

Town of Haverstraw Planning Board

January 10, 2024 Minutes

Chairman called the meeting to order at 7:35pm and asked everyone to stand for the pledge.

Roll call – Chairman Sal Corallo present, Glenn Widmer present, Robert Sambrato present, Anthony Gizzi present, William Riccaldo absent

Adoption of minutes of December 13, 2023 Planning Board meeting – moved by Mr. Gizzi, seconded by Mr. Sambrato, 3-0 in favor with Mr. Widmer abstaining because he was not at the meeting.

The Chairman announced the first item on the agenda:

1. Marian Shrine - 174 Filors Lane – (Stony Point)

Section: 20.13 Block: 01 Lot(s): 01

Section: 20.09 Block: 01 Lot(s): 33 (Stony Point)

Subdivision & Site Plan Approval:

Ground mounted Solar Array to generate electricity delivered directly to Orange and Rockland Utility grid

Appearing for the Applicant were Jennifer Knarish from Price Meese Shulman & D'Arminio on behalf of the Applicant Core Development Group and Kai Nybro, the project developer for Core Development Group.

Ms. Knarish acknowledged the Applicant had received reports from several County agencies in response to the GML circulation – 2 from County Department of Planning, one from the County Highway Department and one from the County Drainage Agency from June 2023. She advised the Board that the Applicant is in the process of preparing written responses. So for now the Applicant does not have anything new to report.

The Chairman asked if there were any changes to the plans and Mr. Nybro advised there were not.

The Chairman asked why there was a space in the middle between the proposed solar arrays on the east and west side. He asked if that was to leave room for additional solar installations in the future. He also asked if the Applicant will be cutting down a lot of trees.

The Building Inspector, George Behn, confirmed the Applicant will be cutting down a lot of trees.

The Chairman asked if there will be trees left in the middle.

Mr. Nybro said there was a small group of trees in the middle that will remain. He advised that the open space is at the request of the owner of the Property, Marian Shrine. Last year the leadership of Marian Shrine advised the Applicant that they wanted to keep that space open in case Marian Shrine wants to do an expansion of their own facility in the future. The lease between the Applicant and Marian Shrine is for 30 years. Marian Shrine did not want to lock up that portion of land for such a long time. As a result, the Applicant redesigned the project to move the solar panels into the treed areas and left the grassy space in the middle open.

The Chairman asked if Marian Shrine may want to put a building in the open space in the middle.

Mr. Nybro explained that even after the subdivision, Marian Shrine will still retain ownership of the entire parcel. The Applicant would just be leasing it.

The Chairman noted that there is another open space to the east of the proposed solar array.

Mr. Nybro advised there will be 13 acres of tree removal – split between the east and west arrays. The Applicant will have an easement over the area in the middle. Each solar array will be enclosed with a fence as required by regulations.

The Chairman noted the Planning Board's engineer, Glenn McCreedy was not present but at the last meeting Mr. McCreedy had inquired about the ground cover under the solar panels.

Mr. Nybro advised they had looked into that and was raised in comments from the County Department of Planning, which recommended native plants, which will help absorb drainage and runoff water and need minimal maintenance. The Applicant has no objection to this as it is industry standard. Mr. Nybro will provide this information to Mr. McCreedy.

The Chairman asked that he do so.

Mr. Nybro advised they will use whatever seed mix is preferred by the Town.

The Chairman raised an issue with people using the property for access to Suffern Lane. He expressed concern about people using that internal access road, especially kids on motor bikes. Currently there is a little mound, the Chairman asked if that could be left there or can the internal road be secured with a chain to prevent access

Mr. Nybro confirmed the Applicant would be open to that. The only issue is that there is an underground trench path. But the Applicant will look into whether there is a way to discourage access, either with a berm or chain.

The Chairman noted that some neighbors may have things on Marian Shrine's property and asked if that would be between Marian Shrine and the neighbors.

Mr. Nybro advised that to whatever extent they can, they want to avoid physical conflict between what is existing and constructed. They believe they have a pathway to access the area.

The Chairman explained that drainage was important and it has to be secured because there are houses on three sides of the property where the solar arrays will be. The Applicant needs to be sure the water will not be flowing onto other people's properties. He is not saying the Applicant necessarily has to install a retention pond, but the drainage needs to be looked at.

Mr. Nybro stated the County Department of Planning addressed drainage in their comments. The Applicant intends to prepare a full SWPPP. Mr. Nybro advised that they are also still waiting on comments from the NYS DEC. That will be the agency on top of the SWPPP plan and ensuring the drainage requirements are satisfied.

The Planning Board attorney, Christie Addona, asked if the Applicant had sent the application materials to the DEC.

Mr. Nybro advised they sent the DEC pre-application information last year but now they have submitted a full application.

Ms. Addona inquired if they were expecting to hear back on the preapplication.

Mr. Nybro said no, they would be hearing back on the actual application, which would be sent by the Town.

Ms. Addona advised the Town had not sent the application materials to the DEC. So if the Applicant wanted the Town to send them, they should provide us with the person or department to which it should be sent.

Mr. Nybro and Ms. Knarich confirmed they would do so.

The Chairman noted the application also had to be sent to the Town of Stony Point.

Ms. Addona advised that the Applicant copied Stony Point on its November submission with all of the application materials.

Ms. Knarish confirmed.

The Chairman inquired if Stony Point had responded, Ms. Addona advised they have not.

The Chairman asked Mr. Nybro to show on the map where access is going to be if they have to send trucks to the site. The Chairman said they would be coming through Stony Point.

Mr. Nybro advised they will use Filers Lane in Stony Point and then have access off of Filers Lane. That would still provide access to the subdivided parcel and solar array. Any vehicles would travel along the driveway to the south end of the property by the parking lot, and at that point there is access to the area being developed. There is currently a pervious gravel drive alongside the array areas, which will remain in those locations.

The Chairman asked if they needed any variances.

Mr. Nybro advised they need one area variance for road frontage.

Ms. Addona recommended the Applicant consider noticing a public hearing for the Zoning Board at its February 14, 2024 meeting. The general practice is that when an applicant needs a variance, they go to the Zoning Board before the Planning Board makes a SEQRA determination, that way if there are any environmental issues the Zoning Board has, they can be addressed before SEQRA is completed.

Ms. Knarish advised she had already reached out to the Zoning Board Clerk, Annette Hendrie, to coordinate the noticing for the February meeting.

The Chairman asked if the Applicant is going to leave a tree buffer around the property.

Mr. Nybro confirmed the closest tree clearing to the property line would be 50 feet and in other areas it would be 150 feet from the property line.

Mr. Behn asked if the Applicant is going to remove the stumps.

Mr. Nybro confirmed they would.

Mr. Behn asked what the Applicant will do with the stumps.

Mr. Nybro said they would either be ground up to be used as wood chips on the site or taken off site.

The Chairman asked for a motion to declare the Planning Board lead agency for SEQRA.

Moved by Mr. Widmer, seconded by Mr. Sambrato, 4-0 in favor.

There was a discussion about whether the Applicant wanted to attend the February Planning Board meeting. Ms. Addona noted that since the Applicant will already be here for the Zoning Board meeting, if they have any new materials they want to discuss with the Planning Board they might want to be on that agenda as well since the Planning Board meets right after. At the February meeting the Board will likely be in a position to adopt the EAF, Part 2 and the Board can consider whether the application is ready to call for a public hearing in March.

Ms. Knarish confirmed they wanted to be on the February 14, 2024 Planning Board meeting agenda.

The Chairman reiterated the Applicant is going to put everything in writing.

Mr. Nybro confirmed and advised they are already working on engineering drawings for drainage specifications.

Ms. Addona asked them to be sure to submit everything in advance so Mr. McCreedy has an opportunity to review it.

The Chairman told the Applicant we will see them on Valentine's Day.

Ms. Addona announced that the other application on the agenda – East Gate – 321 Route 202, Pomona is adjourned to February 14, 2024 for a continuation of the public hearing.

The Chairman asked for a motion to adjourn the meeting. Moved by Mr. Gizzi, seconded by Mr. Sambrato, 4-0 in favor. Meeting ended at 7:59.