

August 19, 2024

Minutes for the Planning Board Meeting of the Town of Smithfield held August 19, 2024 at the Smithfield Community Center commencing at 7:00 p.m.

Present:

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| Chairman | James Stokes |
| Planning Board Member | Brian Rose |
| Planning Board Member | Pam Palmer |
| Planning Board Member | Jacob Donovan-Colin |
| Planning Board Member | Dorothy Willsey |
| Planning Board Member | Fred Widger |
| Planning Board Member | Sarah Ficken (Absent) |
| Planning Board Clerk | Christine Boyden |

Others Present: Heather Marshall, Chad Marshall, Zach Myshkoff, Dave Strong, Lydia Lake and Don Degroat

-The meeting was called to order by Chairman James Stokes at 7:01 pm.

Approval of Minutes for June 5, 2024 and July 15, 2024-

On a motion made by Dorothy Willsey, seconded by Brian Rose, the minutes were approved.

Ayes: 6 – Chairman James Stokes, Board Members: Pam Palmer, Fred Widger, Dorothy Willsey, Jacob Donovan-Colin and Brian Rose

Nays: 0

Chairman James Stokes opens the floor to Chad Marshall to explain the map of the potential subdivision. He is looking to buy surrounding family land for a small horse barn and pastures.

Resolution #1-2024 schedules a Public Hearing for Marshall's Subdivision Application on Monday, September 16th at 7 pm.

On a motion made by Chairman James Stokes, seconded by Board Member Pam Palmer

Resolution #1-2024 was adopted

Ayes: 6 – Chairman James Stokes, Board Members: Pam Palmer, Fred Widger, Dorothy Willsey, Jacob Donovan-Colin and Brian Rose

Nays: 0

Chairman James Stokes opens the floor to New Leaf Energy to revisit the MET Tower application. The public hearing has already been closed and Madison County has returned their GML determination, returning it for local determination.

The board completes a Short Environmental Assessment Form for the MET Tower. The proposed action will not result in any significant adverse environmental impacts.

Resolution #2-2024 grants a Special Use Permit to New Leaf Energy Inc.

A RESOLUTION GRANTING A SPECIAL USE PERMIT

TO NEW LEAF ENERGY, INC.

WHEREAS, New Leaf Energy, Inc. ("Applicant"), has submitted an application for a special use permit to develop a site upon the property located at 4906 Goff Road, Morrisville, NY, owned by Donald B. and Connie M. DeGroat, tax parcel number 80.-2-66 ("Premises") for the construction and operation of a temporary meteorological evaluation tower (MET Tower) (the "Application"), and

WHEREAS, the Application proposes that the MET Tower to be in place for 12 to 24 months in preparation for the placement of a future wind energy facility at the same location, and

WHEREAS, the Applicant has submitted a short environmental assessment form, and

WHEREAS, upon notice duly published and otherwise given, this Planning Board duly held a public hearing on the application, which was, or is hereby closed, and

WHEREAS, pursuant to a referral duly made under the provisions of General Municipal Law Sections 239-l and 239-m, the Madison County Planning Agency, has recommended that this application be returned for local determination, and

WHEREAS, this Planning Board has given due consideration to the merits of this application.

NOW THEREFORE IT IS HEREBY RESOLVED that the Application is an Unlisted Action as defined by the implementing regulations of the New York State Environmental Quality Review Act ("SEQR"), that this Planning Board is the only involved agency under SEQR, and that the granting of this application will not have any significant adverse environmental impacts. The reasons supporting this determination are as follows:

1. The Application proposes no land clearing activities and no construction of an access road. Less than one acre of land surface will be disturbed and there will be no significant loss of green area or creation of impervious surface as a result of this Application.
2. No significant traffic will be generated by the Application.
3. While a 197' tall tower will certainly be visible from surrounding properties, its construction is permitted under the Town of Smithfield Building and Development Control Law and there is no practical means of screening it from view.
4. No disturbing noise or odors will be generated by the Application.
5. No improvement to existing public utilities or facilities will be required to serve this Application.
6. The Application will have no substantial impact upon agricultural

resources.

AND IT IS HEREBY FURTHER RESOLVED that the Application for a special use permit for the construction and operation of a 197' tall temporary meteorological evaluation tower (MET Tower) upon the Premises is hereby granted upon the following conditions:

1. All construction and improvements shall be in accordance with the Application and all representations made by the Applicant.
2. That the MET Tower be lighted in accordance with Federal Aviation Administration requirements, if applicable.
3. That all guy wires and portions of the tower within 8 feet of the ground surface be painted or covered with yellow or orange hazard warning material.
4. That the form and content of the decommissioning bond be approved by legal counsel for the Town prior to the issuance of a certificate of compliance by the Town Code Enforcement Officer.
5. The MET Tower shall be removed from the Premises within twenty-five (25) months from the date a certificate of compliance is issued following completion of construction.

Adopted: August 19, 2024

On a motion made by Board Member Jacob Donovan-Colin, seconded by Board Member Fred Widger

Resolution #2-2024 was adopted

Ayes: 6 – Chairman James Stokes, Board Members: Pam Palmer, Fred Widger, Dorothy Willsey, Jacob Donovan-Colin and Brian Rose

Nays: 0

New Business- The Planning Board will begin reviewing the turbine application with New Leaf Energy on September 16th, following the Public Hearing for Marshalls subdivision.

Adjournment-

With no further business, on a motion made by Chairman James Stokes seconded by Board Member Jacob Donovan-Colin the meeting adjourned at 7:24 pm. All said aye. Motion Carried.

Respectfully Submitted,

Christine Boyden
Planning Board Clerk