

MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD PUBLIC HEARING AND REGULAR MEETING HELD ON WEDNESDAY, JULY 27, 2016 AT TOWN HALL COMMENCING AT 7:00PM

Acting Chairperson: **MOTION** by Joseph McMurray, Seconded by Donald Sanders to appoint Valerie Ingersoll Acting Chairperson for the meeting in Chairman Belden's absence **ALL AYES**

Acting Chairperson Valerie Ingersoll called the meeting to order at 7:00pm

Pledge of Allegiance

PRESENT: Zack Middleton
Valerie Ingersoll
Joseph McMurray
Frank Wells
Donald Sanders, Jr

ABSENT: Mark Belden

OTHERS PRESENT: James King, Town Attorney Mary-Ellen Stockwell, Tim Livsey, Debbie Parker

APPROVAL OF MINUTES: MOTION by Joseph McMurray, Seconded by Frank Wells to approve the minutes of the meeting of July 13, 2016 **ALL AYES**

BUSINESS:

**James King
Duer Rd
Boundary Line Adjustment
Public Hearing
7:05pm**

The Public Hearing was opened at 7:05pm

The following notice was published in the Post Star on July 15, 2016:

PLEASE TAKE NOTICE, the Town of Fort Edward Planning Board will hold a public hearing on Wednesday, July 27, 2016 at Town Hall, 118 Broadway Fort Edward, NY 12828 at 7:05pm to hear comments regarding the Boundary Line Adjustment Applications submitted by James King for property located at 695 County Route 46 and 637 County Route 46 in the Town of Fort Edward. The first boundary line adjustment is for 187.-1-12 and the second is for 187.-1-11.2, both Boundary Line Adjustments will be transferring to receiving parcel 196.-1-16.

At the Public Hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT: NONE

BOARD COMMENTS:

Mary-Ellen Stockwell: Items have been added to the map and reviewed by CT Male and according to Jim Houston, acceptable for final approval. Wanted well pit and septic designated on the new map and it has been done and the second legal comment was that the Boundary Line Adjustment language be added to the map and it has been.

Joseph McMurray: If they are to divide the lot do they have to come back for Site Plan or Subdivision?

Mary-Ellen Stockwell: Subdivision yes but unless it goes against zoning then no Site Plan would be needed.

SEQRA part II:

MOTION by Joseph McMurray, Seconded by Don Sanders to declare a negative declaration for SEQRA review due to no potentially large adverse environmental impacts as a result of the project **ALL AYES**

MOTION by Zachary Middleton, Seconded by Donald Sanders to close the public hearing at 7:16pm **ALL AYES**

MOTION by Frank Wells, Seconded by Donald Sanders to accept and approve the Boundary Line Adjustment for 187.-1-12 contingent on payment of fees **ALL AYES**

MOTION by Zachary Middleton, Seconded by Frank Wells to accept and approve the Boundary Line Adjustment for 187.-1-11.2 **ALL AYES**

Before the mylar can be filed it needs to be signed by the Chairman and a tax search will need to be done.

OTHER BUSINESS:

Mary-Ellen Stockwell: The County did not have a Special Meeting, they meet again August 9th and we meet again on the 10th.

Also, the Town Board is considering introducing a local law relative to Solar. The Town Board was given a draft local law and they are going to introduce it on August 8th. If introduced on the 8th, it will be e-mailed to the Planning Board for any comments. Right now the Town is under a 6 month moratorium.

Debbie Parker: Have you given any thought to solar at all?

Zachary Middleton: I have thought about it a lot and how it will affect roofs and neighbors. Some are on roofs when the roof only has 3 years left to it.

Mary-Ellen Stockwell: We have had concerns from a fire fighter standpoint, also if a house forecloses, neighbor impacts, etc.

Jim King: I went to a solar meeting recently and there is so much to it.

Joseph McMurray: Regarding Solar Farms, I attended a meeting also and there is a lot to that; it can affect your taxes as well as your agricultural exemption, your assessment.

Zachary Middleton: They are full of chemicals and decommissioning is a huge concern.

Mary-Ellen Stockwell: The Town Board has asked that provisions be put in place in the local law for decommissioning.

Mary-Ellen Stockwell: The agreements I have reviewed of these Solar Companies are atrocious. I have talked with Farm credit who give a lot of loans and spend a lot of money in our communities of Washington County. I went to their site over by the fair and had a round table discussion about the solar lease together. The way the lease document is drafted is so unfair to home owners, especially if people can't afford to hire an attorney and the company comes knocking on their doors offering \$1,500.00/acre and they attach an addendum of where they think they want to put the panels, and then they have the right to all of your acres. They attach to the contract a proposed term sheet and they highlight where the solar farm is going to be. The contract that you sign supersedes the term sheet and they can put the panels wherever they want, they do not have to put them where they propose. They have control over your entire land, they also have a right of first refusal for your property so that if you ever go to try and subdivide or sell your land to someone else they have the first right to buy it at a certain price. They also have a right of first refusal to adjacent lands. There is also a provision regarding arbitration; if you ever want to argue something in the contract or you disagree with something you have to travel to whatever State they are in to negotiate with them otherwise you won't get anywhere. They do that so that you have to pay money to try and get money back. I am not against solar I am against companies taking advantage of homeowners.

MOTION by Zachary Middleton, Seconded by Donald Sanders to adjourn the meeting at 7:37pm **ALL AYES**

DATED: July 28, 2016

Aimee Mahoney, Clerk

