

Town of Canton

Planning Board Meeting Minutes

August 30, 2022

Municipal Boardroom - 60 Main Street, Canton

6:00pm

Members Present

Chairperson Debra Backus, Sigie Barr, John Casserly, Betsy Hodge, William Myers, Ian MacKellar (alternate)
Recording Secretary Jeni Reed

Members Absent

Eric Barr (alternate)

Others Present

Code Enforcement Officer Michael McQuade; Applicants Jim Geddis (Cypress Creek Renewables) & Doug Warden (Snyder & Snyder Legal Counsel); Members of the Public Vicki Mclain, Martin Syvertsen

Call to Order

The meeting was called to order at 6:00 pm by chairperson Debra Backus.

Approval of Minutes

A motion was made by John Casserly to approve the minutes from the July 18, 2022 meeting. The motion was seconded by Sigie Barr and carried.

A motion was made by William Myers to approve the minutes from the August 16, 2022 meeting. The motion was seconded by Betsy Hodge and carried.

Agenda Items

1. Old Business

a. Discussion of proposed solar project at 6578 County Route 27, Canton

i. General discussion and review of outstanding items:

- The St Lawrence County Emergency Services met last week and gave the developers some comments. The developers are working to address these comments, and will provide the board with email correspondence or a letter from the Emergency Services group confirming all comments have been addressed.
- Comments from Barton & Loguidice (project reviewed June 24, 2022; August 25, 2022) and the Town Planning Board were as follows:
 - The developers are working with the solid waste facility & DANC regarding their policies for accepting waste during the decommissioning process.
 - The developers were asked to remove barbed wire from their site plan - this has been completed.
 - Fencing:

- Regarding the fencing gap due to the presence of the Blandings turtle; it was determined this will not be an issue for the solar array per the DEC, as long as a 6 inch gap is maintained on their wildlife fencing.
 1. It was also noted that a 100 foot buffer should be in place around wetlands.
- The self-locking gate should be identified on the site plans; the developer noted they are working on the mechanics of this gate with emergency services.
- The height of the fence should be added; the developer has completed this and noted it is 7 feet as indicated on the site plan.
- Access Road:
 - The width of the access road has been clarified by the developers as 16 feet, tapered from 20 feet as required for National Grid at its opening. This should be included and consistent on the site plan.
 - The developers should clarify on the site plan the location of the access road.
 - For the curb cut needed for the proposed access road, an easement from DOT regarding County Route 27 will be required. The developers noted they will pursue a county utility permit. The anticipated easement is depicted on the site plans, and will be obtained shortly before building.
- It was noted that the requested visual impact analysis has been completed, with no significant impact identified.
- The requested viewshed analysis map has been completed.
- The requested photo-simulations for sensitive receptor locations has been completed.
- The requested line of sight drawings have been completed.
- It was indicated that there is some inconsistency in the site plan on the width of the proposed tracking system, and that this should be corrected.
- The location of the 60 foot wide easement to Iroquois Gas for their natural gas line was added as requested; and it was noted that this is outside of the intended use site for the solar array and any construction work.
- The required shut-off point has been identified as requested on site plan sheet C2.01.
- On the Operations & Maintenance Plan, the proposed project should be described in detail. The developers indicated that they are addressing further comments from Barton & Loguidice for their next set of revisions.
- It was requested that information from Appendix 1 of the SWPPP be added to the Operations & Maintenance plan.
- It was requested that developers replace all dead trees within their plantings annually.
- The proposed maintenance agreement was discussed, and it was noted by the developers that this would be completed closer to the array's placement in service.
- It was noted that information regarding any potential successor be included on the Operations & Maintenance plan, including that they would be bound by terms of any approvals, and that there is a requirement of a 30 day notification to the Town for any change in ownership.
- A glare analysis has been completed, and Barton & Loguidice indicated that the results show no glare impact.

- The noise analysis has been completed, and Barton & Loguidice have no further comments for this. It was indicated that the proposed project would include noise of 33-39 decibels while running, and that the construction process will work to mitigate noise.
- The SWPPP should have the guidance from Maryland removed; this has been completed.
- Any grading that will be performed has now been highlighted and color coded.
- It was indicated that all revision dates have been updated appropriately.
- It was noted that soil boring has been excluded from the updated SWPPP (Appendix E).
- Trench detail updates requested for page C5.01 have been completed.
- The hydrocad modeling has been updated, and there are no issues per Kayla Kibling of Barton & Loguidice.
- The Notice of Intent has been updated as appropriate.
- It was indicated that the following edits have been completed on the decommissioning plan:
 - Project description
 - Color photos pre-construction
 - Cost estimates (it was noted that the decommissioning plan will be updated every 3 years with these costs)
 - Salvage values have been removed
 - The required bond should be 125% of the estimated cost adjusted with a 2% inflation per year.
- The process for any change in ownership needs to be outlined in the decommissioning plan, which should be incorporated from the Canton Town solar law.
- It was noted that information regarding the stockpiling of soils (including location of these stockpiles) and a note that removal of soils from the site is prohibited has been completed.
- All revisions have had dates appropriately updated.
- It was requested that the developers add a note to the site plan indicating the future lease area within the fence line; this has been completed along with noting the future access easement.
- It was requested that the developers confirm that their plans delineate anticipated staging; this has been completed on sheet C8.00 and shows a total of 5 phases.
- It was requested that the developers label all slopes and identify sheet flow along with their inclusion of five proposed level spreaders; this has been completed on sheets C6.01 & C6.02.
- It was requested that the developers complete the required request for special permit, and this has been done.
- It was requested that the developers add the location of proposed project signage to the site plans.
- It was requested that on sheets C1.00-1.02 the developers label all existing easements; this has been completed.
- It was noted that for required setbacks, the distance required is to the actual solar array and not the fencing around the array.
- It was requested that the purpose of the grass access road should be noted on the site plans as part of the map legend indicating what it is.

- It was requested that the developers clarify the dimensions of their proposed tracking system; this has been completed.
- It was requested that on detail sheet C.501 the fencing detail be revised for consistency.
- It was requested that all information regarding any signage be added to the request for special permit; this has been completed.
- It was requested that on sheets C6.00-C6.01 the staging area layout and location be identified; this has been done on C8.00 and on C3.01 (the location is by the proposed turnarounds).
- It was requested that the note on construction fencing on sheet C8.00 be updated.
- It was requested that for general note #12 on sheet C0.01, the developer should specify “no disturbance will take place.”
- It had been requested that the developers add additional landscape buffering; this has been completed on sheet C7.00.
- It was noted that on the SWPPP, predevelopment/postdevelopment drainage maps should be added.
- It was requested that on landscape sheet C7.00 the developers extend the vegetative buffer to meet the existing vegetation, but not encroach on the 100 foot state wetland buffer. This would be in the Northwestern corner of the project. The developers indicated they would work on this and revise the photo simulations
- Barton & Loguidice indicated that the proposed PILOT & community host benefit agreements are still needed. For the community host benefit agreement, the Town is working on the numbers, and the Town needs to notify the County IDA (Rich Williams) for the PILOT.
- It was indicated that as a condition of approval, local & state permits for highway and right of way will need to be provided.
- It was indicated that the developers have not yet applied to NYSERDA for funding assistance, and they are requested to provide documentation to the Town Planning Board when this is complete.
- It was noted that a copy of the maintenance agreement will be required as a condition of final approval.
- It was noted that the lease can be renewed in the future, as the special use permit if approved is attached to the land as long as it is within code; however it was also indicated that useful life is limited on the project, and the developers can not expand without new applications and a new special use permit, including new agreements with National Grid if they wished to increase their approved megawatt limit.
- The developer noted they are working with Agropholtaic Solutions on potential solar grazing opportunities. There are also opportunities to work with bees on site as the landowner already has some. The board reminded the developer that any potential continued agricultural use of the land is recommended, although not required in the Canton Town Solar Law.

ii. SEQR Part I Review

For the review of the full SEQR part I, the description of the proposed project and all SEQR documentation was read aloud by chairperson Backus. The following notes were made:

- The section on government approvals requires revision of application dates.

- It was noted that on section B.d, this answer should be changed to “yes” or the school district should be removed. It was decided that this answer would be changed to “yes” for consistency.
- It was noted that under county agency this answer should be changed to “yes” as the project will require a community benefit agreement and highway approvals.
- It was noted that under state, this answer should be changed to “yes” as the project will be pursuing NYSERDA funding.
- It was noted that the Morley Fire Department should be added to zoning section C.4.c.
- It was noted that under section D.1.e there will be no phasing for construction, just the defined areas are phased.
- It was noted that the developer has included the potential use of herbicides “as needed” to prevent invasive species and anything that would out-compete the pollinator friendly habitat which takes 3 years of careful management. The Planning Board requested that the developers investigate alternate methods instead of widespread herbicide use.
 - The developers indicated they will check on the application of herbicides and the organic situation as the farmer who owns the lands is an organic farmer. It was noted that the pollinator habitat is proposed but not required by the solar law. The developers will clarify information on this and get back to board.
 - Code Enforcement Officer Michael McQuade made the recommendation that the developers work with the landowners to satisfy the pollinator/herbicide issue.
- It was noted that there are no federal wetlands in the proposed project site.
- It was requested that the developers remove information regarding further consultation with DEC.

A motion was made by Sigie Barr to approve the SEQR Part 1 with the revisions stated above; the motion was seconded by John Casserly. All in favor, motion carried.

The approved SEQR part 1 should be sent to Barton & Loguidice by the end of the week, and they will send out required letters to begin the 30 day coordinated review.

iii. Resolution - Notice of Intent to Declare Lead Agency

The written resolution to declare the Town Planning Board as lead agency was read by Chairperson Debra Backus.

A roll call vote of the Town Planning Board was taken, to accept the resolution as read. Results were as follows:

Yea - 5

Nay - 0

The resolution was passed by unanimous vote.

The public hearing for the proposed solar project at County Route 27 was set for October 13 at 6pm.

2. New Business

a. Review of current solar projects:

- i. Old Dekalb Road solar project is currently scheduled to discuss on October 17, but the developers would like to meet earlier if possible. It was noted that the St Lawrence County Planning Board would be reviewing the project on September 8. A preliminary meeting has been scheduled with the Town Planning Board for September 12 at 6pm. The October 17 meeting has been cancelled.

- ii. Meade Road solar project is currently scheduled to discuss on October 3, and a new access road has been approved by adjacent property owner Dan Huntley. The developer would like to schedule to get in front of the Town Planning Board with their new plan and Part I of the SEQR (done originally in November of 2021). The current understanding is that DOT is recommending another way to access the property. It was also asked if the developer has addressed the issues raised from the original review of SEQR Part 1. It was noted that the Planning Board will need Barton & Loguidice to look at the SEQR Part 1 which was received on August 12; a comment letter from Barton & Loguidice should be available soon.
- iii. Two new projects are currently on the horizon; one proposed at 295 State Highway 310, and one on Nickerson Road. These will be coming to the Town Planning Board for review in the near future.

Next Meetings

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

- September 6, 2022 at 6pm (95 Judson Street Road solar project)
- September 12, 2022 at 6pm (Old Dekalb Road solar project)
- September 15, 2022 at 6pm (US Route 11 solar project)
- October 3, 2022 at 6pm (Meade Road solar project)
- October 13, 2022 at 6pm (CR 27 solar project public hearing)

All meetings will be held in the boardroom of the municipal building at 60 Main Street, Canton. Zoom Virtual Meeting will also be arranged for all meetings.

Adjournment

A motion was made to adjourn the meeting by Debra Backus; the motion was seconded by William Myers and carried. The meeting was adjourned at 8:14pm.

Date: October 10, 2022

Jeni Reed
Recording Secretary