

TOWN OF GRANBY PLANNING BOARD

Meeting Minutes

January 9, 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
Jane Crego, Chairman	Carl Nysten,
Rhonda Nipper	Tom Anthony - absent
Lori Blackburn - absent	Lisa Somers, Clerk

Also Present: Brian Osterhout of EDP, Will Bliss and Rosario Giufre' of VC Renewables Cheryl Anthony and Supervisor John Snow.

BUSINESS

ELP Granby Solar II LLC – Initial sketch plan meeting

Brian Osterhout introduced himself and colleagues representing a solar development company to introduce a proposal to build and operate a 20MW solar photovoltaic facility on leased property along County Route 55. In accordance with Local Law #3 of 2020, the Town Granby allows solar farms in the A-1 zoning district with review and approval of a Special Use Permit and site plan. The local law categorizes the system as a Tier 3 Utility type and requires a minimum of 20 acres and a maximum kilowatt size under 25 MW. The system is ground mounted on a single-axis tracking racking system and consists of approximately 55,000 solar panels across three arrays. An overall site plan with aerial photo overlay was provided demarcating elements of the array locations, access roads, equipment pads, wetlands with 100-foot buffer, MV trenches which interconnect substations, Natl Grid easement area, and proposed area for interconnection with Natl Grid. The project proposes to connect to Natl Grid's 115 kV transmission line located on a parcel containing a solar array. He also stated that during the initial stages of design and development, a community project had been looked at first but connection was not feasible due to local hydro projects in the area.

Brian Osterhout explained that VC Renewables had begun design of the project in 2022 with application to Natl Grid via CESIR application process and NYSERDA procurement of contracts. They met with Supervisor Snow last year for a soft introduction of the project and was directed to present to the Planning Board once CESIR Phase 1 was completed and Phase 2 was in progress. He stated that Phase 1 was completed and they should know by late March if any interconnection challenges with the utility exists that would negatively impact their procurement of a contract to commence project deliverables. Discussion ensued regarding the four properties involved that have lease agreements and are owned by the Hayes and the Hoopers. Member Rhonda Nipper was familiar with the parcels involved and unaware that development of a solar project had been ongoing. To assist the members in locating the area of development, crossroads were identified to the north as Russell Road and to the south as Cow Path Road

Chairman Jane Crego stated that the Board Attorney was not present for today's meeting but had provided some comments that she would like to share. She also stated that the information provided by VC Renewables had been sent to the Town Engineer for his review as well. The applicants replied that this was only a preliminary presentation and that once the utility accepts the proposal which will make the project viable with a contract, then the engineer will prepare and provide full plan set and supporting documentation of all elements of the project. NYSERDA offers an annual procurement process that occurs simultaneously with the CESIR application, if a contract is awarded to the project, then the field work would be completed for the overall design in the Spring.

Discussion comments as follows:

- Chairman Crego asked for values of project particulars – 431 acres of contiguously owned property, project site to encompass +/-160 acres, 6.6 acres to be physically disturbed by roads and poles, 55,000 solar panels.
- Chairman Crego stated that a survey map will required of the project properties – applicant stated it is yet completed but will be part of the final submission documents.
- Member Palmitese questioned the 50% maximum lot coverage requirement. The applicant replied that the Tier 3 systems have an exemption per Town's Solar Law Section 5 (e) because installation methods result in negligible disturbance to ground and drainage provided post footings are no more than one sq.foot.
- Wetlands with 100-foot buffer demarcated on site plan will also require DEC review.
- Member Crockford asked about the agricultural soils of the property. Brian Osterhout stated that computations and an overlay will be supplied by the engineer, but they have an estimate of 49-acres within the

project area out of 182-acres encompassing all 4 parcels being leased. Section 2 (c) of the Solar Law indicates 50% limit. The applicant stated that this is planned collocated agricultural activities for the project such as grazing between the panels by sheep, not goats because they jump on the panels and cause damage.

- Chairman Crego asked about adherence to the PILOT Law – The applicant replied that the timeframe for that is near the end of the permitting process and involves Town, County, and School negotiations.
- Member Nysten asked about establishing an escrow or bond for eventual decommissioning. The Decommissioning Plan will include all particulars regarding the cost estimates with updates for inflation, and it usually is set up when construction permit is issued. An escrow for professional review fees needs to be established sooner for the Engineer and Attorney.
- Chairman Crego asked about protection of residential properties. The View Shed analysis report will provide the buffering techniques employed for the entirety of the project with heightened mitigation near residences.
- Chairman Crego commented that many documents are outstanding until project is deemed viable by the applicant – SWPPP, survey, Prime soils for ag areas, view shed, decommissioning plan, operating/maintenance plan, signage, to name a few. All will need to be reviewed by the Engineer and the Attorney.
- Members asked if there is room on the grid for this project. Brian Osterhout stated that they wouldn't be presenting to the Board unless they could see a viable path. The timeline scheduling is:
 - ~ Feb/March for interconnection study process with Natl Grid and NYSERDA;
 - ~ If contract awarded then back to Town in March/April to begin review process
 - ~ Permitting approved for SUP/Site Plan and Army Corp in June/July
 - ~ Building construction permits issued in the fall
- SEQR – The applicant asked if the Planning Board would make a Declaration for Lead Agency by a motioned vote; it can assist the CESIR Phase 2 determination by NYSERDA. Chairman Crego stated that she wanted to wait for the Attorney to be present as well as have more information about the project – possibly at the February meeting.
- Member Nysten asked the term limits of the property lease – a 20-year initial lease with two 5- year options.
- Fire Department will be notified and receive coordination materials for safety, maneuverability and a project map.
- Perimeter fencing is double 7-foot high.
- Snowmobile Trail runs parallel with the Natl Grid easement and will not be impacted.

The applicants stated that they would return with final documents in the next couple of months provided that they are awarded a contract.

PRIVILEGE OF THE FLOOR

~ Clerk, Lisa Somers, updated the Board members that a resident was interested in purchasing the property on State Rt 48 known as MJ's and had some questions regarding future development. He is aware that it is a pre-existing and non-forming use that lost the ability to reopen because of the time that has elapsed since the business activity ceased. He would like to develop the property as either a campground with a clubhouse or a senior's living area with a community center for the residents. Since the property is within the R-1 zoning district, a campground is not allowed, but the Board members agreed that residential use is allowed provided the parcel is subdivided for each residential structure in order to be compliant with the Ordinance's provision of one primary use per lot. Residential uses allowed include 2-Family and Multi-family Dwellings which may be an option to consider. Septic design and approval would be the largest hurdle – he should contact County Health and the DEC for information to determine the viability of his proposal.

~ Supervisor John Snow stated that there has been upwards of 40 applicants for solar in the past few years and this company is the first and only to through the hoops of CESIR. He also stated that NYS is going to force the projects eventually, so it could be a good idea to accept a project that we have control over and completes the grid space before the State steps in.

MINUTES

A **motion** to approve meeting minutes for December 5, 2023 was **moved** by Carl Nysten and seconded by Erin Palmitese, all were in favor, and the **motion carried**.

ADJOURN

With no other business before the Board a **motion** to adjourn at 8:15 pm was **moved** by Carl Nysten and seconded by David Crockford, all were in favor, and the **motion carried**

Respectfully submitted by: Lisa Somers, Planning Board Clerk