

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Peter Jensen	Chairperson
John Arnold	Planning Board Member
Mike Shaver	Planning Board Member
Ann Purdue, Esq.	Planning Board Member
Meredithe Mathias	Planning Board Member
Erik Bergman	Planning Board Member
Adam Seybolt	Alternate Planning Board Member

Also present: Jim Martin, Zoning Administrator in person; Karla Buettner, Attorney for the Town; Tricia Andrews, Recording Secretary

Absent: Jerry Bouchard, Planning Board Member

The meeting was called to order 7:00pm by Chairperson Jensen. The Board reviewed the minutes of the February meeting. On pg. 2344, 7 lines up the word ‘renovation’ was changed to ‘innovation.’ Mr. Bouchard had submitted changes to the minutes in writing in advance which were as flows:

1. Page 2337, Line 7: should read “Mr. Shaver asked whether he would add sewer connects...”
2. Page 2337, Line 18: add “(Town of Moreau)” after “they” for clarity. The Town is the “they” I was referring to.
3. Page 2339, Line 13: The auto detailer is currently operating at the building next to Diamond 9 plaza.
4. Page 2339, Line 14: I believe this should read “There are catch basins for oil.”
5. Page 2339, Line 5: add “to his previous building next to Diamond 9 plaza” after the word “appearance”.
6. Page 2344, Line 2: should read “... they might not.”

Mr. Shaver motioned to accept the minutes of the February meeting with corrections and Ms. Purdue seconded. All in favor, motion carried with no roll call.

#1 SRH-TJM
Gansevoort Road
Preliminary Review

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Travis Mitchell for SRH/TJM. Marybeth Slevin was also on the line for this. This is a subdivision the Board has already seen. It is 23.5 acres. It is R-1 and R-2. Layout is the same as previously presented. Mail kiosk was added as well as language about the ability to arrange a path to other lands. A collective traffic study was done for the projects in this area and found no significant impact. There are cross-easements for access to utilities showing how the two neighboring projects are set up to be constructed independently but have linked road networks. They are here tonight to review the Preliminary Plat. This one has not been referred to the County yet. SEQR has not been begun but a full Long Form was submitted and they would like to initiate coordinated review. Laberge has looked at the combined stormwater and they signed off. There were no significant findings on the stormwater or water systems. They would like a public hearing in April.

Mr. Martin agreed that County Referral, SEQR and a public hearing would be the next steps.

Ms. Purdue asked what kind of provisions there would be to keep the open space as open space, and Mr. Mitchell said it would belong to the HOA. Mr. Martin asked whether it would be noted that no further development was allowed and Mr. Mitchell agreed that it would. Ms. Purdue asked for that to be shown on the plan and Mr. Mitchell agreed. Mr. Martin commented that should be on the deed for both SRH/TJM & Arrowhead Meadows.

Ms. Purdue asked whether the open space included the stormwater management basins and Mr. Mitchell said that they are part of the HOA lands. He wasn't sure whether their area was included in the calculation of open space. Ms. Purdue wasn't sure that it should be included as it was more of a utility use than a preservation of open space. Mr. Mitchell said that he would need to check his math and would get back to Mr. Martin about that.

Mr. Arnold asked about the centralized HOA area between roads C & A has a large access area on Road A that looks like a building lot was left out, and whether there was a purpose for that being so large.

Mr. Mitchell said that it was part of the natural drainage course. There will be a swail through it but not the entire length of the property.

Mr. Arnold asked about road names and Mr. Mitchell said that they do have all the roads named but there was some confusion about submittal dates because this meeting was extra and they didn't get it in this time.

Mr. Martin stated that address numbering would need to be added on both developments, which they could get from the Town Assessor.

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Mr. Arnold asked whether this was hooking up to sewer and it is not at this time. Mr. Arnold asked if the hash mark on each one was the septic and Mr. Mitchell agreed that it is.

Mr. Arnold asked where the access road to the adjoining park is and Mr. Mitchell said this map is only this parcel. It hasn't been updated. The path is there. They are not required to fence the ponds but they will if the Town requests. They can set up a provision in the HOA language in case the conditions change in the future, but Mr. Mitchell thinks not fencing them is more desirable.

Mr. Shaver asked whether the water services were 2 inch copper and Mr. Mitchell said probably $\frac{3}{4}$ or 1 inch. Mr. Shaver stated as he had with the sister subdivision that he preferred them to join the sewer system.

Ms. Purdue agreed with that the sewer system is preferable and asked which costs concerned Mr. Mitchell and he stated it is the ad valorem tax which he doesn't consider affordable for a single family home for the next thirty years.

Mr. Shaver asked how they look at the property when the septic is going right by and Mr. Mitchell said there is no requirement.

Mr. Martin explained that some communities have that in their law, that if you are within a certain area you have to hook up. Moreau doesn't have that law as yet.

Mr. Arnold asked and there is a sign planned, Michaels Group is building this and they plan a sign like the one at Winterberry which is close by. The design was not included with this submission.

They will open up to Jesse whether they use PVS or ductal water lines.

Ms. Purdue asked what the break point is for affordable costs for participating in the sewer and Mr. Mitchell said that \$2,500- \$3,000 a year for 30 years was the original presentation and definitely is not. The New York State Comptroller sets the number for affordability and the last Mr. Mitchell knew it was around \$675 a year, so he would look for somewhere around that.

Mr. Shaver asked whether the costs to build the two systems are about the same and Mr. Mitchell said a septic would definitely be cheaper, but the benefit if the sewer does outweigh it. What is driving the costs up is that the infrastructure is just being built so the people who join in are also bearing that cost.

Mr. Shaver asked if anything was heard from the school. They were notified about Arrowhead Meadows and did not hear anything. Mr. Shaver suggested that a liaison reach out to school and make sure they had gotten the message since they rarely answer these. Chairman Jensen stated that is why they added the school to the list of notifications, and Mr. Martin said that he would reach out to the district superintendent since this set of four subdivisions is a large one.

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Chairman Jensen asked whether the Board would like to initiate coordinated review. Mr. Arnold motioned to declare Lead Agency and that this is an unlisted action. Involved agencies are DEC, DOH, DOT, NYS Attorney General's Office, County Planning and DPW, and the school district. Motion was seconded by Mrs. Mathias. All in favor, motion carried with no roll call. Mr. Bergman motioned to schedule a public hearing SRH-TJM on April 19th at 7:05pm and was seconded by Mrs. Mathias. All in favor, motion carried with no roll call. Mr. Martin reminded Mr. Mitchell to put up the signs on the property by April 9th.

#2 Cerrone Builders/Jacobie Farm North
Moreau Rec Road
Preliminary Review

Joseph Dannible was presenting for Cerrone Builders. They are not combining any lands from north to south. They are 12.74 acres in R-2 which permits single family residential. They are permitted 23 lots on the north side. Existing conditions are existing farm, abandoned pasture lands. It is the access road to the park. The separate parcel to the South is Jacobie Farms South. The layout was presented. 23 lots three new Town roads. No driveways are on Lennox Boulevard or the Rec Road. Building setbacks are ten foot read, 25 ft front, 7 foot side yard. They plan on infiltration basins, municipal water, individual septic systems. The septic systems are outlined on the back yard. The limits of the open space are delineated they will not be HOA they will be deed restricted privately owned. They met with the Highway Department and Jim Martin and there are some minor changes they will be making. Road A & B were one- ways 16 ft wide they are changed to 22 feet wide two directions. They are proposing trees on the side of the road. A grading plan was presented. They have not heard back from the Town's Engineer on the stormwater plan. The intended presentation of the two subdivisions together was presented showing the roadways matching up. The combined traffic study shows no degradation to level of service but there were concerns with the number of curb cuts. The Planning Board had looked favorably on this layout, so they are working out what to do about those comments with this Board. This was preferred by the highway superintendent as well. They would like to initiate coordinated review. They believe this is an unlisted action. They would like a public hearing. Mr. Martin stated he wasn't sure escrow had been received for the stormwater review. Mr. Dannible asked and Mr. Martin said it is \$2,500 and they will send the plan out as soon as they

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

receive that. Chairman Jensen asked and this is a cluster development. Chairman asked about the math and Mr. Dannible pointed him to the density calculations on the front page.

Mr. Shaver asked whether there will be a dead end water line here and Mr. Martin stated that there is a meeting next week to address the circular water service to the park.

Mr. Shaver asked whether they are using 2 inch copper and they are not.

Mr. Shaver asked whether they had thought about using sewer. Currently the sewer service is 2-3,000 ft away from them, but if it were brought to their doorstep and the fees were low enough, within the building time frame, they would consider the sewer.

Ms. Purdue asked who was responsible for the stormwater management areas and that is the HOA. She asked how much acreage would be development restricted and Mr. Dannible said they are dedicating a small area for a park entrance, and all the land not in the lots is deed restricted. He didn't know how much, but Mr. Martin asked him to provide the calculation.

Mr. Shaver asked what they were going to do with the compost pile that is on site and Mr. Dannible said that it wasn't suitable for fill but might be used on site for lawns, and some would have to be trucked off. Mr. Shaver wondered whether Fire should be notified before it was moved because it might be hot inside. Mr. Dannible thought the pile was old enough that this was not an issue but was willing to contact fire if needed.

Mr. Gianni Simone said that when they did the perc tests they did check and there was no heat coming out of the pile and he had no concerns. Mr. Shaver asked how far they had gone into it and Mr. Simone said almost to ground level because they had wanted to know what was in it to determine what they would have to do with it. Mr. Arnold stated that interior temps would not be higher because there would be no oxygen.

Mr. Arnold asked where the park access they were donating would be and Mr. Dannible didn't make sense.

Mr. Arnold asked about the deed restricted portion. That will maintain the idea of open space. That area will not be further cleared of trees but it is privately owned. There is no HOA land proposed. So this is a cluster development with no open space provided. Mr. Dannible said there is no HOA open space but there is open space. Mr. Arnold asked him to define that and he referred to it as undeveloped open space.

Mr. Arnold was trying to get park access for this development and the unrelated one behind it. He could not see a way to do that because it would cut through lot 17.

Mr. Dannible said that it was not presented as HOA in December so this is consistent.

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Mr. Bergman stated that the line stops, and Mr. Dannible demonstrated that the line is the same for the deed restricted open space. It was always proposed to be open space and never HOA owned. Mr. Bergman agreed with Mr. Arnold that an accessway for the other development was desirable. Mr. Dannible said that 84 lots would have access though that area. The builders don't want people walking through back yards, it presents a security risk for kids playing in those back yards. They are not comfortable with trail access immediately behind those lots. Mr. Arnold suggested deeding over a portion to the Town Park. He stated that lots 16-23 already had a park in their back yards. Mr. Dannible said that was considered and devalued the lot. Promoting a trail would further devalue.

Mr. Bergman thought they could need it to the Town and mitigate the downsides by putting up fences. Mr. Arnold thought that this would keep kids safer because they would not be on Rec Road. Mr. Dannible said that they would consider it as they would be having a conversation with the Town this week which is about providing assets to the Town.

Mr. Arnold asked if the Town's Engineer should look at this idea of using cul-de-sacs and road areas a drainage areas and Mr. Dannible said they will be shallow grass areas, maintained by the HOA with easements over them, he has done these in other communities. Mr. Arnold was asking about areas along the road that look like ditches. Mr. Dannible said that they are looking at alternative possibilities with the Town. Mr. Arnold advised him that handling stormwater for one parcel on another might be a problem. Mr. Martin reminded him that the Water review had not been begun yet because the fee needed to be paid.

Mr. Joseph was against stormwater management in the center of the cul-de-sac so they hope to have that handled by the April meeting. There was concern that those were the snow management areas, so that needs to be considered. Mr. Joseph only objected to the small one. Mr. Martin asked whether they were in the Water District or not. Atty. Buettner stated that she looked into that and the property is not in Water District 1 or 4 but it borders on both. The assessment records say that it is but it isn't. They can connect to either, but they will be out-of-district users.

Atty. Buettner asked why they say there is an HOA and there is not. Mr. Dannible said there will be an HOA for maintenance of the stormwater that is on Town land, but there will be no HOA ownership of any land.

Mr. Shaver asked and it is not a Water District extension, it is an out of district user contract. They will have to have a discussion about capacity when they meet next week.

Mr. Shaver returned to the discussion of the compost party and asked the developer to talk to the County and Fire before they move it around. He asked him to just make a note to keep them

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

informed because if it did catch it would create a smoke condition. Mr. Dannible asked for clarification and Mr. Shaver said the County. Mr. Dannible agreed to notify the appropriate entities. Mr. Arnold asked whether the Town was willing to even have an entrance on that spot. Mrs. Mathias stated that there is a connection off of Tamarac to the bike system that she uses. She doesn't think it has devalued the land there but advised that there is an example in the Village as to how that was worked out. Mr. Arnold agreed that it is a large lot where the connection would be and could be screened. He would like to keep kids off the roads if he can. Chairman Jensen stated that he sees a proliferation of stormwater areas that would be filled. He expressed concerns about this. The applicant is redesigning their approach, they just hve not had time to submit that yet.

Mr. Arnold asked about the dashed oval on the back of the lots and that is a shallow grass depression to manage runoff from the rear roofs of houses. This slows the flow of stormwater heading offsite. Those are the responsibility of the individual homeowners and there will be restrictions associated with them. Mr. Martin asked what would happen if someone filled one in, and Mr. Dannible said he could be fined and asked to restore it. Chairman Jensen asked how that was enforceable, and Mr. Dannible thought the Town would enforce it because it was on the site plan. Otherwise they will have to open up a swail behind all of the properties. Mr. Arnold asked if those movements should be moved to the open space area and Mr. Dannible said it was stated as no infrastructure and nothing that needs maintenance, these need annual maintenance.

The Chair asked the Board whether they had enough information and stated he did not think the plan was ready, which Mr. Arnold agreed with. Mr. Martin stated that April 19th has a heavy schedule already. Mr. Arnold stated this still does go to the Engineer and doesn't seem ready to do that. Mr. Dannible agreed that they would need to come back with updated stormwater plans but would still like to begin the process of coordinated review. Mr. Shaver wanted to wait until they had negotiated with the water system because they are not in the district and that would change everything.

Mr. Arnold motioned to declare Jacobie Farms North an unlisted action for SEQR and declare the Board Lead Agency. Mrs. Mathias seconded. All in favor, motion carried with no roll call. Mr. Simone had an administrative question about paying the escrow.

Mr. Arnold repeated his request that someone ask the Town whether they even want the access point that is being discussed.

#3 Giachino, Robbin and Raul

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Fort Edward Road
Sketch Plan Review

Bill Rourke presented. Two other houses have been approved. They have 155 ft of road frontage and will be cut out of a 12 acre parcel. This is a one-lot subdivision.

Mr. Martin explained that it is before the Board because they have already subdivided in the seven-year period. This was already looked at once and some clarification was needed on the mapping, now it is back. This still has to go through a public hearing.

Ms. Purdue asked about the plan for the balance of the land, which has one house on it. Mr. Martin stated there is wetland on the back of it and Mr. Rourke stated he doubted there would be any development.

Chairman Jensen asked and Mr. Martin demonstrated on the map for him.

Mrs. Mathias noted that "Urban" is checked as a habitat type on #14 on the EAF.

Mr. Arnold asked why the house is proposed to be so far from the road, and Mr. Rourke said it was just nicer in the back, that is not the only spot that is buildable.

Ms. Purdue thought that it was an unlisted action. Mr. Bergman agreed.

Mr. Arnold pointed out that this is listed as the last of a four-lot residential subdivision which is not what is actually happening, this is a two-lot subdivision. That is #12 on the subdivision application.

Ms. Purdue motioned to declare this an unlisted action and Mr. Arnold seconded. All in favor, motion carried with no roll call.

Motion was made to set the public hearing for this on April 19th at 7:15 and Mr. Shaver seconded. All in favor, motion carried with no roll call.

Mr. Martin reminded Mr. Rourke to post signs ten days before the public hearing. Mr. Rourke indicated he intends to ask for preliminary and final at the same meeting.

#5 Autoworld
Lot line Adjustment

Mr. Dannible reappeared. They had been approved in January for a subdivision. They had two lots and an easement for future access. Mr. Vittengl got an offer for a different section of the land so they want to change the lot lines. It is a minor change in that Lot 1 is not on both sides of the easement and Lot 2 has gotten smaller.

Mr. Shaver asked and the non-conforming car wash is still there.

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

The condition on the approval was that this comes down before there were final signatures. Mr. Martin stated that until the road is build the Board has to look at this as if that roadway weren't there. They should look at it as a two lot subdivision with an easement going through it. Mr. Martin explained that he brought it in rather than do it administratively because it was a substantial change.

Ms. Purdue asked and they lots were 3.2 and 2.8 acres. about 1.6 acres is moving to the other so they will be 4.2 and 1.6. The back lot is 1.6, but that is just a part of a 4.4 acre lot. Mr. Martin pointed out that if it is cut off it will be a conforming lot.

Ms. Purdue asked and it can't be called Lot 3 now because it would be landlocked, it can't be created by itself until the road is built.

Mr. Dammable stated that anything that happens on Lot One will be back to the Board for Site Plan Review and approval. Ms. Purdue asked and the existing lot is paved up to a point indicated on the map.

Mr. Martin stated that if Lot 2 were developed first they would use the access road for entrance, and if the road had not been built yet they would need an easement to do so.

Mr. Martin thought that this could be done by a resolution to approve the amendment as shown. The resolution regarding the mylars would continue to stand.

Mr. Arnold motion to adjust the lot lines for Autoworld as shown on the plans presented and Mr. Shaver seconded. Roll call vote resulted as follows: Ms. Purdue, Yes; Mr. Arnold, Yes; Mr. Bergman, Yes; Mrs. Mathias, Yes; Mr. Shaver, Yes; Mr. Seyboldt, Yes; Chairman Jensen, Yes. Motion carries 7-0.

#4 Draft Solar Law

Atty. Buettner explained that the Town Board is looking for comments before sending it to NYSERDA and presenting it to the public. This has been to the Zoning Board last week and some comments were made. NYSERDA and some Town Board members also met and went through it. Suggestions were made. State Model Law is being reworked as well. NYSERDA has been helpful but can't tell the Town what to do. This Board is the last one to comment on the draft.

Mr. Shaver asked whether anything could be said about the panels not being disposed of in the Town of Moreau. He referenced things buried in the past by other companies and wanting to protect the Town. Atty. Buettner stated there is a decomissioning plan, they could incorporate a provision at that stage that they can't be disposed of in town.

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Mr. Arnold said that the phrase in a ground-mounted solar definition said it was for "...use" and Atty. Buettner said that was already slated to be changed.

Regarding 40% of site coverage. Mr. Arnold thought that was a large percentage if solar was not supposed to be a primary use but he wondered how that would be enforced. Mr. Martin thought that would be addressed in the application stage, but also that the 40% is after subtracting prime agricultural land. Mr. Arnold noted that the Town Board seems to be very concerned that the panels not be visible, but that his concern is that farmland is all valuable.

Mr. Shaver asked how prime is calculated and Atty. Buettner stated it has already been mapped by the county. Mr. Martin explained that the prime area is not to have panels, and then 40% of the remainder can have panels. Mr. Arnold added that not all the farmland has been mapped, but it can be. He stated all of the active farmland is already probably mapped.

Mr. Arnold asked if the remainder would be allocated as undevelopable, and it would not, it just could not be solar panels. They could put in any allowed use.

Mr. Shaver expressed concern about the panels being close to residential areas and Mrs. Mathias stated that these panels do not put out any dangerous radiation.

Mr. Arnold stated that these are community solar arrays and they might need to be connected to a house.

Mr. Martin explained that Ag land in Moreau has prime transmission lines running through it, and that is why there is pressure on farmland. Mr. Arnold thought that they are not connecting to the lines and Mrs. Mathias explained that they pay to connect so they want to be close. They are not connecting to 115s, they are connecting to substations. Distribution is just as appealing. Mr. Martin stated that the power doesn't go to the onsite user it goes into the grid.

Mr. Martin thought that to use the power yourself you would need batteries to store it, and Mr. Arnold explained bill offsets differently. They use net metering, but that is not what is being proposed at Fox Run.

Chairman Jensen asked if this was a legal use for farmland and Atty. Buettner stated that this law will make it legal. Chairman Jensen stated he doesn't want to see farmland gobbled up. Mr. Arnold stated that a public utility designation is for railroad tracks and gas lines and Atty. Buettner stated that this is how it is written in Moreau currently. Currently these are considered power plants and would only be allowed in the M Zone. Mr. Arnold asked if this amounts to allowing a Manufacturing law in the Ag Zone and Atty. Buettner stated that right now the law rules out this use on prime farmland.

Atty. Buettner stated she and Mr. Martin had discussed an overlay district, which is created in the Town and is a little more flexible. It is a concept that has been brought up to the Town and

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

by NYSERDA as well. Mr. Martin explained that he likes it because an overlay district has to apply consistently and has to go through the Town Board and come to Planning for Site Plan which makes an extra layer of review. That is not in the law at this time.

Mrs. Mathias asked whether there was a thought about non-prime land, like brownfields and superfund sites that would be suitable.

Atty. Buettner stated it was reviewed district by district. That is one of the reasons that an overlay might be helpful.

Mrs. Mathias stated she would not want to rule this out in those areas and make them apply for use variances in the future.

Ms. Purdue agreed that there is no indication of what land the Town would like to have developed in this way, and that the law could emphasize better that they don't want to use farmland in this way. She wondered if the Comprehensive Plan might need to be revised.

Mr. Arnold stated that farmland protection was a priority in the comp plan, he also said that there is some non-prime farmland available that doesn't seem to be a focus.

Ms. Purdue thought that once land was no longer farmland it doesn't generally come back to that use.

She had some concerns about Planning Board involvement and asked whether the site plan review process would be the same. Atty. Buettner stated that it would and added that there was some discussion that the Board only look at Tier 3 and not Tier 2.

Ms. Purdue thought that SEQR and screening would be the only things the Board could review, the rest of the requirements are already set so there wouldn't be much for the Board to comment on.

Mr. Bergman stated that it doesn't create the jobs that are desired in industrial and commercial districts, and that is why it isn't accepted there. Sites presented under tier 3 are limited to transmission lines. Overlay district might be the best bet. It's not going to run rampant because it will only happen where there are transmission lines. It is constrained by that infrastructure.

Mr. Martin suggested that a GIS exercise could be done to map all the locations that are proximal to a substation or transmission line in order to delineate building envelopes. Mr. Bergman stated that would be helpful if it had layers ruling out the prime agricultural areas, and then maybe including steep slopes that aren't good for anything else.

Mr. Arnold asked about transmission lines, which ones are they looking for? Mr. Bergman said that if they are making megawatts they want 34.5 or 115 kb. Mr. Arnold stated he was asking because it sounds like a limitation but people come to his farm looking to connect 40 acres to

A meeting of the Town of Moreau Planning Board was held on March 8, 2021 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

lines on Fortsville Road so it seems like those lines are more readily available than is being intimated.

Chairman Jensen asked about the lot coverage and whether it applied to the solar panels only or included the infrastructure and Atty. Buettner thought it was just the panels, and Mr. Martin agreed. Chairman Jensen suggested that be stated.

Ms. Purdue asked how the PILOT Payments would work.

Atty. Buettner stated that the real property tax laws gives an option, but this law requires PILOT agreements. Courts have held that the land itself might have an AG exemption, but a company that puts on panels. The Ag exemption is reduced by that much and the panels become 'taxable.' PILOT takes the place of those.

Pilot only applies in tier 3. IT will not affect tax assessment if a farmer only puts them up for their own use. Mr. Arnold agreed he can have a windmill on his property as Ag production as long as it doesn't produce more than 110% of his use.

Mr. Seybolt asked how it is reported whether they are producing efficiently ro need decommissioning and Atty. Buettner stated they are working on that.

Ms. Purdue asked where the 4,000 sq ft requirement came from, Atty. Buettner wasn't sure. It is a reference to the surface area, and she is working on that with NYSERDA. It isn't a reference to lot coverage area.

Mr. Martin said that the Board was welcome to send him emails that would be circulated.

Atty. Buettner stated she will summarize for the Board. Mr. Martin will as well.

Atty. Buettner explained that the next step is to put all the comments together and bringing them to the Town Board, and the draft that comes from that will go to public hearings. That is not scheduled yet.

Chairman Jensen encouraged the Board to consider what they might require of the PUD application for next meeting. He asked whether it would be appropriate to limit public comment and Attorney Buettner stated that they could limit them to 5 minutes, and limit people to not comment again until everyone had been heard. She advised that she could work with the Board to make sure everyone is heard and on topic.

Motion to adjourn the meeting was made at 9:51pm by Mr. Arnold and seconded by Mr. Shaver. All in favor, motion carried, no roll call.

Respectfully submitted,

Tricia S. Andrews