

**ZONING BOARD OF APPEALS  
MINUTES OF JANUARY 12, 2023**

A meeting of the Zoning Board of Appeals was held on January 12, 2023. The meeting was called to order by Chairman Fred Howard at 7:00 PM

**PRESENT WERE:**

Fred Howard, Chairman  
Colton Hill  
Doug Jensen  
Randy Hall  
Dave Schmidt  
Colleen Thomas, Secretary

**Notice of Joint Public Hearing**

**PITTSTOWN PLANNING BOARD  
123 TOMHANNOCK ROAD  
VALLEY FALLS< NEW YORK 12185  
CHAIRMAN – GORDON BUSHWAY**

NOTICE IS HEREBY GIVEN that the Planning Board and the Zoning Board of the Town of Pittstown will meet at the offices of said Planning Board and Zoning Board at 97 Tomhannock Road, Valley Falls, New York on the 12<sup>th</sup> day of January 2023 at 7:00 PM for the purpose of conducting a joint public hearing on the application of Pittstown Solar LLC, represented by Active Solar, Galway, New York and Lansing Engineering, Malta, New York to discuss the proposal of a solar farm located on 920 Kautz Hollow Road, the Ronald Bugbee property.

Copies of said plat are available at the offices of the Planning Board located at 97 Tomhannock Road, Valley Falls, New York during the hours of 9:00 AM – 2:00 PM Monday – Thursday for the purpose of inspection by interested persons.

Dated: January 5, 2023

Valley Falls, New York  
Pittstown Planning Board  
Chairman: Gordon Bushway

**PITTSTOWN PLANNING BOARD  
PITTSTOWN ZONING BOARD  
JOINT MEETING  
JANUARY 12, 2023**

**ATTENDANCE:**

**PLANNING BOARD MEMBERS:**

Member Herrington  
Member Welch  
Member Luskin  
Chairman Bushway

**ZONING BOARD MEMBERS:**

Member Randy Hall  
Member Doug Jensen  
Member Dave Schmidt  
Secretary, Colleen Thomas  
Chairman, Fred Howard

**PUBLIC HEARING**

**PITTSTOWN SOLAR LLC – 920 KAUTZ HOLLOW ROAD**

Member Herrington made the motion to open the public hearing with Chairman Bushway seconding the motion. A vote was taken. The motion was carried unanimously by the Board. Chairman Howard made the motion to call the public hearing open for the Zoning Board with Member Randy Hall seconding the motion. A vote was taken. The motion was carried. Chairman Bushway stated that the public hearing on this project would need to be scheduled again. Agricultural data letters were not sent out and the involved agencies on this project were not notified. The Boards reviewed a letter dated December 28, 2022 from Henry LaBarba, Engineer (see attached) on the latest submissions from Active Solar. Paul Kruger and Jason Dell stated that they received the letter and will address any comments from Active Solar in writing at the next meeting. They also stated that if there was anything that the Boards would like to go over anything tonight they could also address them tonight. The Zoning Board and Planning Board asked Henry LaBarba to read his letter of December 28, 2022 and go through his findings, questions, and concerns with Active Solar and the Zoning and Planning Board. A letter was also submitted by Chief Mark Hubbs, of the Eastern Pittstown Fire District (see attached) with their questions and concerns. The Boards also asked Active Solar to submit their comments of their letter and their updated proposal. Fred Howard, Chairman of the Zoning Board questioned Active Solar if they were going to meeting with the Eastern Pittstown Fire District to go over their questions and concerns. He stated that a face to face might not hurt. Gordon Bushway, Chairman Pittstown Planning Board agreed. Henry LaBarba stated that the discussion with Active Solar on the phone last week, they discussed consolidating the overall site plan.

Right now there are 2 sets of plans one says existing and one says proposed. Try to put them all together. That would make it easier for the fire department one and look at. Fred Howard, Zoning Board Chairman also submitted a document that had the heading of "DRAFT – WORKING DOCUMENT IN PROGRESS", dated January 12, 2023 (see attached). Fred Howard requested that any future questions or concerns to be added to this document and the date would be updated. Paul Kruger asked if their updated submission would need to be combined or separate. Fred Howard, Chairman Zoning Board responded that a combined submission would be sufficient. The Boards asked for the SEQRA form to be submitted. Applicants responded that the updated SEQRA was submitted in November. Active Solar needs to provide information to be attached to the letter being sent out to the involved agencies. Once that information is received the Planning Board Secretary will mail out the letters to the involved agencies with the attachments. The Planning Board Secretary will also use the description provided to send out the agricultural data letters to the adjoining neighbors. Once the letters are sent out another legal notice would be published for a joint public hearing. Member Herrington made the motion to close the public hearing with Chairman Bushway seconding the motion. A vote was taken. The motion was carried unanimously by both the Boards.

**ADJOURNMENT:**

Chairman Bushway made the motion to adjourn with Member Welch seconding the motion. A vote was taken. The motion was carried unanimously by both Boards.

Respectfully Submitted By:

Colleen Thomas  
Planning Board Secretary  
Zoning Board Secretary

/ct  
Attachments

**ZONING BOARD OF APPEALS  
MINUTES OF JANUARY 12, 2023**

A meeting of the Zoning Board of Appeals was held on December 20, 2022. The meeting was called to order by Chairman Fred Howard at 8:01 PM

**PRESENT WERE:**

Fred Howard, Chairman  
Colton Hill  
Doug Jensen  
Randy Hall  
Dave Schmidt  
Colleen Thomas, Secretary

**APPROVAL OF MINUTES**

Member Randy Hall made the motion to approve the minutes of December 20, 2022 with Member Doug Jensen seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**APPROVAL OF AGENDA**

Member Randy Hall made the motion to approve the Zoning Board agenda of January 12, 2023 with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**PUBLIC HEARING**

On the application by B & H Farm, LLC (Christopher Hughes) for a Special Use Permit to be allowed to operate a business for the warehousing, maintenance, and deliver/return of event rental equipment on a 43+ acre site, located at 875 Kautz Hollow Road, TPID# 55.-3-25.2 in the Agricultural/Residential Zone. Such usage requires a Special Use Permit under the provisions of the Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

Zoning Board Secretary, Colleen Thomas read the public hearing notice. The applicant, Christopher Hughes, presented the project to the Board. He is moving his business from Averill Park to Pittstown. The months of May-October the hours would be 7:00 AM – 5:00 PM. The winter months there isn't much business. Question was asked if the applicant is still maintaining business with Tremont. It is still called Tremont rental but it is owned by someone else. Chairman Howard stated that there would be very limited environmental impact. There would be no or little impact occurring. Chairman Howard asked if the Board had any further questions. They did not. Chairman Howard asked the public if they had any questions. They did not. Member Randy Hall made the motion to close the public hearing with Member Doug Jensen seconding the motion. A vote was taken. The motion was carried unanimously by the Board. The Board reviewed the EAF prepared by the applicant.

Chairman Fred Howard made the motion to grant this project an Unlisted Action (not a Type I requiring full environmental review, nor a Type II which is specifically exempted) with the determination of significance being that there will be no significant adverse environmental impacts, with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**Conditions of Special Use Permit**

- a) There will be no public interaction on the site. Only up to ten employees working on site operating the events equipment rental business.
- b) When a well is drilled, a septic system installed, and employee restroom facilities are installed, appropriate permits shall be obtained from the Town of Pittstown Building Inspector and the Rensselaer County Health Department.
- c) Signage on site shall be compliant with the Town of Pittstown Local Law.
- d) The December 20, 2022 Operational Plan filed with the Special Use Permit application and at Board meetings shall be followed.

Chairman Fred Howard made the motion to grant approval for the B & H Farm, LLC (Christopher Hughes) Special Use Permit with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**New Business**

None

**Old Business**

None

**Communication Received By Board**

None

**Next Meeting**

The next regular meeting will be held on Tuesday, February 28, 2023 at 7:00 PM at the Town Hall if there is business at hand.

**Adjournment**

Member Randy Hall made the motion to adjourn with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

---

Colleen Thomas  
Zoning Board Secretary

---

Dated