

**Zoning Board of Appeals  
Town of Randolph  
Meeting Minutes**

**Date: 3/18/2026**

**Time Called to Order: 6:00**

**Purpose of meeting:** Consider a special use permit for NED-New Energy Solar to construct a commercial Solar Project at unnamed address, parcel number 79.004-1-13, located south of property number 2533 Sarver Rd.

**Tax parcel: Parcel Number:** 79.004-1-13

**Members present:** (Cross out if absent or not part of the hearing)

Paul Steward, Chairman      Alyssa Lundsten  
Tim Nagle    Jason Beaver      Danny Senn

**Others present:** David Messinger, Tom Congdon, Rod Brown, Judith Towers, Christine Lippencott, John Hale, Loni Nagle, Stan Horton, Thomas Deacon, Jennifer Yata, Harry Miller, Jim Bodecker, Matt Dubois, Drew Reilly, Joel Seachrist

**Action Taken:**

\_\_\_\_\_ Referred to County Planning Board

\_\_\_\_\_ Approved, subject to meeting all applicable regulations, as determined by Zoning Code Enforcement Officer.

\_\_\_\_\_ Article 13 Section 13.5 Criteria for Granting Special Use Permits has been considered and the Board finds that applicable standards set forth therein have been met.

\_\_\_\_\_ Article 14 Section 14.1 Variances has been considered and the Board finds that applicable standards set forth therein have been met.

\_\_\_\_\_ Denied.

\_\_\_\_\_ Other Action.

**Notes on hearing:**

**It was moved by Tim and seconded by Dan that we approve minutes of previous meeting as emailed. Carried unanimously.**

**Jim Bodecker, Drew Reilly, and Joel Seachrist were introduced and the entities that they represent and role in project. It was explained no action would be taken by board at this time as SEQRA process is still continuing and further documentation is required by applicant.**

**Meeting was turned over to Jim Bodecker who first presented five additional images including two aerial view satellite images of current landscape, and three computer generated images with one view from the Brown property and two aerial views from different angles of what site would look like. The Towers family objected to the window view that was placed on the Randolph web page for this project and it was agreed to by Mr. Bodecker and Mr Seachrist that the town could remove that image. Mr. Steward will notify the clerk's office and have that removed. Mr. Brown objected to Mr. Bodecker setting foot on his property to get pictures for the view requested at the previous meetings from Mr. Brown's residence, but Mr. Bodecker said that at the previous meeting Mr. Brown gave permission. Mr. Brown still objected saying he should have called first.**

Several questions were asked by those in attendance for the first time that were addressed at the previous three meetings. Answers and background were given, but detailed answers are clearly stated on minutes from the previous meeting in February and will not be repeated in these minutes. All minutes from previous meetings are posted on the Randolph Website.

Several questions were posed again about the efficiency of solar energy and the need for it. Drew Reilly did a fine job explaining the New York State renewable energy dilemma and why it is nearly impossible to keep these projects out of your township and the importance of the special use permit process to be able to set special conditions for the best compromises to minimize the impact on neighboring properties and community aesthetics. He emphasized that the last thing the town should do is disallow all solar projects or make it unreasonable to get a permit as it would open the township to lawsuits that we would lose, and then we would not have control on conditions that could be imposed on issuance of a special use permit.

A major concern for the project is an absence of a geotechnical report for the project. The subsurface rock could have a major impact on the way the solar arrays could be anchored. Mr. Bodecker provided a statement by David Bernard Sabol that they believe the site will still support ground screws/screw piles and/or pre-cored 6x9 piles. Wendel Engineering and the Randolph ZBA will consider accepting that statement in lieu of full geotechnical report, but a full geotechnical report will be required before building permit would be issued if the special use permit is granted. The applicant assumes the risk if the full geotechnical report makes the site unsuitable for the current proposed design, as a deviation from the finalized plan would require going back to square one for permitting.

Drew Reilly then went over the draft of the Part 2 Full Environmental Assessment Form line by line and the explanation of why boxes are checked yes or no. Some were confusing as to why they were checked no, but it was mostly due to the fact the area had to be designated as aesthetic or sensitive on resources maps to qualify as a yes, even though the site may negatively affect aesthetics or sensitive flora or fauna. The draft will be included with these minutes. At the next meeting, the ZBA may consider a SEQR declaration.

\* Mr. Bodecker has met with the fire district to discuss the fire company's needs. Access, training, district fees and equipment.

\* There has been no information given as to the exact location of an eagle's nest that may be on or near the property. If anyone can provide a gps coordinates to its exact whereabouts, it would be greatly appreciated.

\* The next meeting will be held Wednesday, April 22 at 6:00 in the large community room.

**Moved by Jason and seconded by Tim that we adjourn. Carried unanimously.**

**Special considerations:**

**Notes on meeting additional to hearing:**

**Time hearing was adjourned: 7:44**

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**Recorded By: Paul Steward**

