

# TOWN OF KIRKWOOD PUBLIC HEARING

**March 29, 2022**

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2022 entitled "A Local Law Affecting A Temporary Moratorium Within The Town Of Kirkwood On The Development And Construction Of Solar Energy Systems And Wind Energy Conversion Systems" was held on March 29, 2022 at 6:00 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham  
Councilman William Diffendorf, Jr.  
Councilwoman Katie Legg  
Councilwoman Sandy Wasson  
Councilman Robert Weingartner

Also Present: Robert McKertich, Attorney  
Kelley Diffendorf, Town Clerk  
John A. Finch Jr., DPW Commissioner  
Marchie Diffendorf, Planning Board Chairman

Supervisor Grubham explained this is a public hearing regarding a local law affecting a temporary moratorium within the Town of Kirkwood on the development and construction of solar energy systems and wind energy conversion systems.

With 16 people from the public attending the meeting (13 in person, 3 on Zoom), Supervisor Grubham opened the hearing to public comments and noted there is not a moratorium currently on these systems but there will be if this local law is passed next week at the Board meeting. This will be a 6 month moratorium on the entire Town. Supervisor Grubham explained that the law needed to be updated and once that is complete the moratorium can be lifted. It may not take the entire 6 months and a Public Hearing will be held at that time as well. The current solar law was created 5 years ago, many things have changed since then, plus a couple items were left out of the law that need to be corrected. Denise Hamm from the public asked if there were any solar or wind projects being proposed right now. Supervisor Grubham said there are no wind projects, but there is 1 solar project in the works with the possibility of 2 more. The applications for solar energy development go through the Code Department, FOIL requests for documents would go to the Town Clerk.

Tom Milligan from the public expressed concerns about the 6 month moratorium since he and his company have been making solar project plans over the past several years and is now ready to bring those plans to the Board.

Larry Holt from the public offered his opinion that most of the people attending the meeting was because of the rumor about solar development in the field next to the fire station on Trim Street. Although there is nothing going on at this point people are curious to find out if there is something in the works for that property. Supervisor Grubham reminded everyone that once the moratorium is passed everything comes to a stop until the solar law is redone.

Brandon Seidel from the public, and also the property owner of the field on Trim Street near the fire station, said he is glad people are here speaking their mind and asking questions. He explained that he has researched solar energy and found it was a safe way to produce energy. Jason Kline from the solar company that is in talks with Brandon Seidel wanted to reiterate that an application has been submitted to the Code office.

Mr. McKertich explained if the Board approves the moratorium that would put an end to any review process on any current application. It would allow the Board time to review the solar law and determine if the Town wants to make any changes. After that moratorium is lifted then the new law goes into effect. Supervisor Grubham noted that refers to anything solar, individual situations and solar farms. Like any law this will be open to public comment before it can be passed.

Supervisor Grubham closed the hearing at 6:14 PM.

Respectfully submitted,

Kelley M. Diffendorf  
Town Clerk