

Town of Harpersfield Planning Board

Minutes: **September 28, 2022**

Present: D. Darling, K. All, W. Keller, F. Ciulla, A. Gallagher and D. King

Also present: L. Page, K. Bower, Abigail Sander, Henry Sander, Bill Abbatine, Trish Hilts, Ken Utter, James Catella, Collin Miller, Sean Murray, Kelly Sullivan, Pete Dolgos, Sue Pick and Colleen Bisceglia

D. Darling opened the meeting at 7 p.m. by reading the continued public hearing notice for the CMLL site plan.

A motion was made by D. King, with a second by F. Ciulla, to close the public hearing. Motion carried 5-0.

The regular meeting was opened at 7:05 p.m.

Minutes of the August 31, 2021 meeting were approved as presented on a motion by F. Ciulla, with a second by A. Gallagher. Motion carried 5-0.

D. Darling explained the Monroe Balancing Analysis determination approved by the Harpersfield Town Board on Sept. 9, 2022. It falls under the "balancing of public interest" after the village of Stamford failed to apply for a subdivision before selling the 6.65 acres to the Catskill Mountain Little League to be developed as a little league park. The action exempts the village from the subdivision regulations in this instance. The action allows the CMLL to proceed with its site plan application, essentially waiving the requirement as the planning board will be conducting a SEQRA review of the proposed project under the site plan. The remaining lot, see Resolution No. 013 of the Year 2022, is not approved by the planning board as a buildable lot.

James Catella, project engineer for CMLL, was present. He indicated the lighting plan submitted at the July planning board meeting, which will have no spill light and will illuminate the field and parking lot with downward lighting, using the most state of the art athletic field lights. He did not anticipate any changes in the lighting plan, which he forwarded to the planning board's attorney, Allyson Phillips. If there are any complaints registered by the public, he indicated the lighting could be easily changed.

Planning board members reviewed Part I of the short Environmental Assessment Form, submitted by CMLL. They then reviewed Part II of the short EAS as the lead agency.

On a motion by W. Keller, with a second by D. King, a negative impact declaration was made. Motion carried 5-0.

D. Darling indicated this included responses from the New York City Department of Environmental Protection and state Department of Transportation. The plan was revised in September to reflect the recommended changes to the site plan and are indicated on the map.

A motion was made by D. King, with a second by W. Keller, to grant conditional approval of the site plan. See resolution. Motion carried 5-0.

It was noted the Delaware County Planning Board has also reviewed the site plan on Sept. 7 with no recommendations made.

A motion was made by D. King, with a second by F. Ciulla, to approve the CMLL site plan as presented. Motion carried 5-0.

Sue Pick was present with a survey map to add 8.24 acres to the 5.10 acres on Harper Road that is already owned, creating one 13.34 acre parcel.

A motion was made by W. Keller, with a second by D. King to classify the proposal as a boundary line adjustment. Motion carried 5-0.

A motion was made by D. King with a second by W. Keller to approve the boundary line adjustment as presented. Motion carried 5-0.

Representatives of Delaware River Solar, Peter Dolgos and Kelly Sullivan, were present to discuss the application at 21 Weaver Road to develop 30.5 acres of a 239-acre parcel for a solar array. She indicated there have been no changes since the initial sketch meeting with the planning board. They would possibly be applying to the state DOT for a 20-foot wide driveway to the interconnect location with the New York State Electric and Gas power line. W. Keller questioned water runoff from the solar panels. A full Storm Water Pollution Protection Plan has not yet been completed and they have been meeting with the state Department of Environmental Conservation (DEC).

She was asking the planning board to declare lead agency for the project. The project must also be presented to the Delaware County Planning Board for review. It was also indicated that Allyson Phillips could serve as counsel, with no conflict of interest determined.

A motion was made by W. Keller, with a second by D. King for the planning board to serve as lead agency. Motion carried 5-0.

On motion by K. All, with a second by D. King, a public hearing was set for Oct. 26 at 7 p.m.. Motion carried 5-0.

Sean Murphy, engineer, and Colleen Bisceglia were present for Blue Wave Solar, which is proposing two separate arrays on property owned by the Eklund family off Bruce Hill Road and state Route 23. It will be located on existing cleared land and has good vegetative screening around it. The only change is that there will be one road serving the project and not two as in the sketch meeting. They will be known as Array A and Array B, a 5 mw and a 3 mw project, respectively. They will be constructed concurrently, but will remain separate projects to remain within the community solar criteria.

D. Darling presented a resolution passed by the Harpersfield Town Board indicating there will be no action regarding Mountaintop Airfield LLC until an escrow account has been established to allow the hiring of a consultant engineer and a law firm to guide the town planning board review of a site plan application submitted by Mountaintop Airfield LLC.

On a motion by K. All, with a second by W. Keller, the meeting was adjourned at 9:44 p.m.. Motion carried 5-0.

Respectfully submitted,

Liz Page
Recording secretary