

## **Granby Planning Board**

### **Meeting Minutes – September 3, 2024**

Chairwoman Crego-De Long called the meeting to order at 7pm. Members present were: Anthony, Palmitese, Blackburn, Nylan, and Nipper. Member Crockford was absent. Also present was Attorney Sutphen and approximately 50 members of the public.

#### **Walmart Public Hearing**

Representative of the applicant presented a concept map overlaid on a GIS image of the property to the public.

Member Nylan read Part I (Project Information) of the State Environmental Quality Review Act (SEQR) Short Environmental Assessment form which was presented by the applicant. The members discussed item number 8c which reads: Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? Applicant marked “no” to this question and the members disagreed and suggested that it be in the affirmative because a pedestrian path is part of the plan submitted. The suggestion was accepted.

Member Nylan read each item listed on Part II (Impact Assessment) of the State Environmental Quality Review Act (SEQR) Short Environmental Assessment form.

It was determined that the proposed action will not create a material conflict with an adopted land use plan or zoning regulations. The proposed action will not result in a change in the use or intensity of use of land. The proposed action will not impair the character or quality of the existing community. The proposed action will not have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA). The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action will not cause an increase in the use of energy, and it fails to incorporate reasonably available energy conservation or renewable energy opportunities. The proposed action will not impact existing public or private water supplies or public or private wastewater treatment facilities. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna). The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems. The proposed action will not create a hazard to environmental resources or human health.

Member Anthony moved that after reviewing the information provided and an analysis of thereof, that the proposed action will not result in any significant adverse environmental impact. Member Nylen seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

Member Blackburn moved to open the public hearing. Member Palmitese seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

An unnamed resident inquired about an increase in traffic for delivery vehicles that are picking up packages for home delivery. Representative for applicant explained the traffic patterns on the enlarged site plan map.

Member Nipper moved to close the public hearing after all persons present were given an opportunity to speak. Member Palmitese seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

#### Walmart Site Plan Modification Approval

Chairwoman Crego-De Long read the letter from Oswego County Planning in regards to NYS General Municipal Law §239 l, m, and n. Attorney Sutphen stated that the engineer for the town has approved the plans and that, in her opinion, the proposal does not cause any legal concerns.

Member Nipper asked in there is additional information about the future tenant. The representative did not have additional information.

Member Nylen made the motion to approve the application of the amended site plan dated July 22, 2024 with the following conditions:

1. A code enforcement officer or other persons authorized to enforce NYS Building Codes and Standards, NYS Fire Codes, NYS Property Maintenance Codes, and the local laws of the Town of Granby, shall be permitted to enter the property at any time.
2. Any additional changes require an application to the Planning Board to modify the current site plan.

Member Blackburn seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

Member Anthony moved to open the public hearing for the Special Use Permit Application for ELP Granby Solar, LLC. Member Blackburn seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

*Cheryl Anthony* – resident is concerned about wildlife impact; water quality impact; stormwater and runoff

*Bill Felicita* – resident is concerned about proximity to residences; wildlife impact; does not believe this project fits a rural character of the town; ground surface impacts, specifically toxicity of soil; health to humans.

*Bob Gardner* – resident is concerned about the loss of valuable farmland.

*Jean Williamson* – resident is concerned about environmental impacts; impacts to wildlife; in her opinion, this is going to disrupt hunting; believes this is an improper use of the land.

*Stacy Mitchell* – resident is concerned about proximity to residences.

*Dean Betts* – resident is concerned about wildlife impact; impact to hunting, disruption to deer migration patterns; disruption to the snowmobile trail which will impact local economy; concerned that the NYS-wide trail system was not notified.

*Jake Waddington* – resident is concerned about health impacts; in his opinion, this project does not fit the rural character of the town.

*Gale Root* – resident is concerned about decommissioning and the inability for panels to be recycled; impact of water quality, many private wells in this area; watershed impact of Ox Creek, such as will the flow be disrupted causing flooding; impact of construction; deer migration pattern disruption; stormwater runoff.

*Matt Fragale* – property owner is concerned about the length of construction and the impact it will have on his rental properties; impacts of natural beauty; does not believe pine trees will grow fast enough to block the view of panels; concerned about property values decreasing.

*Anissa Brownell* – resident is concerned about noise, she has a dog kennel and she is worried it will affect her business; in her opinion, this project does not fit rural character of the town; states that William Bliss from the solar company told her that energy produced goes to NYC.

*Corey Brownell* – resident is concerned about the devaluation of land; concerned about the industrial-size of this project; concerned about soil quality.

*Mike McMillen* – resident is concerned about impact to wildlife; impact to water quality; concerned about stormwater; requests that an electromagnetic field impact study be provided; concerned about health impacts as solar panels deteriorate, chemicals being able to contaminate ground water; Lake Neatawanta watershed impacts; impacts to field crops; decommissioning concerns.

*Helen McMillen* – resident is concerned about stormwater pollution; did not see an erosion control plan; concerned about impact of construction; would like to know if the forested area on the property will be disturbed.

*Denise Brown* – resident is concerned about seeing the back of the solar farm; impact on private wells; noise; does not feel this project fits the rural character of the town.

*Kayla Shutts* – resident is concerned about health impact for children and animals; questions the benefit for the community; in her opinion, this project is not a fit for the rural character of the town; concerned about lack of maintenance at other projects; concerned about close proximity to residences.

*Ryan O’Gorman* – resident does not believe this project fits the rural character of the town; concerns about snowmobiling trail

*Cindy Hubbard* – resident is concerned about impact on water flow of Ox Creek; erosion control; questions the benefit for the town; loss of economic development; loss revenue of hunting rights payments

Member Palmitese motioned to end the public comment period for the evening and Member Blackburn seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

Member Nysten motioned to table the public hearing. Member Palmitese seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

Chairwoman Crego states that the public would have the opportunity to submit written comments and invited the public to attend the regularly scheduled planning board meetings.

Attorney Sutphen states that notes from the public comment period would be reviewed with the engineer and comments will be submitted in writing to the developer.

#### Furlong Application

Nothing new to discuss

#### Sub-Division Regulations

Nothing new to discuss

Member Nylen made a motion to approve the minutes as written for August 6, 2024. Member Blackburn seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent).

#### Comments from Members

Member Nylen asked Attorney Sutphen to discuss NYS involvement with solar projects.

Member Anthony is concerned about lead getting into the ground water from panels; safety data sheets provided by the developer are outdated and need to be resubmitted; questioned the timeline about required approvals from National Grid.

Member Nipper believes there is a queue and National Grid reviews projects one at a time.

#### Adjournment

Member Palmitese motioned to adjourn the meeting. Member Anthony seconded the motion. The motion was carried (6 aye, 0 nay, 0 abstentions, 1 absent). Meeting was adjourned at 8:34 PM.

Respectfully Submitted,

John Snow, Jr.  
Acting Secretary