do, but we do have a history in our projects on in the UK it will likely be implemented over here in the US as well that after the fall we will work with local shepherds to bring sheep into graze the underneath the panels it helps restore the land for healthier soils and it reduces mowing, but we don't use that earlier in the year so again, I don't think that's something that is currently proposed on this and its definitely not something that would be introduce without coming to the Town first.

Mike Ziobrowski: So, while your up there im going to get back into this pervious gravel that you've recommended now I've put in a lot of surfaces and high-end museums and so forth that when you put a pervious surface like this in you need such a large substantial subbase that the costs are overwhelming. You might want to consider like a pervious pavement or something like that and Im going to actually recommend that Joel take a look at this, when you're putting a fire truck on something that's this substance you've got to be secure and safe

Anna Rehder: Understood

Don Roberts: What do you say Joel?

Joel Bianchi: The pervious haul road they're using is actually recommended by DEC, they've used it in solar farms we've designed, and we don't have an issue with it, it would be interested on how the Halfmoon Fire Department responds to this, every fire department responds to solar farms differently. There are jurisdictions that say if there is an incident here, we are staying outside the fence and letting it burn down, other ones will actually go in and fight the fire so if the agency has no inclination to go inside the fence if there is an incident, the haul roads really don't matter. If they want to go inside, that's a matter they'll have to deal with fire department to make sure they can deal with the fire equipment.

Rich Berkowitz: What's in there that can burn?

Joel Bianchi: Glass, it gets pretty hot, from wires

Rich Berkowitz: Is there lithium in there?

Joel Bianchi: No, just glass

Rich Berkowitz: No lithium batteries or anything?

Joel Bianchi: Its hazardous materials that are brought together to make inert material

Rich Berkowitz: I don't know that's why Im asking

Tom Werner: How about the toxicity of the fumes, in a fire like that would that be something?

Joel Bianchi: With glass burning? No different than your house probably burning down.

Tom Koval: I think the biggest fire they could have would be a grass fire, it would be a grass fire where wires caught and it would trip out the breakers and the equipment would shut down the system, there's not a lot in a solar panel that can burn, it really just is glass and aluminum frames generally, that's not a huge concern and this property I know it very well, there's nothing around it.

Don Roberts: Okay anyone else wish to speak on this? I guess we've got to wait until we hear back from Saratoga County Planning Board and then we will get back to you alright. Okay good presentation thanks you.

Sean Ryan: Thank you.

Bridgewater 1 Solar, 6 Brookwood Rd. – Site Plan & Special Use

Bridgewater 2 Solar, 4 Brookwood Rd - Site Plan & Special Use

Bridgewater 1 Solar & Bridgewater 2 Solar, 4 & 6 Brookwood Rd - Minor Subdivision

***PUBLIC HEARING/TABLED.** Board held a Public Hearing on the Minor Subdivision, Special Use Permit and Site Plan applications related to the proposed solar farm and tabled it pending receipt of the County Referral.*

Don Roberts: Now moving back to the first one is anyone here to present the Greene subdivision public hearing? Okay Rich no one is here for Greene so

Richard Harris: The applicant did respond that he was coming today, and I did email him right before the beginning and I haven't heard back

Don Roberts: We will try again at the end, that's all

New Business:

22.159 **Rolling Smoke BBQ, 1613 Route 9- Change of Use/Tenant**

Rob Carmel: My name is Rob Carmel, my wife Amy and I we own Rollin Smoke BBQ here in Halfmoon. We've outgrown where are, so we are looking to re-locate 1613 Route 9 formerly known at the Halfmoon Sandwich Shoppe

Don Roberts: That's good and you've outgrown right, that's good

Rob Carmel: That's a good problem to have we've been very blessed and fortunate the last 2 ½ years so its time to expand and we are see what we can do.

Don Roberts: A similar operation to what you do have now.

Rob Carmel: Yea its still going to be the same hours as of now, yea she just hired 2 new employees we're looking to hire at least 3 more to have a team of around 10 people on staff, we sold our food truck so we could focus more on catering, doing more corporate events we just did the Town event back in September so yea I mean we have more parking, more lot space outside, parking has been a major issue for us, yea there is maybe 8 spots where we are now, now we'll have about 43, 45 spots just under an acre and a half, we plan on utilizing that property to host events.

Don Roberts: Now in the pre-meeting the question come up about the special events you might be having can you elaborate on that a little bit.

Rob Carmel: Sure, we would lie to maybe utilize the parking lot for food truck quarrels, flea markets, fund raising, we do a lot of fundraising, and we do a lot of fundraisers for non-profit organizations so sometimes they don't always have the space to host it at their location so perhaps we could hold it at our property.

Don Roberts: We've got to make sure there's no parking on Route 9 if that happens

Rob Carmel: We will make sure of that, we will talk with the Harbor Freight guys and maybe we can utilize some of their parking too but that's just what we have planned for now I mean its right now we're focusing on getting and getting everything, doing all of the fit up and everything else. Hopefully we will be open for, we're looking at for mid December, if we can because our lease is up where we are now December 11th, so we have to be out of there by then, we're going to shut down for a couple of weeks, swing everything over, get everything hooked up, installed, get our permits and hopefully be able to open in December

Lyn Murphy: So just for clarification purposes, the only thing that you are looking for today to be approved by this Board if they choose to do so is the operation of the restaurant, special events are an issue I believe Paul talked to you about?

Rob Carmel: Correct, yea we're just a transfer of tenant, that's it

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to approve the use and tenant.

Mike Ziobrowski: Second

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, now if you want a sign you've got to come back for a sign, you know that?

Rob Carmel; yea, yes okay, just like we did for over here.

Don Roberts: Advertise the Town of Halfmoon right?

Rob Carmel: That's what we always do, thank you.

Don Roberts: thank you, okay good luck

Richard Harris: Green still isn't here, I emailed the representative for Greene he hasn't emailed me back he confirmed he was coming on Friday.

Rolling Smoke BBQ, 1613 Route 9- Change of Use/Tenant

APPROVED. Board approved the use of vacant space at 1613 Route 9 to relocate their restaurant.

22.154 **Staniak Subdivision, 26 Staniak Road- Minor Subdivision (Lot-Line Adjustment)**

Bruce Tanski: Bruce Tanski, Clifton Park, the purpose of this proposal for a lot line adjustment to 26 Stanik Road is to add .72 acres area to the rear westerly boundary line, to the proposed 2.05-acre vacant residential parcel from an existing 39.02-acre parcel. Both parcels as well as the parcels to the north and south are unimproved and owned by myself.

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to set a public hearing on November 14th

Marcel Nadeau: I second

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried see you the 14th

Bruce Tanski: Thank you.

Staniak Subdivision, 26 Staniak Road- Minor Subdivision (Lot-Line Adjustment) PUBLIC HEARING SET. Board set a Public Hearing for November 14, 2022, for a proposed lot-line adjustment.

Old Business:

22.157 **Tribley Residential PDD, 315 Farm to Market Rd – Major Subdivision**

Jason Dell: Good evening, Jason Dell, an engineer with Lansing Engineering here on behalf of the applicant for the Tribley Residential PDD. We were before the Town Board last week, where the Town Board approved the PDD, we did revise the plan per the recommendation of this Board. The project calls for 38 residential lots all with a minimum size of at least 10,000 sq ft. we are here to update the Board on the revised plan and to request that the Board refer us over to MJ to start the engineering review of the project.

Don Roberts: Okay, very good. Questions by the Board? Joel we will refer this application to you alright. We will send it for review, and we will get back to you alright.

Jason Dell: Thank you.

Tribley Residential PDD, 315 Farm to Market Rd – Major Subdivision

TABLED/REFERRED TO AGENCIES. Board received a presentation for a proposed 38-lot subdivision at 315 Farm to Market Road and referred it to various agencies for review and comment.

Don Roberts: Thank you, Ill try one more time, Green Subdivision 217 Fellows Road Minor Subdivision, anybody here for this? I guess not.

Mike Ziobrowski: I would like to make a motion to adjourn the meeting

Tom Koval: I second it.

Don Roberts: All those in favor aye? (All in favor) Opposed? (None were opposed) Motion carried, thank you, good night.