

**Town of Wallkill
PLANNING BOARD MINUTES
October 5, 2016**

**Members in Attendance: Gary Lake, Jim Keegan
D. Dulgarian, C. Najac, A. Guattery, T. Hamilton, B. Capozella**

Also in Attendance: Dick McGoey, Consulting Engineer, Gardiner Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

Update from ZBA Liaison

G. Lake Welcome to the TOW Planning Board meeting. WE have one public hearing tonight - if you would like to speak please fill out a blue card and we will call your name.

Roselli 2 family Site Plan/Special Use permit Shaw Rd. (24-1-1.82) # 55-16

NOTICE IS HEREBY GIVEN THAT PUBLIC Hearing of the Planning Board of The Town of Wallkill, Orange County, New York will be held at the Town Hall at 99 Tower Drive, Building A, Middletown, NY in said Town on the 5th day of October, 2016 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of Katherine Roselli, 224 Shaw Road, Middletown NY 10941 for approval of a site plan for a 2 family house located on the south side of Shaw Road, 3100' west of Goshen Tpk, west of 200 Shaw Rd. (24-1-1.82) Under Article III, Section 4, paragraph G of the Subdivision regulations the Town of Wallkill. All parties of interest will be heard at such time and place. I did receive his mailings.

D. Yanosh Dan Yanosh, surveyor for the applicant. This is lot that was subdivided in 1990. The wants to put a 2 family and live downstairs and rent out the upstairs. We have a septic design finished and is under review by KC Engineering. There is a comment about the cross section of the driveway - it was graded and filled in by the Town years ago. I have a map here that shows the other 2 families in the vicinity.

G. Lake Motion to open this PH at 7:35 pm. Motion to close this PH at 7:36 pm Tom/Doug. 7 ayes.

D. Dulgarian No real issues. It doesn't change the characteristic of the neighborhood or impacts it. no one saw fit to come out to the PH so I'm good.

J. Keegan I'm good.

B. Capozella The owner is living in it.

D. Yanosh Yes, the downstairs.

G. Lake Ok - no other comments. Motion to accept the Part 3 EAF and neg dec subject to comments - Andy/Clark

- D. Dulgarian aye
- J. Keegan aye
- B. Capozella aye
- C. Najac aye
- A Guattery aye
- T. Hamilton aye
- G. Lake aye

Motion for site plan/Special use permit subject to same. Doug/Jim

- D. Dulgarian aye
- J. Keegan aye
- B. Capozella aye
- C. Najac aye
- A Guattery aye
- T. Hamilton aye
- G. Lake aye

Good Luck

Fogarty Solar Farm Site Plan/Special Use Permit - 124 Lybolt Rd.
(12-1-49.31) # 46-16

A Wailing Anne Wailing with Cyprus Creek Renewables. This is an early version of our application for a 20 acre solar facility on Mrs. Fogarty's property. Currently we have had some worksession meetings and rec'd some comments back. We are in the process of developing a much more significant site plan with more engineering. Some details and dimensions for the turn around and access road. Trench detail for the wiring, seeding for the

grass and fence detail. We didn't have it finished for this meeting but will be for the next. We had a question on the acreage. Basically the area of the panels only amounts to about 5 acres. But if you count panels and the spacing it is closer to 10. Everything else is access road, areas inside the fence that are not covered. We need to know if that is acceptable.

G. lake how many panels and how much juice will it be putting out?

A. Wailing it's a 2 Megawatt project -it is the limit of what we can put on the substation. Only up to 2 megawatts in NYS. It's about 9000 panels for a 20 acre project.

G. Lake This falls under the NYS allowable.. Yes. That was something we were discussing earlier. I know we did talk coverage and that you need that now.

R. McGoey Do you meet the fence area or is that just panels?
Do you meet that within the fenced area?

A. Wailing the total of the fenced area including the buffer is about 20. Do you need that to be smaller?

R. Mcgoey We have not gotten a clear definition. The opinion was if you have a fenced in area that is the solar farm and that would be the area you would have to limit to 15 acres. I told you we are going to work with you. Can you bring that fenced area in?

A. Wailing If it is required we are going to do what it takes to get the job done.

R. McGoey It's our first solar farm so we want to do what it takes to make it right.

A. Wailing Our issue is always energy production, if you get panels too close together they will shadow each other and produce less. Also the spacing is better for ground water penetration. I have a strong idea that when you designed the ordinance it was for 15 acres instead of 10.

G. Lake The solar farm itself does not cover the 15 acres. The fence...is required..

A. Wailing yes, because of NYS Law. We are going to have the buffer for the visual impact.

G. lake I would think you would be able to get that fence moved in to make it. I've been at a couple Worksessions but let me get the board members comments. You are here for sketch.

D. Dulgarian the 9000 panels. How big is each one?

A. Wailing Each panel is about the size of one of those doors. It's about 6 x 3. They are tilted about a 33 angle. The double racking ends up being about 12' high with 2' ground clearance.

J. Keegan 9000 panels? How high would the fence be?

A. Wailing State Law is that the fence must be 7' high - it can be 6' with 1' of barbed wire or 7'. Our preference is 6' with 1' barb wire.

J. Keegan I'm wondering , if they do this and it works out and is profitable can they come back and SD the land? Can they take 15 acres and make another solar

G. Lake Plus the code with all the setbacks - this has to be a considerable distance off the road. To meet all the setbacks I don't believe they could SD if they wanted to.

B. Capozella I see on the application there are ponds, waters etc. I'm sure you are aware of the buffer that you need to meet. I know it does not look like neighbors close but it does say poorly drained as it is now. They will have to do something with that - it's up to our engineer.

C Najac Is this visible from any of the neighbors?

A. Wailing I don't know at this point. We don't do the visual until the Public Meeting. We go take pictures, do simulation with the buffers, the panels and setbacks, neighbors etc. We plan to do a public meeting before the PH here to answer questions or comments with the neighbors. We advertise in the Town and invite everyone in the surrounding areas.

A Guattery I'm wondering what Clark is talking about. If there are visual that neighbors can see. Are they going to look at plantings or alternative methods of blocking all of this.

A. Wailing Normally a vegetative buffer- within 3 -7 years the sits is virtually invisible. We can show you sites we have constructed. 20' of evergreens, low planted.

A Guattery What kind of access does the solar farm need for power/transmission lines?

A. Wailing We don't need access to transmission but we cut into distribution lines. We collect all the electric into underground wires and it flows to a central point and then we put it up above the ground to a riser pole and then connect into the utility. In order to connect we have to get permission from the utilities. We know we have enough room on the line to put the power on. We have to do an agreement with them.

T. Hamilton Dick -from 20 acres to 15 acres, my question is what will stop them after with the buffers that they don't add panels?

R. McGoey there is code enforcement ..

A. Wailing We can only build 2 megawatts of power to put on the line. We have to tell them ahead exactly what we are doing. We can't add anymore, they won't let us. That is the NY State Regulation.

C Najac can we put a note on the plan exactly what your power output would be based on the panels? (yes)

G. Lake Ok - I have nothing else. Motion to accept this as sketch. You can continue on and return to w/s - Bill/Andy - all aye.

MOTION TO ADJOURN.