

# Town of Canton

## Planning Board Meeting Minutes

October 3, 2022

Municipal Boardroom - 60 Main Street, Canton

6:00pm

### Members Present

Chairperson Debra Backus, Sigie Barr, John Casserly (via Zoom), Betsy Hodge, William Myers, Eric Barr (alternate), Ian Mackellar (alternate)

Recording Secretary Jeni Reed

### Members Absent

None

### Others Present

Code Enforcement Officer Michael McQuade; Delaney Coffee; Craig Coffee; Pam Rose; Jim Rose; Ed Ryder; William Sparkman; Ari Goldberg; Zack Lissard; Michael Fingar; Bill Buchan; Brian Brewer; Kayla Kibling

### Call to Order

The meeting was called to order at 6:01 pm by chairperson Debra Backus.

### Agenda Items

#### 1. Old Business

- Discussion of proposed solar project at 161 Meade Road, Canton
  - Background Review and Updates on Current State of Project, a 6.484MW DC/5MW AC rated solar project.
    - The proposed project was originally reviewed in 2020. It was sent to the St Lawrence County Planning Board for consideration on November 13, 2020. The County Planning Board disapproved the project for four reasons which were shared by Chairperson Backus as a reminder. It was noted that the fourth reason listed has since been corrected.
    - A brief history of the proposed access to the property for the project was reviewed. It was noted that the original project proposal placed the access road along the Rose's property but this was denied; the proposal was later changed to a potential access road through land owned by the Cornell Cooperative Extension which was also denied. At this time, the project proposal shows a potential access road from Route 68 which would utilize an easement on land owned by Mr. Huntley.
    - A listing of dates during which the proposed project was reviewed by the Town Planning Board and Barton & Loguidice was read.
    - Code Enforcement Officer McQuade indicated that according to a discussion with the County Planning Board, their original decision of disapproval of the project stands; however they would be willing to review the question of the access road proposal again.

At this time there would need to be significant changes in the proposal which would be presented as a new project and not a revision for the full evaluation to be done a second time.

- It was noted that the address of the proposed project remains 161 Meade Road, although the connection of the access road has changed to Route 68.
- Project engineer Bill Sparkman shared the updated project plans with the Planning Board.
  - The updated plans show a project which is similarly sited compared to the original plans.
  - The updated access road will be down an existing tractor path, and the developers will be doing some minor improvements on the path.
  - The plan for landscaping includes a thick evergreen planting, noting that some plant selections have been changed for suitability. Current species proposals include Eastern White Cedar, Eastern White Pine, and White Fir.
  - The internal access road has been shifted, the proposed turnaround loop has been moved, and the proposed interconnection will be near Route 68.
  - The overall design of the project has changed to centralize the rack-mounted inverters and move them away from other development. The overall footprint has been optimized and made smaller, which has led to a reduction in the needed panels.
- Chairperson Backus noted that a lot of work has been done to date, and reviewed the current state of the project.
  - The lease has been provided as of 2/28/2020 and no follow up is needed.
  - The land conditions are:
    - 13.8 acres prime if drained agricultural soils
    - 11.4 acres prime agricultural soils
    - .02 acres agriculturally significant soils
    - The parcel is not tilled, and a portion of it includes a federal wetland.
    - The Comprehensive Plan for Canton highlights the desire for resiliency & sustainability, and encourages promoting alternative energy while protecting prime agricultural soils.
    - There are no plans for grading or stumps pulled, and the installation of the panels will include a ground screw or driven pile system.
    - It was asked if the array can be moved to avoid any prime agricultural soils?
    - The developers indicated this was not likely; however they noted that all soils must be stockpiled on site and that the soil will be displaced but not degraded by the solar system. The soil will regenerate, and the project is a temporary installation which ultimately allows for a return to agricultural use.
    - No additional follow up is needed regarding soil and land conditions.
  - The project is located within an agricultural district and is compliant with the requirements of this district.
  - The project is compliant with all required solar law setbacks, and includes a 120 foot buffer from the array to the sole adjacent residential lot.
  - The project is compliant with the required rural zone lot setbacks.
  - Project plans as of June 14, 2022 show fencing which is compliant with all requirements.

- It is noted that the transmission lines from the interconnection are required to be underground; this must be shown on their plans along with a schematic of the interconnection and the shut off identified. All electrical diagrams should be part of the plans and shared with the Planning Board.
- The access road to the project should be placed along the field edges, with a maximum 16 foot width and containing no impervious materials.
  - Per the September 19, 2022 plans, it has been noted that the apron where the access road connects to Route 68 within the state right of way will be impervious, but all access road located on Mr. Huntley's property will be pervious materials.
- An access/utility easement has been obtained from Mr. Brian Brewer dated June 16, 2022
- An email received July 14, 2022 from Thomas Compo indicates that the Department of Transportation has concerns regarding sight distance at the access road entrance, and is encouraging the project developers to review alternative options to satisfy conditions for location geometry. The final approval from the DOT will be forwarded to the Planning Board when available; it was noted that the final approvals require SEQR approval.
- It was noted that the Board needs to see a revision of the existing site plan showing where the new proposed access road will be and that the survey sheet must be added back to the set; the developer indicated intent to complete this in the next few weeks.
- For safety requirements, the project plans must be shared with the local fire department serving the parcel; the developer was asked to mail their site plans to the fire department and have them share any and all comments with the Planning Board.
- Malware software installed in the system is a recommendation of the County Planning Board recommendation; the developer noted that the project must meet National Grid standards so this should be covered.
- It was noted that a zoning permit for the project sign must be added to the special use permit submitted to the Code Enforcement Officer. The proposal for the sign is currently located on sheet C-530 of the project site plans, and is compliant with zoning regulations.
- Trees and Vegetation:
  - The project must minimize and offset any tree and vegetation removal; the developer noted that 70 tree stems will be planted around the Rose's property as a visual buffer, and the Planning Board indicated this should be acceptable.
  - The visual buffering around the neighboring residential property will include two rows of trees.
  - Board Member Ian MacKellar noted that three species of tree plantings have been proposed, all of which will likely serve as deer attractant and as such are unlikely to survive up to where the deer can reach. It was also noted that none of the tree species will survive in the wet spaces they will be planted. Other species recommended by Mr. MacKellar includes spruce trees. It was also noted that the project could improve the viability of trees by moving them tighter to the fence; but that has the potential to shrink available agricultural land. It was noted that the Operations and

Maintenance Plan will guarantee tree survival. The trees planted would be 6 feet in height, and the developer can work with an arborist or geotechnical person to promote viability of the tree buffer. The developer will send the Planning Board a visual analysis.

- It was agreed upon by the Planning Board and supported by Barton & Loguidice that no glare analysis will be required.
- The developers have completed and submitted a satisfactory sound analysis, and agree to be in communication with neighboring property owners regarding anticipated construction periods when noise could be expected.
- A view analysis and viewshed analysis including line of sight was completed on November 30, 2021 and will be forwarded to the Planning Board by Kayla Kibling of Barton & Loguidice. This analysis includes photos and line of sight diagrams.
- The project will include no exterior lighting.
- It was noted that the following should be updated on the site plans:
  - Wetlands assessment should be included.
  - The location of proposed inverters should be clearly indicated.
  - A schematic of all interconnections should be provided.
  - Site plans must be signed by a professional engineer.
- The following must be updated on the Operations & Maintenance plan which was last seen on November 21, 2021:
  - Post construction stormwater practices must be added; the developers noted that only the grass filter strips will be permanent.
  - Silt fence details and locations must be included.
  - The swale should be removed from the site plan.
- The SWPPP revised on June 22, 2022 has been reviewed by B&L, but must be updated to reflect the new layout of the proposed project.
- The Decommissioning Plan was reviewed by B&L on September 19, 2022.
  - The developers noted that an updated version of the Decommissioning Plan is forthcoming; a professional engineer is working on an itemized cost estimate which should be updated by the end of next week.
  - The process for ownership changes must be included as indicated in the Town of Canton solar law.
  - A 5 year review of the plan including cost estimates must be performed.
  - Common issues with grass filter strips should be noted.
  - A PILOT agreement and Community Benefit agreement will be required as a condition of approval of the project.
  - A letter of no effect from the State Historic Preservation Office (SHPO) is in process and will be required for approval.
  - A letter from the Army Corps of Engineers regarding wetland jurisdiction will be required for approval.
    - It was noted that the project location is not in a DEC mapped wetland at this time.
  - It was indicated that B&L originally saw an issue with the access road, but now that has been changed.
- It was noted that a Notice of Intent will be sent to NYSERDA, but it cannot be done until after the SEQR is approved.
- The Planning Board noted that the anticipated date schedule needs to be updated.

- It was indicated that the application for special use permit needs to be updated with the signage permit.
- Mr. Casserly asked about the connection of the access road to Route 68; does the Department of Transportation not like the proposed connection? The developers indicated that the issue is one of distance and sight lines, and they are coordinating with the DOT for mitigation to help them understand the proposed use of road as construction would utilize flaggers and cones, etc. They can also discuss moving driveway further North to find the best location but are looking to avoid encumbering Mr. Huntley further.
- Michael Fingar indicated that the developers have submitted a PILOT proposal to the County IDA but this requires more finalization from the Town Board. They have also completed a draft host community benefit agreement, but are limited on advancement prior to any board movement.

- SEQR Part I

The full SEQR Part I was read by Chairperson Backus, with the following items questioned or addressed:

- It was noted that the project address will remain at 161 Meade Road, and is proposed as a 6.484MW DC solar energy farm on property consisting of 54.8 acres.
- Currently the proposed location is undeveloped and in use as an agricultural field.
- It was requested that the Canton Fire District be added to Part B, Other Local Agency (d). The Canton Police Department should also be changed to St Lawrence County Sheriff and New York State Police.
- The notations for proposed physical disturbance needs correction.
- It was noted that this constitutes one project with phased construction.
- The developers were requested to correct the proposed number of panels if necessary and confirm consistency across all submitted materials.
- The proposed SWPPP indicates no increase in stormwater runoff
- The completed sound study indicates operation of the solar project will provide no more than ambient noise like a whisper.
- It was noted that the acreage of trees should be corrected to 3.1 acres from 3.4 acres.
- The developers confirm there will be no use of herbicides for maintenance.
- It was noted that there are no potential oil issues associated with this project; this would only be related to battery storage which is not included in this proposal.
- It was requested that the developers update the chart on land uses to be consistent.
- It was noted that the proposed project parcel includes 6.3 acres of federal wetlands.
- The developers were asked if an official letter regarding fish and wildlife was available? They indicated that they will follow up on this.
- There were questions regarding any current hunting on the property; a discussion ensued but no conclusive answer was provided. Owner claims that no hunting is currently performed on the land.
- The developers stated that the required SHPO letter will be provided to the board.
- It was requested that the developers clarify in all locations the DC size of project as this is inconsistent.
- It was indicated that the total proposed panel count is 12,480, with a maximum panel height of 8.2 feet.

A motion was made by William Myers to approve the SEQR Part I as read, contingent on the developers making all updates as requested; this was seconded by John Casserly. All in favor; motion carried.

Resolution #8 of the year 2022, declaring the intent of the Town Planning Board to declare lead agency was read by Chairperson Backus (see attached). Upon roll call, the following vote was cast:

Betsy Hodge - aye  
John Casserly - aye  
Sigie Barr - aye  
Eric Barr - aye  
William Myers - aye  
Ian MacKellar - aye  
Debra Backus - aye

The resolution was passed by unanimous vote.

The involved agencies list was read for the Planning Board, and the 30 day coordinated review process will begin when the corrections to the SEQR are submitted and B&L sends out the required letters. It was determined that based on this timeline, a public hearing could be scheduled for the last week of November, 2022. The hearing was officially scheduled for Monday, November 28, 2022 at 6pm. It was also determined that a full review of the application including SEQR Parts II & III could be reviewed at this meeting if everything is ready.

- The developers asked about the referral to the County Planning Board, and requested that the project proposal be resubmitted to obtain an official letter noting they would not review the project a second time. This will be done by Code Enforcement Officer McQuade.
- At this time a few minutes for public discussion were offered:
  - Mr. Ed Ryder shared a number of concerns about the proposed project, including:
    - A concern regarding decommissioning and waste disposal; specifically that the cost not be left on the taxpayers.
    - Deforestation concerns regarding the site.
    - The potential harm to endangered species on the site, including but not limited to Blandings turtles and brown bats. It was asked if the DEC has performed any assessments recently at this location?
    - No mention of local conservation areas on the SEQR.
    - The potential for stormwater runoff that is not indicated in the project proposal.
    - Mr. Ryder noted that he will be requesting a copy of the resolution and list of interested parties.
  - Mr. Brian Brewer (property owner):
    - He noted that the property is currently all grown up pasture land, brush and vegetation, and that the addition of the solar project shouldn't limit any tree or vegetation growth.

- a. Other
  - i. Two new applications for solar projects have been received:
    - State Highway 310 - has been submitted to the County Planning Board for review, and would like to meet for a pre-application conference.
    - Northwoods Road - would like to meet for a pre-application conference. This project is expected to have its first B&L review completed next week, so a meeting is scheduled for October 17, 2022 at 6pm.
  - ii. The Nickerson Road proposed solar project will be discussed at next week's meeting.

## Next Meetings

Upcoming meetings of the Town Planning Board are tentatively scheduled as follows:

- October 13, 2022 at 6pm (Nickerson Road solar project)
- October 17, 2022 at 6pm (Northwoods Road solar project)
- October 25, 2022 at 6pm (State Highway 310 solar project)
- November 28, 2022 at 6pm (Meade Road solar project public hearing)

All meetings will be held in the boardroom of the municipal building at 60 Main Street, Canton. The option to “view-only” will be made possible by way of Zoom Virtual Meeting.

## Adjournment

A motion was made to adjourn the meeting by Sigie Barr; the motion was seconded by William Myers and carried. The meeting was adjourned at 7:59 pm.

Date: November 22, 2022

Jeni Reed  
Recording Secretary