

TOWN OF STEPHENTOWN
PLANNING BOARD

RECEIVED

OCT 5 2023

Stephentown Town Clerk

**IN THE MATTER OF JACK GOODMAN—SOLAR POWER
NETWORK, LLC**

**RESOLUTION
SUPPLEMENTING/
AMENDING SEPT. 5, 2023
RESOLUTIONS
GRANTING
CONDITIONAL SPECIAL
USE PERMIT**

WHEREAS, at last month's meeting, held September 5, 2023, this Board resolved to grant a conditional special use permit to Jack Goodman Solar Power Network ("Applicant");

WHEREAS, said resolution provides several conditions of approval and one said condition as: "All requirements if MJ Engineering and Land Surveying, PC's review letters, including, but not limited to June 5, 2023 and July 11, 2023 and September 3, 2023";

WHEREAS, this Board desires to clarify that said language ("requirements") is meant to and should be read to include all recommended conditions set forth in such review letters, including, but not limited to those set forth in paragraph 3(a) – (d) of the MJ Engineering letter September 5, 2023 letter;

NOW THEREFORE BE IT RESOLVED THAT the aforementioned resolution adopted by this Board at the September 5, 2023 meeting is therefore supplemented and amended so as to avoid any issues with interpretation thereof such that all recommended conditions in the foregoing letters, including paragraph 3(a) –(d) of the September 5, 2023 MJ Engineering letter¹ were and are meant to be included as "requirements" and as such they are conditions to said approval.

¹ Paragraph 3 of the aforementioned letter reads, in relevant part: "In the event that the Planning Board elects to approve this application, we recommend the following conditions of approval:
a. A permanent easement be obtained and filed for the utility connection to the existing electrical grid via a proposed overhead lien that crosses the adjacent property to the north (Tax Parcel 174.-1-26.12).
b. Written documentation from the Authority Having Jurisdiction (AHJ), in this case the Stephentown Fire District No. 1 be obtained indicating their acceptance of the access drive's configuration and indicating their ability to respond to an emergency at this location.
c. A work permit from the Rensselaer County DPW be obtained prior to commencement of work.
d. The Decommissioning Plan shall be resubmitted to the Town after the first year and every two years thereafter coinciding with the term of the Special Use Permit.

Made By Gardner, seconded by Prescott, and
voted as follows:

<u>NAME</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN/ABSENT</u>
GARDNER	X		
PRESCOTT	X		
HALEY	X		
LEONARD	X		
LOBDELL			

Dated: October 3, 2023

Derrick Gardner
Derrick Gardner, Chairman

TO: Aaron Ovis, PE.
Robert M. Sutherland P.C.
11 MacDonough Street
Plattsburgh, NY 12901