

Adopted June 2, 2022

**Village of Kinderhook
Planning Board
6 Chatham Street
Kinderhook, New York 12106
Minutes of April 21, 2022 meeting**

This meeting was held remotely as part of the Village of Kinderhook's COVID-19 response plan.

All documents were available to view at:

<https://www.villageofkinderhook.org/planningdocuments.html>

Present: Chairperson Kristina Lang, Abram Van Alstyne, Kevin Monahan, Secretary Kari Van Buren, Village Clerk Nicole Heeder, CEO Peter Bujanow, Attorney Rob Fitzsimmons, Village Board Liaison Susan Patterson, Village Trustee Mark Browne, Alexander Martin of Kastleman Solar

Call to Order: Tina Lang opens the regular Planning Board meeting at 6:12 pm.

Funds Remaining: \$1,360.45

Correspondence: Letters of interest for two vacant board positions

David Pesano

Andrew Pelletier

All board members are in favor of recommending Dave and Andy to join the Planning Board

Mark Browne will be moving to liaison for the Historic Preservation Commission and Susan Patterson will now be the Planning Board village liaison. Mark will continue to join meetings for the next few months.

Old Business: None

New Business:

1. Trustee M. Browne, training for planning board members. He previously shared powerpoint presentations from NYS Department of State, they would be a good starting point.

Village has money in the budget for members of the planning board. The Chair can recommend areas of interest and training courses to trustee Susan Patterson, and she will take those recommendations to the Village Board. Planning board members are required to take four hours of training a year.

2. **Alexander Martin, Kasselmann Solar LLC representing Charles Rothermal, homeowner Application for ground mounted solar energy system**

14 Rothermel Extension, Kinderhook, 4.20-1-34.2

Mr. Martin -The project is a ground mounted solar array, 9.6 kilowatt and 20 panels. For consumption on site by homeowner. It is just over 11 feet tall with a surface area of 446 square feet. Mr. Bujanow the board has received the application in its entirety as well as the section of the code that applies to the project in advance of this meeting.

Mr. Martin -The project involves 2 parcels owned by Charles Rothermel with a pathway between the 2 lots that will be trenched across for production and will keep it hidden from neighbors. Location of panels will be in back corner of the larger (shop) lot. These are fixed panels at full south with a 30-degree tilt, no battery storage on site. Ground mount will be secured using screws rather than concrete postings, which makes decommissioning easier.

Mr. Van Alstyne asked if it will be across two separate parcels owned by the same owner. Mr. Martin answered yes, it is on the back of the parcel that is highlighted on the 3rd page of the proposal showing dotted lines and setbacks. This diagram shows how the 2 parcels are tied together. The panels will be on the lot where the Charles E Rothermel shop is located

Mr. Van Alstyne asked what if they split up the parcels in the future. Mr. Martin – Mr. Rothermel is open to a lot line adjustment; however, he would prefer not to as that would delay the project. Mr. Bujanow answered that the tilt and height of the panels meets code. Mr. Van Alstyne asked Mr. Bujanow if the line running to separate parcel the second parcel is an issue to which Mr. Bujanow said he would defer to the board. Mr. Van Alstyne than said he is not sure

Ms. Lang asked Mr. Van Alstyne what his objections are to which Mr. Van Alstyne said that there could be a potential problem in the future if Mr. Rothermel decides to sell one parcel but not the other. If that happens, the buyer of the house could not have access to the panels that supplies power to the house. He suggested a lot line adjustment could be more straightforward.

Attorney Fitzsimmons gave the example of neighbors who share a well or other utilities, they use easements to rectify the problem. He suggested that Mr. Rothermel creates an easement for the residential parcel over the shop parcel providing access to the panels. However, he pointed out that since these are easily decommissioned, he is less concerned since they will be in common ownership

Mr. Martin said the screw is about 3-4 deep into ground and act as postings. Mr. Van Alstyne, Ms. Lang and Mr. Monahan than all said they have no objections. Attorney Fitzsimmons than said the board can act if the chair doesn't feel a public hearing is needed, it is the discretion of the chair.

Mr. Bujanow than pointed out that the application is missing the NYS unified solar permit application. Mr. Martin said he will have it submitted to Mr. Bujanow the next day.

Ms. Lang proposed the board approves the proposal with the contingency that missing paperwork is sent to Mr. Bujanow.

Attorney Fitzsimmons then read the board the Short Environmental Assessment Questions, in which all answers were negative or small impact may occur.

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- 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No.*
- 2. Will the proposed action result in a change in the use or intensity of use of land? None.*
- 3. Will the proposed action impair the character or quality of the existing community? No.*
- 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No.*
- 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No.*
- 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No.*
- 7. Will the proposed action impact existing:*
 - a. public / private water supplies? No.*
 - b. public / private wastewater treatment utilities? Mo.*
- 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No.*
- 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? No.*
- 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No.*
- 11. Will the proposed action create a hazard to environmental resources or human health? No.*

Motion was made for a negative declaration for purposes of the Short Environmental Assessment Questions. Mr. Van Alstyne moved to pass, Mr. Monahan seconded the motion, all were in favor.

The chair asked for a motion to be made to approve the site plan for accessory solar installation upon the condition that the follow up application materials be submitted to building department. Mr. Monahan made the motion, Mr. Van Alstyne seconded. All were in favor

Next Meeting: May 5, 2022, an organizational meeting

Mr. Monahan motions to adjourn at 6:30 pm; Mr. Van Alstyne seconds the motion, all in favor.

Respectfully submitted,

Kari Van Buren
Secretary to the Planning Board