

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JANUARY 11, 2023. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Rob Whitney

Craig Wagner-Vice-Chairman
Theresa Santiago

BOARD MEMBER ABSENT: Willard Schadt



OTHERS PRESENT:

John Nosek-Representative from Fusco Engineering
Glen Plotsky-Town Attorney
Dave Dean-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:00 p.m.

51 GALLEY HILL RD – BATTERY STORAGE – PRE-APP –

Phil Denara-Senior Manager, Key Capture Energy
Lucia Yu-Associate Development, Key Capture Energy
Hyde Clarke-Project Attorney, Young/Sumner, LLC
Andy Mavian-Project Manager, Environmental Design & Research

Phil Denara explained that they were from KCE which is a developer out of Albany that deals in battery storage. This will store energy in batteries until it is needed. Hyde Clarke stated that this was a pre-app to introduce the project it is located at 51 Galley Hill Rd, it is next to the O & R Substation, they felt it would be classified under the public utility section in the HMU district. Andy Mavian spoke that the property is 11.2 acres the site is relatively flat, it was formerly used as agricultural land, the access is off of Galley Hill Rd and there are flood plains on the lot but the construction will not be in that area. Craig Wagner asked about lightening Phil Denara responded only emergency nighttime maintenance. Chairman asked what type of fence would be there, Phil Denara answered chain link. Chairman also asked if they owned that property, Phil Denara explained it was a lease with option. Chairman then asked Town Attorney if he would like to review the lease agreement, Town Attorney stated he would like to verify the lease and stated that he knew with Solar Facilities the Town requires a PILOT, Mr. Clarke stated that any renewable energy requires a PILOT. Town Attorney asked if there were discussions with Orange and Rockland, Mr. Denara stated that studies with third party Engineers and Orange and Rockland have been done to analyze the grid. Town Attorney asked how many megawatts would be stored, Phil Denara answered 20 MW for four hours. John Nosek asked what the recharge time frame was and Mr. Denara replied about the same 4 hours. Town Attorney suggested that training with the local Fire Department and a Knox box be done, Mr. Denara stated they could have meeting with the Fire Department. Town Attorney asked if there was anyone onsite, Mr. Denara stated that most maintenance will be operated remotely. Chairman acknowledged that there is another battery storage in Town. Town Attorney stated that there is no specific in the ordinance for this but it is a public utility. Chairman asked about decommissioning bond and Town Attorney stated that a price would be agreed upon and a bond posted. Chairman asked how much the area of disturbance would be, John Nosek stated that if it is over 1 acre a Full SWPPP will have to be done, Andy Mavian stated they planned on that. Chairman asked what the site would look like, Mr. Denara answered it will be gravel with containers similar to shipping boxes and transformers. Chairman asked if there would be any noise generated, Mr. Clarke replied there is no exhaust it would be similar to a substation, Mr. Denara suggested a noise study could be done. Chairman thanked them for coming and explained the Escrow process. Glen Plotsky, Town Attorney stated that **Attorney Escrow will be \$1000** and John Nosek, stated that **Engineering Escrow will be \$2500** the Escrow Form was filled out and signed by Town Attorney, John Nosek, Representative for Fusco Engineering and Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

PLANNING BOARD MEETING JANUARY 11, 2023 continued –

118 ROUTE 6 – REPAIR SHOP – PRE-APP –

Kristen O’Dell-Engineer

Charles VanHaaster-Applicant

Kristen O’Dell explained that this property was subdivided in 2020, it is an existing barn, it has its own well and septic and access off of Route 6. The plan is for the barn to be a repair shop. Charles VanHaaster stated that he only services a specific market, it is not a retail store, he works on State DOT and Highway Department equipment. The equipment is ordered from a company and shipped to the place and it will be prepared and distributed to the customer there. He would also repair mobile generators that are small and fit on a pickup truck. There will be 1 technician onsite, he just wanted to make sure that this was something that could be done on the property before he closed. Town Attorney stated that Mr. VanHaaster needed to make sure that the site plan meets setbacks, it is permitted in that zone.

Chairman acknowledged he thought when the subdivision was done that there was a common driveway, Town Attorney stated that a driveway maintenance agreement would be needed, Ms. O’Dell stated she could provide the easement. Chairman asked about septic, Ms. O’Dell stated that there is a well and septic on the property. Chairman questioned how many people would be onsite at one time, what public traffic would be there and a septic design to fit that. John Nosek asked what the previous use was for the barn, Secretary Amanda Gorr stated it was personal use. Town Attorney asked if the well was separate, Ms. O’Dell stated that there is a separate well and septic and was part of the subdivision, John Nosek acknowledged he remembered that soil testing were done but wasn’t sure if the well and septic were in place. Rob Whitney asked if there would be signage, Mr. VanHaaster stated there would be some kind, Town Attorney suggested that it be put on the site plan. Chairman asked the acreage, Kristen O’Dell answered 1.1 acres. Town Attorney acknowledged to put the number of employees and hours of operation on the site plan as well. Ms. O’Dell asked if a short for EAF was good, John Nosek stated it would be fine. Chairman thanked them for coming and explained the Escrow process was the same as the applicant before. Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$700** and John Nosek, stated that **Engineering Escrow** will be **\$1200** the Escrow Form was filled out and signed by Town Attorney, John Nosek, Representative for Fusco Engineering and Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

OTHER BUSINESS:

Chairman asked about an email he received from Deerpark Village. Town Attorney stated that there was a public hearing for a new local law to change the zoning definition in the PPRD and PRD District regarding the number of stories in a building and how the building is measured. He added that no decision was made, the public hearing was closed and it will be decided on at the February meeting.

Town Attorney acknowledged that the Dragon Springs lawsuit has been withdrawn, the Town Board has authority to issue a permit for the wastewater treatment plant that was already approved by the DEC and then they have to come back to the Planning Board within a year. Secretary, Amanda Gorr confirmed the permit was issued and paid for, for the WWTP.

Chairman stated that on January 31st he will be going out for foot surgery and will be out for at least 14 weeks so he will not be at the February and March meetings.

MOTION TO APPROVE MINUTES.

Motion to approve November 9, 2022 Minutes.

Motion made by Craig Wagner, 2nd by Robert Whitney to approve the minutes for Wednesday, November 9, 2022 meeting.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Robert Whitney, Robert Vicaretti.

MOTION CARRIED

PLANNING BOARD MEETING JANUARY 11, 2023 continued –

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Robert Whitney to adjourn January 11, 2023 Planning Board meeting at 7:58 pm.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Robert Whitney, Robert Vicaretti.

MOTION CARRIED

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Amanda Gorr". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

Amanda Gorr, Planning Board Clerk