

**Montgomery County Planning Board**  
**Meeting Minutes**  
**September 12<sup>th</sup>, 2019**

**MEMBERS PRESENT:**

Mark Hoffman, Vice Chair  
David Wiener, Member  
John Lyker, Member  
Jim Post, Alternate  
Betty Sanders, Alternate

**STAFF MEMBERS PRESENT:**

Ken Rose, Director  
Andrew Santillo, Eco. Dev. Staff Assistant  
Karl Gustafson Jr., Eco. Dev. Grant Assistant  
Alex Kuttesch, Senior Planner

**ABSENT:**

Wayne DeMallie, Chairman  
Robert DiCaprio, Secretary  
Irene Collins, Member  
Ronald Jemmott, Member  
Erin Covey, Member

**OTHERS PRESENT:**

**I. Call to Order**

The meeting was called to order by Mark Hoffman at 6:35 pm.

**II. Adoption of Agenda**

A motion was made by John Lyker, seconded by Betty Sanders to adopt the agenda for the September Planning Board meeting.

**III. Minutes**

A motion was made by David Wiener, Seconded by John Lyker to accept the August Planning Board meeting minutes.

**IV. Public Comment**

Marissa Scavo- Cypress Creek Renewables: Marissa explained that Cypress Creek is proposing a 20 Megawatt solar project in the Town of St. Johnsville. Marissa stated that they have held a public hearing and the only people to attend were the land owners involved with the project. There were no negative comments about the project.

Sandra Mccullah- Town of Palatine resident: Sandra has concerns about the referral for the Town of Palatine in regards of the proposed slaughterhouse. Sandra noted that the mortgage agreement between Harvy Byler (previous land owner) and Christopher Novak (current land owner) item #7 in the mortgage states that Christopher Novak can't make

any changes to the property or sell any part of the property. Sandra brought a hand written letter from Harvy Byler that read “we will not allow Christopher Novak alter, demolish or remove buildings on the proposed site, that includes the barn and any other buildings on the property. This is printed in the mortgage.” - Harvy J Byler and Katie Byler

Sandra stated that Christopher Novak is 3 years behind on his taxes, the house goes up for auction on February 20<sup>th</sup> 2020. Sandra also stated that Christopher Novak is behind on his mortgage and was supposed to be paid off by January 2015, and he still hasn't paid.

Mark Saltsman- Town of Palatine resident: Mark explained he is one of the neighbors of the proposed slaughterhouse project. Mark also stated that his daughter runs a day care facility next to the proposed site and is worried about the health risk for the kids.

Eliza Putnam- Town of Palatine resident: Eliza explained to the board that she runs a daycare facility out of the house next to the proposed project. Eliza is worried about the air quality because she has to bring the kids out side for certain periods of the day. Eliza also stated that she has noticed loose animals running around on the property and is worried if the slaughterhouse project is approved, there will be more animals roaming the site.

## **V. Referral Town of Minden- Solar Project**

Ken Rose explained to the board that the proposed Mohawk solar project in the Town of Minden is coming to the board for an area variance. Ken explained that in the town of Minden there is a 100 foot setback from roads for solar projects. The proposed solar project meets the 100 foot setback along the roads but some of the properties are conjoining properties and will need the area variance to overlook the 100 feet set back on the conjoining properties.

David Wiener made the motion to approve the referral, seconded by John Lyker.

Betty Sanders opposed. Vote was 4-1, there was no action taken on the referral.

## **VI. Referral Town of Amsterdam- Site Plan Review**

Ken Rose explained that the Town of Amsterdam referral is site plan review for a 4,200 square foot building on the Route 30 corridor. The proposed project is a small animal veterinarian hospital. It will have one entrance/ exit onto New York State Route 30.

Betty Sanders asked if the veterinarian hospital will be for larger animals or smaller animals. Ken Rose answered that it will be a small animal hospital.

John Lyker made a motion to approve the Town of Amsterdam's referral, Betty Sanders seconded it. All were in favor.  
The referral was approved.

## **VII. Referral Town of Palatine- Special Use Permit**

John Lyker and Betty Sanders recused themselves from discussion and action on the Town of Palatine referral.

Ken Rose explained to the board and the public that the County Planning Board is a nine member board and there were five members in attendance for tonight's meeting. With two of the members recusing themselves that leaves the board with three members that can vote. At this time the planning board will not be able to take an action on this referral.

The referral will go back to the Town of Palatine with no action from the County Planning Board.

## **VIII. Referral Town of St. Johnsville- Special Use Permit**

Ken Rose explained to the board that the Town of St. Johnsville referral is a special use permit and site plan review for a solar project.

Marissa Scavo from Cypress Creek showed the board where the proposed solar project is located. Marissa stated that the project spreads over three parcels and will be a 20 megawatt project. Over the three parcels, the solar project will span about 450 acres, but the solar panels will only cover 140 acres of the 450. Marissa also stated that two of the three parcels are farm land. Two of the parcel owners farm the land but will farm other land that they own. Marissa reassured that a 30 foot natural buffer will be installed along all sides of the project.

Betty Sanders asked if it will be visible from the road, Marissa said that there is one small section along the power line where they couldn't install the natural buffer.

David Wiener asked if there will be lighting during the construction at night, Marissa stated that there will be no lights during the project construction or while the project is in place.

Jim Post asked if you will be able to see the solar panels if you drive up Kennedy Road. Marissa pulled up google maps to show the location and pointed out that you would not be able to see the panels going up the road or on New York State Route 5.

David Wiener made a motion to approve the Town of St. Johnsville's referral, seconded by John Lyker. All were in favor.

The referral was approved.

**IX. Other Discussion**

None

**X. Adjournment**

A motion was made by Betty Sanders, seconded by Mark Hoffman to adjourn the September 12th, 2019 Planning Board Meeting at 7:05 pm.

Respectfully submitted

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Karl Gustafson Jr.  
Grant Assistant