

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
SPECIAL VOTING MEETING**

March 12, 2020

MINUTES

The Town of East Fishkill's Town Board Meeting held at East Fishkill Town Hall, 330 Route 376, Hopewell Junction, NY was called to order at 7:03 pm by Town Supervisor Nicholas D'Alessandro for the purpose of passing a Resolution to grant a Special Permit for a Tier 3 Solar Energy System on a portion of the Phillips Farm Property. In attendance were: Supervisor, Nicholas D'Alessandro, Councilman Peter Cassidy and Councilman Anil R. Beephan, Jr Councilman Emanuele Marinaro and Councilman Tom Franco. Also in attendance were Assistant Town Attorney Michael Cunningham, Comptroller Mark Pozniak, Highway Superintendent Ken William, Police Chief Chris Bellino, and Town Engineer Scott Bryant. Motion to open the special meeting was made by Councilman Beephan and seconded by Councilman Franco at 7:10 AM. All voted in favor.

Town Supervisor D'Alessandro did have a few announcements. He addressed the COVID19/Coronavirus and concerns about such. He has had several conference calls this week with the County Executive, Mayors and Supervisors of the county as well as the Commissioner of the Department of Health in Dutchess. There is as of this date, 1 confirmed case of the virus in Dutchess County and that person is being monitored by the Department of Health. The school districts do have current information on their websites. Most municipalities are being urged to cancel any mass gatherings with 20 people or more for the current time. There will be no Municipal Court hearings during the remainder of the month as well as through the end of April. The Lime Kiln Gym and the Community Center activities are cancelled until further notice. Assistant Attorney Michael Cunningham and Town Engineer Scott Bryant both gave overviews of the Special Permit prior to the vote thereof.

RESOLUTION-041/2020

(GRANT A SPECIAL PERMIT FOR A TIER 3 SOLAR ENERGY SYSTEM ON A PORTION OF THE PHILLIPS FARM PROPERTY)

WHEREAS, Phillips Route 82 Solar LLC ("Solar LLC") applied to the Town of East Fishkill for the creation of a Tier 3 Solar Energy System ("Project") to be located on the northeast corner of 1196 NY State Route 82, East Fishkill, NY 12533 (Tax Map # 6458-04-918366-0000) ("Property"); and

WHEREAS, Solar LLC appeared before the Planning Board for several months, and the Planning Board concluded its public hearing on February 18, 2020; and

WHEREAS, the Project will encompass approximately 21 acres of the approximately 183-acre Phillips Farm property; and

WHEREAS, Solar LLC received a Negative Declaration from the Planning Board pursuant to the State Environmental Quality Review Act ("SEQRA") on February 18, 2020; and

WHEREAS, the Planning Board granted Site Plan approval to Solar LLC at its March 10, 2020 meeting; and

WHEREAS, as part of Solar LLC's approval process pursuant to Chapter 100 of the Town Code, Solar LLC must obtain a special permit from the Town Board; and

WHEREAS, the Town Board has reviewed Solar LLC's application and determines that the addition of a community solar energy system will benefit the residents of the Town by providing them with access to cheaper energy rates and by providing revenue to both the Town and the owners of Phillips Farm, which will enable the historical agricultural uses on Phillips Farm to continue; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that the application of Phillips Route 82 Solar LLC meets the special permit criteria of Section 100-8 of the Town Code; and

BE IT FURTHER RESOLVED, that the Town Board approves Phillips Route 82 Solar LLC's special permit pursuant to Chapter 100 of the Town Code subject to the following conditions:

1. Phillips Route 82 Solar LLC complies with all site plan conditions placed on it by the Planning Board; and
2. Phillips Route 82 Solar LLC enters into a payment in lieu of taxes ("PILOT") agreement with the Town of East Fishkill.

BE IT FURTHER RESOLVED, that the Town Supervisor shall be authorized to execute a PILOT agreement with Phillips Route 82 Solar LLC after the PILOT is approved by staff as to form and content.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
CAROL HURRAY, TOWN CLERK**

Adopted at a Special Meeting

held on the 12th day of March, 2020.

Motion to authorize the Grant A Special Permit for the Phillips Farm was made by Board Member Beephan and Seconded: Board Member Franco. All voted in favor. Motion carried.
Motion to close Special Meeting was made by Councilman Beephan at 7:25 PM and Seconded by Councilman Franco all voted in favor.

Respectfully submitted by Carol Hurray on March 13, 2020