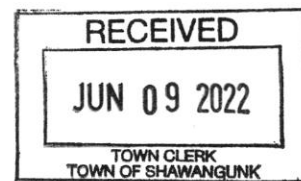


Minutes of a Special Meeting held by the Planning Board of the Town of Shawangunk, County of Ulster, State of New York, at the Town Office Building, 14 Central Avenue, Wallkill, New York, on the 23<sup>rd</sup> day of May, 2022.

Those present were: Mark Watkins, Chair  
Patricia Turner  
Todd Widmark  
Richard Barnhart, Vice Chair  
Sal Patella  
Vacancy



Absent: John Szarowski. Also, present were Richard Hoyt, Esq., Bonnie Franson, AICP CEP, PP and please see sign-in sheet.

Meeting location: Town Hall, 14 Central Avenue, Wallkill

Open Special Meeting: 5:30 pm

Emergency Exits Announcement

Moment of Silence – Pledge of Allegiance:

**SPECIAL MEETING:** Notice was sent to the media and posted at Town Hall.

**Magruder Solar, LLC:**(107.3-1-1.100 (access) & 107.3-1-3.110 (site) Proposed Large Scale Solar Energy System at 643 Plains Road on 54+/-acres (20 acres of panels) located in the RAG-2 District, Aquifer Overlay District and Wallkill Central School District. Magruder/CS Energy Greg Samilo, Eric Millard, Patrick Mulkern, Colliers and Michael Moriello, Esq. were present before the Board.

The following was entered into record: Draft Town of Shawangunk Planning Board Conditional Final Special Use Permit and Conditional Site Plan Approval Resolution pages 1-11.

Discussion was held on status of P.I.L.O.T. (Payment In Lieu Of Taxes) programs with the County, Town and School; the Town of Shawangunk and Wallkill Central School District opted out of the P.I.L.O.T. program.

Mr. Barnhart asked if in the future could the applicant return and request a P.I.L.O.T program?

Mr. Patella asked to clarify that if an application for a P.I.L.O.T to Ulster County – would be Ulster County only, correct?

Mr. Hoyt said the Town would need to opt back in and responded to Mr. Patella yes it would be Ulster County only unless the Town and School District opted back in.

Mr. Moriello said the changes made to this Draft were agreed upon by the Town Consultants for the Planning Board's consideration and review.

Mr. Watkins asked what could be accomplished if future glare potentially is seen from the road?

Mr. Millard said the project of Mr. Watkins concern have fixed panels; Magruder Solar panels will track the sun; and there is a lot less glare with tracking systems.

Ms. Turner asked to discuss the ground cover and maintaining the solar array area over time.

Mr. Millard said that is written within Magruder's SWPPP and we have to adhere to that document.

Mr. Watkins asked if landscaping can be bonded?

Mr. Hoyt said the building department issues violations; this is private and is not a public improvement; as an example, such as a town road which could be bonded. The building department would be able to inspect to make sure all items with the SWPPP are addressed.

Mr. Barnhart said if appropriate he would like to request for no battery storage in the approval.

Mr. Moriello said early on we provided a letter of lawful segmentation as we don't know what the overall plans are for the rest of the site.

Discussion was held; and agreed to add no battery storage for this document.

Mr. Barnhart said Gerry Wager, adjacent property owner appeared to be satisfied with the updates to the plan to redirect the water flow off his property. He asked if Mr. Wager has any problems or issues with drainage from the site; will that be adjusted?

Mr. Millard said yes, we have to follow the SWPPP.

Discussion of the Decommissioning Bond was held. The Town Engineer reviews the bond amount; provides his comment letter to the Planning Board; then the Planning Board reviews the Town Engineer's letter for the Decommission Bond and the Planning Board recommends it to the Town Board for acceptance with the format the Town Attorney recommends.

Mr. Watkins asked to discuss the NYSEDA Form submitted by the applicant to be signed by the Town for Confirmation of Local Land Use Approval.

The Board and Consultants discussed the form; and agreed with changes done by Ms. Franson, that Chairman Watkins could sign the form with the changes discussed.

Mr. Watkins asked the Board or audience if there were any more comments or questions? There were none.

TOWN OF SHAWANGUNK PLANNING BOARD CONDITIONAL  
FINAL SPECIAL USE PERMIT AND CONDITIONAL SITE PLAN APPROVAL RESOLUTION

Proposed Magruder Solar Large Scale Solar Facility

2296 Route 300

Applicant: Magruder Solar, LLC

Owner: Garrison Armavida, LLC

WHEREAS, the Planning Board of the Town of Shawangunk received a special use permit and site plan application from Magruder Solar LLC dated February 1, 2021, for the construction of a proposed five (5) megawatt (MW) alternating current (AC) large scale, single axis tracker solar facility to be located on a portion of leased lands identified on the Town of Shawangunk Tax Maps as Section/Block/Lot 107.3-1-1.100 (access only) and 107.3-1-3.110 which lots maintain frontage on Route 300 and Plains Road, respectively. The facility is to be located on 24.58 acres in the RAG-2 zoning district, being a portion of two properties totaling approximately 86.8 acres. The gross lot area dedicated to the solar facility use is 36.60 acres on tax parcel 107.3-1-3.110. The