



TOWN OF CAIRO PLANNING BOARD

PO Box 728, Cairo, NY 12413

Chairman-Joe Hasenkopf

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Meeting Minutes: April 5, 2018

Members Present: Joe Hasenkopf, Allen Veverka, Kevin Hick, Ed Forrester, Elizabeth Hansen and Stacey Poulsen

Absent:

Pledge of Allegiance

Approval of Meeting Minutes for March 1, 2018

The first order of business was to review and approve the March 1, 2018, meeting minutes. Stacey indicated that a minor revision needed to be incorporated with regard to the tattoo parlor site plan approval concerning the signage to make it clear that the Planning Board approved the site plan contingent upon framing the signage along with decorative corners. In addition, a change on page 3, last paragraph with regard to the solar farm - should state company could renew every 5 years after the initial 20-year lease. A motion was made to approve the minutes with noted revisions by Kevin, the motion seconded by Allen, all were in favor, the motion passed and the minutes were approved for the record.

Public Hearings:

1) 2018-0301 – 512 Route 145 – See & Be Kitchen, Traore’

Ben and Christina Traore’ appeared to present their site plan for a café on Route 145 located across from Tire Kingdom. The café will offer breakfast and lunch (6 a.m. – 4:00 p.m., 6 days a week). At select times the café may open for dinner, but not on a regular basis at this time. A portfolio of photographs of examples showing the style of food was provided along with samples of freshly made hard rolls and biscuits. Christine indicated that the focus will be on local, seasonal farm-to-table with plans to grow as much as possible on the subject property. The building will consist of a bar with 7 seats and 2 long communal tables. In the beginning they will be focusing on the café for the most part, and later may fashion one or two of the rooms into walk-in refrigerators/freezers. The bakery will produce wood-fired bread on the outside, everything else will be baked inside. Plans do not include

outsourcing anything, and it will be just the two of them to begin with. Plans are to open as soon as all approvals are complete. The water certification came back clear. Currently awaiting Department of Health certification which takes some time. There was a question about when they hoped to be housing chickens – and Ben indicated some time next year if all goes well.

2) 2018 -- 0205 – 1128 NYS Route 145 – Holiday House, Teitelbaum

Joe announced that the public hearing for Holiday House would not be taking place tonight due to personal reasons and that the public hearing will be rescheduled for the May 3, 2018, planning board meeting.

Business:

1) 2018-0301 – 512 Route 145 – See & Be Kitchen, Traore’

Ben and Christina Traore’ were called back up before the Planning Board to review their plans. Christina indicated that the site plan includes a sign, which is an old chalkboard from the 60s, which will be detailed in white with a silvery frame to add sparkle. The bottom of the sign will be left open to advertise specials. Parking will be on the other side of the building. There is an existing parking lot there from when it was known as the “Elbow Room at the Pixie Hotel” and just needs to be backfilled a little. The Chairman asked them to obtain and fill out a SEQR form and return it. The applicants explained they want to cater to locals and to traffic on Route 145. Kevin made a motion to close public hearing, Allen seconded it and the PB voted to close the public hearing. Allen made a motion to approve the site plan, Kevin seconded the motion and the PB voted to approve the site plan.

2) Petulla – 25 Bowery Creek Road

No show.

3) John Mitchell - 4365 NYS RT 23 - Cairo NY 12413

John Mitchell in attendance and explains that they are looking to put up a warehouse for e-commerce (right across from the old Bernio’s steakhouse) and he presented a survey/map. John plans to erect a metal Morton building (tan building with black roof). Down the road they would like to remove the other buildings. There is an existing driveway, and another entrance on the property. Mr. Mitchell indicated they will start out with offering kitchen supplies for people’s homes and restaurants. The Chairman stated the PB would schedule a public hearing for next month and instructed John that we need three copies of the survey/map, along with a SEQR form. The applicant paid fees of \$30 for the public hearing notice and \$200 for the site plan.

4) Chevreux Guest House – 308 Edison Timmerman

Alain and Nadine Chevreux, the applicants, plan to open a guest house and asked if they needed to start from beginning as they had submitted the original site plan application some time ago and a public hearing had been held. The previous issue was that the neighbor has a right-of-way going thru there, and he has an electric line, so they were trying to place the house further back. The plan has now changed -- they will not be moving anything – will leave in place, staying 60 feet away from the road. The Chairman stated that up until now the building itself was approved, the only thing needed is to

schedule another public hearing. There was a public hearing held previously, however, because there were concerns and some length of time has passed another hearing is necessary. The Chairman indicated that previously the issue was Gary Mueller was worried that you were going to rent out the guest house, which is not allowable, only your guests can stay in the guest house. However, they do rent out the main house right now. The public hearing will be set for June (as applicant out of town in May). The applicants were asked to bring three maps to have stamped for approval and the Chairman explained that he needs a complete survey with a stamp on it by the engineers – (Kaaterskill) in order to approve the site plan. The Chairman instructed the applicant that they need to pay \$30 for the public hearing notice. They indicated they do not have a check tonight but will mail it to us.

5) 2018-0101 – Grandview Solar – 743-775 Main Street – Preliminary Site Plan Review

Brian Stump, zoning and outreach manager for Cypress Creek Renewables, in attendance. Mr. Stump stated that Grandview has projects in 15 states. The entire project size is 18 acres, with the actual arrays covering 7-8 acres and it would be located at 743-770 on Main Street – 2 MW project, powering 300-500 homes in the community. Brian said he was there to see if there are any questions about the project and just to see if they can begin to move through the zoning process, obtain a special use permit and do an initial site plan review.

A visual assessment was done, a use and analysis map, from distances from 3 to 5 miles based on topography, where they may potentially may be seen. The solar panels are 12 feet high, face toward south with a perimeter fence for safety. A question was posed about whether they had a landscaping plan, and Brian indicated that one can be provided.

Brian mentioned the company would provide escrow and encouraged the Planning Board to obtain an outside engineering consultant or architect involved. The Chairman explained that once they get the revised plans, he will send them out to a couple of engineers, obtain estimates and then will let them know how much escrow will be needed (probably around \$3,000). It should only take a couple weeks after submittal of the plans for to obtain results of the review. The Chairman asked Mr. Stump for a letter of permission from the landowner.

The Chairman indicated that before setting a public hearing the PB will need \$100.00 for the public hearing notice; along with a landscaping plan. The Chairman indicated that they don't know what the proposal is, and that their main concern is - there is a 75-foot setback that's how far you can be from the property line and but you have to provide screening from the neighboring properties. Mr. Stump indicated that they use existing trees when they can. Generally trim trees, east and west of the project to harbor the most sun. Typically, there are shading buffers on the east and west of the project, and they will install a fence. Brian continued to explain that next to the fence they would be able to provide some evergreens and they will detail that on the landscaping plan. The Chairman stated that he noticed that they have the whole thing fenced in and suggested they not fence the sections of the road so that deer and other animals can move through it.

Additionally, the Chairman asked what they had in place in the event someone was injured on the site - what is the emergency response time? Mr. Stump said they have an emergency response plan which is included in the application. He indicated that he is on the zoning team (5 on the team) and he is the token volunteer fire fighter who is assigned to talk to the fire departments. He continued to explain that the first thing they do is walk the local fire department thru the emergency response plan to get their feedback and show them the site plan to see if they believe their vehicles could access it properly. A

question was raised if our local fire department was currently equipped to deal with solar farm fires. Brian explained that what they typically do when conducting an emergency response plan, he shows the firefighters a panel, which is completely enclosed in glass, illustrating that there is no way for it to be flammable. With regard to roof top mounted panels, in case of fire, the house provides the fuel for the fire. Whereas the panels are raised 3 feet from ground, and they hire local landscapers to cut grass – making sure there's no tall grass to provide fuel for a fire. A question was asked in the event of a fire what the process would be. Brian said they would instruct the fire department to watch it burn and maintain the perimeter. Joe indicated that he is a little concerned – curious to see what fire department has to say – stated that he was in fire department and believes no one in his fire department would have any clue as to how to put out a fire with solar panels. The inverters use biodegradable mineral oil – 60 gallons and there's a spill team process. Brian indicated that the company would provide training for the fire department. The fire department would have access to the site and the lock box. Brian said that the solar farm is remotely monitored. There are maintenance visits something wrong with the panels. The perimeter fencing is 7 feet tall, 8" off ground to allow for animals to move through. Chairman stated he wants to have each inverter fenced in completely to the ground.

Signage was discussed and Brian said there would be signs on the access road. The Chairman asked that they please bring in what the signs will look like. Joe would also like to see in the emergency response plan – signage placed along the fence located every 100 feet with a number to call in case of an emergency. The Chairman studied the map and pointed out that it looked like they were going to cut a lot of the trees down and asked if they would show on the landscaping plan where they will leave existing trees, where you will be planting new trees, etc. or whatever it is you are going to protect.

Asked if there was a letter from Central Hudson that the project is viable in their given infrastructure. Brian said it wasn't in the application, but that he would obtain same. Discussion of remote monitors will indicate that the panels have been shot by a local hunter but a row or panel can be shut off remotely via the combiner boxes. Asked if there was a security plan, some type of plan to prevent people from accessing the site. Noise was discussed, there are only 60 decibel fans in inverters, which is not detectable from a distance. Note that you have to send a letter to code enforcement that you have to send a letter stating you are still operational. A decommissioning plan was discussed – does it speak to how much it will cost 20 and 30 years from now as well as presently. Mentioned that need a bond agreement for decommissioning plan, Brian said they would provide a decommissioning plan.

John Reagan arrived to the meeting from Cypress Creek renewables - just came in from Greenville to answer any questions we may have. A question was raised with regard to the life of the panels - would you put in new panels after 20 years? The panels would still be producing power less effectively than today, and a financial decision would be made at that time to keep them or replace them as the productivity degrades over time.

Chairman asked if there were any neighboring landowners, are there dwellings? Kevin stated the only properties were on Klingerman and Monte Drive. Asked how many feet off the main street – and the answer was the first panel is approximately 420 feet from the main road. The Chairman indicated that until PB gets the revised plans, that's all there is for now.

Discussion about percentage of coverage of panels – temporary structure raised above the ground via piles. The DEC for storm water purposes considers the panels to be non-impervious. The posts provide a very small footprint. Chairman wants to see percentage on plans.

1) **2018-0203 – 258 Old Route 23 – Cairo NY 1, LLC Community Solar Project – CEC Development, C.T. Male Associates**

DEC got back and said they had no concerns. Allow infiltration of water to take place thru the stone so not concerned... – infiltration of storm water thru them so that's how they do it. Gave applicants a copy of the letter from the County. They have an approval without comment. Every county planning board does it a little bit differently. If they don't approve it involves a super approval.

Joe Shanahan arrived, the Director of real estate and permitting for Clean Energy Collective, and stated he was on vacation for a week and said that John from C.T. Male our consulting engineer did a pretty good job of taking notes at the last meeting so he was aware of some of the questions. Mr. Shanahan submitted a couple of things – a memo to the board addressing certain of the questions that were raised. First one, with regard to the connection with Central Hudson which indicates in their letter of February 13, 2018, that they have done an impact study of the proposed project, indicated there is capacity and indicated we have within a certain period of time have to submit a check for 25% of the improvements before we move forward in the cue which they will do.

In addition, regarding the stray bullet question, the location of the project is not adjacent to a hunting club, so therefore likelihood of any organized shooting would be nil. In the instance of a hunter roaming in woods, or kid with a 22, if a bullet would hit panel sideways, or hit the frame, it's the equivalent of a stone on the highway hitting your windshield. Chairman asked what happens if a stray bullet hits a panel. Joe indicated that the panels don't break. The remote monitors will indicate that a panel was damaged if shot by a local hunter and they will initiate the replacement of that panel. The panels are comprised of little cells that will compensate and they can remotely shut off an array. The computer would notify us, that this panel in this array isn't functioning the same as the others.

Three or four times a year a repair crew comes out to the site to perform inspections. Basically – the severing of any of the electric lines, would trigger a technical response unlike project you heard before us (they are apparently talking about old school converters) we don't use converter transformers, we use string inverters, new technology, who act a lot like Christmas tree lights, strung panel to panel to panel to panel. If there is a break between project and utilities 3-phase service, which I don't believe has ever occurred, it would be like if a hurricane came and the power lines were on the road, Central Hudson has a remote monitoring system and would sense the problem and would come out to fix it.

There was a discussion with regard to electromagnetic fires, and how they are handled. These types of projects are passive use, no noise, no lighting, and generate no traffic after the project is done. Fire response is negligible and police response negligible. Once we are there you don't know we are there. Need for knowledge with emergency response crews. It would be unusual for your fire department to be instructed to stay outside the fence can watch it burn. If we are the first project in community, we will pay for your fire department to have training.

Discussion regarding an outside engineering firm review– Joe said he checked with a couple of different engineering groups –Kaaterskill would charge \$2500 bucks, might go over a little bit - suggests \$3000 in escrow. Kaaterskill has reviewed two other projects and in process of approving one now.

Once the PB has your landscape plan, then Joe can send that to them and it probably will not take more than a week or two to review, if you get everything to us in the next week. Conversation turned to

holding a public hearing in May, as well as sitting down with assessor and attorney and working out a pilot program. Mr. Shanahan indicated he doesn't negotiate pilot programs while in the permitting process. Don't have a problem if board says can't turn it on until we have a permit program.

The Chairman indicated that Central Hudson asked to sit down with them and sit down with project managers, happening April 20, concerns may arise out of that.

6) **2018-0302 – 1545 Route 67 – Cell Tower Expansion – Airosmith Development – Ray Perry**

No show.

7) **320 Polly's Rock Detox Center. People's Inc.**

No show, no site plan yet submitted.

8) **Laksam Homemart Convenience Store – 254 Main Street – Paththage**

Mr. Paththage appeared – is to lease what is formerly Sunny's Smoke Shop, open a convenience store, will sell beer and wine, no deli at this time. Chairman asked Mr. Paththage for a letter of permission from the owner, and a copy of the lease. Laksam paid the fee of \$200.00 for the site plan application. Discussion of signage ensued and Mr. Paththage indicated that his sign would be similar but only with his name. Chairman asked him to bring in a picture of what the sign will look like in order to approve the sign. Also, the applicant needs to complete a SEQR form. The public hearing was waived and Mr. Paththage was asked to come back next month with the outstanding items.

A motion to adjourn the meeting was made by Allen, seconded by Kevin, all were in favor, and meeting was adjourned.

Respectfully submitted, *Diane*

Diane M. Newkirk ~ Planning Board Secretary