

TOWN OF BROADALBIN PLANNING BOARD

**WEDNESDAY
AUGUST 28, 2024
7:00 P.M.
BROADALBIN TOWN HALL**

MEETING NOTES

PRESENT:

MIKE CRISPIN, CHAIRMAN
JARROD ABRAMS, VICE CHAIRMAN
DALE POTTS, MEMBER
PHILIP COMINI, MEMBER
JAMES MAGIELDA, MEMBER
MIKE DEPAULA, MEMBER
MIKE GALLUP, MEMBER

---- SCOTT HENZE, DIRECTOR, FULTON COUNTY PLANNING DEPARTMENT

OTHERS: Joseph DiGiacamo Town Supervisor
Mike Rorick, Town Councilman
Dave Bardascini Town Councilman
Eric Rorick
Laurie Bollock
Kimberly Ricker Scannell
Others

The meeting was called to order at 7:04 p.m.

I. MINUTES FROM JULY 24, 2024 MEETINGS:

PLANNING BOARD ACTION:

MOTION:	To approve the minutes to the July 24, 2024 meeting.
MADE BY:	Member Comini
SECONDED:	Member DePaula
VOTE:	7/0

II. OLD BUSINESS:

A. DRAFT SOLAR ENERGY FACILITIES LAW CONT'D:

- See revised Solar Energy Facilities Law as provided by Town Councilman Mike Rorick.

PLANNING BOARD DISCUSSION: Chairman Crispin stated that the Planning Board held a workshop on August 14th to continue to draft a Solar Energies Facilities Law. Chairman Crispin noted that Mike Rorick had provided a copy of the Town of Rotterdam's Solar Energy Facilities Law whereby the Planning Board was to take a look at that law and incorporate components of that law into the Town of Broadalbin's.

Chairman Crispin recognized Mike Rorick and Kimberly Ricker Scannell in the audience noting that they were there to address the Planning Board in regards to a revised draft Solar Energies Facilities Law within the Town of Broadalbin that has been drafted by Ms. Scannell. Chairman Crispin noted that Mr. Rorick is speaking as a town resident.

Mike Rorick stated that he appreciates the Planning Board considering the Solar Energy Facilities Law that Ms. Scannell has drafted that utilized the original draft Solar Energies Facilities Law that the Planning Board had developed to include components of the Town of Rotterdam Solar Energies Facilities Law. Mr. Rorick noted that he has retained the services of Ms. Scannell. Mr. Rorick asked that the Planning Board listen to Ms. Scannell and ask any questions that they may have.

Ms. Scannell stated that she became involved in the Town of Rotterdam politics where she heard that there was a large solar development being proposed adjacent to her property. Ms. Scannell stated that she attended the Town Board meeting to understand what the proposal was for. Ms. Scannell stated that she then became involved in the Town politics with others convincing the Town in 2022 to pass a moratorium on Solar Energies Facilities. Ms. Scannell stated that the Town of Rotterdam created a energy commission made up of various residents and Land Use attorneys and over the course of 2023 and 2024 drafted a responsible solar code. Ms. Scannell stated that she is pro responsible solar. Ms. Scannell stated that she then has become a party to a Stop Energy Sprawl not for profit group whereby said group has developed a solar code template for any municipality that would like to participate. Ms. Scannell stated that she reviewed the draft solar energies facilities law that the Planning Board has been working on and made adjustments to it based on the Town of Rotterdam's Solar Energies Facilities law along with other components from other laws. She stated that this draft is unique to the Town of Broadalbin. Ms. Scannell noted that it is important to have a strong solar law because before a solar energy company can go to the Office of Renewable Energy Siting (ORES) they must first make an application to the municipality. Ms. Scannell stated that ORES will not except an application based upon the fact that a solar Energy Facility Company states that the project will be too expensive by going through the local municipal law first.

Member Abrams asked how a major Solar Energy Facility would effect a neighboring well and questioned why there is well testing requirements identified within the draft law. Ms. Scannell provided an example of wells going dry in Schoharie County. Ms. Scannell indicated that the proposed Solar Energies Facilities Law also includes a Community Host Benefit fee. Ms. Scannell stated that this Community Host Benefit fee is based upon \$7,000 per acre of develop solar field and is a good way for a developer to be a good neighbor with the municipality. Member Magielda questioned the preference between pilots and full value assessment. Ms. Scannell stated that that question would be better served to be asked to the local assessor.

Scott Henze questioned whether or not the Town Designated Engineer would be funded via the Town or the developer. Ms. Scannell confirmed that the law is drafted so the fees associated with the hiring of an engineer to review project components would be paid for by the developer.

Scott Henze questioned the reasoning for the solar energy overlay district within the tier 4 requirements referencing that the Town of Broadalbin does not have zoning therefor there are no specific districts within the town. Ms. Scannell conquered this is something that the town should look at more closely and was problematic when she drafted this particular law.

Member Magiella questioned the height of solar panels referencing that there are poll mounted sun tracking panels that are noted to be 40% more efficient and therefore there would be the need for less panels over all. Member Magiella questioned the reasoning for no pesticides or herbicides that could be used to maintain vegetation along fences etc. Member Magiella referenced the use of herbicides of NYS DOT along right of ways etc. There commenced a discussion in regards to the use of pesticides and herbicides.

Supervisor DiGiacamo asked whether or not the Town of Rotterdam Solar Energies Facilities Law had challenged in court yet. Ms. Scannell indicated that it has not been challenged to date.

There then commenced a discussion in regards to the Planning Board’s continued review of the new revised draft of the Solar Energies Facilities Law. Chairman Crispin asked Planning Board members whether or not they felt comfortable with utilizing what Ms. Scannell has drafted and continue to tweak that draft moving forward. The consensus of the Planning Board was this was acceptable. The Planning Board then scheduled a second work session to be held on September 11, 2024 at 6:30 pm.

_____END OF AGENDA ITEM_____

III. NEW BUSINESS:

A. None.

_____END OF AGENDA ITEM_____

IV. CHAIR REPORT:

1. Chairman Crispin provided an update on the Fulton County Planning Boards within the ADK Blue Line session.

V. CODE ENFORCEMENT OFFICE REPORT:

1. ?

VI. NEXT MEETING:

The next regularly scheduled meeting of the Planning Board will be held on:

September 25, 2024 (to be a joint Planning Board Town Board meeting).
7:00 p.m.
Town Hall

VII. CLOSE OF MEETING:

MOTION: To close the meeting at 8:45 P.M.

MADE BY: Member Comini

SECONDED: Member DePaula

VOTE: Unanimous