

Town of Wallkill  
PLANNING BOARD MINUTES

October 3, 2018

Members in Attendance: Gary Lake

Tom Hamilton, Clark Najac, Bill Capozella

J. Keegan, A. Guattery, Doug Dulgarian

Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer

Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

**LAC Plaza – 453 Rt. 211 (53-2-28) #90-17**

K. McManus Good Evening. We were here a couple weeks ago and presented our proposed plan which is to use 10,000 s.f. of an existing office bldg. at 453 Rt. 211e for a daycare facility known as The Learning Experience. Our request involves a minor amendment to the previously approved site plan to create a small outdoor playground in lieu of some parking spaces and a special permit to permit Daycare.

G. Lake We heard this the last meeting. There was a mistake in the mailings and we needed to continue and leave this PH open. Motion to reopen PH at 7:42.pm. Motion to close this PH at 7:43 pm Bill/Doug. 7 ayes.

D. Dulgarian I'm satisfied and support the project.

R. McGoey I need you to change the curb depth from 18 to 20" and ht. of the chain link fence – there are no game stopper comments.

G. Lake No other comments from the Board – Motion for a neg dec/part 3 EAF subject to all comments  
Tom/Andy

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
C. NAJAC	AYE
A GUATTERY	AYE
T. HAMILTON	AYE
G. LAKE	AYE

Motion for modification to SP/SUP subject to all comments. Clark/Jim 7 ayes.

D. DULGARIAN            AYE  
J. KEEGAN                AYE  
B. CAPOZELLA           AYE  
C. NAJAC                 AYE  
A GUATTERY             AYE  
T. HAMILTON             AYE  
G. LAKE                 AYE Thank you and good luck.

**RSR SP/SUP –Ext. to Conditional final Approval - 55 Wes Warren Drive – 41-1-70.121 #20-17**

T. Depuy                I am representing RSR. They are looking for a one year extension. We had the project ready to go and had the site plan signed last October. The project was put on hold with Corporate.

No comments from the Board.

G. Lake                 Motion for one year ext. to cond. Final approval Doug/Andy 7 ayes.

**JTKM 10 Lot SD – Connors Rd. (24-1-40.2) #33-18**

J. Fuller                I am representing this project which had preliminary approval granted a couple months ago. We are waiting on the final letter on the septics from Bob Carr of KC engineering. It has been verbally approved.

G. Lake No comments from the board. The one neighbor that was here at PH mentioned a little drainage problem. Have you looked at that? (yes I did).Motion for final SD approval subject to all comments. Andy/Clark 7 ayes.

**OYA Solar SP/SUP- Pocatello Rd. ( 65-1-7.3) #20-18**

M. Farmer            We were here in August and presented the project and we are here to ask to send out a NOI for Lead Agency. We are in receipt of Dick’s comments and take no exception to them. Based on his review we are going to adjust our calculations a bit so there is a slight increase in run off due to trees being reviewed. WE will continue to work with Dick on that process and request the board refer this to the ZBA for our 3 variances.

G. Lake We are sending them to the ZBA for what Dick?

R. McGoey            There are 3 areas that are in excess – vegetative removal , total solar area and total area of parcel to be used for solar use.

10/3/18  
PB MINUTES

G. Lake Ok – so everyone understands, the vegetative removal percentage – is that more than the 15 acres they permit?

R. Mcgoey In excess of that.

G. Lake The total solar area is going to be over 15 acres?

M. Farmer Yes, it includes the fenced area and the area to the roadway – 29 acres plus or minus. So a variance of over 5 acres..

G. Lake I'll go thru the Board – this is to get you to the ZBA.

M. Farmer I do have some pictures here.

G. Lake what is the total output on this facility?

M. Farmer 2 megawatts AC, 3 megawatts EC. The State program allows up to 2, it will be adjusted up to 5 but the application we submitted is for 2 and that is what we were approved for under the O&R allocation by NYSERDA.

G. Lake How many homes would that provide electricity to?

M. Farmer I would have to do the math, 2 megawatts or 3.6 million kilowatt hours and divide it by the average home use – 4 br, 2000 s.f. home might consume about 2000 kilowatt hours. Ballpark, 400-500 homes. The idea behind these projects and the Community Solar program that NYSERDA offers is you have incentive solar that is going in that people put panels on their homes. in a lot of cases, where they can't put panels on the home roof. These community solar programs enable those homes to subscribe to these types of community solar projects. It translates into a 10% savings for the homeowners that subscribe.

G. Lake You are not selling to O&R?

M. Farmer The power is going into O&R. We go thru energy retailers and the power is used by residential and commercial. The economics are better on a residential level. These pictures represent standing on the side of Pocatello Rd. you can see the tree line looking southeast. You are not going to be able to see solar panels. AT this corner we could plant some trees. I took pictures from Miller Hts. And Karen drive. I came over to High Rose and there are 2 cul-de-sacs it is and you can see the trees, we will be 250' back from the edge of driveway per code. At the end of Miller Hts. There are trees as well.

D. Dulgarian Dick, the vegetation removal restrictions, are they for erosion or preservation?

R. McGoey In the ordinance? It was preservation of vegetation matter. A limit of 15% of the lot area.

D. Dulgarian In an effort to improve the environment we cut down trees? You have 2000 kw which is 2 mw. You are saying they may go up to 5 at some point? (yes) Does the industry see the technology down the road where this may produce that? You can take these down and put up others in the same footprint or is this pretty much what you get out of it?

M. Farmer There will be modest improvements. Like any technology, you get that curve where you see some great improvements.

D. Dulgarian I'm hoping technology exists at some point that instead of adding a new footprint we use pre-existing footprint. My concerns are aesthetics, I believe you will have enough buffers there.

J. Keegan I think it's a great use. It's better than trying to cram homes in there. I agree with Doug that zoning codes are there for a reason. 55 or 60% variances are big variances so keep that in mind. My other question is there is a small generating station that creates noise – make sure the people near that don't hear humming or anything.

M. farmer We can do noise studies but you will not hear anything from this unit. They are similar to transformers in a SD – trenching and feeding underground. Those on a hot day in the summer you might get a hum out of them.

B. Capozella We talked about the overall acreage you need to use and you will need ZBA relief. We built other projects in the Town that did not have to get relief. Is the reason for yours because you are trying to go for additional wattage?

M. Farmer The project that was built for the Town, the economics there are a whole lot better. You can do different things to get them built. The incentive we are getting is the smallest under all the solar programs. we have had to look at doing it as a single access traffic system to increase the yield within that 2 mw ace interconnection that ORU is allowing us. When you do this you have to spread them out a little more so one panel does not shade the other. When you have them fixed on the locking systems that you see you can tighten them up a bit so your footprint per MW is a bit less than when you go with trackers. That is what we are proposing here – they track from east to west direction throughout the day. That is why we are a bit bigger. we are still getting the 2 MW which allows the economics to work for this project.

R. McGoey Short answer Bill – the landfill was already cleared.

B. Capozella The public will come out if we get that far and you will need all your ducks in line. Things like where does the water go, the vegetation, the list goes on. Be prepared. An aerial view would be nice. A side view where the homes are, etc.

C. Najac I like solar. The problem that I see is that I think it's a lot easier to do solar on individualized homes vs. a solar farm. You need someplace that the utility has the capacity to handle what you want to put out. you are saying that O&R has infrastructure there?

M. Farmer We have already put the submissions in to ORU and have got the interconnection agreements back. The next step is to go thru site plan before we write them a check for \$250,000.00. I think we are around \$650,000.00 to ORU. We are trying to take the steps to get to that stage. Preliminary engineering has been done and they have come back with an interconnection agreement for us.

C. Najac You are removing the growth that will slow down the water running down that hill. You are going to put a lot of panels for all that water to run on. The stormwater management will be critical.

M. Farmer The panels are raised and piles are put into the ground. You do have a ground of vegetative cover on the ground space. You are looking at going from a tree landscape to a turf meadow capacity. It can retain water but we are changing the overall flow characteristics. We typically plant a pollinated ground cover on it. The additional benefit is for beekeepers in the area. There is some benefit in that regard.

C. Najac I understand the NYSERTA program and it is beneficial to people.

A Guattery Thank you for the pictures. I think the one thing we should make sure you do is this. It is 100' elevation and we have High Rose Ridge that comes up around it even with 200' of trees. I think you need to do some math on flooding rains. It is not getting better. That is my only concern.

T. Hamilton Agreed. How does the property tax affect this from going from an empty lot?

M. Farmer Right now we are negotiating with Orange County on the taxation. Typically we enter into PILOT agreements. We are in the throes of it right now. There is also a conversation with the Town on a special district with a council that is working on it with the Town and County that are trying to negotiate and come up with a fair rate for the PILOT agreement. They are being negotiated because those have the potential to kill the project as well.

10/3/18  
PB MINUTES

G. Lake Motion to send to the ZBA. Tom/Andy 7 ayes.

MEETING ADJOURNED

Gary Lake, Chairman