

**Minutes for a Ticonderoga Planning and Zoning Board Meeting held on Thursday, May 2, 2024, commencing at 6:00 p.m. with Public Hearings regarding Chilson Properties LLC, ELP Ticon Solar (Now VC Renewables) and Crammond Farms LLC**

**Present:** Chairman Dr. W.D.McTyier, Mike Powers, Ben Leerkes, Town Attorney Matthew Fuller, Town Clerk Tonya M. Thompson

**Absent:** Walt Lender and Don Meserve

**Others:** Mark DiChiara, Dorin Rockhill, Alan Densmore, Margaret Armstrong, Mark Wright, Robert Crammond, Bruce Crammond, Ann Lamb, Mary Beth Lamb, Damon Geiser, Joe & Alicia Vilardo, Jamie Fordyce, Wendy DeWolf, Gordon Woodcock, B.J. Jordan, Zoning Officer Dave Burrows and others.

Chairman McTyier opened the meeting with the Reciting of the Pledge of Allegiance.

Public Hearing

Chilson Properties LLC - NYS Route 22 – Fireman’s Field Development – Special Use and Site Plan Review

No representatives are in attendance for tonight’s meeting.

Damon Geiser asked if any of his questions regarding the infrastructure from last month had been answered? (With no one here to represent the project – there are no answers at this time) He continued to say that he has done his own checking, Park Avenue, North Wayne, Third Avenue, the only water that runs up there is 6” which has been in the ground better than 50 years, so a six inch pipe with the amount of sediment, the scale build up and everything else, that can’t be carrying any more than 5 to 4 ½ inches at the most and already at the point, the water pressure is extremely low in that district, so again, it will never take care of a fire with the hydrants that are needed for a 50 unit complex. The other question is, if funding comes from federal or state, either to build this or in rent after it is constructed, more than likely with the condition that the country is in and with the issues that we have had down in the city with all the illegal immigrants being that this is low/middle income housing project how many illegals are we going to have to take in to fit their quota.

Mr. Geiser started speaking of incidents with illegals and the crimes they are committing in different areas, he repeated his concerns of the illegals that will be coming to this area.

Chairman McTyier stopped Mr. Geiser to say this is not the intent of this project. His concerns are noted.

Public Hearing will be left open.

ELP Ticonderoga Solar – 49 Veterans Road (now VC Renewables) 139.4-1-1.110/139.4-1-2.000  
Special Use and Site Plan Review

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Jamie Fordyce explained that this project was reviewed by this board back in 2021 and was approved. We have been waiting for the Utility, National Grid, since this is a project that is connecting to the transmission line, not the distribution line and we have had a lot of delays, both between National Grid and NYSEC, we have been provided a schedule with NYSEC and National Grid which allows the project to be put in service in November of 2025. For that reason, we have not advanced construction, we are hoping to advance construction this fall. We have a site clearing window that is determined by the APA to try to preserve the habitat for bats from November to March and we are hoping to advance that site clearing in that timeline, but due to delays we were not able to start construction. We provided an updated schedule with the application and we are here to seek that extension of the approval, we are thinking now we can start clearing in the next window which is March of the upcoming year and from this point the Town ordinance allows for 18 months for completion and if the project is not complete from 18 months of approval, we would seek a six month extension at that point. That is what we are here for tonight.

Chairman McTyier asked if anything had changed? (There are no changes to this project.)

Mr. Geiser asked if this is where the old orchard was? (yes) Has anyone done any testing of the DDT?

Mr. Fordyce explained that yes, there has been soil testing done.

Mr. Geiser stated that there was going to be another project put in there and at that time they were instructed to do specific testing; he already has questioned the Environmentalist and they have seen no applications to the APA for anything on this.

Mr. Fordyce stated that this has definitely been done and submitted for this project.

Mr. Geiser continued that the DDT and all the chemicals that they used to ripen the fruit back then was never dissipated. What is going to happen. You start disturbing the soil up there and going through private properties, etc and dealing with international waters.

Mr. Fordyce explained that they have a soil management plan that has been reviewed and approved by the DEC.

Mr. Geiser will state this, he will contact the Environmentalist, in Vermont and Federal to make sure no DDT goes into that river. Or any other chemicals.

Mr. Fordyce agrees and reiterates that this was a big discussion with this board on how to use this site so there was a relatively low impact from soil disturbance and we will adhere to this plan.

Mr. Leerkes stated that this was reviewed originally and the agreement was that there would be no disturbance of the soil other than putting the lines in. He assures you that this was discussed and we have the soil tests.

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**Resolution #26-2024PZB** brought by Ben Leerkes, seconded by Mike Powers to close the Public Hearing at 6:12 p.m. **3- Ayes, 0- Nays. Carried.**

Mr. Leerkes would like to have the applicant look into the DDT. He also remembers that there will be screening and no disturbance other than where the pipes were going to be pounded in. No disturbance of the ground.

Mr. Fordyce agreed completely. There is the initial soil sampling that was supplied by the Town to us, which was from 20 years ago and that showed elevated levels of a number of different compounds. We did all the sampling to DEC standards and presented that which showed that there was still a soil management plan needed and that was presented.

Mr. Powers found the report and started to read through it.

Ms. DeWolf did find the report also, and brought forth the section that covered the DDT, it was covered in the soil report.

Mr. Leerkes agreed, we did cover this and there were no other concerns.

**Resolution #27-2024PZB** brought by Ben Leerkes, seconded by Mike Powers to declare a complete application for ELP Ticonderoga Solar – 49 Veterans Road (now VC Renewables) 139.4-1-1.110/139.4-1-2.000. **3- Ayes, 0- Nays. Carried.**

**Resolution #28-2024PZB** brought by Ben Leerkes, seconded by Doug McTyier to reaffirm the prior SEQR determining that there is a Negative Declaration and find there is no Significant impact for ELP Ticonderoga Solar – 49 Veterans Road (now VC Renewables) 139.4-1-1.110/139.4-1-2.000. **3- Ayes, 0- Nays. Carried.**

**Resolution #29-2024PZB** brought by Mike Powers seconded by Ben Leerkes to approve the complete application for Site Plan application with a two year expiration (5/2/2026) regarding the application of ELP Ticonderoga Solar – 49 Veterans Road (now VC Renewables) 139.4-1-1.110/139.4-1-2.000 and grant a two year . **3- Ayes, 0- Nays. Carried.**

**Resolution #30-2024PZB** brought by Mike Powers, seconded by Ben Leerkes to approve the complete application for a Special Use application for a two year (5/2/2026) expiration regarding the application of ELP Ticonderoga Solar – 49 Veterans Road (now VC Renewables) 139.4-1-1.110/139.4-1-2.000 and grant a two year . **3- Ayes, 0- Nays. Carried.**

Crammond Farms LLC – 534 Old Chilson Road (150.2-1-2.110) Subdivision and Site Plan Review (Lot Line Changes)

Robert Crammond explained his intentions of just changing the lot lines to make 4 separate lots. As they stand now, they have half the solar on one parcel and another parcel and he would like to put the solar on its own parcel so it is independent and make 3 other parcels. The farm would be

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its own parcel, the access road which divides the two pieces of property would be two separate parcels and it would total 4.

Chairman McTyier stated that he could not make these line out on the map that we have in our packet. He asked Mr. Burrows if he had a bigger map which he could provide tonight. (yes)

Chairman McTyier asked Robert Crammond if it was him that submitted the application (yes), it is Crammond Farms LLC.

Mr. Crammond stated that he is the sole owner of the property.

Mary Beth Lamb is an adjoining property owner and is curious as to what the lines are. She would like to see them.

Mr. Crammond explained that they will be using the actual road (Old Chilson Road) to make the boundary of the farm. The access road to the solar will be a boundary to make the solar fields their own parcels and where his house will be on its own independent parcel. The roads make a visual boundary line.

Ms. Lamb asked what the zoning would be now.

Mr. Crammond stated that this will not change any zoning with this line change.

**Resolution #31-2024PZB** brought by Ben Leerkes, seconded by Doug McTyier to close the public hearing at 6:27 p.m. **3- Ayes, 0- Nays. Carried.**

Mr. Leerkes asked about the percentage of the lot staying solar, does this meet that criteria?

Gordon Woodcock stated that yes, it does meet the criteria. We want to continue to meet that requirement, which is why he is here tonight to make sure that it will not conflict with that requirement.

Mr. Leerkes asked if this qualifies to be a subdivision, they are only moving the lot lines. There are 4 parcels and will continue to be 4 parcels.

Mr. Burrows feels this is a subdivision.

Much discussion with people coming to look at the larger map of the proposed changes.

Mr. Leerkes would like to see some sort of letter from the APA – whether it is Non Jurisdictional or Jurisdictional.

**Resolution #32-2024PZB** brought by Ben Leerkes, seconded by Doug McTyier to table the application from Crammond Farms LLC – 534 Old Chilson Road (150.2-1-2.110) Subdivision and Site Plan Review (Lot Line Changes) until the June 6, 2024 meeting, in order to receive a

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jurisdictional or non-jurisdictional letter from the APA and to have the application submitted to the County Planning Board. **3- Ayes, 0- Nays. Carried.**

Site Plan Review

DiChiara – 100 Black Point Road (150.75-3-4-109) additional parking area/driveway access off Black Point Road Site Plan Review - presented by Dorin Rockhill

- Driveway/partially black topped – no decision if we would bring it all the way down
- Sewer grinder pump is 2’ from the proposed driveway – easily accessible
- Natural drainage – all lawn surface
- Stone retention wall & shed going away

**Resolution #33-2024PZB** brought by Ben Leerkes, seconded by Doug McTyier to declare no Public Hearing is necessary for the application from DiChiara – 100 Black Point Road (150.75-3-4-109) additional parking area/driveway access off Black Point Road Site Plan Review. **3- Ayes, 0- Nays. Carried.**

**Resolution #34-2024PZB** brought by Ben Leerkes, seconded by Mike Powers to declare a complete application for DiChiara – 100 Black Point Road (150.75-3-4-109) additional parking area/driveway access off Black Point Road Site Plan Review. **3- Ayes, 0- Nays. Carried.**

**Resolution #35-2024PZB** brought by Doug McTyier, seconded by Ben Leerkes to declare a Negative Declaration with Minimal Environmental impact for the application for DiChiara – 100 Black Point Road (150.75-3-4-109) additional parking area/driveway access off Black Point Road Site Plan Review. **3- Ayes, 0- Nays. Carried.**

**Resolution #36-2024PZB** brought by Mike Powers, seconded by Ben Leerkes to approve the complete application for DiChiara – 100 Black Point Road (150.75-3-4-109) additional parking area/driveway access off Black Point Road Site Plan Review. **3- Ayes, 0- Nays. Carried.**

Other Business

**Resolution #37-2024PZB** brought by Ben Leerkes, seconded by Mike Powers to accept the Minutes from April 4, 2024. **3- Ayes, 0- Nays. Carried.**

**Resolution #38-2024PZB** brought by Ben Leerkes, seconded by Doug McTyier to adjourn at 6:55 p.m. **3- Ayes, 0- Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk