

TOWN OF EAST BLOOMFIELD

Planning Board Minutes June 20, 2024

Planning Board Members Present: Julie Pellett, Daniel Compton, Dan Morley, Michael Woodruff, Michelle Rhoda, Kimberly Gebo

Absent: Kimberly Duvall

Others Present: Christel Daggett (Planning Board Secretary), Andrew VanDoorn & Mary Stablein (Abundant/Labella) Steve Lester (Town Board Member)

Pellett opened the meeting at 7:30 pm.

Woodruff motioned to open the Public Hearing Gebo seconded all in favor Aye.

I. Special Use Permit, TSP2-24 Owner Jacob Arner (Agent Mark Potter) Labella/Abundant Solar Energy System 135-83.3. Property located on Rice Rd. Review new submittals. Public Hearing to be Reopened for SEQR review.

VanDoorn stated that they made changes to the site plan to conform to the 50% rule. They reduced it to 49.99%. They reduced production by 2.5% and are at roughly 17 acres whereas they were originally at 27. They have returned 10 acres of the land back to potential Agricultural activities.

Potter stated that they are working with Sean Fitzgerald who is the most impacted. They have added visual screening. The original visual screening is pretty much as what they saw in the application except for at the top they moved it down as to hand over more property to the owner, Jake Arner. They are proposing to move the road away from Sean Fitzgerald's property and closer to the property to the east that already has an existing wall of naturally visual screened trees and shrubbery between Arner and the other adjacent neighbor. This will also move the utility poles further away from the Fitzgerald's property. They will also fill in any gaps in the existing buffering to the east.

There will be a total of 4 poles at the road at 50 ft. intervals. Then the lines will be buried to go out to the system.

A brief discussion was held on the O & M Plan for maintenance. The Board reviewed the plan. Woodruff commended VanDoorn for complying to the Boards request. VanDoorn stated the requests were not unreasonable.

Pellett read and the Board reviewed SEQR. The Board then declared SEQR as an unlisted action with a negative declaration. Gebo motioned Woodruff seconded. All Board members voted aye.

Compton motioned Woodruff seconded to close the public hearing all Board members present voted Aye.

Woodruff motioned Pellett seconded to approve the Special Use Permit & Site Plan upon mitigation with the buffering for Owner Jacob Arner (Agent Mark Potter) Labella/Abundant 4.482 MWAC Large Scale Solar Energy System.

Discussion was held. Morley stated that he was not in favor of the project but with the lawyer's response, and since the applicant met the terms of the Special Use Permit, he still has reservations about it but feels if he votes no it would put the Board in a litigation situation. A brief discussion was held among the Board members including placing solar on prime farmland.

Pellett advised the applicant that the Town Board would be pursuing a community host agreement that would be negotiated for impacts to the Town and for using prime farmland.

Record of Vote:

Pellett Aye Compton Aye Woodruff Aye Morley Aye Rhoda Nay Gebo Aye
Votes was carried.

II. Discussion:

The Board held a discussion regarding the upcoming solar moratorium. Some things that will need to be looked at are as follows:

- Mega Watt maximum.
- Overlay District on where solar systems would be allowed.
- Review of setbacks and buffering.
- Define lot coverage.

Topics for future review - The Board will begin review of existing code for a SUP (for each event) on 50 acres or more and bring suggestions for any possible changes or new SUP for event centers that could exist with less acreage

1. Continued review of the Comprehensive Plan's suggested updates for zoning districts changes
2. 5 G placement of antenna's
3. Battery Storage
4. More research and code considerations for cannabis in the future
5. Look into code for event centers vs current code that allows for a SUP for each event on 50 acres or more
6. Look at the schedules for any items that need to be updated or clarified.

III. Minutes of May 16, 2024, 2024

Rhoda motioned Gebo seconded to approve the minutes of 5.16.2024 Woodruff Abstained.
All board members present voted aye; vote was carried.

Minutes of June 6, 2024

Woodruff motioned Morley seconded to approve the minutes of 6.6.2024 Rhoda, Gebo Abstained.
All board members present voted aye; vote was carried.

IV. Meeting Adjourned

Rhoda motioned and Gebo seconded to adjourn @ 9:00 pm.
All Board members present voted Aye, Vote was carried.

Respectfully submitted,

Christel Daggett
Planning & Zoning Board Secretary
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