

TOWN OF FORESTBURGH PLANNING BOARD

Minutes

January 23, 2024

After a public hearing, the meeting was called to order at 7:04pm by Chairman Richard Robbins at the Town Hall in Forestburgh.

Members Present: Katherine Barnhart
Alan Devlin
Susan Hawvermale
Richard Robbins - Chairman
Robert Sipos

Absent: Anthony Cardoso
Arthur Leaney-Levenson

Town Attorney: Javid Afzali

Town Engineer: Tim Gottlieb

Recording Secretary: Billie Jean McGinnis

Approval of Minutes

Motion made by K. Barnhart to approve the minutes. Seconded by A. Devlin.

Vote: All in favor.

Public Comment on Applications on the Agenda

There are no comments.

NY Forestburgh I, LLC

Walter Garigliano and Barbara Garigliano presented on behalf of the applicant. Also in attendance were Mollie Messenger, Melissa Melko and Rich Winter. They are seeking approval for a large scale ground mounted solar system on Route 42, approximately one mile from the Route 42 and Hartwood/Forestburgh Roads intersection.

Mrs. Garigliano provided an update on the land division portion of this application. She explained that because this is a land division, it doesn't require a public hearing. The reason they are holding off on a determination is because it's part of the entire project.

Mr. Garigliano provided an update on the solar portion of this application. They have a draft of the stormwater pollution prevention plan, the erosion control and sedimentation plan. They

will provide the engineer with Parts 2& 3 of the EAF for consideration. He explained why this parcel was chosen for this project. He'll also provide a written statement.

Mr. Garigliano provided clarification that this property was used by a former owner as a hunting parcel. The EAF asks for a current use which is that it's "not in use" because the person who owned it moved away.

Mr. Garigliano stated that the original plan showed 12,000 585 watt panels. After this plan was proposed, they came out with new, bigger panels which change the plan to be 10,382 650 watt panels. When this project is ready to be built, the contractor will get whatever panels are available at the time. All of that will be cleared with the building department. It won't require additional land area as it will remain inside this project site.

S. Hawvermale asked about the height for the fence posts. Mr. Garigliano explained that the post length is 16 feet but will be driven into the ground. The fence itself will not be 16 feet high. Chairman Robbins asked about the height of the tilted panels, if the County was referring to the project summary that indicates that when tilted, it will be 16 feet on the high end. Mr. Garigliano confirmed that there's a discrepancy on the project summary which will be corrected.

A.Devlin asked the question raised at the last meeting about the shape of the property and why there's a notch cut out of the corner? Mr. Garigliano explained that's the configuration they came up with to keep the project under 60 acres.

R. Sipos asked how much heat is created from the panels. Mr. Garigliano explained that the panels are designed to absorb the sun, not reflect the sun. He doesn't think they produce much heat. Mr. Winter explained that they have the effect of cooling the ambient air. R. Sipos asked what materials the panels are made of. Mr. Garigliano explained that it's silicon. There's no silver or heavy metals in any of these panels. Decommissioned panels from rooftops are being sold to other countries.

R. Sipos asked how much CO2 and oxygen is being taken out of the air with the clearing of this property. Mr. Garigliano explained that they cannot accurately determine the amount of oxygen taken out of the air produced by this parcel. The age and size of the trees make a big difference. The typical payback period is under 3 years.

Chairman Robbins confirmed that the SWPPP indicates that they'll be clearing land from the larger of the two parcels. Clearing of 7.14 acres is going to take place within the 50 foot setback from the boundary. Mr. Garigliano stated that the area to be cleared will be approximately 300 feet from the fence, 200 feet of that will be cleared within the 59 acre parcel then there will be an insulation easement for the benefit of the solar parcel and to the detriment of the large parcel.

Mr. Garigliano explained the various easements required for the project— insulation, cultivation, access and 2 screening easements to keep the current undergrowth intact. The easements will remain for the life of the project to keep the site unseen. T. Gottlieb asked for written descriptions of all the easements.

Rules of Procedure

Chairman Robbins stated that an updated draft was circulated based on discussions at the last meeting. He proposed that they report the procedures to the Town Board for their review. After their review, it will be returned to this Board for a vote.

S. Hawvermale added that in prior discussions, it was stated that having a Vice Chair is a standard in Planning Boards. She researched the towns in Sullivan and Orange counties. In Sullivan County, only 3 of 15, had a Vice Chair. In Orange County, less than half of the 21 towns have a Vice Chair. She's correcting what was said previously.

Other Business

Chairman Robbins reported that Finnegan's Tavern has withdrawn their application. Escrow monies will be returned.

Adjournment

Motion made by K. Barnhart to adjourn the meeting at 7:26pm. Seconded by S. Hawvermale. Vote: All in favor.