

ZBA Area Variance granted October 12, 2017.

A **Motion** to open the public hearing was made by William Ogden, seconded by Nicki Anzivina. All ayes. There were no comments from the public.

A **Motion** to close the public hearing was made by Larry Hammond, seconded by William Ogden. All ayes. A **Motion** was made to accept the resolution of approval by Larry Hammond, seconded by William Ogden. All ayes.

Old Business

MCBS DG Highland LLC, 3584-3594 Route 9W, SBL#88.17-6-25.110 & 88.17-6-16.110, in GMU zone.

Dollar General / Multifamily

Development project of 21.7 acres of land along Route 9W. The applicant desires to take three lots (SBL: 88.17-6-15.11, 16.11 and 25.11) and subdivide and lot line revise those lots into seven (7) lots. Lot 1 will contain a bank, Lot 2 will contain a Burger King, and Lot 3 will contain a proposed Dollar General retail store. Lot 4 will contain an existing retail and apartments and the existing pond parcel will be Lot 5. Lot 6 will be a vacant lot with no currently proposed development and the remaining Lot 7 will contain a proposed 72-unit apartment complex with a community room.

The applicant anticipates a full environmental review under SEQRA.

The Planning Board has requested a revised subdivision plan.

No new information submitted.

New Business

Sal Cusa, 67 Hawleys Corners Road, 79.4-1-12, in R1 zone.

The applicant would like to construct a 2-family dwelling in an R-1 zone. The parcel consists of 2.9 acres.

No new information submitted.

A **Motion** was made by Larry Hammond, seconded by Carl DiLorenzo to set the public hearing for December 7, 2017. All ayes.

Extended Public Hearings

Windgate Solar LLC Solar Farm, 3809-3813 Route 9W, 95.4-1-31.100, in R1 zone.

Construct 2MW solar farm on 20 acres off Perkinsville Road.

The public hearing was opened August 24, 2017.

The Planning Board has requested more extensive and revised 3D simulations of the proposed project.

No representatives from Windgate Solar were present.

Plavchak said the Planning Board has gotten a better perspective on the visuals of the solar farm by the site meeting on October 12, 2017. After seeing the site, Plavchak said the Planning Board requested several items. They requested to see if the site could be moved closer to RT 9W, a more robust buffer to provide no visual impact to neighboring properties, a visual presentation of the plans and a plan to bury the lines. He said the

Planning Board is trying to be as thorough as possible with the proposed project and believes the process is working the way it is supposed to. They will continue to keep the public hearing open and not close it until the applicant completely satisfies what the Planning Board has requested.

Paul Hansut, Town of Lloyd Supervisor, said that he would like to commend the Planning Board for their diligence and felt that there was some confusion at the last meeting with the residents. He said there are laws and processes that the Town is required to follow when there is an application submitted to the Planning Board. He additionally commented that he felt that the Board has done a fantastic job protecting the interest of the residents and that he and the Board are here to listen to any of their comments or concerns.

Plavchak commented that the site visit was an eye opener to the Board.

Ogden agreed and said particularly with the buffering along the road.

Residents asked if the owner of the property is aware that if the project goes through that the rest of the property cannot be utilized.

Plavchak said he did not know whether they are aware of that.

Barton said he spoke to Teresa Bakner, town land use attorney, who is not fully convinced that it is the Town's responsibility to notify them. It also can be additionally utilized for agricultural reasons. The property never can be subdivided nor any other development approved because of the coverage.

DiLorenzo said as a courtesy the Planning Board should reach out to the land owner through a letter.

Barton said he would send a letter and invite the land owner to the next meeting.

Mark Fisher, 142 Perkinsville Road, asked if the Board is asking the applicant to move the project.

Plavchak responded that they cannot make them move the project they can just suggest it to the land owner.

The land owner at this point is only allowing the solar company to lease this certain portion of the property. If they can't move it, then the Planning Board can put restrictions on it as they have already done so.

A discussion ensued about the NYS Municipal code concerning solar farms and how the Planning Board has to adhere to the code.

Plavchak said the Planning Board does not write the laws but they can help formulate them which they did on the Town law. They had suggested some things to change.

Barton commented that the Board can deny any application if The Planning Board finds they have not satisfied any part of the SEQR.

Brooks said they are asking for some visual simulations that would not only satisfy the Planning Board but the residents as well.

Plavchak said they won't go to a resolution until it's all been satisfied.

The Planning Board process and the strategies of the fire truck turnaround and fire plan were discussed.

A **Motion** was made by Carl DiLorenzo, seconded by William Ogden to extend the public hearing. All ayes.

Administrative Business

A **Motion** to accept the minutes from the June 15, 2017 Planning Board Workshop was made by William Ogden, seconded by Nicki Anzivina. All ayes.

A **Motion** to accept the minutes from the June 22, 2017 Planning Board meeting was made by Carl DiLorenzo, seconded by Peter Brooks. All ayes.

A **Motion** to accept the minutes from the July 20, 2017 Planning Board Workshop was made by William Ogden, seconded by Peter Brooks. All ayes.

A **Motion** to adjourn was made by Larry Hammond, seconded by William Ogden. All ayes. 8:01pm