

**Minutes of the October 3, 2023 meeting of the Town of Stephentown Planning Board**

In Attendance: Mark Prescott, Derek Gardner, Zachary Leonard, Alex Haley, Craig Crist, attorney

Absent: Robert Lobdell, Jr.,

Meeting called to order at: 7:05pm

Pledge of Allegiance Recited

Motion to accept September 5, 2023 draft meeting minutes as official minutes of that meeting.

**Solar Power Network**

It was discussed how the Planning Board had adopted at September 5, 2024 meeting a conditional special use permit for the aforementioned project. The Board discussed how they wanted it to be crystal clear that all conditions of the MJ Engineering and Land Surveying, PC's review letters, including, but not limited to the June 5, 2023 and July 11, 2023 and September 3, 2023 review letters are incorporated therein, including, but not limited to paragraph 3(a) – (d) of the September 5, 2023 MJ Engineering letter, which are included as requirements of the special use permit and are additional conditions to said approval.

Gardner read the proposed Resolution Supplementing/Amending September 5, 2023 Resolutions Granting Conditional Special Use Permit was passed.

Therefore, upon motion made by Gardner, which was seconded by Prescott and passed with four ayes (Gardner, Prescott, Haley, Leonard) with one absence (Lobdell) the Resolution Supplementing/Amending September 5, 2023 Resolutions Granting Conditional Special Use Permit was passed. (Annexed hereto).

Crist detailed they awaited the required Decommissioning Plan and other requirements of the aforementioned approval.

Zach Leonard made motion to adjourn meeting at 7:30pm

Alex Haley seconded the motion. All voted In favor of the motion and it therefore carried.

TOWN OF STEPHENTOWN  
PLANNING BOARD

---

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 letter<sup>1</sup> were and are meant to be included as "requirements" and as such they are conditions to said approval.

---

<sup>1</sup> 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			X

Dated: October 3, 2023

Derrick Gardner  
Derrick Gardner, Chairman

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