PLANNING BOARD
Town of Kirkwood
70 Crescent Drive
Kirkwood, NY 13795

September 30, 2026
Meeting Minutes

Present:	Adisen Harden, Member	Gina Middleton, Attorney
	Jason Maxian, Member	David Paquale, Ad Hoc Member
	Mike Maciak, Member	John Mastronardi, Town Engineer
	Dan Wasson, Member	
	Gordie Woolbaugh, Chairperson	
Absent:	Chad Moran, Building & Code Inspector	

NORBUT SOLAR:

Gina Middleton explained that we had previously gone through with the Planning Board Part 2 of the FEAF. Following the completion of that section there were 13 items that were marked as the potential for causing moderate to large impacts with the Part 2 which would then move us to Part 3. In the interim we did receive a letter dated July 2nd from the applicant addressing each of the questions prior to the Planning Board doing a final review. That brings us up to today which would be the analysis of Part 3. The way we normally do this analysis, because this is a fairly complex project, there are a lot of moving parts. What we normally do is the same thing as we did with Part 2, we will do an initial review of the Part 3, for the 13 questions marked as moderate to large, the Board is going to discuss them, we will go over any open items, do an initial analysis to Part 3 and the final Part 3 will be completed at the next meeting.

Steve Saunders, Norbut Solar Farms was present and thanked everyone for the time they have put in so far, they appreciate it. They also appreciate the effort that was put forward by the Town's engineer. Mr. Mastronardi has been available and has communicated on a regular basis with Norbut's in-house engineer; they appreciate his participation because they think it has made it a better project. There have been a lot of changes on this project since it was first submitted to the Town. A lot of the good things that have come out of this process is due to the input they received from the board and from the engineer. He also wants to thank everyone that has come out to speak not only tonight but throughout the entire process, including Mr. Kennerup and Mr. Ferguson, who are regulars at the meetings. For everyone that has come out in the community to express their concerns and their interests, they appreciate it and they understand it is part of the process.

Mr. Saunders commented to summarize, as Gina had mentioned the Board determined that there were 13 categories that required the Board's additional consideration because they could, in the Board's mind, rise to moderate to large impacts opposed to small to no impacts. The purpose of the Part 3 is to determine if any of these 13 moderate to large impacts gets to the next level which creates a potential adverse environmental impact. The fact that they have been determined to be moderate to large certainly doesn't mean that to the extent that the board determines they are not significant that the board is taking back its determination, that they at least warranted additional study. He wants to make sure it is clear to everybody in the audience that what this board is trying to determine is whether the 13 moderate to large impacts in fact reached a higher level warranting even further study.

Mr. Saunders explained there are 18 impact categories in SEQR Part 2. Depending on whether or not each of those impact categories had a positive answer the Board either in the case of a no answer just proceeded to the next question. If there was a yes answer then the Board had to look at all the subparts. When you say 13 moderate to large impacts were found that has to be put into context of the fact that there are over

100 potential issues that the Board could have flagged warranting additional work. With regards to those 13, they fall into four of the 18 primary categories, impacts to the land, surface water, plants and animals, and community character and community plan. They believe, without addressing any of the 13 in particular, the administrative record, which is the only thing the Board has to go on, now being complete, primarily, or at least substantially, is going to come down to the technical engineering information for many if not all of these of the 13 moderate to large impacts. They think it is significant that their SWPPP was revised 3-4 times and as a credit to the Board and its engineer, they were asked to in addition to getting the SWPPP up to the point where the Board's engineer could agree that it satisfied environmental concerns. They were asked to go beyond that and put together a phasing plan that added several categories of requirements on them that are not required by the State which included an inspection 24 hours before any rain event that is projected to have at least one inch of rainfall, two inspections per week rather than one that is required of conditions on site. The point is that just went over and above the SWPPP, that is something your engineer felt was necessary and they were happy to work with him to come up with something that would address some of the concerns that came up in the later meetings.

Mr. Saunders explained at this point the Board's review under SEQR Part 3 is to take each of these 13 moderate to large impacts and consider their magnitude, duration, and the likelihood that they will occur, whether they were avoided by the plan as proposed or whether they have been mitigated. They are looking forward to working with the Board and look forward to continue to hear what potential concerns remain with the Board.

Mr. Saunders wanted to point out with regard to revenue stream from the project, your school district over the next 15 years, if nothing happens to this property they will get $26,000 in taxes from the property owner. If this project is approved, not an exact number but based upon a DCF model, which is how they have to calculate PILOT agreements, which they would have to enter into, if the project is approved, the school district would get $543,000, an increase of $510,000. In addition to the 5% benefit for any Kirkwood resident that decides to subscribe to them as a provider of electricity. There are some things he wanted to highlight, bringing back to the community. They look forward to listening to the Board tonight and try to find out what additional information they may need to provide.

Ms. Middleton explained the next step is Part 3 of the FEAF. What they intend to do this evening is to discuss Part 3 of the FEAF for each of the 13 moderate to large Part 2 responses. We will likely table the final Part 3 after discussion and finalize Part 3 at the next meeting that this is on the agenda. Ms. Middleton read into the record the analysis, page 1 of Part 3 of the FEAF, which is included in the file.

Ms. Middleton explained her intent with the Planning Board is the Planning Board will go through each of those to complete the analysis of impact and magnitude for each of the questions, review the workbook section that is relevant to that section and make a determination as to whether it has been mitigated or remains an outstanding issue.

The Planning Board reviewed each of the 13 moderate to large impact questions one by one, with Ms. Middleton reading each question, reading the analysis for each question from the online workbook, and input from Mr. Mastronardi on whether the question was mitigated or not. A copy of the recording is included in the file. The results are as follows:

#1 – Impact on Land, a. – Board determined it has been mitigated.
#1 – Impact on Land, b. – Board determined it has been mitigated.
#1 – Impact on Land, c. – Board determined it has been mitigated.
#1 – Impact on Land, f. – Board determined it has been mitigated.

#3 – Impacts on Surface Water, d. – Board determined it has been mitigated.
#3 – Impacts on Surface Water, e. – Board determined it has been mitigated.
#3 – Impacts on Surface Water, h. – Board determined it has been mitigated.
#3 – Impacts on Surface Water, i. – Board determined it has been mitigated.

#7 – Impacts on Plants and Animals, g. – Board determined it has not been mitigated.
#7 – Impacts on Plants and Animals, h. – Board determined it has not been mitigated.

#17 – Consistency with Community Plans, a. – Board determined it has been mitigated.

#18 – Consistency with Community Character, e. – Board determined it has not been mitigated.
#18 – Consistency with Community Character, f. – Board determined it has not been mitigated.

Ms. Middleton asked the Board to review the visual impacts before the next meeting and her intent is to table it for this evening and then do a final Part 3 at the next meeting. The applicant is more than welcome to submit whatever documents they want between now and then. Ms. Middleton noted that the next meeting is in two weeks, her inclination would be to have this on the November calendar to give you time to review and to give the applicant time to submit and to give her time to draft a Part 3. The board agreed with that timeframe.

Motion by Jason Maxian and seconded by Mike Maciak to table the Part 3 of the FEAF until the November 12, 2026 meeting.

Motion by Dan Wasson and seconded by Adisen Harden to adjourn the meeting. The meeting was adjourned at 8:28 pm. All voted in favor.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board

cc: Planning Board Members
Kelley Diffendorf
Poe Williams
Chad Moran
Bob McKertich
Katie Legg
Rick Pedro