

**MINUTES OF THE TOWN OF FORT EDWARD PLANNING BOARD MEETING HELD ON WEDNESDAY, AUGUST 28, 2024 AT TOWN HALL COMMENCING AT 7:00 P.M.**

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

Pledge of Allegiance

**PRESENT:** Valerie Ingersoll  
Max Fruchter  
Joseph McMurray  
Dolores Cogan  
Zachary Middleton

**ABSENT:** Mark Belden  
Donald Sanders, Jr

**OTHERS PRESENT:** Greg Rice, Mitch Quine, Evan Callahan, Katie DeGroot, Karl Schulze, Mark Karlitz, Chris Gamble, Mark Gamble, Joe Holley, Nicole Holley, Don Valentine, Town Engineer Chris Koenig and Planning Board Clerk Aimee Ives

**APPROVAL OF MINUTES: MOTION** by Joe McMurray, Seconded by Zachary Middleton to approve the minutes of the meeting of June 26, 2024 **ALL AYES**

**BUSINESS:**

**Dolan Solar  
Continued Public Hearing**

**Evan Callahan:** Gave an overview of the recent submission updates.

**Max Fruchter:** How many dead trees require action? Will it be a percentage?

**Mitch Quine:** We are open to thoughts on that; we could set it up so it would be a certain percentage of all the overall plantings or some higher percentage of a particular area.

**Max Fruchter:** The overall would be too cumbersome; I would suggest a cluster of a certain percent which would give a more manageable action level.

**Chris Koenig:** The bond is only called if they do not replace dead trees; all dead trees should be replaced by the owner as part of the site plan.

**Chris Koenig:** Soil should be close to where it was removed from; have more distributed locations for that. Will the timber mat access be opened up during construction?

**Mitch Quine:** Yes, that will be one large entry point during construction.

**Chris Koenig:** This project will be executed around the same time as the Somers project and a condition of site plan approval could be a logistics plan to show more detail on that regarding

temporary impacts such as workforce and traffic. I suggest that be addressed prior to construction. I will incorporate this most recent submission in my next comment letter.

**PUBLIC COMMENT:**

**Don Valentine:** What are they cutting for trees around the site particularly on the East side; I have a house on the other side of the Moses Kill.

**Zack Middleton:** There is not any tree clearing towards the Moses Kill; most of that is probably classified as wetlands.

**Karl Schulze:** I am one of the landowners involved in the project and I am looking forward to it. It will generate some extra income for the Town and is a renewable energy source.

**Katie DeGroot:** What happens if the last owner of the project goes bankrupt?

**Zack Middleton:** That is why the Town has the bond.

**Katie DeGroot:** How does one go about dealing with bankruptcy of a property with all of that stuff on it? What if in 30 years the project is no longer feasible?

**Zack Middleton:** Then the Town will call the commissioning bond to get the property cleaned up.

**Katie DeGroot:** How much is that decommissioning bond?

**Chris Koenig:** \$1.2 million.

**Katie DeGroot:** Do you think in 30 years that will cover the cost?

**Chris Koenig:** There is a 2% escalation rate every year and there is also a provision in the agreement where every 5 years the Town has the option to renegotiate the amount of the bond.

**Katie DeGroot:** What if the company that ends up owning the property goes bankrupt; how long would it take to go through the process with the bank?

**Mitch Quine:** If that happens then the owner of the system is going to miss out on their obligation to renew the bond which gets renewed every year and also when the escalation takes effect. If the surety company has not been notified to renew the bond then they will send a notice to the Town 60 days before the expiration date of the current renewal. The Town would then call the surety company and receive the funds to hire a contractor to come out and take the system down. There is no gap period.

**Katie DeGroot:** Are those contractors in existence at this point?

**Mitch Quine:** Yes, we have done work on small decommissioning projects. They are not common right now because most of these systems are fairly new. The workforce that we are building right now that is being trained to install these systems will be the same workforce that will have the skills to take them down.

**Katie DeGroot:** I have a solar system, it's 5 years old and was installed by Suncommon and they went bankrupt and I have \$30,000.00 worth of equipment sitting on my property and no one to interact with.

**Max Fruchter:** You should have received a decommissioning bond.

**Katie DeGroot:** I didn't think about that to be honest; I will check my paperwork.

**Max Fruchter:** The State started to mandate that for personal solar.

**Katie DeGroot:** Another issue in this area has been cell towers. The problem with the cell tower company in our area was the way the contract was written so that the landowner was responsible for paying taxes on all the property and then the cell company was supposed to pay the landowner the taxes. Do you have that set up differently for solar companies? Who pays the taxes directly to the Town?

**Mitch Quine:** The way that most Assessors have been doing it in New York State in our experience is it will get its own virtual Tax I.D. Number; the solar company receives its own tax bill and pays the taxes on the value of the property. The landowners will continue to pay the taxes they would normally pay and if there is an Agricultural Exemption that we are not going to parcel out of we pay the difference back to the landowner. The landowner is responsible to cover their current tax load and we pay the tax bill on the solar project and that bill will come directly to us.

**Katie DeGroot:** There should be signs with telephone numbers to reach you directly if there are any issues.

**Mitch Quine:** We would usually have signage at our main site entrance.

**Katie DeGroot:** You have multiple entrance and exits and I think there should be signage at each one.

**Mitch Quine:** We can do that.

**Katie DeGroot:** As much as I don't like the idea I do understand there is a need for solar energy; I just have real concerns. Washington County has beautiful functioning farmland being used for solar and I just want to make sure that it is entrusted to people that are going to do a good and honest job.

**Mitch Quine:** We take it very seriously and from a farmland perspective one thing we have been advancing throughout the State is the idea of bringing a sheep herd in and raising them on the

site for wool or meat. We have been in contact with the American Solar Grazing Association and there are a few shepherds in Washington County that have been working on a project down in Easton.

**Don Valentine:** I have heard of some other solar projects where adjacent landowners qualified for a reduced power bill; is there anything like that for this project?

**Mitch Quine:** This is not a community solar project so we are not able to sell electricity directly to residential consumers we sell on the wholesale grid. There are no direct electrical contracts that we can give.

**Chris Koenig:** There is a community solar project going up right now on Blodgett Road in the Town currently that you could look into.

**Valerie Ingersoll:** to ease your mind a little, this project has been in front of us for 4 years and has been gone through in fine detail. They have had to change their plans several times. This is not being rushed through.

**Don Valentine:** When are you starting this project?

**Mitch Quine:** Tentatively this winter or the 1<sup>st</sup> quarter of 2025.

**Dolores Cogan:** I think signage is a great idea but some of our purpose is to have the solar project blend in with the environment so I think the signage should be environmentally friendly.

**Valerie Ingersoll:** The signage that was discussed is just during construction; I am not sure if the signage will be permanent.

**Mitch Quine:** We interpreted it as signage during construction.

**Chris Koenig:**

- Get comments addressed
- SWPPP is not complete and approved yet
- SEQR Part II next meeting
- Close public hearing at next meeting

**ADJOURNMENT:**

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

Dated: September 6, 2024

---

Aimee Ives, Secretary

