

Planning Board Members Present

- John Arnold Planning Board Chairman
- Mike Shaver Planning Board Member
- Ann Purdue Planning Board Member
- Adam Seybolt Planning Board Member
- Matt Abrams Planning Board Member
- Carl Hourihan Planning Board Member
- Edward Potter Alternate Planning Board Member
- Josh Westfall Town of Moreau Building Planning & Development Coordinator
- Glen Bruening Town Counsel
- Diana Corlew-Harrison Secretary

Planning Board Members Absent

- Bradley Nelson Planning Board Member

The meeting was called to order at 7:01 pm by Chairperson Arnold

Minutes to approve:

May 2026 – Mr. Shaver made a motion to approve noting Ms. Purdue not present, seconded by Mr. Hourihan. Mr. Abrams and Ms. Purdue abstained; they were not present for May meeting, all others approved.

July 2026 – Ms. Purdue made a motion to approve with revisions provided, seconded by Mr. Potter. Mr. Abrams and Mr. Hourihan abstained, they were not present for July meeting, all others approved.

Old Business – Site Plan Review

Site Plan Review – SPR2026-004 Top Hat Community Solar Project

Applicants seek site plan Approval for the Top Hat Community Solar Project. **Applicant: Top Hat Energy LLC.**

Owners of Record: Moreau Industrial Park LLC & Town of Moreau. **Property Location:** 2-6 & 8-12 Electric Drive, 1-5, 2-6, 7&8 Corporate Place, 69 & 78-104 Farnan Road, & Farnan Road. **SBLs:** 50.-4-16 & 50.-4-22; 50.-4-14, 50.-4-13, 50.-4-23 & 50.-4-25; 50.1-4-12, 50.-4-11 & 50.-4-96.1. **Zoning District:** M-1. **SEQR:** Type I.

Speaking on behalf of the applicants were Fred Ball, Manager of Business Development of Nexamp and Faraad Rasul, Project Engineer. They are here tonight to review their high-level plan that was brought to this board back in May 2026 and answer some of the questions brought forth from that May meeting.

Mr. Ball stated that they are working with the Town on a proposal to grant easements to facilitate the Town's development of a trail system in the adjoining conservation easement areas and to accommodate a barn and access in connection with the Town's pump station, as well as the applicant's acquisition of a portion of the Town road property adjoining the eastern side of the project property.

Mr. Ball stated that this proposal would entail a revision of the project's conceptual site plan, which he explained to the Board. He noted that the new layout would involve less fence needed and be less land disturbance. He also noted that this concept plan was still very fresh and would be further updated.

Mr. Ball then noted that the applicant had provided a sample Emergency Response Plan in response to the Board's request at the last meeting. Noting that it was "light," he said it would be fully detailed later.

Mr. Arnold asked if the owners of the two parcels adjoining the portion of the Town road to be closed were okay with the loss of public access to their lots. Mr. Ball said that the applicant would be providing a permanent access easement for the benefit of those lots and the owners seemed satisfied with that, and the paperwork was being prepared for that purpose.

Ms. Purdue states she still has concerns with the Emergency Response Plan provided. She had read some ERPs for larger solar farms that can be found online and that there substantially more detailed. She asked that MJ review the ERP to determine if it contained appropriate components, such as risk of fires, and shut off systems, fire suppression system, if trucks cannot access will ATV's or fire response like vehicles be able to access. Other companies have provided in Intricate plans on their ERP and Operations and Maintenance plans such as labeling hot spots, 24/7 security and remote monitoring and how far away is help in case of emergencies that she would like to see in the plans for project. Mr. Ball states that before pre-building permit and construction that all involved agencies such as Fire Department have the right to review their needs in that process. Ms. Purdue would also like to see those plans reviewed with the Planning Board before permits are granted. He also states he can provide a smaller similar plan needed rather than the 80-watt facility plan provided. Ms. Purdue said that she thought the risks associated with smaller farms, such as this project, would have the same concerns as these larger ones. She also expressed concerns about the sufficiency of the maintenance schedules in the O&M plan and asked that MJ review that as well.

Mr. Arnold asked for an explanation of the monitoring to be provided. Mr. Ball indicated that there is a control building in Lawrence, MA that monitors the project for such things as power generated and transmitted as well as the temperature, for discrepancies that might indicate a problem with the system.

Ms. Purdue and Mr. Arnold are both concerned with the proximity of an actual person that can be contacted or respond on site in case of emergency where the system is monitored in Lawrence, Massachusetts. Mr. Arnold asked if Lawrence was the furthest away monitors would be located and how far way that was. Mr. Ball stated it might be 3 to 4 hours. He also stated that there will be people around who might go to site periodically to do maintenance, check on systems as well, but they would not be making emergency response decisions.

Ms. Purdue asked about the bats and monarchs' habitats, being that they are cutting down a lot of trees and interrupting their habitats and whether an impact assessment had been conducted as required by the US Department of Interior letter. Mr. Ball stated that the project construction will take place after the bats have left to hibernate in caves and that the bats will return to the area after hibernation because when panels are in use, they create warmth that brings bugs which in turn bring the bats back. They will also plant pollinator plants for butterfly migration. Ms. Purdue would still like MJ Engineers to review the issue to determine whether something positive could be done to make the project environmentally friendly.

Mr. Abrams asked the amount of land disturbance. Mr. Ball states that this will be reduced now with the new layout and that trees will be cleared within the fence but left as stumps outside of the fenced area.

Mr. Abrams asked about the access route and if only entrance was through the Industrial Park. Mr. Ball states that this is the only entrance, but there are also gates at various places in the fencing.

Mr. Arnold asked what parts of the system could be shut down if any issues were seen when monitoring. Mr. Ball states that it can be shut off as small as one array to entire system. Mr. Arnold asked if units are grounded. Mr. Ball also stated that units are grounded at the inverter level. Mr. Arnold asked what is done if there is a fire. Mr. Ball indicated that they let the fire burn out.

Mr. Abrams asked who could shut down system remotely. Mr. Ball stated that Nexamp and National Grid can shut the system down at any time to avoid any emergency.

Ms. Purdue asked if fire department will have access to site without Nexamp personnel. Mr. Ball states that they will have access to lockboxes and part of the commissioning process to show and train them.

Mr. Arnold asked if we are satisfied with a 3-to-4-hour response time from the Company, if that could be added to the site plan. Mr. Ball replied that a time limit might be too prescriptive. Mr. Arnold noted that, if the Company was sold, the response time could be determined by the location of the new owner. Mr. Ball indicated that a response time limit would probably make the project unsellable.

Ms. Purdue asked how many solar farms NexAmp has in NY. Mr. Ball indicated at least 200. Ms. Purdue asked, with so many sites in NY State, why does not Nexamp have an office closer to respond to issues at site or local contractors who could respond. Mr. Ball states that closest office is in NY City, and that they do not have local contractors that would respond.

Mr. Abrams would like to see the ERP to be site-related and more substance, more adaptable to this site. Mr. Ball indicated that he would provide more details, but as a draft pending finalizing equipment configuration.

Ms. Purdue repeated her concern regarding fire risks and asked if local fire department had requested any special equipment. Mr. Ball had not heard of any at this point.

Ms. Purdue asked if the Natural Heritage Society had responded yet, being that it had been a few months. Mr. Ball stated no but would follow up.

Ms. Purdue asked if additional screening could be added at the North end of the site (Electric Drive) by the four Town owned properties for visual and/or glare buffer. Mr. Ball states that their goal is to collect as much sunshine as possible, but they can add bushes or what the board requests.

Mr. Arnold asked if applicants could submit the changes and updated documents and appear at the next scheduled meeting on September 21, 2026.

Mr. Shaver asked if fire department could be contacted and their review be noted before the next meeting. Mr. Ball states he will contact them and set up a meeting.

New Business – Site Plan Review

Site Plan Review – SPR2026-005 Garden World LLC

Applicants seek the development of an office building, equipment storage, outdoor display areas, and greenhouse (planned will SPR revision), internal drives, parking, utilities, onsite wastewater disposal, stormwater management practices, landscaping lighting, and associated work. **Applicant: Garden World LLC. Property Location: 1262-1268 US Route 9. SBLs: 76.-3-83.2. Zoning District: C-1. SEQRA: Unlisted.**

Mr. Troelstra spoke about the project. He states that there are two zones in the site. One commercial and one residential. They are working with the Town to have site rezoned and eventually they hope to have it be like their location at Exit 16, and have current buildings removed. They own thirty-nine acres and multiple parcels in this area. They want to put their garden sheds on display, office building, and equipment storage building. There are wetlands on the property, but they are more than one hundred feet from those. There will be an entrance across from Old Saratoga Road, but DOT will let them know where they must locate it. There will be no greenhouses on site. They will have approximately thirty-nine parking spaces, with 3-5 employees and the rest for customer parking. They are collaborating with DOT and town on the “turnaround” area on site now.

Ms. Purdue asked if any retail of nursery items, Christmas trees. Applicants state that nursery operations will not be on this site, strictly outdoor product, displays, and sales, no plants or flowers will be sold.

Ms. Purdue asked of traffic concerns. Mr. Trolestra stated its seasonal and weather-related. He is expecting 10-12 people at any one time.

Mr. Arnold asked board if they feel we have enough information to schedule a public hearing.

Mr. Westfall asked applicants to review the list of things still needed by his department such as land disturbance, clearing areas, greenhouse removal, private well location.

Mr. Shaver made a motion to schedule a public hearing on September 21, 2026. Second by Mr. Seybolt. All approved.

Mr. Arnold adjourned the meeting at 8:10 pm.

Signed by Diana Corlew-Harrison on August 28, 2026.