

November 15, 2022
Town of Erin
Special Meeting of the Erin Town Board

Supervisor Schmidt called the Special Meeting of the Erin Town Board to order on this date at 6:02 PM. She then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Randy Evans, Daniel Delorme, Michael Shutts, Dawn Schmidt.

PUBLIC PRESENT: Sean Reardon- Tetra Tech, Skip Snyder, Wes Rockwell, Robert Romine-Clear Path, Greg Hering-Clear Path, Karen Hughson, Alan Hughson, Neil Vesek, Jennifer Bau.

PUBLIC PRESENT ON ZOOM: Jay Schissell, Jeri Wall, John McCracken.

Supervisor Schmidt welcomed everyone and the Pledge of Allegiance was recited.

AGENDA FOR THE TOWN OF ERIN SPECIAL MEETING NOVEMBER 15, 2022;

1. SOLE TOPIC OF DISCUSSION BEING SOLAR PROJECTS IN THE COMMUNITY.

Supervisor Schmidt asked that the meeting be kept civil. No decisions or votes will be made tonight. Here to ask questions and get honest, open answers.

Sean Reardon, Vice President of Tetra Tech and Engineer for Clear Path set up on a single plan to show both projects. Projects are still proposed independently and with separate interconnect locations; they are combined for presentation purposes only.

There was talk on the financial parts of the projects, HCA agreements, IDA Pilot payments, state and federal incentives. There is concern that landowners are being misled that incentives will not be available at a later date.

Robert Romine from Clear Path explained the decline block program as less and less money per watt being offered do to the price of solar going down.

Greg Hering from Clear Path-the cost to upgrade the grid is significant and all four planned projects are needed to fund the upgrade.

Robert Romine spoke on cost share program in the State of New York that allows developers to pay into an upgrade but no work gets triggered until 75% of the upgrade is completed. Developers have to wait years for it to be completed.

Greg Hering- there are developmental challenges to large projects. It is harder to develop monster projects in the northeast; best with flat or gentle slopes. There is an advantage to doing smaller, more spaced out projects to get more power from solar on the grid. The state view smaller projects on the distribution network as a benefit rather than having larger power plants. Smaller projects can serve the local load and then export any additional power back to the grid.

Concerns were raised about view lines, agricultural land production, materials used to manufacture panels, and noise of the transformers. Construction can last 4-6 months with 6 weeks of pounding; working hours are within county code. Questions were asked about loss of production on farm land used for solar and if landowners realize the current income of their land will be subject to a change, amount of room to turn farming equipment around, possible damage to the solar panels while farming near the panels. Clear Path reiterated that the representation that was presented was not that the land was going to be used for any particular purpose it was more to communicate the fact that it is available

unlike most other applications.

Talked about how, once the 6' fence is installed, the wildlife that is inside the fence gets out. Clear Path will be there to repair the fence if it gets damaged. Also, a possibility of 7'-8' fencing if needed. They leave an 8" gap at the bottom for smaller wildlife to come and go. New York State has guidance for solar projects on agricultural land that they follow.

The solar panels will move 60% to 60% from sunup to sundown. A small DC motor turns on for a couple seconds to rotate the panels.

The Board would like the township, the neighbors, and the landowners to be protected.

The inverter and transformer are what make the noise; similar to a refrigerator noise. This is placed in the center of the project because the routing and wires are more efficient. Concerns about where the inverter and transformer will sit relative to the nearest neighbor. Questions arose on what was considered the center of the project due to the location in the pictures provided.

Basic model renderings demonstrating project visibility at different locations were generated and discussed. If a street view image was available from Google, that image was used and took the topographical information to layer in where the array is. Sean Reardon talked about the pictures provided, the landscape, the visibility of the projects, and the different perspectives.

Spoke on the documentation that is involved and inspections regarding stormwater. A copy of the front sections of a recent Stormwater Pollution Prevention Plan Sample (SWPPP) was provided to demonstrate the level of detailed stormwater analysis and design required under New York State Stormwater Design Manual to address short-term (construction) and long-term stormwater impacts. A sample DEC Inspection Report was also provided. Each project requires permit coverage and is overseen by NYSDEC.

John McCracken-present on Zoom- has concerns about what happened with Heppner's business and the gas line and now can no longer run their business. There will be high voltage lines and NYSEG will not allow anyone to build within a certain distance of their power lines. Take into consideration what could happen down the road. Has been fighting with the last solar company (at Elston's) for eight months to clean up the flood control device at the site. A local law with specific regulations will need to be put in place.

Clear Path, being an independent power producer, cannot get eminent domain. They are not of the same magnitude.

Residents had a discussion on the possibility of increasing the voltage, NYSEG's upgrade, high voltage wires and land usage under those lines.

Supervisor Schmidt- the goal is to figure out what is good for the Town long term using a sustainable model. Her recommendation to the Board is she is going to reach out to the Town of Tully regarding their solar code. We have guidance from our town attorney, but would like to see what Tully has in place. Would also like to reach out to the Town of Chemung because they are on the same timeframe as the Town of Erin. Makes sense to be in the same ballpark with a neighboring town. Then come back as a Board with a recommendation for what we do with Planning Board and local law. Whether it is tabled, a time frame is implemented for the Planning Board to have guidance put in place, or the local law is modified with the update. It will give the Board a decision model to work on. Need to hear from more of our residents.

A resident asked if a neighbor is in favor of a solar project on their land if they have any rights if they do not approve of the project, property assessment value before and after, what are the benefits for someone that has to drive past it every day.

Neighbors are notified as part of the special use permit process and can come back with feedback.

It is a community solar project and anyone in NYSEG's territory can subscribe. Can get approximately a 10% credit on your utility bill.

The Board will make further recommendations after more information is received on how to put this

together.

With no further comments Supervisor Schmidt closed the meeting.

A motion was made by R. Evans and seconded by W. VanRiper, Jr. to adjourn the meeting at 7:33 PM.

Motion Carried: Ayes: W. VanRiper, Jr., R. Evans, D. Delorme, M. Shutts, D. Schmidt. Nays: None.