

Town of Canton

Planning Board Meeting Minutes

October 27, 2020

Board Room, Canton Municipal Building

6:30pm

Members Present

Chairperson Michael Morgan; Debra Backus; Sigie Barr-Sapp; John Casserly; Joel Howie
Recording Secretary Jeni Reed

Members Absent

None

Others Present

Code Enforcement Officer Jeff Murray; Henry Emerson; Michael Fingar; William Sparkman; Lee Evans; Bob Washo
(Zoom Moderator)

Call to Order

The meeting of the Town Planning Board was called to order at 6:31 pm by chairperson Michael Morgan.

Approval of Minutes

A motion was made by Sigie Barr-Sapp to approve the minutes from the July 29, 2020 Town Planning Board Meeting. The motion was seconded by John Casserly and carried.

Agenda Items

1. Discussion of proposed Solar Project at 161 Meade Rd. (US Light Energy)

Michael Fingar of US Light Energy (Latham, NY) presented the details of their planned Community Solar project at 161 Meade Rd.

- The company is currently developing Community Solar projects in several New York counties. This involves a large group of solar panels installed in an ideal location, which is a large, cleared area that doesn't require a lot of ground work.
- For the infrastructure they have identified an ideal interconnect at Meade Rd and have already acquired approval from National Grid to connect to the grid.
- The intent is to share the electricity generated on-site: this 5 megawatt project would power 500-600 residential homes annually. The project would support the power needs of the local community (not just residential but can also support municipal power, small businesses, etc.)

- The project they have in Saratoga County is fully subscribed as is the one in Denmark, NY. All of their current projects will be fully subscribed prior to completion. The company would ideally like to sign up residents in Canton to benefit, but anyone with a National Grid electric account is eligible.
- No solar power storage is involved as the project is connected directly to the grid; energy will be distributed by the project and then credits are received which are then put out to their customers.
- This requires no long term commitment by customers; the facility is sited but customers can opt out or cancel at any time.
- If the main lines go down then they are still serviced by National Grid as well as the service at this project.

Questions were then asked by the board regarding required setbacks and the location of any neighbors.

- For the location of project at 161 Meade Rd - what is the access to the land? The company is proposing to go through the end of the existing road. There was some speculation regarding ownership of this access road; but the company will want to pick up at the end of the road to continue access to the property.
- The solar panels would be located roughly in the middle of the property; the intent is to install with as little impact to the property as possible, avoiding mass grading and tree removal wherever possible. It is also planned out to be as close to the electrical access point as possible.
- The Site is well off the Meade Road, and will extend off the town road to the interior of the site.
- The lot owned by the Roses would be the only neighboring lot.
- It was later determined that the driveway is owned by the Cornell Cooperative Extension; Brian Brewer owns the land being leased to the company. They would need to formalize their access to the property with a conversation with the Cooperative Extension. The company agreed to do so and follow up with the Town Planning Board after these conversations.
- The intent would always be to minimize disturbance by keeping the distance as short as possible, in order to keep the connection point to the grid as close as possible
- The majority of the solar panels will be installed on the existing agricultural field, with a small extension into the wooded area. A sample image of another project was shared with the board to give some perspective. This installation indicates very little disturbance of the land itself, as vegetation grows back in and they will reseed and restore as needed.
- The project would include about 1,100 racks, each supporting approximately 30 solar panels depending on the selection of the rack, which will be based on the topography of the land they are working on.
- Maintenance is performed a few times per year: one annual inspection and then periodic maintenance as needed. The property is monitored remotely so they can watch for issues and send a truck as needed. Mowing is usually performed 3-4 times per year by brush hog, with the intent to hire someone local. Plowing will be performed regularly throughout the winter to ensure access to the property.
- The use of local labor goes for construction as well, and will likely present an opportunity for local contractors depending on their ability and experience.
- The panels themselves need very little snow maintenance, as snow generally falls off within a day or so and the project calculates for any expected loss due to snow coverage.
- Lighting or signage will be only as required by town code. No site lighting will be installed as there is generally no nighttime activity. They will install a warning or high voltage sign including an emergency number, and the entire project will be fenced as required by electrical code.
- Any glare off the panels is not anticipated as they include an anti-reflective coating.
- It was asked how the panels would hold up to something like an ice storm? It is anticipated that they would hold up to generally any conditions as they are designed to last outside up to 40 years or more. There is also maintenance staff to make repairs as needed. Any building permits would include their rack calculations, and remote monitoring would allow them the idea of what the issues are if something goes wrong.

- Bob Washo asked if any wetlands would be affected? It was stated that yes, there would be some minor effect on the wetlands on the site which are federally protected. The company has walked the site and determined that the federal program does not consider this type of project to create a disturbance in the wetlands and is in fact an allowed activity for a federal wetland. The only oversight required for this is by the Army Corps of Engineers. The extension of the driveway would have been considered a disturbance, which is why the site plans show it turning away from the wetlands to avoid them.
- It was mentioned that a discussion should be held with Patrick Ames, Executive Director at the Cornell Cooperative Extension who owns both sides of the driveway. It was believed any right of ways are currently grandfathered in with no other awareness of property access.
- If the project is permitted, then the land would be leased from Mr. Brewer.
- The company will talk to the adjacent landowners as well.
- Construction of these projects generally lasts only about 4-6 months and maintenance will need to access the property only a few times a year; as such it was stated these projects generally make good neighbors.
- Fencing was proposed along both sides of Rose's property, and the company agreed to consider screen-type fencing as upon discussion with the neighbors.
- The company will be prepared to provide financial surety, and they need to update some of the existing site condition photos.
- Once this type of solar project is built, they are expecting them to remain in use for 25-40 years.
- A community benefit agreement would be negotiated based on the language in the law; the Town is interested in these types of projects where there is tangible local benefit. It was mentioned that solar is a new proposition in Canton. It was posited the town could ask that a certain percentage of subscriptions be made available exclusively to Canton residents; the company was willing to discuss this with the Town Board closer to an approval. It was mentioned that a community benefit is usually a condition of site plan approval; the company indicated that their experience is with pilots and not necessarily community benefits. Bob Washo indicated he would likely reach out to this group on behalf of the town. The company indicated that they have negotiated for an exclusivity period (e.g. a 30 day for resident sign up only) in the past. The Town Board would negotiate the community benefit should the project be approved (not the Planning Board).
- The interconnect has already been fully explored with National Grid.
- Lawyer for the Town Eric Gustafson has been sent information on this project as well, and Mike Morgan will connect with him
- It was indicated that the project should be amended with a decommissioning plan, and anything else discussed tonight will go to the County Planning Board for their November 12 meeting. In order for that to move forward, documentation will need to be back to the Town Planning Board by the end of the week.
- The objective of the company is to obtain approval for the project by the end of the year so construction can begin as soon as weather permits.

Anticipated Timeline:

- If the County will review at their November 12th meeting, then the Planning Board can perform the official site review process during their November meeting. A December public hearing could be completed, which if all is approved would permit construction by January.
- The County will likely have several pages of recommendations although the Town Planning Board does not see any major hurdles as it is considered a low impact project.
- All documents can be forwarded to the County by the Planning Board. As the proposed project is not on a county or state road, technically the project does not have to be sent to the County; however it was determined that it would behoove the Planning Board to send it to the county as it is a new, solar, large project, and may be one of the first projects for all of us.

- Jeff Murray stated he would call the County and email the planning board application to the developers tomorrow to get the process rolling.

For more information on the company proposing this project, the Board was encouraged to visit www.uslightenergy.com.

The utility infrastructure is key to manage these projects; the company shared that 4-5 projects could be handled by the current infrastructure on this same sub station. They are happy to look at any additional proposals for project sites if community members are interested.

The Town Planning Board agreed to meet November 17 at 6:30pm to review any county recommendations. The lead agency will be the Town Planning Board.

2. Discussion of proposed Solar Project at County Route 14 (Josh Gilson)

Henry Emerson, colleague of Josh Gilson, discussed a proposal for a solar project on County Route 14 toward Rensselaer Falls. He owns 41 acres of property, on which he is looking to utilize 18 acres for a 3 megawatt solar project at 991 County Route 14.

- Mr. Emerson indicated that Mr. Gilson is doing primarily fact-finding at this time and is not yet prepared to submit a full project proposal.
- It was asked what the solar power would be used for? Mr. Gilson intends to set up a net-credit system connected directly to the power grid and use the generated power for his home and business. Mr. Gilson is a tradesman who is contracting with Verizon.
- This is the very early stages of this project; Mr. Emerson acknowledged that hooking up to the power company is one of the biggest steps and they are just beginning this process. The intent of attending tonight's meeting is to notify the town of their interest. They have also been investigating other local solar projects. Mr. Gilson owns 130 acres in the Town of LeRay as well, and a solar array is being installed nearby - he is looking to start out with a smaller project to get a better understanding of the process.
- Mr. Gilson is thinking of connecting with a larger solar company, but he also has his own construction crew and wants to keep his men working by having them build the arrays
- A map and proposal is available and has been reviewed by the board; it is hoped that they can begin the process later next year.
- The Town Planning Board is making the recommendation to discuss the proposed project with other entities, and encouraged Mr. Gilson to meet with Karl Bender from AOK Engineering and/or an individual from Parishville who is NYSERDA certified. They could also investigate potential NYSERDA funding for the project.
- Mr. Gilson will need to discuss with National Grid how to connect to the grid; it was mentioned that the McAdoo substation at Corning up the road may offer options for connection.
- The Planning Board is not opposed to another solar project and will review information with Mr. Gilson to connect him with Code Enforcement.

Other Items

- The Battery Energy Storage Law has not yet been passed by the Town and probably will not be until March or so; this will not impact any current projects or those proposed at this meeting. The Town attorney is reviewing and the Town Board is discussing. The language in the law needs to be clear that we are not trying to regulate small off-grid systems.
- The large project in planning is behind schedule, as is Smart Path.

Adjournment

A motion to adjourn was made by Debra Backus, seconded by John Casserly, and carried. The meeting was adjourned at 7:43 pm.