

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

April 2, 2024

A regular meeting of the Granby Planning Board was held at the Granby Town Hall, 820 County Route 8 Fulton; and was called to order at 7:00 pm by Chairman Jane Crego.

Meeting Attendance as follows:

David Crockford

Erin Palmitese - absent

Jane Crego, Chairman

Carl Nysten,

Rhonda Nipper

Tom Anthony

Lori Blackburn - absent

Lisa Somers, Clerk - absent

Also Present: John Schumacher of VC Renewables, Travis Mitchell, Cheryl Anthony, Town Councilor Crystal English, and Attorney Jamie Lynn Sutphen.

BUSINESS

ELP Granby Solar II LLC – Preliminary Review

John Schumacher of VC Renewables and Travis Mitchell of EDP presented a complete submission for the development of a 20 MW solar photovoltaic facility with paper copies (also submitted electronically) and a digital presentation for the Board. The project site is located between Merritt Road and County Rt 55, and south of Russell Road encompassing 136 acres of the 433 acres of original property. The project is classified as a Utility Scale Tier 3 Land Use which requires Site Plan Review and issuance of a Special Use Permit by the Planning Board. The solar arrays are a tracker system that will move to follow the sun in order to achieve maximum efficiency and energy production. The project is situated beyond the required setbacks – 200-feet from County Rt 55 along the east and 600-feet from Merritt Road. Four 5 MW systems are connected to create the total 20 MW system, and the entire system feeds into a substation within the 3rd array located on the far west of the project, which then feeds directly into the existing National Grid utility corridor. Several items of the design were discussed as follows:

- 1) *Landscaping* - A full set of plans were provided for the layout of the arrays with details of the perimeter fencing and landscaping. Visibility Analysis maps for before and after the proposed screen plantings illustrated a small reduction in the ability to view the project site from visibility areas to the east and west of the project. Visual Simulation photos were also provided reflecting plantings for visual buffering at ten years growth. The Planning Board members were not favorable towards the efficiency of the proposed design – spacing between trees too far, and the usage of pines not effective in previous projects. The project representatives stated that they could add more bulk to the design. Clerk Somers asked if they would consider a willow hedge design for a perimeter agricultural style fencing/landscaping which has been utilized in surrounding areas and proven to provide effective visual and noise buffering.
- 2) *Noise* – Chairman Crego asked about the noise emitting from the on-site equipment to the neighboring residential properties. The applicants replied that the nearest residence is 200-feet away and that ambient noise is reached within a 150-foot radius of the equipment. Member Anthony questioned the data and whether variables of this site were taken into consideration, he requested field Db ratings be supplied at various locations around the proposed project. He also asked for Db ratings from other existing 20MW projects that they have.
- 3) *CESIR* – Chairman Crego questioned that status of the NYSERDA application and whether the project was approved and had the contract had been awarded. The applicants replied that they were still waiting for final contract, and that the field study needed to be completed this spring/summer by NYSERDA as the final step.
- 4) *Overall size* – Attorney Jamie Sutphen asked about the coverages - 136 acres for the project site (24 acres of to be physically disturbed) out of 433 acres total property, therefore 31% total coverage.
- 5) *Agricultural land* - A change of 90 acres in lost agriculturally used land. The applicants commented that the farmland will be meadow/grassland with a grazing plan to help maintain vegetation from heights that impact the efficiency of the panels. The groundcover will assist in soil stability to prevent erosion as well as maintain the soil health and ecosystem function.
- 6) *Fencing* – A proposed perimeter fence is an agricultural style with 4’x4’ squares strung between posts with a height of 7-feet. The fence will provide security to the system as well as serve to contain the grazing sheep.
- 7) *Project cost/Decommissioning* – Member Anthony asked the projected cost to construct and implement the proposal – approximately 2-22 million dollars. Member Anthony stated that the decommissioning bond

needs to reflect that cost because what is proposed does not seem adequate. The Town Board has the authority to negotiate the decommissioning bond and associated schedules.

- 8) *Equipment* – Clerk Somers asked if MSDS sheets could be provided for the solar panels, to which the applicants stated they would provide the information on material composition.
- 9) *Site Monitoring* – An Operations and Maintenance plan was provided. The site is monitored remotely 24/7 and if a problem occurs, then repair or replacement occurs within 24 hours of detection. Faulty equipment is removed from the site.
- 10) *Wetlands/Drainage* – Members discussed the considerable area of wetlands north of the site and the drainage path through the center of the project. NYS identified wetlands are outside of the project parameters and appropriate buffer zones are detailed on the plans. A SWPPP was provided with details to manage waterflow during construction and also maintain zero change of run-off post construction. Several flow diffusers are located around the project to eliminate and manage any potential for sheet flow which can become erosive – Trenches with stone to absorb, disrupt and redirect surface water. The size of grass area between panels of 14-feet or better are determined by the ZBA as pervious surface not needing mitigation technique.
- 11) *Setbacks* – Attorney Sutphen commented that the residential properties are concerning because the arrays are located closely to back yards and structures – both areas along Merritt Road and County Rt 55. Member Nipper stated concerns regarding negative impacts to property values because of the overall project existence as well as the visibility. Her residence is one of the impacted properties and she does not want to see it, she would like an improved landscaping plan that assures NO visibility.

Members asked the applicants how many solar projects they have currently in operation that are comparable in size. They replied that they have three currently under construction, and one site is up and running. They also asked the longevity of the panels, which the applicant replied that efficiency can last up to 40 years and is the rational for the initial 20-year lease with extension thereafter.

Town Board member, Crystal English asked who benefits from the energy production, and what are the long-term negative impacts. Do the panels leak, does the monitoring cover that, do any chemicals hurt the soil or water source, do large projects contribute to global warming, have health issues been an issue found around existing projects? The applicants replied that the energy generated is distributed to local substations so the local community benefits. The panels are not laden with chemicals that can penetrate the soil or water, and damaged panels are detected and removed immediately. The panels do not raise the temperature in the surrounding area, they instead absorb the heat and not reflect it. No health impacts have been reported or documented surrounding these projects.

SEQR:

The applicants supplied a completed long form EAF for SEQR review. Attorney Sutphen suggested that the Board be the Lead Agency to keep control of a project that would impact Granby more than any other interested agency. A motion was moved by Chairman Crego to classify the project as a Type I action and for the Planning Board to be designated as Lead Agency on a project requiring a coordinated review. The motion was seconded by Member Nylen, all five members present were in agreement, and the motion carried without further discussion. Attorney Sutphen stated that she would process the NOI for Lead Agency, which requires notification of designation to all interested agencies who will then have 30 days to challenge.

Discussion ensued regarding the next steps to accomplish as follows:

- ~ *Public Hearing* – the attorney recommended doing the Hearing early to let the public know about the project and to allow time for their feedback. The members weren't comfortable scheduling it for the May meeting, instead wanting to get feedback from the Town Engineer and receive requested updates/changes and additional information from the applicants.
- ~ *Town Engineer Review* - Full package mailed, Mr. Miller is in midst of review and will send report by next meeting.
- ~ *Oswego County 239 Review* – Clerk Somers will submit referral. The applicants agreed to send a digital link for ease of submission.
- ~ *Highway Dept input* – Plans need to be reviewed by the Highway department for proposed road cuts and appropriate emergency access.
- ~ *Fire Department* - Notification by applicant and any associated correspondence.
- ~ *SCAD* – Clerk Somers will send SCAD notification documents to property owners in the County Ag District within 500-feet of the project.

MAY Meeting – work-session type discussion with Engineer present.

JUNE Meeting – possible Public Hearing.

The Board continued with general discussion regarding procedure criterion, possible conditions and potential approval/denial.

Granby Subdivision Regulations

The review of the current updates for amending the Subdivision regulations began at the March meeting. The Chairman and Clerk Somers had several questions, as follows:

- Authorization statements empowering the Planning Board to administer the subdivision regulations was removed, BUT should be added back in. Since these are stand-alone regulations, the Zoning Ordinance authorization does not aptly apply.
- Lot Line Adjustment – Questioned if it’s an approval process by the Planning Board? Board members wanted a shorter review with no requirement for public hearing. Attorney Sutphen will adjust language to waiver elements for a one meeting application.
- Re-allotment – Questioned whether this is essentially a ‘merge’? Board discussed having all changes of property lines accept merges come before the Planning Board for review. Attorney Sutphen agreed that merges can be handled administratively at the reasonable discretion of Codes review to confirm current uses and dimensional conformity. Assessor has final approval authorization.
- Subdivision – Definition seems too simple and vague, possibly add language of any changes of property lines constitutes a subdivision subject to planning board review. Paragraph ‘A tract of land shall constitute ...’ was removed – should it be left in? Attorney Sutphen will review.
- Section 3.5 Public Hearing – Requires a mylar map submission – does the County still require it? If not, maybe remove it due to additional expense.
- Lot frontage – Although the dimensional requirements are contained within the Zoning Ordinance, discussion to establish frontage requirements was discussed. Attorney Sutphen stated that language could be added like ‘The reasonable development of land will be reviewed for usable road frontage’ because 50-foot ROW and width at the building line is not suitable.
- Add a method to discourage flag lots or piano key lot development, and promote development of land behind the road frontage because of the large country blocks in the rural area that leaves interior space undeveloped and impractical to access. Requirement of a width to length ratio requirement was discussed.

The Clerk will notify the supervisor that review is ongoing.

MINUTES

A **motion** to approve meeting minutes for March 5, 2024 was **moved** by David Crockford and seconded by Carl Nylen, all were in favor, and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 8:42 pm was **moved** by Carl Nylen and seconded by Tom Anthony, all were in favor, and the **motion carried**

Respectfully submitted by,

Lisa Somers
Planning Board Clerk