



# Planning Board Meeting

## Minutes

**Wednesday, April 17, 2024 at 6:00 pm**

Attendees: Chairman Albert Johnson, Vice Chairman Laura Bowen, Stanley Manning, Linda Baird, Secretary Michelle Seeley, Code Enforcement Officer Thomas Hargrave.

### Guests

Melissa Meko, Mollie Messenger, Tamela English, Andrea English, Ben Younker, Bev Pierce, Karen Kolovicz, Erica Smith, Dennis Dixon, Holly Duain, Frank Kolovicz, Calvin Weaver

#### 1. Pledge/ Call to Order/ Roll Call

**Minutes:**

Chairman Johnson called the meeting to order at 6:00 PM with the Pledge of Allegiance.

#### 2. Prior Minutes

**Minutes:**

The previous minutes were not attached to the packet so the Board will review at next meeting.

##### a. Draft minutes March 20, 2024

**Minutes:**

The Minutes from the previous month were not in the packets so they will be voted on at the next meeting.

#### 3. New Business

##### a. SD 2024-06 Tombs

**Minutes:**

Chairman Johnson opened the public hearing for application SD 2024-06 at 6:02 PM Attorney Calvin Weaver spoke on behalf of the applicant Carol Tombs . The property will be split along the highway, the land is currently being farmed and will continue to be farmed. There were no public comments. This is a type 2 action so no SEQR was needed. The Chairman closed the Public Hearing at 6:06 pm A motion to approve the subdivision application SD 2024-06 was made by Laura Bowen and seconded by Denise Thompson.

Adopted by Vote

**Vote results:**

Ayes: 5 / Nays: 0

##### b. FP 2024-04 Wixon

**Minutes:**

Chairman Johnson opened a discussion about the flood plain permit application FP 2024-04 at 6:10 pm . Representatives from Delaware River Solar explained the plans to mitigate flood issues at the site. This is a flood zone B which indicates flood water of 1 foot. Panels will be above the flood level of 1 foot of water that would flow through part of the field. The Panels will be on H- Posts to mitigate debris build up, and to allow water to flow naturally. There is no grading in the wetland area and no tree clearing, so root systems will stay intact. At this point there are no trees large enough that they would interfere with the panels so there may not be any tree clearing or trimming necessary. Kyle Peterson asked about equipment that would be at ground level. Molly Messenger showed on the map where the inverter would go, it would not be in the flood area and will be elevated. Several questions were asked by the public- see Q&A Comments. Molly Messenger asked the Board to declare intent for Lead Agency. At 7:45 PM the Chairman called for a motion to Declare intent to be Lead Agency and approve the FP permit. A motion by Denise Thompson to declare the Planning Board Lead Agency and approve the Flood Plain application was seconded by Linda Baird. Adopted by vote

**Vote results:**

Ayes: 5 / Nays: 0

**c. FP 2024-05 Meads Creek**

**Minutes:**

Chairman Johnson opened the public portion of the meeting for Meads Creek Road at 8:05 pm FP 2024-05 Delaware River Solar Project. The Meads Creek Solar Project has registered wetlands and a permit is needed from DEC to build in that area. The area can only be disturbed 10% in the wet lands. The project is structured to disturb less than the 10% allowed because of the H-Post construction of the frames. Because of the wetlands, and how wet they are, the work could not be done in the Spring. Mats would be needed to protect the ground, or work would need to be done in the winter to minimize damages. Because this is farmland the company needed approvals from Ag and Markets, which they received in March of 2024. More questions and answers were addressed from the public (see attached Q&A). This is a permitted use for this area. Chairman Johnson ended the public portion of the meeting at 8:25 Kyle Peterson asked about drainage for the project. They will be using water bars, and the flow of water will run in its natural flow pattern. Chairman Johnson called for a vote to Declare intent to be Lead Agency and approve the FP permit. A motion by Laura Bowen to declare the Planning Board Lead Agency and approve the Flood Plain application was seconded by Denise Thompson . Adopted by vote

**Vote results:**

Ayes: 5 / Nays: 0

**d. Q&A Comment for both Wixon and Meads Creek Solar Projects**

**Minutes:**

Concerns What about Wildlife? 1. Kyle Peterson- What equipment will be on Ground Level? 2. How will they deal with the inverter in a one foot flood area? 3. Karen Kozlownic- Will you

be on the Meads Creek at all? 4. Karen Kozlowicz- How far from the creek will the panels be? 5. Karen Kozlowicz-How Many Panels will there be? 6. Panels In the existing field? 7. KK Where does the electric go? Who get the benefits? 8. Younker-How does that affect NYSEG Billing? 9. AI- How much of the electric gets purchased by NYSEG? 10. KK Wixon is it owned by private or state? 11. Kyle P. What improvements for drainage are proposed? 12. KP How will the use of water bars affect surrounding properties? 13. Younker- will the water be flowing toward the Wixon Road? 14. Dixon? How large are the panels? 15. Karen Kozlowicz- Where are they made? 16. Are they made in the USA with Parts from the USA? 17. Karen Kozlowicz- Who maintains the Solar panels? What happens to the wildlife in the area? 18. Karen Kozlowicz-Is the Fire Department trained for this, and are they involved. 19. Michelle Seeley- When the panels catch fire, they burn down the neighborhood, the nearby woods, and kill the wildlife in the area, who pays for those damages? 20. Younker- this field that could be used for planting to benefit the community will now be used for the solar panels for the next 30 years –why is it being pressed? Doesn't want to look at the solar panels for the next 30 years, what does he do now? 21. Karen Kozlowicz- Are you working with DEC and Fish and Wildlife on the impact this will have on the area? 22. What will be done with the wildlife that will be blocked from moving through the woods naturally due to the fences? 23. Karen Kozlowicz- What impact would it have if the neighbors said they did not want this project in their area? 24. Miss Messenger stated she had a 6,000 acre industrial field behind her house. Tammy English asked how far away from her home it was and if she liked looking at it. 25. Dennis Dixon- Are you are proposing a chain link fence? 26. Will the neighbors be notified when there are meetings on this project? 27. Karen Kozlowicz asked if only 3 sides would be fenced. 28. Where is the company out of? 29. Dixon-Is there any research to show if surrounding property values drop after these farms are put up? 30. Dixon repeated his question because it was not answered- what happens to the value of properties around the farm? He found information showing an Average value drop of between 15-20% in New York 31. Karen Kozlowicz asked if the company could update the neighbors as the project progresses. 32. Frank Kozlowicz, once the project is approved, what is the timeline to complete it? 33. Dixon- Are the fire and maintenance crew's local? 34. The H Post is metal, what is the deterioration rate of the posts? 35. Linda Baird comment- We at the Fire Department will not be happy with a training video, there will need to be better training than that. Denice Thompson commented that there is a solar farm on logger hill in Bradford and there was no fire department training at all. Michelle Seeley commented that the Town Board when drafting the new law mandated that there be proper training for the fire departments at the solar companies cost. 36. Erica Smith asked about the impact on the Bald Eagle and other wildlife habitat? 37. What is the noise level of the panels? 38. Do they draw heat and keep the soil warmer than it would naturally be? 39. Karen Kozlowicz Do you have experience with dealing with issues involving wildlife and solar panels? 40. Dixon-Is the water drainage altered because of the way it is displaced by the panel? 41. Dixon would like the Board to do a review on the Company- have there been complaints, lawsuits, or anything else that may affect the community with this company. 42. Andrea English asked about the pollutants that may seep into the ground and affect the wells of neighboring properties. 43. Is there

anything in the panels that the community should be aware of? Batteries etc. 44. When the project is at the end of its life, who takes care of the clean up? 45. What company owns the property that the panels are on? 46. What is the length of the lease? 47. What happens after you sell the project, what if the company doesn't follow through with what you are saying? 48. What about Hail Damage? 49. What is the benefit to the land owner for leasing their land? 50. Dixon- Do they emit any noise at all? 51. Kyle Peterson- Do you have drawings of the grading that will be done at the site? 52. Where does the power hook into the system? 53. Do the Solar panels effect the outages from NYSEG? If there is an issue with the solar panels would they affect the power delivery from NYSEG to the homeowners? 54. Karen Kozlowicz asked if the representative had questions of the public to help understand their concerns. 55. How do you connect the line from the solar farm to the pole? 56. Erica Smith- is there any reflection off of the panels? 57. Frank Kozlowicz- Do they heat up? Do we need to worry about global warming? 58. Next steps? 59. Kyle Peterson- When you did the study did you find any endangered species in that area? The EAF mentioned Monarch butterflies, and Northern Long Eared Bats. 60. Ben Younker commented that the neighbors were not notified of the meeting and that he understands that the Board will do all they can to protect the interest of the town citizens, but the neighbors should be notified.

#### Answers

1. Inverters 3 Poles Just H post Construction.
2. Build up the pad under the inverter to 3 feet above, Will be far enough away from stream to avoid flooding.
3. No Development on the Meads creek side.
4. 100. Feet
5. 4,704
6. Yes in existing field- Wixon There is a pipe line that will need a permit to cross.
7. Goes to immediate user, back into the grid here in Campbell. First need.
8. Couple different programs you must sign up for them, they are not automatic. Did not bring any information to meeting on the programs on-line.
9. All goes to NYSEG through Credits not sold as Mega Watts. NO deductions for taxes or fees from NYSEG, just usage.
10. Wixon Project is all private land.
11. There is a storm water pollution and prevention plan, because this area is small and has limited space they will likely use water bars. Need to see how the project will impact the water flow.
12. No impact the water bars will ensure that the water leaves at the same rate and flow that it would naturally.
13. It will not be flowing to a new location, it will be going to the same place as it was pre construction
14. 3' x 6' Standard size- these are single panel and will rotate from East to West with the Sun.
15. Not Sure- But the most recent and updated panel will be purchased at the time of construction. These are Carbon Based glass and copper. Very Recyclable. There are recycling plants that will take them now, most used panels are shipped overseas once they are no longer efficient for our usage. (They are someone else's problem). They have approximately a 30 year lifespan. H-Post is metal and can be reused or recycled, the concrete pads will be removed and recycled.
16. It will depend on what panel is available at the time of construction.

17. Panels are under surveillance 24-7 365. If there is an issue with a panel somebody is sent to the site. A maintenance person or Emergency Services.
18. There is a fire safety plan that will be discussed during the site plan application, there will be training for fire personnel. They don't have the training now.
19. Town will work with the town to build a decommissioning plan in place, there is a bond with money set aside. Will have a plan in place with the town about who pays. Insurance companies will likely pay for the damages.
20. Proposing different landscaping plans to cover the area so they are not see. There is a draft visual study of the 6 points that were suggested to look at by the Board.
21. The EAF and SEQR will determine what wildlife is there and what steps can be taken to feed them and allow them to move naturally.
22. See A 21
23. Basically no impact on the plan if neighbors or community does not want it. The company is following the Zoning Law to allow people to do whatever they want on their own property.
24. Mrs. Messenger stated that it was 600 plus feet from her house and that it was different from a community solar project. She then stated that she did not have to look at the project.
25. A deer fence is being proposed.
26. No, it will be fenced 4 sides.
27. The Town Clerk notified the neighbors through the shopper. The Company will not notify.
28. Caledonia, NY
29. The property value of the solar farm property increases and the Town gets extra revenue from taxes.
30. They have no clear answer.
31. It depends on what the Board asks of the company.
32. In general if the panels are already ordered and ready to go, it can be put up in about 6 months, if panels are not available the time varies, but most cases is around 6 months.
33. This would be discussed with the Board and they would say how far away the person should be away from the projects. Example they may say the person should live in Steuben County. This is part of the plan.
34. The Posts are galvanized so they will not deteriorate.
35. That will be in the plan- looking to talk to the fire department.
36. This is all being looked into with the environmental study.
37. No answer
38. They actually cool the ground around and under the panels.
39. These panels move so nothing will nest on them, if there is a snow storm the panels tip to remove the obstruction. They are very high tech.
40. All the same water but drips in a different pattern that is part of the SWIPP.
41. The Town clerk mentioned that this company just gets the leases and installs the farm then sells it to the highest bidder. Miss Messenger stated that the purchasing company will be the one who does the maintenance and the tax agreements with the Town. These are large companies and they will not go bankrupt. There are several of these companies and no they do not know who will be the purchaser.
42. Nothing in general leaks from the panels unless they are severely damaged. The company is willing to plot the space between the site and the neighbors well.
43. There are no batteries in the panels, they direct feed into the system. They are glass

and copper in most cases.

44. There is a decommissioning plan. Generally everything is removed and the property is regraded and reseeded and returned to meadow, by the person named in the decommissioning plan.
45. The property is owned by the landowner, the land the panels are on is leased. It is never owned by the company.
46. It is a 30 year lease just leased the land not the home.
47. This is all part of the contract, the new company will need to hire local people to do maintenance, security, and managing of the project. They have to be named in these documents, if there are changes the Town will be notified and different papers drawn up.
48. Hail could damage them and the panel would need to be replaced. The monitoring system would pick up any damage to any of the panels.
49. It depends on wattage, acreage, how much power can be fed into the grid, it can range from \$800- \$1000 per acre per year. Example 15 acres would be \$15,000. Per year to the owner. Miss. Messenger explained that there is a process that determines the needs and capacity of the area, how many projects in the area depends on the study's results. For instance if there is only 7 kilowatts that can be fed back into the grid because of transformers, lines, and 3 phase power hookups, then an area would only get the amount of solar farms to provide that much power. The upgrades to the power system are very expensive.
50. No, the panels do not emit noise, the inverter does emit some but it is very little and quiet. About the same as a refrigerator. Don't work at night.
51. All of the information is in the packet that was submitted. That will all be worked on to ensure the draining pattern will be worked out.
52. There are three poles and a meter for NYSEG once passed through the meter, it then goes directly into the lines.
53. No. There should never be an interruption even if the project fails. The flow will come from up or down the street.
54. You have all given good information, issues that have been looked at are different evergreens, planting berries for the wildlife, landscaping plan, flooding concerns, driveway configuration, and noise.
55. The line hooks directly into the transformer.
56. No, if they were reflective the sun would not power them.
57. No. We do not have to worry about that. They actually cool down the area.
58. Having the Board declare lead agency and beginning the SEQR process so they can get the information needed to answer the questions that are outstanding.
59. No. The bats are a tree cutting issue, so work can only be done during certain times of the year.
60. Denice Thompson stated that this is actually not a public hearing, but it is open to the public. The Board didn't have to accept comments. The Clerk mentioned that if anyone wanted to be on a mailing list she would happily accommodate them.

#### **4. Old Business**

#### **5. Other Business before the Board**

#### **6. Announcements**

#### **7. Adjournment**

##### **Minutes:**

Chairman Johnson closed the meeting at 8:45 pm.

