

**Town of York Planning Board Meeting
Tuesday, January 28, 2020**

York Planning Board present: Joe McIlroy, Chris Wall, Al Brightman, David Dermody, Zach Kobylanski (2nd alt. as of Jan 1), Jim Campbell, Atty., Davies Nagel (1st alt), Heather Grant

Others: Donna Falkner, Carl Peter, Amos Smith, Tom Curten(Habitat), Dave Wallace(Habitat), Dave Ingalls(Engineer), Tom Gusek(Applicant for Solar Park Energy) , Tom Trathen, Kirk Richenberg, Mike Dunn

Chairman McIlroy opened the meeting with the pledge at 7:30 pm

Mr. Dermody moved to accept December 10 minutes with the corrections made, Mr. Wall seconded, carried.

Yes – 5 No-0

OLD BUSINESS

Habitat of Humanity – They have decided to do a 1-2 split, holding off on a sub-division, which only requires the chairman’s signature on all maps and the mylar. They have the 10,000 sq ft minimum, 80’ frontage and are not in a flood plain. At a future date they will decide on what to do with the rest of the parcel which would be a minor subdivision.

NEW BUSINESS

SolarPark Energy 8 LLC Sketch plan – Tom Guzak

- Build a community solar project (5 megawatts lot) for energy at 2763 Chandler Rd., York for energy to be generated that can be sold to townspeople and businesses who can’t have solar energy at their homes, or anyone else at a 10% discount off their current utility bill (National Grid) and provide green energy
- Will service approximately 1600 homes and small businesses throughout the area, remainder would be sold to surrounding towns
- Pilot program to school and town for 15 year tax abatement.
- They have attempted to meet our solar requirements

Dave Ingalls(civil engineer)

- Applicant is Solar Park
- Landowner is Trathen Land Company at 2763 Chandler road
- There will be an access drive, 7’ high security fence, 100 ft. set back and vegetative screening, green privacy slats near roads Retsof Rd. & Chandler
- Two vehicle turnarounds for maintenance and safety
- Access road will connect to Retsof Road
- 300 ft. separates the solar lot from the closest house on Chandler Rd., 150 ft separation between the lot and house on Retsof Rd.
- They did a long form SEQR

Tom Trathen said the project will help everyone in the community and it is a good project.

Mr. Campbell asked if this will be built to accommodate any future battery storage. Mr. Guzak said there were no plans to do so now. Although with battery prices coming down, it could be in the future when they would come back to the board.

Mr. Wall asked if the interconnect is done and Mr. Guzek said it was in process.

Mr. Dermody asked what the projected useful life of the project was.

Mr. Guzek said Mr. Trathen will get a 25 year lease with two five year extensions. He said the panels get the energy from both sides as they rotate. We know energy output over 25 years which is guaranteed. The lease between Standard Solar & Tom Trathen, the decommissioning plan and maintenance would be Standard Solar's responsibility.

Mr. McIlroy asked how they would sell it to the town. Mr. Guzek said that National Grid accepts the energy and individuals would get a credit for 10% less on their bill of combined supply & delivery charges (about 11.5 cents per kilowatt). On the bill the supply is what the utility pays to buy it, the delivery charge is to get the energy to you.

Mr. Campbell asked how does it get guaranteed to citizens? Mr. Guzek said there is a formal agreement and you have to sign up -guaranteed as long as you stay on program. Can leave whenever you want.

Mr. Dermody asked if there were any limitations to where it can be sent? Mr. Guzek said it can be sent anywhere if you're a National Grid customer. Up to 40% will get to demand meters (small businesses, large farms). Any group (school) who wanted to help sell the energy would get a stipend for selling it.

Mr. Nagel asked how the panels move? Mr. Guzek said they move east to west and as the sun sets the panels go flat.

Mr. McIlroy asked about storm water. Mr. Ingalls said the rows between the panels allows rain to go back into the ground – same amount of water that falls. Road is porous and doesn't have runoff.

Mr. Wall asked if the two concrete pads are the only thing being treated. Answer – yes. Mr. Ingalls said they will also plant a low growing pollinator mix which is mowed twice a year.

Mr. Wall said you would still see the 10 ft panels over the 7 foot fence. Mr. Ingalls said the evergreens will grow over the top. Mr. McIlroy said 7 ft fence was for safety and security.

Mr. Dermody regarding decommissioning plan – 2%/yr. doesn't seem to be enough. Mr. Ingalls said he would have to check our code. Mr. Guzak said copper scrap would cost more than that. Mr. Wall asked if anything the town would have to get rid of would be hazardous? Mr. Guzek said no, the panels are sealed.

Mr. McIlroy said there was 1.99 acres of wetlands in the project. Mr. Ingalls may have referred to NY State regulations and will produce army corp. signoff letter that there is no impact. He will change h-4

on page 11.

Mr. Nagel said there were two slivers of prime farmland of statewide importance in the site. Mr. Guzak will send Ag & Markets the SEQR and let them be added as a responder. A lot of land has been misclassified. Mr. Campbell said he was not keen on going to Ag & Markets to change the classification. He would rather wiggle something to fit the slivers in. Mr. Ingalls – we'll just try to avoid those areas.

Mr. McIlroy asked about #8 of SEQR, pg 4 – is the number 258 structures correct. Mr. Ingalls said that's the whole array. Mr. Campbell asked how many panels? Mr. Guzek said around 18,000. Mr. Nagel didn't know there were short eared owls, p 12, o.

Mr. Campbell re application and timeline

- Shouldn't consider this as complete
- Should have town engineer review and sign off
- Consulting fees are typically paid by the applicant – escrow of \$10,000 to offset expenses going forward and any left is given back to applicant – 11.09 of town code
- Sure town board would agree

Mr. Trathen asked why the Town Board would be involved. Mr. Campbell said because Town Board is responsible for the budget and expenses were not budgeted for.

Mr. Guzek said other towns have had their own engineers review and sign off.
Mr. Ingalls said \$5000 would be better number and then ask for more.

Mr. Guzek concerned about timing issues – grant dollars for NYSERTA falling. Could reviews be while SEQR out. Important to set up review for the town and full Town Board to see what it looks like.

Mr. Campbell about interconnection – is that when you figure what to do pilots on. Would you consider one lump payment? Mr. Guzek said they don't care whether lump sum or partial.

Mr. Wall asked how the consultant would know? Mr. Campbell said they'll look at town codes first as a different perspective.

Mr. Dermody asked who reviews the materials that go into the project and what is the ecological impact? What goes into making them work. Mr. Guzek said they are all UL reviewed, whoever is funding looks at everything, have to meet NYSERTA standards. The solar farm is monitored 24/7, 365 days.

Mr. McIlroy said you'll need a street address for Retsof Rd, only single access. Mr. Peter will take care of that. Mr. Ingalls said there is room to drive around whole farm but there is not a hard road.

Mr. Guzek wondered if we could move through a special use permit or site plan approval so can start in the Spring.

Mr. Campbell will contact Clark Patterson and connect with Mr. Gusak.

Mr. McIlroy regarding Ag Data Statement – should also list Sam Swearingen and Livingston County Sheriffs is primary coverage not State Troopers

Mr. Guzek will be signing all papers.

Mrs. Grant asked who would be the one in charge – Mr. Guzek said Standard Solar.

Resolution:

Mr. Wall moved to authorize Mr. Campbell to contact Clark Patterson as town engineer to look at the project, Mr. Brightman seconded, all in favor, carried.

Yes – 5 No – 0

Mr. Campbell said to get the package to the County Planning Board by the end of February for their March 12th meeting.

At our February 25th meeting –

- Planning Board lead agency
- Coordinate review & intent letter
- Preliminary site plan
- Set public hearing

Storage Batteries

Mr. McIlroy – Town Board asked us to be lead agency on storage battery and form a committee. So far Chris Wall and Davies Nagel. Thinks Dave Deuel would be good and have one from fire department and one from Zoning Board of Appeals.

Mr. Wall asked what the timeline was. Moratorium for one year and started in December 2019. Mr. Campbell said there could be extensions as long as justifiable. By end of July or beginning of August. To extend a moratorium is a 3 mo. Process.

Resolution

Mr. Dermody moved to change the dates of 3 months to March 31, April 29 and June 30 and have them published, Mr. McIlroy seconded, all in favor, carried.

Yes – 5 No – 0

Resolution

Mr. Dermody moved to adjourn at 9:35, Mr. Brightman seconded, all in favor, carried

Yes – 5 No - 0

Respectfully submitted,
Donna Falkner, Clerk