

Town of Hoosick Zoning Board Meeting Minutes
February 11, 2025

Present: Chairman Lloyd Moses, Gary Sussman, Kevin Robichaud
Bradley Gross, Richard Hunt Attorney Diana DeSanto

The Planning Board meeting was called to order at 7:00 P.M. by Chairman Lloyd Moses with the Pledge of Allegiance.

A motion was made by Gary Sussman to approve the December 10, 2024 Planning Board minutes as written, seconded by Kevin Robichaud, all in favor, motion granted.

The December 10, 2024 3 ½ hour Planning Board meeting was also recorded.

Wilson Hill Solar Array

Ari Goldberg from Barclay Damon LLP appeared before the Planning Board for the Wilson Hill Solar Array. He stated that the Wilson Hill Solar Array has been before the Zoning Board since August of 2023. He stated they have presented 18 submissions to the Zoning Board since submitting the application, EAF, Referral of County Review, they have had a public hearing on the project which has been closed and the Zoning Board has reviewed the project in full the Zoning Board has declared a Negative Declaration for the project on December 10, 2024. He stated that it has been the 62 days plus the extension and he would like the Zoning Board to proceed with the Special Permit Resolution and the Site Plan Resolution. Mr. Goldberg stated that he knows there are new members on the Zoning Board since the project was presented in August of 2023 and there have been many reviews on this project so he will answer any questions that they may have.

Planning Board member Gary Sussman stated that he was given material tonight and it is the first time he is seeing the information so would like to take the time to read the Laberge material.

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Mr. Goldberg explained all the steps that the Solar Array Project goes through in detail for the Zoning Board members and explained that the Zoning Board has reviewed this with Mr. Gilmour of Laberge and the Zoning Board has declared a Negative Declaration so this meeting should be the meeting for the vote for Adopting Negative Declaration, Resolution vote on Special Use Permit and Site Plan Review.

Zoning Board member Bradley Gross inquired about how the Impact assessment was done.

Mr. Goldberg stated that there has been 3 visual impact assessments done on site analysis from around the Town and there has been 2 additional studies done for visual impact and it was done with a glare assessment as the Zoning Board has requested over the last 16 months and have submitted 18 different submissions and they have complied with the Town requests.

Mr. Gross had questions on the road for the Solar Array Project. They reviewed the site map with Mr. Gross and explained that there will be a new road and it was moved up the road a bit in compliance with what the Zoning Board has requested and runs along the existing road and the whole project area is 18.5 acres and with 7.5 acres of trees that will be removed and they showed the fenced area on the map to Mr. Gross. There will be trees along each side of the array, there will be 254 Blue Spruce trees on the East and Southwest side of the project and there will be a 2 year Performance Bond for the plantings. Mr. Gross inquired about the houses on the property and they explained that there are 2 properties involved: Mr. Mattison's property and Mr. Bugbee's property. The road will be built on Mr. Mattison's property and the actual Solar Array will be on Mr. Bugbee's property and there is no home on that property.

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Zoning Board member Mr. Sussman inquired about the power line for the Solar Array and he inquired about the original road of the project. He believes that the existing road is the gravel road that goes up to the towers and turns around and goes through the wetland. He stated there is water on that hill and there are springs that run year round. He would like to have a geological impact survey for the Solar Array project. Mr. Sussman also inquired about the pictures and if pictures were taken from the top of the hill for the visual impact.

Mr. Goldberg stated that a review was done on wetlands and a NEG DEC was declared at the December 10, 2024 Zoning Board meeting.

He stated to the Zoning Board that they are resurfacing an existing road and pointed that out on the map.

Mr Sussman has concerns about blasting that could be done on the property and wants more information about consequences of blasting with dynamite.

Attorney Diana DeSanto wants to make it clear that SEQRA was reviewed and determined at the December 10, 2024 meeting and was declared a Negative Declaration.

Mr. Sussman requested if Wilson Hill representatives could talk to the new members about the new road and they reviewed the map and explained to the Zoning Board that the new road is for maintenance and utilities only.

Mr. Sussman inquired about the photographs that were going to be taken from the top of the hill from the site line.

Mr. Goldberg stated the Zoning Board did not formally request the additional pictures to be taken.

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Kevin Robichaud read a statement he had written and read his statement in full to the Zoning Board concerning Solar Array Projects.

Mr. Robacud's statement is attached to the minutes**

Attorney DeStanto stated that the Comprehensive plan is not codified law but rather a guideline for legislation and the prior Town Code which these applications fall under does allow for these solar projects. It's the responsibility of the ZBA to follow what is said and permitted under the town code.

Chairman Lloyd Moses stated he would like to continue with the Zoning Board meeting and stay on track with the Part II SEQRA review.

Mr. Gilmour of LaBerge went through Part II with the Zoning Board and went through the categories and the impacts of the project.

Lloyd stated they reviewed step by step and section by section the SEQRA at the last meeting and the Town of Hoosick contracts with Laberge and the Zoning Board is viewing the Part II and changed moderate to large for some of the categories of the SEQRA

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Diana Desanto stated that a Negative Declaration means there are no moderate or large impacts for further review that the applicant hasn't provided. Positive Declaration means there are negative impacts based on SEQRA review and the Zoning Board will go over moderate and large impacts on the project but does not put combosh on the project and the Zoning Board will have a further review based on the criteria. Then there would be another vote on the NEG DEC information for the project and the Zoning Board can set their specific requirements and conditions for the project.

Chairman Lloyd Moses is seeking a motion to vote on adopting a Negative Declaration for the Wilson Hill Solar Array.

Lloyd Moses stated that the items checked off for moderate to large impacts that the applicant has produced supporting documents showing how to mitigate the issues.

Mr. Goldberg stated that the Zoning Board has 62 days to either approve or disapprove and the 62 day time frame is tomorrow so the vote should be tonight unless the Zoning Board wants to hold a special meeting to hold the vote.

A motion was made by Lloyd Moses to Adopt a Negative Declaration for the Wilson Hill Solar Tier 3 Solar Energy System, seconded by Gary Sussman according to the rules and regulations.

Zoning Board Member vote:

Richard Hunt_____yes

Bradley Gross_____yes

Chairman Moses_____yes

Gary Sussman_____no

Kevin Robachud_____no

A Negative Declaration for the Wilson Hill Solar Tier 3 Solar Array was adopted by the Zoning Board by a vote of 3 to 2 on February 11, 2025.

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Mr. Goldberg stated that they will address the Zoning Board's concerns and requests, screening, blasting concern and pictures that were taken at the project for visual impact. Lloyd Moses stated he would like it all to be in one format for the Zoning Board to review.

A motion was made by Lloyd Moses Granting Conditional Site Plan Approval for the Wilson Hill Solar Tier 3 Solar Energy System Application by Nexamp Solar, LLC D/B/A Wilson Hill Solar seconded by Richard Hunt. Zoning Board member vote:

Richard Hunt_____yes
Bradley Gross_____abstain
Chairman Moses_____yes
Gary Sussman_____no
Kevin Robichaud_____no

Bradly Gross inquired about more information about the Comprehensive Plan and how it relates to the Zoning Law. Attorney Diana DeSanto went into detail of the Comprehensive Plan to explain it to Mr. Gross. Mr. Goldberg stated everything was submitted to the Zoning Board and was reviewed by the Zoning Board in detail and that this Solar Array Tier 3 Project is permitted.

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Lloyd Moses made a motion for a revote for the Resolution Granting Conditional Site Plan Approval for the Wilson Hill Solar Tier 3 Solar Energy System Application by Nexamp Solar, LLC D/B/A Wilson Hill Solar, seconded by Richard Hunt.

Zoning Board Member Revote:

Richard Hunt_____yes

Bradley Gross_____yes

Chairman Moses_____yes

Gary Sussman_____no

Kevin Robichaud_____no

The Wilson Hill Solar Array Site Plan Resolution was duly adopted by a vote of 3 to 2 on February 11, 2025.

A motion was made by Lloyd Moses for the Resolution granting Conditional Special Use Permit Approval for the Wilson Hill Solar Tier 3 Solar Energy System application by Nexamp Solar, LLC D/B/A Wilson Hill Solar, seconded by Bradley Gross.

Zoning Board Member Vote:

Richard Hunt_____yes

Bradley Gross_____yes

Chairman Moses_____yes

Gary Sussman_____no

Kevin Robichaud_____no

The Wilson Hill Solar Array Conditional Special Use Permit was duly adopted by a vote of 3 to 2 on February 11, 2025.

Lloyd Moses called for a 10 minute recess

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The meeting was called back to order by Chairman Lloyd Moses at 8:12 P.M.

Hoosick West and East Solar Array Projects:

Hoosick West:

Mr. Frateschi gave an update on the Hoosick West project. He stated that it is located on 21960 Rt. 22 and 0 Johnson Hill Road and it extends across the street. This project is a 5mg watt Solar Array and we have done extensive work with landscaping and there is pretty much landscaping on all of the site and there is a broad range and mix of species which is in the packet that was distributed to the Zoning Board. The West side where there were concerns from the neighbors we have dense rooting trees and two layers and they are staggered.

There will be very minimal tree clearing and the access point is located on Rt22, this is a Light Industrial Commercial district and the land is very marginal and we will include agriculture on the property, there will be sheep grazing on the property and also have some bat houses. There is a natural corridor to the property.

They did a visual impact survey and that is included in the packet that was presented to the Zoning Board.

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Hoosick East:

Mr. Frachetti gave an update on the Hoosick East project. He stated that Hoosick East is located on Johnson Hill Road.

He reviewed the map of the property and the landscaping in detail with the Zoning Board.

There are 287.9 acres and the project will have 33 acres of disturbance for plantings. There is natural screening on Johnson Hill and there will be adequate screening and fencing in which he pointed out on the map, also there will be sheep grazing for this property also.

They received an email from Mr. Kinney who is a neighbor with a request for landscaping and spacing of the trees and they will comply with his request

There is no battery source for the project and Fire Chief Al Bornt signed off on his accessibility to the project site.

They have done the SEQRA landscaping plan for the projects, Decommissioning plan, Commitments for Town Approval such as sheep grazing, sizes of plantings for landscaping, received SHPO letter and has a performance bond for the landscaping and neighbor correspondence with Mr. Kinney for compliance of the landscaping.

Sheep grazing is the responsibility of the company leasing the area, not the landowner.

Chairman Moses asked about the DEC changes if there are any impacts to wetlands. Mr. Frachetti said they have done everything in their power to not disturb the wetlands.

Mr. Frateschi stated that These projects are 2 separate projects but the SEQRA process was done together.

Mr. Gilmour stated that there are two site plans, two special permit plans under the one SEQRA process.

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Mr. Gross wanted to know about the 2 separate projects and not one with 10 mg watts. Struggling with the combined projects.

Chairman Lloyd Moses said that these Solar Array projects have been reviewed and legally they are two separate projects each 5mg watt Solar Array projects. the project has been reviewed for impacts and the Negative Declaration has been adopted. LLOYD stated the 2 5mg watt solar projects were accepted before the moratorium and they are two separate Solar Array projects and we need to follow the Zoning Law. They have been reviewed together to show impacts for SEQRA.

Attorney Diana DeSanto stated these projects were submitted before the Moratorium.

Mr. Sussman thanked Mr. Fretcheschi for his presentation and that he was very professional during this process of the Solar Array project.

The Zoning Board has reviewed the SEQRA and discussed the Town Zoning Law and Comprehensive Plan and Tier 3 projects and restrictions in size within the Town of Hoosick therefore all reviews have been completed for this meeting and if there are no more questions there will be a vote for the Resolutions for the Hoosick West and East Solar Arrays.

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A motion was made by Lloyd Moses to vote on the Resolution granting Conditional Site Plan Approval for the Hoosick West Solar Tier 3 Solar Energy System Application on Property at 0 Johnson Hill Road and 21960 State Route Rt 22, seconded by Bradley Gross.

Zoning Board Vote:

Richard Hunt_____ yes
Bradley Gross_____yes
Kevin Robichaud_____no
Gary Sussman_____ yes
Lloyd Moses_____yes

The Resolution for Site Plan Approval for Hoosick West Solar Array was declared duly adopted by a vote of 4 to 1 on February 11, 2025.

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A motion was made by Lloyd Moses for the Resolution Granting Conditional Special Use Permit Approval for the Hoosick West Solar Tier 3 Solar Energy System application on property at 0 Johnson Hill Road and 21960 State Route 22, seconded by Richard Hunt.

Zoning Board Vote:

Richard Hunt_____yes
Bradley Gross_____ yes
Kevin Robichaud_____no
Gary Sussman_____yes
Lloyd Moses_____yes

The resolution for the Special Use Permit Hoosick West Solar Array was declared duly adopted by a vote of 4 to 1 on February 11, 2025.

A motion was made by Lloyd Moses for the Resolution Granting Conditional Site Plan Approval for the Hoosick East Solar Tier 3 Solar Energy System on the Property at 0 Johnson Hill Road, seconded by Richard Hunt.

Zoning Board Vote:

Richard Hunt_____yes
Bradley Gross_____yes
Kevin Robichaud_____no
Gary Sussman_____no
Lloyd Moses_____yes

The Resolution for the Conditional Site Plan Approval for the Hoosick East Solar Array was declared duly adopted by a vote of 3 to 2 on February 11, 2025.

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A motion was made by Lloyd Moses for the Resolution Granting Conditional Special Use Permit for the Hoosick East Solar Tier 3 Solar Energy System on the Property at 0 Johnson Hill Road, seconded by Richard Hunt.

Zoning Board Vote:

Richard Hunt_____yes

Bradley Gross_____yes

Kevin Robichaud_____no

Gary Sussman_____no

Lloyd Moses_____yes

The Resolution for Conditional Special Use Permit for Hoosick East Solar Array was declared duly adopted by a vote of 3 to 2 on February 11, 2025.

Coyote Flacco and Sheep Hill Solar Array Projects:

A representative for the Coyote Flacco and Sheep Hill Solar Projects spoke to the Zoning Board about these 2 projects that have been submitted.

He stated that the application was presented to the Zoning Board in 2023.

He stated that a letter of correspondence was given to the Zoning Board on 12/23/2024. He stated that on 2/26/25 a survey was provided to the Zoning Board. He stated that these projects have been pending since November 2023. They would like to know what additional information is needed for the project to move forward.

Lloyd Moses stated that the Zoning Board has reviewed the information and the application is not complete. They will need a land survey for each

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project and it should be a professional land survey and needs to be stamped by a professional land surveyor or Engineer.

Mr. Gilmour said Laberge Company is working on a submission and will take 3 ½ weeks to do a Comprehensive review.

The Coyote Flacco and Sheep Hill Solar Array projects will be on the March 11, 2025 Zoning Board Agenda for review.

A motion was made by Lloyd Moses to adjourn the Zoning Board meeting, seconded by Bradley Gross, all in favor, motion granted.

Meeting Adjourned

Karen Jennings
Secretary

Minutes approved by Zoning Board on 3/11/2025

