

New Haven Planning Board Minutes

Held Wednesday, October 15, 2025

Call to Order

Chairperson Karen Valentino called the October 15, 2025, Planning Board Meeting to order at 6:00 PM at New Haven Town Hall.

Roll Call/Pledge of Allegiance

- Present: Planning Board Members - Karen Valentino, Mike Cutuli, Allen Chase, Bettie Jo Cronk; Planning Board Alternate, Rhea Keller Knittel; and Cindi Giovo, Secretary to the Planning Board.
- Absent: Planning Board Member – Melissa Windey.
- Also, in attendance were: Dan Gibbs, Town Constable; Carl Schmidt, Town Attorney; and members of the public.
- All stood, faced the flag and recited the Pledge of Allegiance.

Public Hearing – Anthony & Breanne Butchino – Application for Variance on 881 County Route 35, Mexico, NY 13114 (tax map # 170.00-01-28.01)

Motion by Allen Chase to open the Public Hearing at 6:01 PM for Anthony & Breanne Butchino – Application for Variance on 881 County Route 35, Mexico, NY 13114 (tax map # 170.00-01-28.01) Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye. Motion carried.

Prior to the beginning of the Butchino Public Hearing; Chairperson Karen Valentino read the Town of New Haven's "Rules of Conduct & Decorum at Public Hearings"

Applicant Anthony Butchino and his builder, Anthony Natale were present. The builder, Anthony Natale spoke on the applicant's behalf as they are requesting to build a 24 x 40 ft garage.

It was noted that the 239 Review Response from the County stated there was no issue with granting this area variance.

No public comments were made.

Motion made by Mike Cutuli to close the Butchino Public Hearing at 6:05 PM. Seconded by Bettie Jo Cronk.

Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye. Motion carried.

Approval of Previous Minutes

Motion made by Bettie Jo Cronk to accept the September 17, 2025, Planning Board Minutes. Seconded by Allen Chase.

Karen Valentino, aye; Mike Cutuli, abstain; Allen Chase, aye; Bettie Jo Cronk, aye. Motion carried.

Old Business- Anthony & Breanne Butchino – Application for Variance on 881 County Route 35, Mexico, NY 13114 (tax map # 170.00-01-28.01)

Chairperson Karen Valentino read the Basis of Consideration:

- 50% variance - 25 ft from road
- 239 Review Response from the County had no issue with granting this area variance
- The garage is more than 300 ft from the wetland
- The topography of the land prohibits the garage from being placed in a location where no variance would be needed. Modifying the land would be problematic and costly.
- No impact on traffic
- No septic or water needed
- No public objections

Motion made by Bettie Jo Cronk to approve the Anthony & Breanne Butchino- Application for Variance on 881 County Route 35, Mexico, NY 13114 (tax map # 170.00-01-28.01) with the Basis of Considerations. Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye. Motion carried.

Public Hearing – Samhammer & Straub – Continuation of the Application for Variance with Survey on 32 W Shore Oaks, Oswego, NY 13126 (tax map # 080.15-01-13.2)

Planning Board Member, Allen Chase recused himself at 6:15 PM. Chairperson Karen Valentino made the motion to invite Planning Board Alternate, Rhea Keller Knittel to participate in this Public Hearing. She accepted.

Karen Valentino, aye; Mike Cutuli, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye. Motion carried.

Motion made by Bettie Jo Cronk at 6:15 PM to re-open the Samhammer & Straub - Continuation of the Application for Variance with the Survey on 32 W Shore Oaks, Oswego, NY 13126 (tax map # 080.15-01-13.2). Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye. Motion carried.

Judie, Lewis & Tim Samhammer were present to discuss their application for variance which included a survey and updated colored photos.

Resident Linda Williams re-iterated what she stated last month about the Planning Board allowing variances within feet of property lines and roadways. She requested the letter to be attached to the Public Hearing.

Richard Chase, a neighbor of the Samhammer's, spoke next about the letter he sent in for the Planning Board. He believes there's not enough real estate to safely construct and operate the garage as proposed. He supports the initiative of building a garage but with an appropriate setback from the road.

No other public comments were made.

Motion made by Bettie Jo Cronk at 6:28 PM to close the Public Hearing for the Samhammer & Straub – Continuation of the Application for Variance with Survey on 32 W Shore Oaks, Oswego, NY 13126 (tax map # 080.15-01-13.2). Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye. Motion carried.

Public Hearing – Fulton Community Solar Project & US Light Energy- Continuation of the Updated Site Plan/Special Use Permit Application with Supplement/Appendixes at 2824 County Route 6, Fulton, NY 13069 (tax map # 150.00-01-45.01)

Planning Board Member, Allen Chase returned to the meeting at 6:31 PM.

Roll call: Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye.

Motion made by Bettie Jo Cronk at 6:31 PM to re-open the Public Hearing for the Fulton Community Solar Project & US Light Energy - Continuation of the Updated Site Plan/Special Use Permit Application with Supplement/Appendixes at 2824 County Route 6, Fulton, NY 13069 (tax map # 150.00-01-45.01). Seconded by Karen Valentino.

Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye.

Town Attorney, Carl Schmidt stated the Planning Board has received the document from the MRB Group about the Fulton Community Solar Project & US Energy application and requested formal written answers submitted prior to the November 19, 2025 Planning Board Meeting. Also, the Town received \$10,000 for the escrow account.

Ron Marsden, Building Inspector/Code Enforcement Officer entered the Public Hearing at 6:35 PM.

Present from the Fulton Community Solar Project & US Energy were Project Manager, Chris Koenig and Project Developer, Alex Burnett. They brought an easel to display their Fulton Community Solar Project & US Energy permit maps and wanted to discuss some of the items

from the MRB Group letter on their Updated Site Plan/Special Use Permit Application before preparing their written response.

Chris Koenig first spoke on #3 of the MRB Group Project # 1422.25000000 – Phase 002- page 1 under: Site Plan and General Comments, which stated:

“A noise analysis of the proposed project should be provided to assist the Board in their review of potential impacts to neighboring properties.”

Chris Koenig explained the inverters and transformers will make no noise at night. During the day, the noise level will be similar to the noise given off by a home refrigerator. They will submit a general information equipment spec sheet and site-specific noise studies from other solar sites with 250’ setback distances for nonparticipating residents. The nearest nonparticipating resident for this location is 300’ away. He also said that the vegetation is a visual and noise inhibitor.

Continuing to page 2 of the MRB Group letter for # 7, which stated:

“A detailed soil sampling program and procedure is to be provided in accordance with the NYS Dept of Ag and Markets Guidelines for solar energy projects construction and mitigation on agricultural lands.”

Chris Koenig pointed to the Fulton Community Solar Project guidelines on map C – 102, under: NYS Dept of Agriculture and Markets (NYSDAM) that states, *“All site work shall conform to the NYSDAM guidelines for Solar Energy Projects – construction mitigation for agricultural lands.”* He said the project will comply with the Agricultural guidelines. Soil health will be monitored by samples sent to Cornell to see if there are any issues.

The MRB Group letter on page 2, #10, stated, *“The compost filter sock should be installed along the contour and must be included within the limits of disturbance. It should be much closer to the fence-line and limits of grading, rather than directly adjacent to the wetland areas...please also utilize orange construction fencing to delineate the limits of disturbance/clearing, so as to ensure that existing vegetation is preserved as much as feasible.”*

Chris Koenig said the construction area will be flagged and the fencing is secondary as a physical marker. The fencing will be along the wetlands and buffer as required by the DEC, but they asked that it not be required around the entire project due to the expense.

Planning Board Member, Allen Chase said the fencing is not needed as a barrier to prevent foot traffic due to the remote location.

The Board agreed that fencing around the entire site would not be necessary.

The MRB Group letter on page 2, # 13, stated, *“A stabilized maintenance access drive needs to be provided between the main entrance and all proposed detention basins. The drive should be at least 12’ in width. Turnarounds should also be provided for maintenance vehicles.”*

Chris Koenig said that there will be a 16 ft clear path for maintenance, but not an actual 12 ft constructed road which would be three times the cost. The stabilized maintenance road is not designed for fire trucks but will provide access to the dry grassy basins so they can be mowed and maintained (piping cleaned out) semi-annually to annually. An impervious road is not an option because of increased water runoff. The cleared path will be less impactful to the area than a constructed road.

The Board supported having a 16 ft. maintenance path instead of a road.

Ron Marsden, Building Inspector/Code Enforcement Officer left the Public Hearing at 6:50 PM.

Chris Koenig continued to page 3, # 20, of the letter from the MRB Group under Decommissioning Plan & Estimate Comments,

“Section 1. Equipment Dismantling and Removal as being a decommissioning sequence and to identify the following:

- a. *Removal of the access road.*
- b. *Coordination with the Town prior to beginning decommissioning.*
- c. *Obtaining all required permits prior to beginning decommissioning.*
- d. *Installation of temporary erosion and sediment controls.*
- e. *Removal of temporary erosion and sediment controls.*
- f. *Removal of landscaping (if so desired by the landowner).*
- g. *Removal of stormwater management practices.*
- h. *Soil restoration, seeding, and mulching of disturbed soils and compacted soils.”*

Chris Koenig said they would like to add “if so desired by the landowner” to section 1a., giving the landowner the option to keep the access road, similar to the wording in Section 1f., which allows the landowner to keep landscaping in place.

For Section 1g., Chris Koenig said they would like to keep the stormwater management the same and not remove the drainage basins, since they potentially provide value. He suggested adding “if so desired by the landowner.”

The Board asked if the basins will need continued maintenance such as regular removal of sediment from pipes. Chris Koenig said they would need to be maintained. The Board said the removal of the stormwater management practices needed to be addressed to make sure they can be taken care of after the project.

Chris Koenig said he will discuss all of the other items included in the MRB letter with their engineer and have answers for the Planning Board at the November 19, 2025 Public Hearing.

Rhea Keller Knittel asked about the approximate acres of disturbance; as there seems to be a discrepancy in the document. Chris Koenig responded by saying the difference is due to slightly different calculations in different versions and the acreage of disturbance will be corrected.

Chris Koenig stated the DEC will do a site visit on Wednesday, October 22, 2025, to validate the delineation and provide a draft permit for adjacent areas. The US Army Corps of Engineers (USACE) will not be involved in the permitting because the solar company decided to improve the existing crossing without widening it, and there will be no impact on the wetlands therefore no federal permit is needed.

The Fulton Community Solar Project and US Energy requested that the Board start going through SEQR Part 2 questions at the November Planning Board Meeting, and said they would address all of the MRB comments in writing.

Town Attorney, Carl Schmidt said he spoke with the applicant's counsel and they offered a Community Host Benefit Agreement and a PILOT with IDA.

Lastly, Alex Burnett stated he will draft resolutions to present to Town Attorney, Carl Schmidt prior to the November 19, 2025 Planning Board Meeting.

No additional public comments were made.

Motion made at 7:10 PM by Bettie Jo Cronk for the Continuation of the Public Hearing on the Fulton Community Solar Project & US Light Energy at the November 19, 2025 Planning Board meeting. Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Allen Chase, aye; Bettie Jo Cronk, aye, Rhea Keller Knittel, aye. Motion carried.

Before leaving the Public Hearing, Alex Burnett asked if the Board would consider providing phased approval, if needed, so the Solar Project does not miss the November - March window to remove trees without impacting the bat population.

Old Business - Samhammer & Straub – Continuation of the Application for Variance with Survey on 32 W Shore Oaks, Oswego, NY 13126 (tax map # 080.15-01-13.2)

Planning Board Member, Allen Chase recused himself at 7:15 PM.

Roll Call – Karen Valentino, aye; Mike Cutlui, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye.

Motion made by Bettie Jo Cronk to move for discussion on the Samhammer & Straub – Continuation of the Application for Variance with Survey on 32 W Shore Oaks, Oswego, NY 13126. Seconded by Karen Valentino.

Karen Valentino, aye; Mike Cutlui, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye.

Applicant Judie Samhammer explained the survey and presented updated colored photos for their variance application and wanted to modify the garage so it's 19'x16' instead of 20'x16'.

The Board discussed the layout of the two parcels, and asked her about possible alternate locations for the garage.

Initially, the location of trees and a telephone pole created problems with the garage placement. Judie Samhammer's builder had indicated there would be insurance challenges if the garage was attached to the house and building on the eastern parcel would block access to a boat ramp.

She said if there were continued problems, she would consider modifying their application to a shed with a lean-to that would fit into the Planning Board's approved distance from the road.

The Board said the current plan was too close to the road; however, they would approve a structure within 15' from the edge of the gravel road at the shortest corner, according to the updated survey map on September 17, 2025.

Town Attorney, Carl Schmidt suggested she could modify the site plan application; if she so desired to; then submit the modifications at a Special Public Hearing that can be scheduled in three weeks.

Judie Samhammer would speak to her contractor and work on modifications.

The current application was tabled until November 5, pending the receipt of a modified plan.

Motion made by Bettie Jo Cronk for a Special Public Hearing to be scheduled on Wednesday, November 5, 2025 at 6:00 PM for the Samhammer & Straub – Continuation of the Application for Variance with Survey on 32 W Shore Oaks, Oswego, NY 13126 (tax map # 080.15-01-13.2), pending receipt of the modified site plan. Seconded by Mike Cutuli.

Karen Valentino, aye; Mike Cutuli, aye; Bettie Jo Cronk, aye; Rhea Keller Knittel, aye. Motion carried.

Planning Board Member, Allen Chase re-entered the meeting at 8:29 PM.

Adjournment:

With no other business before the Board, a motion was made by Allen Chase and seconded by Bettie Jo Cronk to adjourn the meeting at 8:33 PM. All in favor. Carried.

Respectfully submitted,

Cindi Giovio

New Haven Planning Board Secretary

POSTING ON WEBSITE DISCLAIMER: THESE MINUTES HAVE NOT YET BEEN APPROVED BY THE PLANNING BOARD. PLEASE REFER TO NEXT MONTH'S MINUTES FOR ANY AMENDMENTS, CHANGES, OR MODIFICATIONS AND APPROVAL.