

# Town of Canton Planning Board

## Meeting Minutes

September 5, 2023

Municipal Boardroom - 60 Main Street, Canton

6:00pm

### Members Present

Chairperson Ian MacKellar, Eric Barr, John Casserly, Betsy Hodge, William Myers, Sigie Barr (alternate), Dakota Casserly (alternate)

### Members Absent

None

### Others Present

Code Enforcement Officer Michael McQuade; John T. Hayes, Peggy J. Hayes, Les Baker, Joel Howie, Leslie Clark, Margaret Mauch, Tom Graser, Liza Schepps, Kayla Kibling (zoom), Andrew Graham (zoom), Bill Hayes (zoom), Deb Bridges (zoom), Eric Redding (zoom), Tony Yonnone (zoom)

### Call to Order

The meeting was called to order at 6:00pm by Chairperson Ian MacKellar.

### Adoption of Agenda

A public comment period was added to the end of the agenda. The agenda was approved by the Planning Board for the meeting.

### Public Comment

Chairperson MacKellar opened the public comment period reminding people to state their name and where they are from, and keep their comments pertinent to the agenda topics at hand while adhering to the three minute time limit, and their comments will be added to the record. It was noted that public comment has been added to the end of the agenda as well to offer the opportunity for open topics.

#### Joel Howie

Noted that he received information from Tony Yonnone of SolAmerica regarding the proposed new access road to the solar project at 295 State Highway 310. A map was provided but he was unclear on the details and asked if this could be seen by the public prior to any action being taken on the proposal. These images were shared with those present at the meeting. Mr. Howie offered the following comments:

- Concern over the safety of the access road located on State Highway 310 due to the intersection at State Street as this can be a dangerous location. He asked if other safety measures could be implemented, and why the project access road was moved from State Street to begin with. Code Enforcement Officer Michael McQuade stated that the Town Highway Superintendent had concerns regarding the safety of the access road on State Street. Mr.

Howie noted that there are safety issues either way, and asked if the Planning Board could override the DOT on this.

- Concern regarding the aesthetics of the pole locations as the project now shows 10-12 poles running through the middle of the field. Mr. Howie asked that consideration be made to move these to the side of the project.

#### Margaret Mauch

Asked for information regarding the process for County reviews and Planning Board reviews, specifically as it relates to timing.

#### Peggy Hayes

Noted safety concerns regarding the new access road to the solar project at 295 State Highway 310; specifically in regards to safety at the corner of State Highway 310 and State Street.

#### John Hayes

Mr. Hayes also noted safety concerns and the potential for accidents in regards to the new access road to the solar project at 295 State Highway 310.

Code Enforcement Officer Michael McQuade noted that during the negotiations regarding the access road to the solar project at 295 State Highway 310, the developers at SolAmerica offered to hire an off-duty police officer to deal with traffic issues on State Street. However this offer did not move forward. It was asked if this offer could still be implemented with the access road on State Highway 310. It was also noted that changes could not be made to the traffic patterns on State Highway 310 as the result of any Planning Board decisions; this lies solely with the State DOT.

## Presentation

Overview of proposed project at 6182 US Highway 11 offered by developers.

- Introductions:
  - Les Baker - builder for the project
    - Mr. Baker is working with the architect for the site, and is at the meeting on behalf of himself and Mr. Frazer.
- Presentation of the Proposed Project:
  - The proposed project will be for a new restaurant at the location of the former Frazer Motors business.
  - It was noted that the Planning Board has already received sketches for the proposed project.
  - An asbestos survey has already been completed for the site; the old building on the location will be torn down and a new building will be installed.
  - Parking will be extended, and there will be no changes to the current entry access to the location.
  - Mr. Baker noted that the new project will incorporate dimmer lighting.
  - Planning Board member John Casserly asked about the safety of the entrance and exit off of US Highway 11. Mr. Baker stated that there is better visibility at this location than at the entrance to the former Frazer Computing building next door. The highway is 30 feet wide at this location with double lanes, and visibility includes the new hospital building and Route 11 trucking looking toward the Village. The railroad bridge is not visible due to the curvature of the road. Mr. Baker did not feel that safety would be an issue.
    - It was asked if the State DOT would need to approve anything for the access to the site, but this was determined to be unlikely as this has been an existing commercial location.
    - It was noted that there will be no parking permitted along the side of Route 11.
    - Employee parking will be located behind the new building. Employees will use the farm access road or the side road as needed.
    - The shop located on the premises will remain and be accessible by the existing farm access road.

- There is a current side road on the premises which will remain but most likely be blocked off to prevent its use.
- The proposed new construction will be a single story building with 70 parking spaces; the expected capacity of the restaurant will be 106 persons and will include an eatery and lounge area. The proposed use is a bar and restaurant. The parking lot will be squared off and the house currently on site will be removed. Mr. Baker indicated that there will be no more traffic in and out of the site than there has been in the past five years. Paving will be done down by the existing shop and over to the former Frazer Computing building.
- Code Enforcement Officer Michael McQuade noted that nothing else is currently required for the project.
- John Casserly offered concerns regarding increased traffic accessing the site. It was noted that the Planning Board can not override the State DOT if they are involved, but the site is an existing commercial site.
  - Mr. Baker indicated that entrance and exit signs will be added to improve visibility but will not block sightlines.
  - The removal of the current house on the property will also improve visibility.
  - The entrance and exit to/from the site will be over 30 feet wide.
- The County will be reviewing the site plans at their meeting on September 14th.

## Meeting Minutes

This was tabled as previous meeting minutes were not available to the Planning Board at this time.

## Agenda Items

### 1. Old Business

- a. Resolution Approving Alternative Entrance to St Lawrence County NY S2, LLC Solar Project (Sol America Energy, LLC)
  - It was asked if the new locations for the utility poles will be run through the new entrance. According to National Grid requirements, the poles must follow the access road. However it was noted that screening could be added for the poles along the access road. Utility pole height is estimated at 30 feet.
    - This concern was brought up several times, and a potential turnaround for pole relocation was considered.
  - The resolution was read for the record by Chairperson MacKellar (see attached).
  - It was noted that the criteria by which the originally proposed State Street access road was denied was due to traffic and safety concerns.
  - Construction time for the project is estimated at 6 months per Joe Hens (representative for the developer).
    - The majority of traffic concerns will be limited to the first few weeks of this period due to delivery of materials and equipment.
    - The timing for this is not yet established, but it was noted that July/August would be an ideal timeframe, with deliveries scheduled away from peak bus traffic times.
  - It was commented that there is no possibility of returning to the proposed State Street access road.
    - Members of the Planning Board noted that they would be happy with a State Street access road.
    - This conflict was referred to as difficult to manage, and should the Planning Board reject the entrance on State Highway 310 it is likely the lawyers will get involved with potential for a lawsuit.

- The newly proposed entrance access also removes any wetland impacts that were in the previous proposal.
- Per the State DOT permit associated with the new access road, construction signage will be required on both North and South bound lanes of State Highway 310.
  - John Casserly asked about the potential for including a blinking light at the location, and it was agreed that this could be evaluated.
- It was discussed that the resolution could be tabled to request that the developer return the poles to their original positions as part of the consideration. This was decided against however, and the resolution went to vote.

A motion was made by John Casserly to vote on the resolution; the motion was seconded by Eric Barr and carried. The results of the vote for the resolution were 4 to 1 against approval, and the resolution was denied.

b. SEQR Part 1 review for proposed solar project at 268 State Highway 310

- It was noted that this process would cover SEQR Part 1 requirements for both the East and West projects located at 268 State Highway 310.
- Chairperson MacKellar read the resolution of intent to declare the Planning Board as lead agency as written for the record and review of the Planning Board (see attached).
- Liza Schepps, business development manager for NexAmp gave a timeline of the project to date, and noted that their written response to the comments from Barton & Loguidice on the project will be submitted to the Planning Board prior to the next meeting in October. The revised EAF form in response to earlier comments will be submitted tomorrow morning.
- Chairperson MacKellar reviewed the main points from the comment letter provided by Barton & Loguidice.
  - Additional governmental agencies should be included under the section for required governmental approvals.
  - A glare analysis is recommended due to the proximity of the project to nearby residences and State Highway 310.
    - It was noted that the glare analysis should be completed for each project.
    - It was again asked if the developer would proceed should one project be approved and the other denied; they responded that they would still proceed.
      - As these are two separate projects they can be pursued independently.
      - The East project has already been approved by the utility company; the West project is still in the process.
      - The SEQR process needs to be conducted concurrently to prevent segmentation; however the site plan approval and special use permits are independent of each other.

John Casserly made a motion to approve the resolution of intent to declare the Planning Board as lead agency for the solar project at 268 State Highway 310; the motion was seconded by Eric Barr and carried. The results of the vote on the resolution were all in favor, and the resolution was approved.

It was noted that the 30 day period for SEQR coordinated review would begin when Barton & Loguidice sends out the required letters on behalf of the Town. The process should hypothetically end around the week of October 16.

- The SEQR Part 1 was reviewed by the Planning Board at this time.
  - All comments by Barton & Loguidice were addressed.

## 2. New Business

### a. Other

- It was noted that another Phase 1 study of a potential solar project on County Route 14 towards Morley is in the early stages. This would be another pair of co-located 5 MW community solar projects.
  - The comment was made that the capacity issue of the grid as a limiting factor no longer appears to apply in the area.
  - It was also noted that a recommendation for a maximum of 200 acres be permitted for solar projects in the Town of Canton; however the Town Board has not acted on this recommendation at this time.
- Tony Yonnone of SolAmerica asked the Planning Board about their denial of the resolution for the proposed change in access road for the solar project at 295 State Highway 310; there is some concern from the developer regarding the process and the disagreement of parties on this matter. Code Enforcement Officer McQuade noted that he would communicate with Town Highway Superintendent Steven Smith on the matter.

## Next Meetings

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

- Monday, October 2, 2023 at 6:00pm - this will include a public hearing regarding the proposed solar project at 268 State Highway 310.
- Monday, November 6, 2023 at 6:00pm - this may potentially include SEQR Parts 2 & 3 and final site plan review for the proposed solar project at 268 State Highway 310.
- Monday, December 4, 2023 at 6:00pm

These meetings will be held in the boardroom of the municipal building at 60 Main Street, Canton. The option to participate remotely will be made possible by way of Zoom Virtual Meeting.

## Public Comment

Chairperson MacKellar opened the second public comment period at 7:35pm; at this time no public comment was offered and the public comment period was closed.

## Adjournment

A motion was made to adjourn the meeting by John Casserly; the motion was seconded by Eric Barr and carried. The meeting was adjourned at 7:37pm.

Date: October 1, 2023

Jeni Reed  
Recording Secretary