

**Village of Fort Edward
 Planning / Zoning Board of Appeals MEETING
 November 15, 2023
 6:00 pm, Fort Edward Village Hall
 (Transcribed from notes taken at meeting)**

MEETING CALLED TO ORDER AT 6:00 PM. ROLL CALL TAKEN. CHAIRMAN ROCHE LED THOSE PRESENT IN THE PLEDGE OF ALLEGIANCE.

Roll Call	Absent	Attorney	Public Attendees	Public Attendees
Tom Roche	Tadgh Nealon	Matt Fuller	Linda Miles	
Bernie Taylor			Greg VanGrouw	
Tabitha Fish			Kyle Cozzens	
Amy St. John			Robert Sutherland	

*Agenda Item

THESE ARE NOT OFFICIALLY ADOPTED MINUTES AND ARE SUBJECT TO BOARD AND STAFF REVISIONS. ANY REVISION WILL APPEAR ON THE FOLLOWING MONTHS MINUTES AND WILL STATE SUCH APPROVAL OF SAID MINUTES.

A motion to approve the September and October minutes was made by **Bernie Taylor**, seconded by **Tabitha Fish**. All ayes. Motion carried.

PUBLIC HEARING

- 1. Site Plan Review
 IRVING TISSUE
 Tax Map No. 163.17-4-37**

The applicant Greg VanGrouw stated that on behalf of Irving Tissue he is seeking approval to continue to demo Cumberland Farms. The site plan application included a pre-demo asbestos abatement. Since the last meeting the asbestos abatement had been done and remediated.

A motion was made to open the public hearing by **Bernie Taylor**, seconded by **Amy St. John**. All ayes. Motion carried.

Tom Roche asked if they had a plan on the space once the building is demolished. Greg said that there was little movement, which was discussed after the first meeting as that was the major concern from the board and the public. Greg said with the lateness of the year, they will be focusing on completing the demo and the ground surface for winter. They will make it safe and neat. In the spring, they will come back before the board with a plan. They will continue the same landscape design they are working on at Church Street entrance.

Tabitha Fish asked if there was asbestos in the building. Greg informed the board that, yes there was.

PUBLIC COMMENT

Kyle Cozzens – Evergreen Bicycle Works – 73 East Street

Kyle is very concerned about any buildings going away. We have a small downtown area, and it keeps shrinking our business area. Irving is not in business for small town business I understand, however I have a concern as a business owner myself. I hope that whatever comes to that space will stay.

SEQRA

SEQRA was reviewed by the board.

A motion to close the public hearing was made by **Bernie Taylor**, seconded by **Amy St. John**. All ayes. Motion carried.

A motion to accept the negative declaration (EAF) was made by **Bernie Taylor**, seconded by **Amy St. John**. All ayes. Motion carried.

A motion to table the decision until county decision was made on 11/28/23 was made by **Bernie Taylor**, seconded by **Tabitha Fish**. All ayes. Motion carried.

NEW BUSINESS

2. Use Variance

Solar Power Network – State Route 197

Tax Map No. 171.11-1-3.3

Robert Sutherland from RMS was there to represent the applicant, Solar Power Network. They have 24 locations and are proposing a commercial solar farm. 4.1 Mega wats on Route 197 behind the brick building. The access to the property would be the access road off State Rte 197. There are wetlands which we will stay away from. There will be no contaminated soil from the site. The road will be a limited access road. We will have more information as we move forward.

~Tom Roche stated they were applying for a variance to change the use to accommodate.

~Attorney Fuller asked if he was with Solar Power Network? The application part was not signed by RMS as the representative.

~Tom Roche asked how many panels they would be installing at the site.

~Robert looked at the sketch plan and informed the board that they are 6864 lbs and may be subject to change. This sketch is just a tax map overlay. There will be an official map once a boundary is determined.

~Tom Roche asked, when you talk about changing the use of zoning, it must be a compelling reason. We need to make sure that the study can give us more information to support changing the use. Will this affect the neighbors?

~Robert said that for the residential sites, they will plant nut trees, double rows, and a fence. The study will have a landscaping plan.

~Tom Roche asked if the parcel was trees now.

~Robert said no, it's basically a pasture now.

~Tabitha Fish asked how they can put these solar panels close to a body of water.

~Robert explained that it is not a body of water, just wetlands and they are staying away from that area. The survey will show where it is as well.

~Tabitha Fish stated she is not familiar with solar farms and wants to know what harm they can do.

~Robert explained that they will be staying above ground.

~Bernie Taylor asked what the height of these would be.

~Robert said 15–16-foot single access panels.

~Tabitha Fish asked if the nut trees would grow higher than them.

~Robert said the nut trees grow about 30ft high.

~Dave Armando, code enforcement said that our code doesn't allow solar farms it only allows ground panels with a structure it would be feeding. Dave recalls about 5-10 years ago there was an applicant who installed them on their land with their home on it as an accessory use for the home. This is a different situation.

~Robert said this is a commercial project and this power is for the community. There will be a 10% savings on the bill.

~Attorney Fuller mentioned that their attorney submitted a letter, a good discussion in the letter.

~Amy St. John said that the use variance negates needing a structure if granted.

~Dave Armando explained that solar panels cannot cover more than 40% of a lot with a structure on it, however this doesn't fall into that.

~Tom Roche asked what happens with any overages or shortages.

~Robert said that the overage stays on the grid. It may be best to ask this question to my boss in the future.

~Attorney Fuller asked if they had plans and when they would submit the information, sketch review. You cannot flag wetlands right now, so you are talking spring. Fuller also stated that all new material needs to be in by the 1st of the month to get on the agenda.

~Robert indicated that yes, most likely it would be spring before that is complete.

~Tabitha Fish asked if the property has been purchased yet.

~Robert said no, its contingent on the approvals from the board.

Motion to adjourn at 6:40 pm was made by **Amy St. John**, seconded by **Tabitha Fish**.

All ayes. Motion carried.

Respectfully Submitted,



Janelle Rose

Planning /Zoning Board of Appeals Clerk

DRAFT