

December 5, 2023

**PINE PLAINS ZRC MEETING MINUTES**  
**Tuesday, December 5th, 2023**  
**5:00 PM**  
**In Person**

**ZRC ATTENDANCE:** Rich Brenner  
Rory Chase  
Scott Chase  
Sarah Jones  
Michael Stabile

**OTHER ATTENDANCE:** Robert Ambrose  
Brian Walsh

The meeting commenced at 5:00pm.

**Solar Power Moratorium:** Stabile mentioned the moratorium on further solar development in lieu of reexamining the law. Walsh believes the moratorium would be up in May of 2024. Stabile said an extension would probably be needed then.

S. Chase asked if there have been any other applications. Stabile said there was one phone call regarding one.

Walsh said he believes there is an area on Schultz Hill Road that has been approached regarding a solar project. Jones said that must be part of the Rockwell property. Jones said the land would be enough for solar but would be a terrible use of that property. Jones feels it is too far as well (solar projects must be a certain distance from a substation).

Stabile said what is driving all this is the state's 10-gigawatt goal by 2030. Stabile said any larger facility would not go through SEQR and the town would have no say in it.

Stabile mentioned a tree protection law for development like the Village of Rhinebeck has. Tree removal must be mitigated and approval needs to be obtained for taking down of trees, even as a homeowner. Stabile doesn't feel the town of Pine Plains needs to be this extreme but thinks it may be a good idea to have this rule for a developer. R. Chase asked if this would apply to logging as well or only development. Stable said development only, as logging is a way of husbanding a forest. Jones agreed it is beneficial.

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Stabile said another issue is because of the hosting capacity needed for a solar array, which can lead to having a concentration of these solar developments. Stabile said a parcel of 170 acres would be needed for a solar farm. Stabile said most of the parcels big enough for a solar field in Pine Plains have conservation easements, or are protected lands, so hopefully that would help to manage that. Stabile said the board would need guidance from Replansky (town attorney) and Fish (BFJ Planner) about how to structure it legally to not have too many in one area.

Jones asked if the board wants to keep the possibility for large solar arrays in the town's zoning. Jones said she is in favor of that. Walsh said he is too, within reason. Brenner said he does not like them at all. R. Chase said visual impact is the greatest concern. Walsh said he does not want to see all the farmland used for solar farms. Stabile said there are constraints in place to prevent this, such as the visual impact mentioned, hosting capacities, and prime soils. Stabile thinks we should keep it where someone could still put in a solar field and not make it too hard to do so.

R. Chase said the town has a lot of control over the law but the threat seems to be if a project moves beyond that threshold. S. Chase said he thinks the language should say that we believe in doing our share and the town has done their share.

Jones said Scenic Hudson has a solar mapping tool where they speak about the forest in a meaningful way. Jones said you want to leave as much of the forest core intact as you can and to not break up the edges, which leads to fabrication. Jones said that could be discussed in the law.

S. Chase asked should how many miles away should become part of the visual requirements. Stabile said yes.

Brenner said if it was put into the law that this solar array will serve this number of properties in this area, i.e. enough capacity for the town, then the state could challenge that if it came down to it and/or another applicant for a solar array. Jones said electrical needs will increase as we get away from fossil fuels.

R. Chase said it seems like the board would like to keep out the massive projects by somehow wording the law to show that we have done our share. Stabile said it will help a lot to create a tree law. Stabile asked about requiring a conservation

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easement. Jones said she doesn't feel the town could do this because there is no guarantee someone would take the conservation easement.

S. Chase said it sounds like the board is looking to strengthen visual protection, better forest habitat protection, and emphasizing that the community has done its fair share. Jones said maybe adding percentage limits to the amount of forest area that could be cut. R. Chase thinks a replanting regime makes sense. Stabile said he likes the models of the core forest and prime soils but that a forest person would need to tell them what that is.

S. Chase said the town's only restriction right now is the coverage. Chase said we could say something like it is incumbent for all municipalities to meet their fair share and we estimate ours to be x number of megawatts and therefore we are saying at this point in time the town needs this amount to meet their energy needs so in total it should be such and such. That would probably then restrict the town to one more of the same size of 70 acres and then be done. S. Chase said if the state is going to override this they will do so anyway.

Stabile asked if the board should look at more expansive tree restrictions. Jones said yes. Jones said we should also look at the special use permit section of the zoning and if things should be added specifically dealing with solar. Jones said the next time the comprehensive plan is worked on, it should say that the solar law is consistent with the comprehensive plan, since it was previously challenged.

The board discussed the members and the upcoming year. Stabile said the ZBA chair, the planning chair, the town board liaison to the planning board, and the building inspector, all need to be on the ZRC, and then filled in with some citizens. The board agreed.

The board set another meeting for January 9<sup>th</sup> at 5pm at town hall.

The meeting adjourned at 6:20pm.

Respectfully submitted by:

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Tricia Devine

Michael Stabile