

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING HELD ON WEDNESDAY, MARCH 12, 2025, AT TOWN HALL COMMENCING AT 7:00 P.M.**

Chairman Belden called the meeting to order at 7:02pm

Pledge of Allegiance

**PRESENT:** Chairman Belden  
Valerie Ingersoll  
Zachary Middleton  
Dolores Cogan  
Joseph McMurray

**ABSENT:** Max Fruchter  
Donald Sanders, Jr.

**OTHERS PRESENT:** Whitney Hughes, Town Attorney Bill Nikas, Town Engineer Chris Koenig and Planning Board Clerk Aimee Ives

**APPROVAL OF MINUTES: MOTION** by Zachary Middleton, Seconded by Joseph McMurray to approve the minutes of the meeting of February 12, 2025 **ALL AYES**

**BUSINESS:**

**Community Power Group/May St. Solar  
Site Plan Review**

**BOARD COMMENTS:**

**Valerie Ingersoll:** Have you heard back from the Fire Dept. yet?

**Whitney Hughes:** No, we left messages but have not heard back yet.

**Chairman Belden:** Do all of the trees that you will be using to shield the project belong to the site?

**Chris Koenig:** Yes

**Chairman Belden:** Where do you plan on parking cars/trucks during construction? May St. is too narrow for parking.

**Whitney Hughes:** Where the T is on May St., there will not be that many people on site at one time. There is some temporary gravel parking shown to the left of the T.

**Chris Koenig:** Usually, they clear out the area around the pad for the transformers since that is where most of the electrical work is done.

**Chris Koenig:**

- All the comments in last week's letter were addressed by the applicant except for the Fire Department response. The County Planning Dept. declared it a matter of local concern with the comment that the Board discuss review with the Fire Dept.
- SEQOR was completed in December of 2024.
- The public hearing is closed, on track for conditional approval.
- Need Final plans and SWPPP for MS4 sign off prior to building permit.
- Decommissioning Estimate: Normally we see at least 50,000/MW/AC, you came in at 47,500 or slightly lower than that. The project is 3 years out at a minimum so it may be best to accept that as a preliminary estimate and have the applicant submit an updated Decommissioning Plan and estimate closer to the issuance of the building permit.
- Provide landscape surety prior to building permit.

The applicant has asked for a 3 year approval time frame for the project and the Board is authorized to do that under the site plan approval law in the Town Code at their discretion. I added a draft condition #12 to allow for 3 year validity period of the approval to be extended at the discretion of the Board if the applicant needs more time with that.

**Board agreed to the 3-year approval. Approval expiring 03/13/2028**

**MOTION** by Zachary Middleton, Seconded by Valerie Ingersoll to approve the site plan application contingent on the following:

1. Prior to commencing construction of any structural or electrical components of the Project, or commencing Project-related ground disturbance activities, including tree clearing, the Applicant shall apply for and receive a building permit from the Town of Fort Edward Code Enforcement Officer.
2. Prior to the issuance of a building permit, the Applicant shall submit final site plans and a final SWPPP, both signed by a NYS P.E., for review and approval by the MS4 official or as delegated to the Town Designated Engineer (TDE). The final site plans and SWPPP shall incorporate TDE and Planning Board comments. The building permit shall not be issued until the MS4 official or TDE has accepted the final site plans and SWPPP.
3. Prior to the issuance of a building permit, the Applicant shall demonstrate coverage under the applicable NY State Pollutant Discharge Elimination System (SPDES) Construction General Permit.
4. All SWPPP inspection reports shall be submitted to the Town Code Enforcement Officer and the TDE during construction/SPDES permit coverage.
5. Prior to the issuance of a building permit, the Applicant shall obtain and submit to the Town all other State and Federal permits and authorizations, as required by law, including approval from National Grid to interconnect the power plant onto their infrastructure through a signed interconnection agreement or equivalent.
6. Prior to the issuance of a building permit, the Fort Edward Town Board shall accept the decommissioning plan and bond by executing a decommissioning agreement. The final decommissioning cost estimate shall be signed by a NYS P.E. and submitted for

acceptance by the Town Board or as delegated to the TDE. The Town Board shall also review and accept the final O&M Plan. The Town Attorney shall review and accept final agreements. The decommissioning bond shall be provided prior to the issuance of a building permit.

7. Prior to the issuance of a building permit, the Applicant shall provide to the Town of Fort Edward a surety bond for landscape maintenance. The bond value shall be submitted for acceptance by the Town Board or as delegated to the TDE and should cover the full replacement of the landscape screening depicted on the approved site plan. The bond shall be maintained for a period of 10 years after planting, increased 2% annually for the 10-year bond period. A landscape maintenance agreement shall be executed between the Town of Fort Edward and the Applicant to go along with the bond.
8. Prior the issuance of a building permit, the Applicant and landowner(s) shall agree in writing to allow the Town entry onto private property to remove an abandoned installation in accordance with the decommissioning agreement. This agreement shall be legally binding and run with the land, in the event the property is sold during the life of the project. This agreement shall be reviewed and accepted by the Town Attorney.
9. Prior to the issuance of a building permit, the Fort Edward Fire Department shall review the site plan, and be provided with the opportunity to issue comments, or confirm there are no comments on the site plan. If the Fire Department has comments, the Applicant shall address the comments to the satisfaction of the Fire Department. If plan changes are necessary, the Planning Board shall have the opportunity to review site plan modifications.
10. Prior to construction, the Applicant shall hold a meeting with the Fort Edward Fire Department, to provide an overview of the Project and construction plans, and to verify emergency contact information.
11. Prior to the project entering commercial operation, the Applicant shall hold a meeting with the Fort Edward Fire Department, to provide training for the major equipment installed and review procedures to address an emergency at the Project site.
12. 3 year validity period of the approval to be extended at the discretion of the Board if the applicant needs more time with that.
13. Payment of fees.

**Vote: Chairman Belden – AYE**  
**Valerie Ingersoll – AYE**  
**Zachary Middleton – AYE**  
**Joseph McMurray – AYE**  
**Dolores Cogan – ABSTAINED**  
**Max Fruchter – ABSENT**  
**Donald Sanders, Jr. – ABSENT**

**ADJOURNMENT:**

**MOTION** by Joe McMurray, Seconded by Dolores Cogan to adjourn the meeting at 7:40pm  
**ALL AYES**

Dated: March 18, 2025

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Aimee Ives, Planning Board Clerk