

Town of New Baltimore Planning Board

Monthly Meeting Minutes

3809 County Route 51 Hannacroix, NY 12087

April 10, 2025

7:40 PM

Present: Josh Boehlke, Ann Marie Vadney, Rob VanEtten, Robert Court, Frank Orlando, Charles Irving, Bill MacDonald

Absent:

Pledge of Allegiance

Cheema Proposed Gas Station/Convenience Store

Kamil Baraniewicz was present from Creighton Manning the town's designated engineer on the project. He reviewed the newest memorandum from Creighton Manning and conditions that should be included if a decision is to be made on the application. Chairman VanEtten expressed that the Board would like to get everything to a point where it can be finalized with minimal conditions. The lot consolidation between the two parcels should be a condition and once final should be recorded with the county and proof should be provided to the Planning Board. They would like to see the water and utility easement be added onto the Site Plan map before filing with the County Clerk. The site plan had a few details that should be addressed such as where vacuum equipment and air filling stations will be located. Also, where the HVAC equipment will be located should be on the Site Plan. The 3 new employee parking spaces and the lighting plan should also be included on the Site Plan as well as the site triangles so they can be visually seen on the plan. They should tighten up the grading plan and show the actual ADA design. The utility plan needs additional information on slopes and proximity to or possible conflicts with other utilities. Chairman VanEtten stated that the Board has yet to see conformation on exactly what is in the ground regarding the septic system. Rich Nolan responded that they had been trying to get it inspected by the person who installed the system. Chairman VanEtten expressed the point that it is basic infrastructure, and it has been drug on. Rich Nolan replied that they are actively working with the previous owner to get it inspected and approved. There is a yield test for the well scheduled at the beginning of May and there will be a 1,000-gal water tank provided in the building to have supplemental water supply. It is noted that the building does not require a fire suppressant system, or sprinklers and the canopy will be a dry chemical system that will be further addressed during building department review. There were some minor landscaping comments on the north end of the site to fill in and give a

more complete look. The storm water bioretention system is oversized and does not meet the requirements but want to ensure that the overflow will not end going to the adjacent hotel but instead head north where it should be directed. The SWPPP should be finalized and coordinated with the final drawings. The traffic report was reviewed and will be worked out with the DOT but it appears that the current set up is the best solution. The lead agency responses from the DOH and the Greene County Planning Board were discussed briefly. Board member Court brought up that the DOH had concerns about the sources of contamination possibly being too close to the well, and asked if anyone had been in contact with the DOH regarding this. Kamil Baraniewicz responded that this would fall under the Agriculture and Markets jurisdiction, and they would make comments concerning water and sewer. Board member Vadney asked if they had reached out to Ag and Markets yet regarding this project. Rich Nolan replied that another team member handles that, and it is on their list of things to do if it hasn't been done already. Rich Nolan added that he had been in touch with the DEC and the Harrier has been determined to not be an issue on the property. Discussion was had about taking a vote on the Site Plan Application. The Board agreed that there were too many issues not addressed to give approval to move forward with the Site Plan, if approval were given at this time there would be a substantial number of conditions. Rich Nolan responded that at the next meeting most of these issues should be addressed. The Board then had an open discussion on how to move forward with this project. Board member Vadney suggested the board wait until next month and see what progress has been made and depending on the progress they may move forward with a resolution at that time. The Board agreed they would like to see as many of the conditions addressed before preparing a resolution and voting on the Site Plan Application. Board member Orlando also stated that they would like to see a resolution with 5 conditions instead of one with 15, especially regarding small things like signage. Chairman VanEtten included that they should have the maps reflect the utility easements and other small things, so they do not have to be included in the conditions of the resolution.

Lodestar Energy/ LSE Monoceros/ New Baltimore Solar

Attorney Alec Glad and Project Manager Adam Rowels were present representing Lodestar Energy asking for a one-year Site Plan extension. Chairman VanEtten asked what progress they had made. Alec Gladd replied they have submitted their decommissioning plan to the Town Board and once that is agreed upon, they will move forward with the building permit process and will need to wait until November 1st to start construction. Chairman VanEtten addressed that the new solar law states that a tier 3 solar project is required to have a Special Use permit as well as an approved Site Plan Application. Moving forward the Board does not see why they would have to entertain the issuance of a Special Use permit since

the application was submitted under the old solar law. Chairman VanEtten then read the resolution to grant a one-year extension of their Site Plan approval.

Resolution Granting Site Plan One-Year Extension

WHEREAS LSE Monoceros, LLC (the “Applicant”), wishing to construct a 4.8 MW-ac utility-scale solar collector system to be known as New Baltimore Solar Project on Parcel bearing Tax Map Number 7.03-1-7, located at 14073 Route 9W, New Baltimore, New York, presented Site Plan Application at the February 9, 2023, Town of New Baltimore Planning Board Meeting; and received final Site Plan approval at the April 11, 2024, Planning Board Meeting; and

WHEREAS, pursuant to Town of New Baltimore Town Code, Section 112-36, which states unless otherwise specified or extended by the Planning Board, site plan approval shall expire after one (1) year of the of the approval filing date if the applicant has not obtained a building permit or started actual construction as defined in Article XVI of this Chapter; and

WHEREAS, since required Building Permit has not been obtained or construction commenced, the applicant through their attorney, Alec Gladd, has submitted a March 25, 2025, letter advising that the applicant has been unable to secure the necessary United States Army Corps of Engineers permit delaying the building permit application and requesting the extension; and

WHEREAS, the Planning Board at its April 10, 2025, meeting discussed the request: therefore be it

RESOLVED, that the Site Plan be extended for one-year expiring on April 11, 2026, pursuant to the Town Code, Section 112-36(C).

Motion to Approve the Resolution Granting a Site Plan One Year Extension

Made by Ann Marie Vadney, Seconded by Bill MacDonald

Aye: 5 **Nay:** 2 **Abstain:** **Absent:**

Motion Carried

Board Member Vadney then had a follow up question and inquired if the new tariffs on goods had an impact on the price of panels for this project. Adam Rowels replied that the modules they are using for this job are Silfab and are 100% made in the USA.

The Goel Group/21B Exit Lodge Paul Newman was present representing the Goel Group with a conceptual plan to develop the property to the north of the 21B Exit Lodge site. Mr. Newman distributed copies of the conceptual plan to the board members. He stated he would like to get feedback from the board members on what the town may or may not need when it comes to the development of this site. The concept includes a facility for 18-wheeler repairs, a small convenience store with possibly some showers and bathroom facilities for truck drivers and the addition of 6 more gas pumps. They are also looking to

build a mixed-use development with a 20k square foot retail space with about 40 apartments above it, and behind that they are looking to do 204 affordable housing units. The parcel is 27 acres in size and will have to be done in multiple phases. The most important of which being the truck repair facility and the additional pumps and convenience store. They understand that the residential component of the plan will take some time. Chairman VanEtten explained that when you put the housing in it falls under a different zone. The whole property is currently zoned commercial and would have to go through the Zoning Board of appeals to allow for possible housing. Board member Court added that this project would fall under a Planned Development District or PDD and that this concept should have been presented to the Town Board before it came to the Planning Board. Chairman VanEtten added that this project would need to have public water. Paul Newman replied that he would like to get in touch with other businesses in the area and discuss bringing water and sewer down 9W. He acknowledges that without public water and sewer there would be a need for a treatment plant on the premises. He stated that they are extremely interested in spearheading the extension of water and sewer with the cooperation of the surrounding businesses that may be interested in sharing the burden. Board member Vadney asked, without the public water system, would they be able to ensure there would be enough water. Mr. Newman replied no that there would be no guarantee, and that he is hoping this development would be the catalyst to bring the water and sewer district all the way up 9W. There was an open discussion on exactly where the water and sewer lines end on route 9W. Board member MacDonald asked if the current sewer treatment plant would be able to handle this kind of extension, especially with an approved planned housing development going into the Town of Cocksackie already. Chairman VanEtten told Mr. Newman that he was starting at the wrong place he needs to be seen by the Town Board, and that the Town Board may have to be in touch with the Cocksackie Town Board. He understands that this is a process and that he would like to work with the Town of Cocksackie and the neighboring business owners to possibly get the water and sewer extended. Board member Court questioned where the sewer would flow to. Chairman VanEtten stated it would most likely have to be pumped. Paul Newman asked the board if the town needs this kind of housing, and the board agreed that it could be a good location but will still have to go through zoning and that there are many requirements for a PDD. The board let Mr. Newman know he has a long road ahead of him. He replied that at this stage it is only a concept, and it will be ever evolving and may end up looking nothing like the conceptual plans and primarily wanted to be seen to get feedback from the board.

Pine Haven Major Subdivision Representative Alan Lord was present for the Pine Haven Subdivision project. The board addressed an outstanding question from the DEC about lots 8 and 9 avoidance areas regarding the designated wetlands. Alan Lord explained that the

new maps reflect where they had North Country Ecological Services come in and surveyed it so it shows an exact line of the wetland verses the sketch map which had only what was available through the DEC mapper and did not exactly represent the wetland delineation. Lot 9 is 28 acres and lot 8 is 5.97 acres so there is enough space to allow for clearance away from the designated wetlands. The EAF part 2 that was previously reviewed was signed by Chairman VanEtten.

Motion to Approve the SEQR Part 2 for a Negative Declaration

Made by Ann Marie Vadney, Seconded by Josh Boehlke

Aye: 7 Nay:0 Abstain: Absent:

Motion Carried

Chairman VanEtten then read aloud the resolution approving the preliminary plat for the Pine Haven Major Subdivision.

Pine Haven Major Subdivision Resolution

WHEREAS, New York Land & Lakes Development, LLC wishing to complete a ten-lot Major Subdivision of a 91-acre parcel at the intersection of County Route 51 and County Route 26, to be known as the Pine Haven Subdivision, had their authorized representative, Alan Lord submit an Application for Classification of a Sketch Subdivision Plat at the September 12, 2024, Planning Board Meeting; and

WHEREAS, the applicant now having submitted all required application material and preliminary maps, the Board continued discussion with Mr. Lord at the February 13, 2025, meeting; and

WHEREAS, a required Public Hearing having been duly noticed, was held on March 13, 2025, with members of the Public offering comment; and

WHEREAS, at the April 10, 2025, Regular monthly meeting, the Long Environmental Assessment Form was reviewed with negative declaration given for purposes of SEQR; and

WHEREAS, the Planning Board determined there are no required improvements as outlined in Section 115-9 of the Town Code; and

WHEREAS, following further discussion at the April 10, 2025, Regular Monthly Meeting, therefore be it

RESOLVED, that the Pine Haven Major Subdivision Preliminary Plat be approved with the following conditions:

1. That Final Major Subdivision Plat be submitted for approval within six months of this date; and

2. That final fee and all amounts owed in escrow for consultant and legal review are required to be paid in full at the time of submission of Final Plat.

Motion to Approve the Pine Haven Major Subdivision Resolution

Moved by Ann Marie Vadney, Seconded by Bill MacDonald

Aye: 7 Nay:0 Abstain: Absent:

Motion Carried

Alan Lord then submitted the Final Plat to the Planning Board for attorney approval. Once reviewed and approved the Planning Board will stamp and sign the maps.

Motion to Approve the March 13, 2025, Pine Haven Public Hearing Minutes

Aye: 7 Nay:0 Abstain: Absent:

Made by Ann Marie Vadney, Seconded by Frank Orlando

Motion Carried

Motion to Approve the March 13, 2025, Planning Board Monthly Minutes

Made by Ann Marie Vadney, Seconded by Frank Orlando

Aye: 7 Nay:0 Abstain: Absent:

Motion Carried

Motion to Adjourn March 13, 2025, Planning Board Meeting

Made by Ann Marie Vadney, Seconded by Frank Orlando

Aye: 7 Nay:0 Abstain: Absent:

Motion Carried

Meeting Adjourned 8:43 p.m.