

Town of Broadalbin

Special Meeting Minutes

September 25, 2024

The 2024 Joint Meeting of the Town of Broadalbin Town Board and Planning Board was held at 6:30 P.M. on Wednesday, 25th, at the Municipal Complex, 201 Union Mills Rd, Broadalbin, NY

Joseph DiGiacomo, Town Supervisor, presided along with Planning Board Chairman Mike Crispin

Call to Order

The meeting was called to order at 6:30 pm.

Roll Call

Supervisor Joseph DiGiacomo -present
Councilman Doug Kissinger-present
Councilman Dave Bardascini - present
Councilman Dave Bogardus-present
Councilman Rorick-absent

Planning Board Members

Scott Henze
Mike Crispin
Mike Gallup
Mike DePaula
Jim Magielta
Jarrod Abrams
Dale Potts
Phil Comini was absent

The Special Meeting/ Workshop/Joint Town Board and Planning Board met at 6:35 pm to review the draft of the Solar Energy Facilities Law, which was drafted by the Broadalbin Planning Board, with the Town of Rotterdam Law as a reference.

-Supervisor DiGiacomo began with a request of the Town Board to set a Preliminary Budget Meeting on October 8, 2024 immediately following our regular Town Board Meeting that evening.

On a motion made by Councilman Bardascini and seconded by Councilman Kissinger A motion to set the Preliminary Budget Review Session for October 8, 2024 to immediately follow our regular Town Board Meeting.

No further discussion;

VOTE: DiGiacomo-aye Kissinger-aye Bardascini-aye Bogardus-aye Rorick-absent

Tonight's discussion on the Solar Energy and Facilities Law began with Mike Crispin explaining the last workshop that was held on Wednesday, September 11, 2024 beginning at 6:30 pm. Mike stated they reviewed up to page 20 of the Town of Rotterdam Law for reference. Scott Henze had highlighted the changes that were discussed in red for this evening's review

-Supervisor DiGiacomo stated the Town of Rotterdam law before us this evening has never been tested in a court of law and believes, along with our Town Attorney, Chris Stanyon, not present this evening that it is too restrictive. Supervisor DiGiacomo believes that the Town of Palatine Law, recently reviewed by our Town Board, has upheld in a court of law and may be a better choice. Both Boards agreed to review the Town of Rotterdam Law and amend where necessary.

- Tonight's discussion and changes are listed below:

-Residential installations of solar panels will remain as a Code Enforcer item with permits required, on a per item basis.

-On pg. 6 section 5A should add the words "Commercial and Industrial Solar Systems and Equipment Installations" which would exempt all residential solar panels.

-On pg. 15 section 9 nonresidential is defined. Discussion took place about the Code Enforcer needing a third party to inspect residential solar panel installation in the future. Stating any panels must be third party inspected in New York State on a case by case basis, with most panels being leased for twenty (20) years.

-Snow load is three (3) pound per square feet which would need to be inspected. Also stated, school districts and emergency facilities are tax exempt for solar farm placements.

-Reference to pg. 7 Section D the Town doesn't have a designated engineer for Code Enforcement in regards to residential setbacks, also stating ground mounted solar systems are better for servicing. Roof mounted solar battery storage should be located in the basement with a self spring door for fire safety.

-*The Town will need a Lithium Battery Storage Moratorium in the near future. Town Attorney Chris Stanyon advised a six (6) month moratorium for the Lithium Battery Storage when the time comes, and be stated as a separate law.

-Wet land solar construction and along the Great Sacandaga Lake should be approved by the State rather than the Town. More will need to be researched on this subject, again stating the Town does not want to regulate residential solar panels in this law but keep it as a permitted item, to be inspected by the Town Code Enforcer, at this time.

-Both Boards agreed to remove the section not allowing solar panels to be on both sides of a road for single residential properties.

-Signs for substations should be no larger than eight (8) square feet, to be pre-approved by the Planning Board.

-Both Boards agreed farmers shouldn't be restricted to ten (10) % of their land for solar panels.

-Snow removal around the perimeter of a solar farm was discussed which would be needed in case of a fire, with the question of who would monitor the situation. Both Boards agreed all access roads should be maintained year round.

-Set backs will remain as 200 ft. between property lines with a 500 ft. setback for roads.

Cont.

-Also discussed was a one (1) mile radius notification for any solar farms being introduced.
-Supervisor DiGiacomo stated there will be more meetings for discussion on the Solar Energy and Facilities Law with a workshop/joint Town Board and Planning Board meeting set for Wednesday, October 16, 2024 at 6:30 to be advertised by the Town Clerk.

*A new draft of these changes will be completed by Scott Henze and forwarded to the Town Board and Planning Board.

Adjournment 9:25 P.M.

On a motion made by Councilman Bardascini and seconded by Supervisor DiGiacomo The September 25, 2024 Special Meeting/Workshop of the Town Board and Planning Board was adjourned.

Respectfully Submitted

Cheryl Briggs, Town Clerk