

TOWN OF SCHUYLER ZONING BOARD OF APPEALS

SPECIAL MEETING RE: WATKINS ROAD SOLAR FARM

SEPTEMBER 24, 2019

Chairman Ronald J. Beach called the meeting to order at 6:00 PM at the Schuyler Town Office, 2090 State Route 5, Utica, NY. Other ZBA Members present were Vice Chair JoAnn Mammone, Christine Proulx, Robert Wasyleski and Alternate Member David Pasick. Absent was Joseph V. Aiello, IV.

Others present were Supervisor Anthony J. Lucenti, Chet McLaughlin (Sun East), Kevin Murphy, Esq. (Wladis Law Firm), Codes/Zoning Officer Philip Green, Town Attorney Jennifer Christman, Town residents Collin Treen and Craig Treen, and Bette Szesny, who served as Recording Secretary.

Mr. Beach stated the purpose of this meeting is to address the ZBA's review of the Application and to entertain acceptance of Lead Agency Status for the Watkins Road Solar Farm project. He asked for a motion to enter into Executive Session with the Board's attorney, Mr. Murphy, to discuss this issue.

Motion by JoAnn Mammone, seconded by Christine Proulx, to enter into Executive Session for the purpose of discussing acceptance of Lead Agency status for the SunEast Solar Project. All voted affirmatively as polled by voice vote. Motion carried.

The ZBA then convened into Executive session. Time was 6:05 PM.

Motion by JoAnn Mammone, seconded by Christine Proulx to return to open session. All in favor as polled by voice vote. Motion carried. Time was 6:56 PM.

Chairman Beach stated following a careful review of the SunEast Solar Farm Application and its accompanying data, and at the recommendation of the Board's legal counsel, Kevin Murphy, Esq., the ZBA will be deferring action on their acceptance of Lead Agency status for the proposed Watkins Road Solar project, pending receipt of a more complete Environmental Assessment Form.

Mr. Beach then read aloud the proposed resolution of the Board to be entered into the record, indicating the Board's decision to request that SunEast withdraw the application as it has been submitted, as this application has been deemed incomplete. He said no action will be taken by the ZBA until such time as the requested data has been submitted and evaluated by the ZBA.

The complete text of this resolution is attached to these minutes.

Motion by Chairman Ronald J. Beach, seconded by JoAnn Mammone to adopt the resolution to delay action on the proposed SunEast solar project until such time as the required data is submitted by SunEast and is thereupon reviewed by the Town of Schuyler ZBA.

All ZBA Members voted affirmatively when polled by voice vote; motion carried.

GREEN WASTE PERFORMANCE BOND AGREEMENT

Attorney for the Town Jennifer Christman stated the owners have accepted the Town's proposed performance bond (contractual agreement), and they will place \$25,000 into an escrow account to cover any clean-up costs so as to ensure the Town's interests are protected, in the event this becomes necessary.

Motion by JoAnn Mammone, seconded by Christine Proulx to authorize Supervisor Lucenti to execute the agreement; all in favor. Motion carried.

MINUTES APPROVAL

Motion by Christine Proulx, seconded by JoAnn Mammone: to approve the minutes for January 9, February 20 and September 18, 2019; all in favor. Motion carried.

UPCOMING PLANNING/ZONING TRAINING EVENT & ATTENDANCE POLICY

Secretary Szesny called the Board's attention to the upcoming October 2, 2019 Planning & Zoning training seminar and the newly adopted Town Board resolution regarding the Town's attendance policy for Planning Board and ZBA members, both of which were included in the members' packets.

ADJOURNMENT

Chairman Beach adjourned the meeting at 7:12 PM on a motion of JoAnn Mammone; all in favor.

- Bette Szesny, Recording Secretary