TOWN OF BETHLEHEM

Planning Board Minutes

Tuesday, October 7, 2014
6:00 PM

I. Call to Order
A Regular Meeting of the Planning Board of the Town of Bethlehem was held on the above date at the Town Hall Auditorium, 445 Delaware Avenue, Delmar, NY. The Meeting was called to order at 6:00 PM.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
<th>Arrived</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Smolinsky</td>
<td>Chairman</td>
<td>Present</td>
<td></td>
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<tr>
<td>Nicholas Behuniak</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Thomas Coffey</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Kate Powers</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Leah Farrell</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Michael Moore</td>
<td>Planning/Zoning Board Counsel</td>
<td>Present</td>
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<tr>
<td>Deborah Kitchen</td>
<td>Assistant to the Planning Board</td>
<td>Present</td>
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<tr>
<td>Robert Leslie</td>
<td>Director of Planning</td>
<td>Present</td>
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<tr>
<td>Jeff Lipnicky</td>
<td>Town Planner</td>
<td>Present</td>
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<tr>
<td>Kenneth Kovalchik</td>
<td>Senior Planner</td>
<td>Present</td>
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<tr>
<td>Brian Kise</td>
<td>Stormwater Engineer</td>
<td>Present</td>
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II. Public Comment on Regular Agenda Items - 10 Minutes

III. Minutes Approval
A. Tuesday, September 16, 2014

RESULT: ACCEPTED AS AMENDED [UNANIMOUS]
MOVER: Thomas Coffey, Board Member
SECONDER: Leah Farrell, Board Member
AYES: Smolinsky, Behuniak, Coffey, Powers, Farrell

IV. Action Items
A. Olde Couse Farm - Couse Ln & Stockbridge Rd, Slingerlands - Possible action to inform Town Board there is insufficient information upon which to base a recommendation on a SEQR Determination of Significance and/or Zoning Amendment for the proposed Olde Couse Farm Planned Development District.

The project was before the Board for an update and to consider possible action to inform Town Board that there is insufficient information upon which to base a recommendation on a SEQR Determination of Significance and/or Zoning Amendment for the proposed Olde
Couse Farm Planned Development District (PDD). Edward Kleinke, of Kleinke Associates was present on behalf of the applicant, Rose Watkins, to provide information and answer questions. Staff comments were provided by Jeff Lipnicky.

Discussion Items:
- Site consists of 67 acres, 64 zoned RLI, 2.9 zoned RA
- Project referred to Planning Board by Town Board
- 120 day time limit for Planning Board to report back to Town Board with a SEQR Determination or notify the Town Board that there is insufficient information to make a determination
- Staff comments generated in September 2014
- Application is incomplete at this time
- Additional information would need to be submitted before project would be placed on Planning Board Agenda
- Mr. Kleinke noted that the husband of the applicant passed away 09/24/2014

Following a discussion the Planning Board approved staff’s recommendation to notify the Town Board that there is insufficient information to make a SEQR Determination.

RESULT: APPROVED [UNANIMOUS]
MOVER: Nicholas Behuniak, Board Member
SECONDER: Kate Powers, Board Member
AYES: Smolinsky, Behuniak, Coffey, Powers, Farrell

B. Waldenmaier Subdivision – Kenwood Avenue/Rockefeller Road - Possible action to approve modification to subdivision approval condition related to filing of the private sewer easements.

The project was before the Planning Board to consider a modification to a condition of approval for the Waldenmaier Subdivision which pertains to the filing of private sewer easements. Edward Kleinke, of Kleinke Associates was present on behalf of the Waldenmaier family to provide information and answer questions. Staff comments were provided by Robert Leslie.

Following a brief discussion, the Board took action to approve the modification. It was noted that when the property is sold, the applicant will provide the Planning Department with proof that the sewer easements were filed.
RESULT: APPROVED [UNANIMOUS]
MOVER: Kate Powers, Board Member
SECONDER: Nicholas Behuniak, Board Member
AYES: Smolinsky, Behuniak, Coffey, Powers, Farrell

V. Discussion/Information Items

A. DG Bethlehem Solar, LLC Site Plan Application - Solar Facility at Town of Bethlehem Clay Mine - Bridge Street, Selkirk - Initial Presentation

The project was before the Board for an initial presentation. David Albrecht and Amy McDonough of Borrengo Solar Systems, Inc. / PV Engineers, DPC were present on behalf of the applicant, DG Bethlehem Solar, LLC c/o NextEra Energy Resources, LLC to provide information and answer questions. Staff comments were provided by Kenneth Kovalchik & Brian Kise.

The applicant is seeking approval to construct and operate a 1 MW (AC) solar facility and a 2 MW (AC) solar facility. It was noted that two facilities must be constructed instead of one large facility due to a National Grid requirement limiting a single interconnection to the grid to 2 MW. Each system will have its own access drive and be secured by a chain link fence. The 2 MW system, referred to as Bethlehem East, will occupy 11 acres and include 8,132 ground mounted solar modules. The 1 MW system, referred to as Bethlehem West, will occupy 7 acres and include 4,104 ground mounted solar modules. It is anticipated that the two systems will generate a combined total of approximately 4,600,000 kWh per year. The production will also generate a cash credit to the Town from National Grid.

The proposed site, a former clay mine owned by the Town of Bethlehem, is located on Bridge Street in Selkirk. The project will be financed through private funds. “Balancing of Interests” factors were conducted by the Zoning Board of Appeals (ZBA) to determine whether the project would be subject to site plan review. The test contained nine (9) factors to determine the extent of the project’s applicability to the Zoning Law. At its meeting on October 1, 2014, the ZBA noted that Section 128-90B “Public projects and improvements” is applicable based upon the analysis of the balance of interest factors, and the project will be reviewed by the Planning Board.

Discussion Items
- Buffer areas
- Wetlands
- Access via Bridge Street
- View of site from neighboring properties
- ACPB review scheduled for 10/16/2014
- Fencing (6' tall with 3 strands of barbed wire)
- Landscaping / placement of trees
"Racking" height of ground panels range between 30" and 9'
-Connection from equipment pads to National Grid (pole heights, spans, etc)
-Underground alternatives for overhead connections
-Utility poles approximately 35' tall, 175'-200' apart, medium voltage cables
-Fencing location and options to minimize industrial look
-Limits of clearing
-Impact of barbed wire on wild life / no issues to date
-Health & safety risks / education
-Meeting with neighbors to allay assumptions & discuss screening
-Liability insurance coverage for private project on Town Property
-Legal documents to be prepared for power purchase agreement & easements
-Flexibility for height of overhead wires
-Whether a public hearing will be held

Following a presentation by Mr. Albrecht, and comments from the Board, further discussion of the project was tabled. Chairman Smolinsky acknowledged that Ms. Jasinski was present and invited her to share comments. Ms. Jasinski indicated that she would like the Planning Board to hold a public hearing and she would save her comments for the hearing.

VI. New Business
None

VII. Adjournment

Motion To: Adjourn at 7:26 PM - Next meeting 10/21/2014

RESULT: ADJOURN [UNANIMOUS]
MOVER: John Smolinsky, Chairman
SECONDER: Kate Powers, Board Member
AYES: Smolinsky, Behuniak, Coffey, Powers, Farrell