

# Town of Harpersfield

## Planning Board

Minutes: **March 23, 2026**

Present: D. King, W. Keller, A. Gallagher and D. Darling

Also present: L. Page, Chris Plante and K. Schneider

Chairman D. Darling called the meeting to order with e the Pledge of Allegiance.

Minutes of the Feb. 25, 2026 meeting were approved as presented on a motion by W. Keller with a second by A. Gallagher. Motion carried 4-0

D. Darling said the Weaver Road solar project remains on hold awaiting construction by NYSEG to connect the completed project to the grid.

The ABC projects on Bruce Hill Road are under construction.

C. Plante said multiple companies have been calling regarding the same project and said there are permits issued with different names. W. Keller said C. Plante need to take the call and refer the companies to the planning board.

A motion was made by W. Keller with a second by D. King to adjourn the meeting until K. Schneider could arrive. Motion carried 4-0.

The meeting reconvened at 6:45 p.m. with the arrival of K. Schneider.

She handed out packets "Code Enforcement Officer Roles". They discussed Subdivision Regulation with no involvement for the CEO until the subdivision is approved by the planning board. The exception is a single model home with location on an approved preliminary plat. She provided information related to each existing town law

**Junkyard Law.** Applicant must apply to the planning board chairman 10 days in advance of a meeting.. A copy is provided to the CEO to conduct a site visit to the proposed location to submit a written report to the planning board within 30 days after receipt of the application. The planning board handles the remainder of the review. The CEO shall inspect the junkyard premises throughout the town to ensure al existing junkyards have permit and continue to meet the requirements of the junkyard law.

**Site Plan Review Law.** CEO determines whether an activity requires a site plan review by the planning board. All new land use activity requires a site plan review except: construction of 1 or 2 family dwelling outside of an ag district; additions or accessory structures to existing residences; landscaping or grading not connected with a reviewable land use; ordinary repair/maintenance/interior alterations to existing structures; exterior alteration/additions to existing non-residential or non-ag structures which would not increase square footage by more than 25 percent; sales of ag produce/temporary structures related to sale of ag produce; garage, lawn and porch sales; ag-related structures; interior alterations that do not substantially change the nature or use of an existing commercial or industrial structure.

**Site Plan Review Law.** Required of one and two-family homes if they are in an ag district and: more than 50

percent of the parcel has slopes greater than 15 percent; more than 50 percent of the parcel is constrained with wetlands floodplains, streams or open water, such as ponds or lakes; the parcel is within 100 feet of an active livestock or horse barn, barnyard, feeding area or pasture.

A copy of all approved site plan applications will be provided to the CEO along with conditions of approval if there are any. The CEO may inspect land use activity to ensure it is being constructed/conducted according to the approval.

No certificate of occupancy may be issued until all improvements shown on the site are installed and all conditions (if any) are met.

Site plan approval automatically terminates one year after granting unless a building permit has been issued and there is physical evidence to demonstrate that the project is in progress.

**Wind Laws.** Applicants obtain application forms from the CEO or town clerk. If approved the planning board shall direct the town clerk to issue a wind energy permit upon satisfaction of all conditions for said permit, and direct the CEO to issue a building permit upon compliance with the Uniform Fire Prevention and Building Code and other pre-construction conditions of the wind laws. If any approved wind energy facility is not substantially commenced within one year of issuance of the Wind Energy Permit, said permit will expire.

**Mobile Home Parks & Campgrounds.** CEO must make a report indicating whether or not any violations exist on the parcel upon which a mobile home park or campground is being proposed. Permit may not be issued by the town board until violations have been addressed. Permit is valid for one year and must be renewed. Planning board and CEO review the application for renewal and make recommendations to the town board. If violations are discovered, town board consideration of permit renewal may be tabled until violations have been addressed. CEO may enter and inspect at any time.

For campgrounds, the owner/operator must provide the CEO with a copy of any report made after issue/illness/injury related to swimming pools/beaches, on-site potable water supply, or food (within 24 hours). Once a Mobile Home Park and Campground Permit is issued, CEO may proceed with issuing building permit(s). Approval or disapproval must occur within 15 days of application receipt.

Violations must be corrected within 10 days or the permit may be revoked.

**Flood Damage Prevention Law.** The CEO is responsible for processing floodplain development permit applications for any building/excavation/grading/etc. occurring within the 100-year floodplain. In Harpersfield this is primarily along Middle Brook, Center Brook and the north side of the West Branch of the Delaware River. The planning board serves as the appellate board for this law.

Discussion indicated the planning board will have the CEO included in the loop, so that if he sees a "red flag" he can alert the planning board/ or convey to them any areas of concern he may have for a project.

Board members also discussed moratoriums and taking information from other municipalities regarding moratoriums. It would allow the planning board time to develop regulations or additional regulations. Solar projects and battery storage facilities are among those of concern for regulating activities, with action being taken by other municipalities to regulate such projects. There was a suggestion that some have stand alone laws, while others are including wind and battery storage laws as multiple tiers of existing laws. The Climate Leadership Community Protection Act is a concern by the state Association of Counties and the Farmland Protection Board as it takes away local authority to regulate projects over a certain size. The planning board has learned a few lessons to put into a solar law. The planning board would like to work on a draft with assistance

from the county planning department and Allyson Phillips for town board approval.

D. Darling will encourage the town board to pass moratoriums and to get examples from other municipalities to determine if they want to include battery storage facilities.

K. Schneider discussed training alternatives. The county is compiling information to put together a local government day at some time in the future.

Tonight's meeting counts as one hour of training.

D. Darling questioned the groundwater recharge that is a concern of W. Keller, (former fisheries biologist for DEC) and how can there be a way to say runoff needs to be controlled when DEC says what is being done is okay. The environmental review receives planning board input, but cannot place additional restrictions which would provide legal grounds to be overturned.

The meeting adjourned at 7:56 p.m. on a motion by D. King with a second by A. Gallagher. Motion carried 4-0.

Respectfully submitted,

Liz Page

Recording secretary