

Planning Board Members Present

- John Arnold Planning Board Chairman
- Adam Seybolt Planning Board Member
- Mike Shaver Planning Board Member
- Ann Purdue Planning Board Member
- Bradley Nelson Planning Board Member
- Carl Hourihan Planning Board Member
- Maureen Jackson Alternate Planning Board Member
- Edward Potter Alternate Planning Board Member
- Josh Westfall Town of Moreau Building Planning & Development Coordinator
- Diana Corlew-Harrison Secretary
- Glen Bruening Town Counsel

Planning Board Members Absent

- Matt Abrams Planning Board Member

The meeting was called to order at 7:01 pm by Chairperson Arnold

Minutes to approve – June 2025 – revisions noted and will be revised by secretary.

Mr. Shaver made a motion to approve, Ms. Jackson seconded. All in favor.

Minutes to approve – July 2025 – revisions noted and will be revised by secretary.

Ms. Purdue made a motion to approve, Mr. Seybolt seconded. All in favor.

Public Hearings: 7:06 PM

Old Business:

SPR5-2025 – Moreau Commons – Applicant seeks site plan approval in accordance with 149-21 for the reuse of former/commercial property on Route 9 as a mixed commercial use building. **Applicant:** Executive Property Services LLC. **Owner of Record:** Route 9 Auto World LLC. **Property Location:** 1377 Route 9. **Tax Map ID:** 63.3-1-13.111 & 63.3-1-13.112. **Zoning District:** C-1. **SEQRA:** Unlisted.

Brian McKenzie and Ben Alden, applicants updated board on some of comments and concerns from last meetings.

Traffic study -engineers have been in contact with Mr. Westfall. The applicant was unsure whether they could use the Hoffman study done before but Mr. Arnold stated that it did not have Moreau Commons impact at that time.

Mr. Arnold asked if a SWPP report was done. The applicant states that he cannot finish without approval to do more groundwork since he was told no more removal of land or dirt. Mr. Westfall states that the applicant can do a test hole for SWIPP to be completed.

The public hearing opened at 7:13pm.

No public comments.

Mr. Shaver and Ms. Purdue stated that they believe this is a good addition to the Town and the property.

Ms. Purdue asked about the enhancement of sidewalk to connect to Hoffmans Car Wash and Restore property. The applicant states a sidewalk would reduce too many parking spaces. Feels it is a dangerous place for a sidewalk, and it would interfere with the existing sign.

Ms. Purdue asked about curb cuts on Route 9 and coordinate with Restore property and how they will be used for exit and entering of each property. Mr. Arnold states that these should be addressed with a traffic study.

Motion to close public hearing at 7:38pm by Mr. Shaver, seconded by Mr. Nelson. Roll call – all approved.

Motion made by Mr. Shaver to approve the site plan with conditions of SWPP completion, traffic study analysis similar to Mr. Bills that was used that will include the effect of existing traffic infrastructure and movement, curb cuts, traffic lights, peak times and with approval of the Planning Board administrator when completed. Second by Mr. Seybolt. All approved.

Ms. Purdue made an amendment to this motion to ask if there were major changes to plan and that the traffic analysis be reviewed by the Planning Board before approval. There was no second of the motion. Mr. Arnold stated that it will be removed from motion.

Roll call – all approved, with exception of Ms. Purdue.

Motion made by Mr. Seybolt to approve and sign mylars when completed, seconded by Mr. Nelson, all approved with exception of Ms. Purdue.

SPR1-2025 Tier 1 Enterprises Applicant seeks preliminary subdivision approval for the creation of four (4) additional lots. No construction is planned at this time per the applicant's submitted information, and discussion. **Applicant:** Tier 1 Enterprises LLC. **Owner of Record:** Todd Tierney. **Property Location:** 134 Spier Falls Road. **Tax Map:** 62.-2-1-1. **Zoning District:** R-2. **SEQRA:** Unlisted.

The applicants, Todd Tierney, and Matt Webster from VanDusen and Steves, spoke of the project.

Mr. Arnold asked where access to property would be. Mr. Tierney states that there will be access from Woodlawn, Holly Drive and Spier Falls Road. The applicant confirmed the road frontage on Woodlawn to be 41 feet.

Ms. Purdue stated we usually have a layout of houses, wells, and septic's showing where they would be located but the applicant does not have any of that at this time.

Mr. Arnold has a concern about the shared driveway and/or shared driveways on Holly Drive; he noted that they would need an easement approval to join lots.

Mr. Arnold opened public hearing at 8:21pm

Mr. Sporrer, resident of 163 Fort Edward Road, family of Dolores Bullivant, resident of Spier Falls Road, has some concerns with the project related to Lot 4&5. She asked if there was enough road frontage, can they share the driveways of lots, setbacks, the culvert on Spier Falls Road and the water drainage issues if new driveways are added.

Mr. Arnold stated that each lot must have 40 feet of road frontage, water, drain issues and driveways will be taken into consideration when the site plan comes before the board.

Marie Cox, Tim and Colleen Brown, Holly Drive residents, asked if changes with subdivision would have to come before any Board of Town before the applicants could continue. Mr. Arnold stated any changes would come before this board. Ms. Brown also asked if the cul-de-sac on Holly Drive would be changed or removed with this project. She said there are issues with the lot lines of cul-de-sac and lot 3 driveway. Mr. Arnold states that it could be discussed with the Highway and Building Dept.

Patti Jo Hicks, resident on Spier Falls Road, asked to have the applicant show her the access points of driveways on the map.

Colleen Durkee, resident of Spier Falls Road, concerned with current residents' wells and sprinkler systems with the water table and future issues arise.

Ms. Purdue asked if the scale could be corrected on the plans.

Motion made to close public hearing by Mr. Seybolt, seconded by Mr. Shaver – all approved. 8:50 pm

SEQR assessment was reviewed by the Board.

Motion made by Ms. Purdue to provide a negative declaration of environmental impact, seconded by Ms. Jackson.

Roll call - all approved.

Motion made by Ms. Purdue to approve the subdivision plan, seconded by Mr. Seybolt, roll call – all approved.

Motion made by Mr. Seybolt to approve and sign the mylars when completed, Mr. Nelson seconded. All Approved

Regular Meeting

New Business Town Board Referral

Potter Road Solar. Applicants seek to construct a 5Mw large-scale solar farm on property which will include solar panels and access road, power lines and a point of interconnection (POI) to the grid. The project will sit on approximately 29+- acres of the entire 73+- acre parcel. **Applicant:** Potter Road Solar LLC. **Owner of Record:** G. Robert Baker. **Property Location:** 35 Potter Road. **Tax Map:** 62.-1-59.111. **Zoning District** R-2. **SEQRA:** Type 1.

Jeremy Bunblasky from Seaboard Solar and Steven Wilson from Bohler Engineering spoke of the project.

Mr. Shaver asked about the wildlife fence. Mr. Wilson states that it would be 6' above the ground, with 6" grid and 8' tall. Mr. Shaver asked if man gates could be added every 500 feet for fire/safety access. Applicants agree they would add them.

Ms. Purdue asked if there was a fire suppression plan for the project and whether the fire department and emergency responders were trained to deal with solar power farm fires. She expressed concern with brush fires, particularly due to the proximity of this project to the Moreau Lake State Park and the adjoining forests and residential areas. The Applicant indicated that it would help familiarize the fire department with the project and that training was available through State programs. Ms. Purdue expressed concern about the destruction of the natural habitat, particularly the clear cutting of 30 acres. The Applicant indicated that it would plant pollinator plants around the project.

Mr. Arnold asked what the remedial plan was at the end of life. The Applicants state that all will be removed.

Ms. Purdue expressed concern that the role of the Planning Board in the review of large-scale solar systems and the applicable review standards were not clear and that clarification should be obtained before the Planning Board continued its review of these projects. Mr. Arnold agreed that there was some lack of clarity but believes that the Planning Board is meant to give a recommendation and is not intended to provide the type of review that other developments are given by the Planning Board.

Mr. Shaver made a recommendation of a favorable report to the Town Board. Mr. Hourihan seconded.

Ms. Purdue indicated that she could not agree with a favorable recommendation as the project's clear cutting would destroy natural habitat and would negatively impact the residential character of the community and the Moreau Lake State Park. She also indicated that she remained concerned about fire suppression, that she felt that residential development would be a better more valuable use of the property, and that the Planning Board's role and applicable review standards before proceeding.

Roll call- Mr. Nelson – yes, Mr. Shaver – yes, Mr. Hourihan – yes, Ms. Purdue – no, Mr. Seybolt – no, Ms. Jackson – no.

Tiebreaker to Mr. Arnold – yes. Motion passes.

Site Plan Review

SPR7-2025 National Grid. Applicant seeks site plan approval for the upgrade of Mohican Substation to include installation of one new building (28'x55") on current ground pad area and new meal-clad enclosure in new adjacent area. **Applicant:** National Grid. **Owner of Record:** Niagara Mohawk dba National Grid. **Property Location:** 50 Farnan Road. **Tax Map:** 50.-4-1.3 & 50.-4-1.2 **Zoning District:** M-1. **SEQRA:** Unlisted.

The applicant spokesperson spoke of the project and their plans to upgrade the current substation and add a new building.

Ms. Jackson made a motion to approve the Site Plan. Second by Mr. Seybolt – all approved.

Mr. Seybolt made a motion to have Chairman and one board member to sign the mylars when approved, seconded by Ms. Purdue, all approved.

Havens Subdivision

SUBD2-2025. Applicant seeks sketch plan conference in accordance with Chapter 124 for the subdivision of two additional lots. **Applicant:** Anthony Havens. **Owner of Record:** Anthony and Andrew Havens. **Property Location:** 96B Harrison Avenue. **Tax Map:** 37.-1-15.212. **Zoning District:** UR. **SEQRA:** Unlisted.

Applicants spoke of the sketch plan. They want to remove them as owners and create subdivision of 2 lots with a shared driveway easement and maintenance provision added to the deeds of all parcels. They will be extending the private road to the subdivision.

Mr. Westfall stated that Zoning Board had approved the variance from the 40 foot frontage requirement.

SEQR was reviewed by board members.

Mr. Hourihan made a motion to approve a negative declaration on SEQR. Ms. Purdue seconded. All approved.

Mr. Shaver made a motion to waive the public hearing. Mr. Nelson seconded. All approved.

Motion made by Mr. Nelson to approve the three private lots on Havens Way in the UR Zone, lots are in code, Zoning Board previously approved the needed variance. Ms. Purdue seconded the motion with conditions to adjust the lot lines of the lots to the west to the back of the property line and a shared driveway easement and maintenance provision to be approved by the Town Board attorney. All approved.

Ms. Purdue made a motion to have the Chairman and one board member sign the mylars when completed, Mr. Seybolt seconded. All approved.

Motion made by Mr. Seybolt to close the meeting, seconded by Mr. Shaver. All approved.

The meeting ended at 10:15 pm

Signed by Diana Corlew-Harrison from audio on September 4, 2025.