

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
Thursday, June 8, 2023 at 7:00 p.m.

The regular meeting of the Town of Lysander Planning Board was held Thursday, June 8, 2023 at 7:00 p.m. at the Lysander Town Building, 8220 Loop Road, Baldwinsville, NY 13027

Members PRESENT: John Corey, Chairman; Hugh Kimball; Steve Darcangelo; Doug Beachel and Matthew Hunt

OTHERS PRESENT: Al Yager, Town Engineer; Tim Frateschi, Attorney to the Planning Board; Dana Simpson; Kacey Rose, Erdman Anthony; Martin Willix, Erdman Anthony; Aldo Bonacchi; Aldo Bonacchi, Jr.; Dave Musumeci; Ron Bryant; Aaron Avios; Andy Welch, RIC Energy; Bill Anterline, Wendel Companies; Kevin Bliss, RIC Energy; Mary Hennessey; Rich Hall; Jack Hermann; Carl Menkins; Tony Fusco; Pennie Pavlus; Todd Pavlus; Brian Reeves; Paul Richards and Karen Rice, Clerk to the Planning Board

The meeting was called to order at 7:00 p.m.

I. SEQR Review: RIC Energy Lysander III Solar: 1743 Lamson Road

Andy Welch, Project Manager, RIC Energy, represented the Lysander III Solar Project; which is a 2.4 megawatt ground-mounted solar farm on a 30 +/- acre portion of a 120+/- acre parcel, with a 22 acre disturbance, located at the intersection of Lamson and Dinglehole Roads, more particularly known as 1743 Lamson Road. The setbacks are in excess of 220' with appropriate screening. The nearest property owner is nearly 700' away. Access will be coming in between the two houses on Lamson Road (indicating on plan). Additional screening will be provided. Any run-off will be at the same level as it was existing. Retention ponds will be maintained. Driving by it won't be in your windshield view, maybe a fraction of a second at Dinglehole.

Member of the audience: There's no tree line at all at Dinglehole, so I don't understand that comment.

Mr. Welch stated that you've got property, tree line and our sight, it's on the other side of the tree line. The existing property is split by a tree line, basically in half.

Mr. Welch stated that they believe they are in compliance with the Solar Code. You have to have at least a 20 acre site, we are well in excess of 20 acres; no more than 50% lot coverage, we're at about 20%. Fencing will be provided per the Code. Lastly, we have glare protection on it by two means 1) glare coating; and 2) the glare off of single access trackers is all but zero because the concept being that since it's following the sun any reflection that does come off of these panels go up in the air towards the sun.

Mr. Welch stated that they'd be happy to answer any questions the Board may have.

John Corey, Chairman, thanked Mr. Welch for the presentation stating that he believes the Board is good for now.

Tim Frateschi, Esq., stated that the Board is now in a position to review the Full/Long Environmental Assessment Form (EAF). We've already declared ourselves as Lead Agency on this project, with no objections during the Coordinated Review. We will go through Part 2 of the Long EAF, make a determination on the environmental significance of this Solar Farm. The Board will then be in a position to open the Public Hearing after a Determination has been made allowing the public time to give us their thoughts on it. The Board should be in a position later in the meeting to determine whether or not they want to approve the Site Plan.

Mr. Frateschi stated that he will go through each of the questions that talk about the things we should consider when determining the environmental impacts of this project. As explained by the applicant this is a 22 acre project on a 100 acre site, so it's 20% that will be developed for this Solar Farm, let's keep that in the context of the environmental review:

The following were considered during the review of Part 2 of the Long EAF which will be made part of the Public Record:

- Impact on Land
- Impact on Geological Features
- Impacts on Surface Water

Impact on Ground Water  
Impact on Flooding  
Impacts on Air  
Impact on Plants and Animals  
Impact on Agricultural Resources  
Impact on Aesthetic Resources  
Impact on Historic and Archeological Resources  
Impact on Open Space and Recreation  
Impact on Critical Environmental Areas  
Impact on Transportation  
Impact on Energy  
Impact on Noise, Odor and Light  
Impact on Human Health  
Consistency with Community Plans  
Consistency with Community Character

Impact on Land: Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site: Yes, with No or small impact may occur in sub-categories. Wetlands on site will not be disturbed. Further, the Stormwater Pollution Prevention Plan has been approved by the Town Engineer.

Consistency with Community Character: Proposed project is inconsistent with the existing community character: Yes, with No or small impact may occur in sub-categories.

Mr. Frateschi stated that the Board can make a determination on the environmental significance of this project. Based on my review of this, Al's review of this and discussions about this we have prepared a Resolution and make certain FINDINGS that are consistent with what we just went through, would you like me to go through those FINDINGS.

Mr. Corey concurred stating that he believes we are in a position to make a determination.

Mr. Frateschi went through the Findings, as follows:

**FINDINGS and DETERMINATIONS**, which will be added as a supplement to the EAF Part 2 and 3:

1. **FINDING and DETERMINATIONS:** The above recital paragraphs serve as the basis for the FINDINGS and DETERMINATIONS set forth herein and are made part thereof.
2. **FINDING and DETERMINATION:** The Project is consistent with the State policy goals to develop renewable energy opportunities and reduce the use of fossil fuels.
3. **FINDING and DETERMINATION:** The SWPPP presented to the Planning Board and reviewed by the Town Engineer addresses the concerns raised by members of the Planning Board related to erosion, especially during the construction phase of the Project for the Town.
4. **FINDING and DETERMINATION:** The impacts on the land will be minimal because of the nature of constructing of the pile driven panel mounts that would be placed on the site thus reducing the impact on the surface area of the land.
5. **FINDING and DETERMINATION:** Based on the Application and Site Plan Package, the amount of land that will be disturbed (approximately 22 acres) is minimal in the context of the large size of the Property (121 acres) and because the Project will be in the interior of the property, the impacts adjacent land is minimal.
6. **FINDING and DETERMINATION:** Based on the placement of the solar farm on the Property, the 5,096 solar modules will be centered on the Property and will not be visually seen because of existing tree lines that will shield the view. Also, the Engineer for the Town is recommending additional screening and placements that will reduce the visual impacts (See Engineer Review Letter of 6-7-23)
7. **FINDING and DETERMINATION:** The Applicant will stockpile soils on the site to mitigate the impacts on Agricultural land.

8. **FINDING and DETERMINATION:** The wetland delineation report for the site does not show any impacts on potential federal wetlands thus alleviating any environmental concerns as it relates to impact on surface water.
9. **FINDING and DETERMINATION:** As of the day of this Resolution, the Engineer for the Town has reviewed the U.S. Fish & Wildlife and New York State DEC rules, regulations, and mapping data and per such data has determined that there shall be no tree removal from the Property while the Long Eared and Indiana Bat may be roosting on the Property (April 1 through October 31).

Mr. Frateschi stated that the Board is in a position now to determine whether or not this will have a significant environmental impact. I have presented you a Resolution that makes a **NEGATIVE DECLARATION**, meaning that this project would not have a significant environmental impact based on Part 2 of the Environmental Assessment form that we reviewed. If you want to move forward in approving that Resolution feel free to, if you have any questions about it, let me know.

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**IN THE MATTER  
Of  
STATE ENVIRONMENTAL QUALITY REVIEW  
ACT  
DETERMINATION FOR  
THE LYSANDER III SOLAR PROJECT  
PROPOSED BY LYSANDER III PV, LLC**

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**Resolution 2023 - 001  
DETERMINATION OF  
ENVIRONMENTAL  
SIGNIFICANCE**

**MOTION BY COREY, SECOND BY DARCANGELO**

**WHEREAS**, Lysander III PV, LLC (the “Applicant”) is proposing the construction of a ground mounted photovoltaic solar energy generating facility generating 2.4 megawatts (MW) alternating current, located at 1743 Lamson Road, Phoenix, NY (tax ID: 017-04-06.1) (the “Project”). The Project is situated within an approximately 22-acre portion of an approximately 121-acre parcel (the “Property” or “Project Site”).

**WHEREAS**, the Applicant, through its engineers RIC Development LLC has submitted a site plan package (the “Site Plan Package”) entitled Lysander III Solar Site Plan Review Application, which consists of the following Sheets: Title Sheet RIC Energy, Lysander III Solar G-001; Existing Conditions C-101; Site Preparation and Erosion and Sediment Control Plan Site C-102; Overall Site Plan C-200. Site Layout Plan C-201; Interconnection and Utility Access Plan and Profile C-202; Grading and Drainage Plan and Proposed Access Road Profile C-301; Landscape Plan C-401; Landscape Butter Plan Enlargement & Plant Details C-402; Site Details C-501; Site Details C-502 and Site Details C-503; Project No. 607122, dated April 3, 2023.

**WHEREAS**, the Planning Board and its engineer have reviewed the Site Plan Package and have considered it in relation to the SEQRA review and findings set forth herein;

**WHEREAS**, the existing zoning for the Project Site is Agriculture which allows the Project as set forth in the Application;

**WHEREAS**, land uses in the adjacent surrounding area are primarily agricultural and vacant land and woodlands;

**WHEREAS**, because more than 10 acres of the Property will be disturbed by removal of trees for the Project, it qualifies the Action as a Type I action under Article 8 of the New York State Environment Law and 6 NYCRR (“SEQRA”);

**WHEREAS**, on April 13, 2023, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the “Planning Board”) declared itself the Lead Agency and issued to all involved agencies a Notice of Intent that classified the Project as a Type I action and further stated that it intended to be the Lead Agency for the Action;

**WHEREAS**, no involved agency responded in objection to the Notice of Intent for Lead Agency;

**WHEREAS**, by letter dated June 7, 2023, the Engineer for the Town has reviewed the Site Plan Package and based on his review has determined that the Site Plan

Package meet the engineering and State/Town standards for a solar voltaic system in the Town of Lysander (See Engineer's Review Letter of June 7, 2023);

**WHEREAS**, RIC Energy submitted to the Engineer for the Town a Stormwater Pollution and Prevention Plan ("SWPPP") dated April 2023; which identifies stormwater run-off issues and proposed stormwater facilities that will meet the NYS Department of Environmental Conservation regulations (See Engineer's Review Letter of June 7, 2023);

**WHEREAS**, by resolution dated April 26, 2023 the Onondaga Planning Agency determined that the Project would not have an inter-county wide impact and offered one modification, which modification is agreed to by the Planning Board;

**WHEREAS**, on June 8, 2023, at its monthly meeting, the Planning Board reviewed, discussed and asked questions to the Applicant regarding Part 2 of the Full Environmental Assessment Form (the "EAF") and answered the 18 questions set forth therein based on the Project;

**WHEREAS**, for the reasons set forth in the minutes of the June 8, 2023 meeting, the presentation made by the Applicant, the glare prevention mechanism installed in the solar panels, the existing tree lines and the new screening plan proposed by the Applicant, the information on Part 1 of the EAF, the notes set forth on Part 2 of the EAF and the personal knowledge of the Planning Board members of the Project site, the Planning Board determined that there would be no environmental impact on Geological Features, Surface Water, Groundwater, Flooding, Air, Plants and Animals, Historical and Archeological Resources, Open Space and Recreation, Aesthetic Resources, Critical Environmental Areas, Transportation, Energy, Noise/Oder/Light, Human Health, and Consistency with Community Plans;

**WHEREAS**, the Planning Board did identify potential environmental impacts as follows: (i) Impact on Land; (ii) Impacts on Agriculture; (iii) Impacts on Community Character;

**WHEREAS**, of the one potential environmental impact set forth in the previous paragraph, the Planning Board determined that the standards set forth in the EAF sub-questions indicated "no, or small impact may occur", except for mitigation measures that would be required related to Impacts on Land, as set forth in the next paragraph;

**WHEREAS**, the State of New York has adopted the 2015 New York State Energy Plan, which sets forth various renewable energy goals for the State;

**WHEREAS**, on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law which was among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. <https://climate.ny.gov/>

**WHEREAS**, the Planning Board agrees with the goals set forth in these and all the State policies on renewable energy and encourages the production of renewable energy in the Town of Lysander;

**WHEREAS**, based on the review of the Site Plan Package, Part 1 and Part 2 of the EAF, the Planning Board's familiarity of the Project Site, the Town's Comprehensive Plan, the zoning designation of the Property as Agricultural, the comments received by the public, and all of the Recitals stated above, the Planning Board hereby makes the following **FINDINGS and DETERMINATIONS**, which will be added as a supplement to the EAF Part 2 and 3:

10. **FINDING and DETERMINATIONS**: The above recital paragraphs serve as the basis for the FINDINGS and DETERMINATIONS set forth herein and are made part thereof.
11. **FINDING and DETERMINATION**: The Project is consistent with the State policy goals to develop renewable energy opportunities and reduce the use of fossil fuels.
12. **FINDING and DETERMINATION**: The SWPPP presented to the Planning Board and reviewed by the Town Engineer addresses the concerns raised by members of the Planning Board related to erosion, especially during the construction phase of the Project for the Town.
13. **FINDING and DETERMINATION**: The impacts on the land will be minimal because of the nature of constructing of the pile driven panel mounts that would be placed on the site thus reducing the impact on the surface area of the land.

14. **FINDING and DETERMINATION:** Based on the Application and Site Plan Package, the amount of land that will be disturbed (approximately 22 acres) is minimal in the context of the large size of the Property (121 acres) and because the Project will be in the interior of the property, the impacts adjacent land is minimal.
15. **FINDING and DETERMINATION:** Based on the placement of the solar farm on the Property, the 5,096 solar modules will be centered on the Property and will not be visually seen because of existing tree lines that will shield the view. Also, the Engineer for the Town is recommending additional screening and placements that will reduce the visual impacts (See Engineer Review Letter of 6-7-23)
16. **FINDING and DETERMINATION:** The Applicant will stockpile soils on the site to mitigate the impacts on Agricultural land.
17. **FINDING and DETERMINATION:** The wetland delineation report for the site does not show any impacts on potential federal wetlands thus alleviating any environmental concerns as it relates to impact on surface water.
18. **FINDING and DETERMINATION:** As of the day of this Resolution, the Engineer for the Town has reviewed the U.S. Fish & Wildlife and New York State DEC rules, regulations, and mapping data and per such data has determined that there shall be no tree removal from the Property while the Long Eared and Indiana Bat may be roosting on the Property (April 1 through October 31).

**NOW THEREFORE BE IT RESOLVED**, that having reviewed the EAF and relating it to the criteria set forth in Section 617.8(c) of the SEQRA regulations, having held the public hearing and making the Findings and Determinations contained in this Resolution, the Planning Board hereby issues a Negative Declaration under Article 8 of the Environmental Conservation Law;

**BE IT FURTHER RESOLVED**, that the Lead Agency is the Planning Board of the Town of Lysander, with a mailing address of 8220 Loop Road, Baldwinsville, Town of Lysander, New York;

**BE IT FURTHER RESOLVED**, that the Project is a Type I Action under SEQRA;

**BE IT FURTHER RESOLVED**, that the proposed Action is located at 1743 Lamson Road;

**BE IT FURTHER RESOLVED**, that this Resolution be appended to the EAF Part 2 and Part 3 and made a part thereof;

**BE IT FURTHER RESOLVED**, that Secretary to the Planning Board is hereby directed to file this Negative Declaration with the appropriate entities as set forth under 6 NYCRR Part 617.

**5 Ayes -- 0 Noes**

PUBLIC HEARING -- 7:05 p.m.

1. Controlled Site Use  
Case No. 2023—002

RIC Energy  
1743 Lamson Road

The Public Hearing opened at 7:39 p.m.

Speakers and their concerns:

Tony Fusco, Fenner Road:

- In reviewing the questions on the Long EAF, how does the Board know, for instance, the long term effectiveness of solar panels.
- How often are what constitutes 5000 windows being cleaned with water and/or chemicals. Research shows a chemical cleaning process. Other concerns relate to the existing Aquifers. Well contamination.

- Losing our farmland.
- Concern with the existing Solar Farm approved by this Board on Church Road that does not appear to comply with the zoning with regard to setbacks/screening.

Steve Darcangelo state that these are all great concerns. It is his belief that they will do it in a legal manner. Whether or not they use some sort of a solvent that would be detrimental would be illegal. They couldn't discharge that on to the ground. I'm acting with the understanding that that would not be the case, however we don't have any assurance that that would not be the case. We have to trust the NYS DEC or whoever is responsible to make sure that their business is being conducted accordingly.

Mr. Fusco questioned if a Maintenance Plan is required.

Mr. Yager stated that it's not required in the Code; we do ask for a Decommissioning Plan. We don't tell any other business owners how to run their business, including farmers, commercial activity, etc... What responsibility does a municipality have to maintain a private property, private business within the Town? In this environment we're talking dust from agricultural activities, pollen, smoke with the current situation today, but I don't know if you necessarily have to use a special contaminant to clean

Mr. Welch stated that the best way to clean them is with a damp cloth or sponge with clear water.

Mr. Frateschi stated that it would be very ineffective and inefficient for the owner of the Solar Farm not to keep and maintain them. It is their business that would suffer.

Mr. Fusco questioned what the Town gets out of these solar farms, how does the Town benefit.

Mr. Yager stated that basically we get an increase in the assessment value of the property and typically if they ask for a PILOT we will not support the PILOT unless they agree to make the Town whole on the lost taxes to the Town from the full assessed value; but the tax rate in this Town is so low it's a relatively small fee.

There was some discussion with regard to the Town having opted out of the 485 Program which allows them a property tax exemption. There is no PILOT required because they're paying full property taxes.

Mr. Darcangelo stated that Community benefit is there is an opportunity for rate payers to have a reduction in their bill as a result in having solar farms in their vicinity. There's a manner in which as a rate payer you can have the option to select a new renewable resource and it can result in a reduced cost in your electric bill.

Paul Richard, Fenner Road, questioned how it will affect property values. If there is a decrease in value does it get paid back to the homeowner.

Mr. Darcangelo stated that there's no mechanism to pay back the homeowner. If someone develops a piece of property in a manner that's consistent with the zoning the consequence could be an increase or a decrease in their property values that we have no way of knowing. Our review of such proposal does not take that into account.

Jack Hermann, Dinglehole Road, questioned where this would run into the grid and whether or not it would be underground.

Mr. Welch stated that is connects into the corner of Dinglehole and Lamson Roads. It would not be underground. We go adjacent to the transformers.

It was determined that there would be seven new poles within 200' at 25' apart.

Mr. Darcangelo questioned if we could soften the visual impact as they do have a visual impact being right at the road; we see utility poles all over, but this is 7 poles within a short distance. Perhaps by we cold ask for additional screening, extend the power further underground and put ground base equipment in for the interconnection...there might be a couple things.

There was some discussion with regard to the 2.4 megawatts with Mr. Welch stating that that is the maximum amount going to the grid.

There was some discussion with regard to battery storage on-site with Mr. Welch stating there would be no battery storage.

Gentlemen questioned Lot Coverage with Mr. Yager stating 50% being allowed in the agricultural zoning districts.

Gentlemen: That being the case theoretically another 30 to 50 acres could be developed into solar energy.

Mr. Frateschi stated that they would have to come back for site plan approval for that. Right now we are dealing with 20% lot coverage.

Mr. Corey added that they're also limited by the power station they're hooking up to has limited capacity. We already have a couple of projects that came before the board that had to be downsized because National Grid couldn't take it; so the odds of another big chunk coming in is not that good right now.

Dave Musumeci, 1633 Rabbit Lane:

- Aquifer...there's not a question, if there are wells, there are hundreds of homes in that 5 to 10 mile radius that are on wells. There is no water district that services that areas, so all of the families there get their water from wells.
- Concerned with potential hazardous materials in the 25 acres. Failure of solar panels due to ice, water, heating & contracting. I'm not sure what the Board is thinking when it comes to 'our' children drinking this water.

Mr. Darcangelo stated that he has had that same concern because we've had a number of solar panels and I've looked into it. There are no hazardous chemicals; primarily silica, electronics and other things. They are driven in with a galvanized post...

Mr. Musumeci: You're talking installation; I'm talking panels, transformers, all the electric components...I'm an engineer by trade.

Mr. Darcangelo continued stating that the panels themselves are fairly inert.

Mr. Yager stated that the panels themselves are non-soluble silica. So if a glass panel breaks and water gets into the panel it's not like the silica dissolves and runs off into the soil. It's silica so it's not a hazardous material. The first couple of solar panels may have included hazardous materials, but that was thirty years ago. Current generations from all of our research find that these are all inert, non-hazardous materials that are used to construct the panels themselves. From an electronic standpoint it's no a significant amount of material; it's just not in the whole grand scheme of things. The farmer that's growing (unclear) on 100 acres next door to you is a much bigger concern than inert, insoluble material.

Woman in audience questioned if the public could get all of the information of what the chemicals are?

Mr. Yager stated that all of the material is available on line.

Woman in audience stated that the literature that's out there I agree with him (Musumeci).

Mr. Mucemeci stated that it's totally in contradiction of what you're saying (Yager). Even major University's that have done studies I have a few URL's I could share...

Mr. Darcangelo stated that you have to be cautious in understanding what you're reviewing.

Mr. Mucemeci expressed his concern that the Board acted on the environmental issues then opened the hearing and these things weren't taken into account. There's an Aquifer, wetlands, etc... it just seems like it was rolled over during the review. To not recognize the situation and bond something so we can do some water tests, check the Aquifer for chemicals over time... At the end of the day I'm not anti this generation of things, but I hear a lot of 'maybe's'... Everybody in the Community is on a well

Mr. Frateschi stated that the Board went through all of the environmental concerns that the DEC raises/questions and we rely on our experts to give us their opinion on what they believe the environmental impact is. We have hired an engineer to do that for us. We are fortunate enough in the Town of Lysander to have an engineer that sits on our Planning Board that's a Civil Engineer...two Civil Engineers reviewing all of this information and providing recommendations to the Planning Board, lay citizens, who rely on that to make an ultimate determination. And we're working right off of the DEC's Environmental Assessment form that has been provided to us.

Mr. Mucemeci: I suppose, but I believe there's a few we rolled over a lot of that assessment. I was here, I witnessed that.

Mr. Frateschi stated that that's the Planning Board's decision, they're the ones that were appointed to make those decisions.

The Aquifer was once again discussed with Mr. Corey stating that Board stated that they're aware that there's an Aquifer adjacent to the property and the SWPPP provided was reviewed by the engineer who found that there will not be run-off or erosion issues. That is what we have to go by.

Mr. Mucemeci: As a family man living in this neighborhood it's a pollution concern. From what I've read those panels have hazardous materials in them and it would be interesting to find out who the manufacturer is, where they're made, what Countries, what their tolerances are...that's all.

Mr. Yager stated that he believes they expect panels that are out of Canada for this project. That was submitted as part of their application and is available for your review.

Mr. Fusco questioned the life expectancy of the panels because everything he has read is 15 to 30 years.

Mr. Yager stated that that's a business decision, not a Planning Board decision.

Mr. Fusco stated that you're holding Lysander at the mercy of a business decision...

Mr. Yager stated that we do that with ever business that is approved. America is a free market economy.

Mr. Frateschi added that this is the Planning Board that looks at the zoning to make sure that the project meets the Zoning Code. That's the Planning Board's responsibility. We don't ask "Target" when they want to build a store what they have in the store, what they're selling in the store, what hazardous materials, where it's made...that's just not the responsibility of the Planning Board. The responsibility of the Planning Board is to make sure that the project works properly under the Code. That's their responsibility. We assume that when the State puts in a policy that says it wants 50% renewable energy by 2040 that they regulate the items that are going to provide that policy and that that it's safe. This is not the County Health Department, it's not the State Health Department, it's not the Consumer Protection Board...

Mr. Musumeci stated that the land is Agricultural, the zoning doesn't change on it?

Mr. Frateschi stated that Solar Farms are allowed in the Ag District.

Mr. Yager added that it's a Town Board decision; which is why there is a moratorium on future solar projects, but this Board, because the applications were submitted before moratorium was in place has an obligation to hear these applicants.

Mr. Musumeci questioned the moratorium with Mr. Yager stating that we're not accepting any addition solar applications at this time.

Mr. Frateschi stated that the reason being that there has been an influx of them and the Town Board wants to look at the Zoning Code with Mr. Yager adding to make sure that where they're allowed is appropriate.

Mr. Yager stated that he anticipates that the Town Board is going to make the Code more restrictive, probably larger lot sizes, probably greater setbacks and things to that nature; but from an environmental standpoint the Town doesn't have the expertise to regulate that, nor do we have the staff. We're a small, rural/suburban community. We have to rely on 'big government' to do their job in that regard. That's not what Local Home Rule is about.

Mr. Fusco stated that as a Planning Board you should have some obligation to protect the people. If they're going to come into the Town of Lysander put in a bond so we can test the quifer and the water every so often and if there's a problem it has to be taken care of.

Mr. Darcangelo stated that the Board absolutely has an obligation to protect the people. We don't take this job lightly. We take into account a lot of things for the sole reason of making sure that what's happening is both in compliance with the Code and with the understanding that the Code is for the best of the community.



Mary Hennessey that she lives on Bellows Road, not too far from the 'monstrosity' that is on Church Road. It has a beautiful fence around it that is enormous. I don't think anybody has mentioned at all about Beaver Lake, you've got Dinglehole, you've got Church Road on the north of the lake and you have the Emmi property that is on the south of the lake and the geese migrate, the snow geese. Besides all of the hazards that could occur, we don't know, we don't know what seeps in the ground...if they break, my understanding is the glass panels they emit toxic chemicals. There is literature out there. The home values...our taxes keep going up and up and up and who wants to live near an enormous solar farm. You've got 22 acres and it doesn't sound like much but that would be 50 houses in a typical housing development...it's huge and they're right in people's backyards. 280' from somebody's property on Dinglehole, my front lawn is bigger than that and I don't think there has been any mention of the building safeguards for the concerns that people have mentioned. If Joe's auto shop was dumping oil in somebody's backyard I think somebody would be checking that. Is that not part of a business that you have to meet some safety standards; I'm not saying the Town would have to do it, but would a company have to ensure that things are safe so that it's not leaking into our well water.

Mr. Frateschi stated that you're presuming things aren't safe.

Additional scenarios were discussed with Mr. Darcangelo stating that whatever an application is he reviews it with the understanding that whatever that application is for it's going to be conducted in a legal manner. I have no mechanism to enforce those regulations. There are other entities that are responsible for doing that. It's my assumption that they will do their job. It's my assumption that the DEC will identify something that's going on wrong at this or any other business and that's the best I can do. The Planning Board can share your frustration but it's just not something that we as a Planning Board reviews the future actions applicants take.

Mr. Mucumeci stated his opinion that it's just not the best location (unclear) it's a site that somebody wanted to sell and make a few dollars off of I think and there's a lot of people that live right there.

Aldo Bonacchi stated that this is our proposed plan so this is coming from a bias opinion, but it's important that I address some of these issues. First of all I have a well, a 17' dug well and it's probably the closest well, except for the gentleman that is behind us on Rabbit. Those concerns are obvious. I have twins who are five years old. I have an eleven year old daughter. Let me tell you I'd be the first one to put a foot in someone's ass if I see some sort of solvent going on there in an improper manner. I can also tell you that Mr. Lunckenheimer is the farmer that has sprayed a lot worst stuff in those fields for the last forty or fifty years and the farmers before that. So for us to be discussing the 'what if's' I think we're getting a little bit in front of ourselves. These gentlemen have attested that these are inert solar panels, correct sir, they're inert?

Mr. Welsh concurred.

Mr. Bonacchi stated that until somebody brings something forward stating something otherwise we're chasing our tails...(several talking); this wasn't just thrown together, this was thought out as best we could to see what could fit. This is my backyard, I don't want it looking bad as well. With regard to the seven poles, that's a very good point; I thought there was three because I can tell you right now looking westbound to try and turn onto Lamson all those poles could be bothersome because when National Grid dumped those other poles on us, which we tried to fight, now they could be creating a hazard there, so that's a legit point Sir, but in regard to water run-off and going through the DEC regulations saying the Board was skipping over things...they're not even allowed to knock over a tree until October because of the bats. It wasn't pushed through. They did what they were supposed to do.

Mr. Corey stated that you're given an opportunity in the Public Hearing to raise any questions or concerns you have with regard to this specific proposal. I don't want to see this break down into a discussion back and forth on theory, possibilities and what-ifs. We're a body as has been explained to you that operates under the Codes of the Town of Lysander, the County of Onondaga and the State of New York. We have a specific responsibility and we take that responsibility very seriously and we do our homework; but we rely on experts, whether they be at the State level, the County or our own engineer and we rely upon the Code that we operate under. If a project comes before this Board that meets all of the Town, County and State Codes related to it it's the fiduciary obligation of this committee to support that. This project quite frankly, having reviewed four and the ones proposed this evening is the best presented, best laid out, best thought out Solar Farm that we've looked at. We don't deal with how they operate. If anyone has anymore concerns other than the ones that have already been mentioned, please raise your hand and you can talk.

Gentleman: Questioned the PILOT program stating that the Town of Clay has recently had an issue with tax exempt Solar Farms costing the Town money.

Mr. Frateschi stated that the Town of Clay has opted out of 487B. The default decision in the State of New York, the State policy of trying to encourage renewable so all solar projects, all renewable energy projects are exempt from property taxes; unless you choose to be removed from that. A Town can choose to say, no we don't want that exemption in our Town; we want you to assess the property at full value and you will be taxed at full value. I'm not the Town Attorney, I'm the Planning Board Attorney, but according to the engineer, who sits on both Boards indicated that the Town Board has chosen to take Lysander out of that exemption. So, in Clay where they didn't take themselves out of that exemption once a solar farm determines they are coming into the Town they have to put the Town Board on notice that they are and within sixty days the Town would have to say, ok if you're coming into our Town we want a PILOT. We don't have to do that in Lysander because we already said the exemption isn't going to be provided in the Town of Lysander.

Kevin Rode, Town Board, added that nothing prevents the developer from going to OCIDA (Onondaga County Industrial Development Agency)...

Mr. Frateschi stated that that's correct because there is a provision under the General Municipal Law which creates Industrial Development Agencies that allows the County Industrial Agency to provide a PILOT for a project because the State of New York has determined that solar farms are renewable energy projects are economic development projects and because of that they can apply for an IDA PILOT instead which would make a portion of the taxes exempt. Mr. Yager added reduced over a 10 year period.

Mr. Corey thanked the public for their comments and closed the Public Hearing at 8:26 p.m.

John Corey, Chairman, stated that the Board has not been provided the proper documentation and information we need to evaluate next two solar projects from a SEQR standpoint so we will not be doing SEQR on them. We will open the hearings by Law because they have been scheduled. Please understand that the hearings will be opened and adjourned until we have all of the property material we need to do a proper evaluation. If you want to speak on these applications tonight or you can speak next month if we have the material we need and are required in order to do these reviews. The hearings will be reopened at that time.

SEQR Review: West Genesee Road Solar 1, LLC: 1235 West Genesee Road

This item will be tabled.

PUBLIC HEARING -- 7:10 p.m.

2. Controlled Site Use Case No. 2023—004	West Genesee Road Solar 1, LLC 1235 West Genesee Road
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The Public Hearing opened at 8:28 p.m.

Mary Hennessey, 1369 Bellows Road, questioned fire hazards asking if the local Fire Departments are capable of putting them out. They're all near neighborhoods. Is that something that is taken into consideration.

John Corey, Chairman, stated that the Fire Departments review the lay-out and see that they can get equipment to it. They'll treat any fire the way they treat specific fires.

Steve Darcangelo stated that a potential threat is a brush fire which probably isn't a result of an electrical fire. The materials themselves are galvanized pipe or steel...generally not flammable.

Tony Fusco, 8251 Fenner Road, stated that he lives right next to this proposed project and is concerned with the Village of Baldwinsville's wells that are down the road and the Aquifer that comes down through Beaver Lake, follows Fenner Road and runs into the wells and feeds those wells (NYS Route 370/Riverbend Drive). To me that Aquifer being that close to the site poses a serious problem, mainly because of some of the things we've already talked about. The maintenance of these things. Run-off from the winters we have, it's going to create a channel just like gutters on your house. Further, it appears this site exceed the 50% minimum. Also, the Town of Lysander is considering changes to the Comprehensive Land Use Plan (CLUP) and one of the recommendations is that the lot coverage shouldn't exceed 30% lot coverage.

With regard to Lot Coverage, Mr. Yager stated that you have to count the greenspace between the rows of panels as part of the lot coverage, so you have 10' of space between each row of panels that's not counted towards lot coverage.

Mr. Corey stated that the CLUP Committee is making that recommendation especially for solar farms on prime farmland soil. That is one of the reasons the moratorium was put into place because of the experience we've had since the last CLUP was done in 2015. We've learned some things and we need to update the Solar Code that's currently part of Town Law, so the Committee is recommending larger acreage, smaller coverage...we're not allowed to say you can't do it.

Mr. Fusco stated that when the question of water comes up, especially the wells that feed the Village of Baldwinsville's water supply, it needs to be addressed because it could be catastrophic if something happens to that Aquifer. I just think this site should be rejected. It's not a nice site. These things aren't pretty to look at, especially from the several houses that are right across from this thing and I'm adjacent to it. I have a hedgerow, but...it's not 100% blocking the view, 50% of the year we can see right through there all of the time. They only allow 75' there. It's going to have a negative affect on our property taxes.

Mr. Fusco raised the concern that was addressed during the last hearing and that is the need for a Maintenance Plan.

Mr. Corey stated that it's certainly something that could be brought up with the Town Board when they're in the process of adopting the CLUP.

Al Yager, Town Engineer, concurred stating that some of the confusion here is that the Planning Board doesn't make the laws. The Planning Board reviews projects to make sure that they comply with the law the Town Board makes. That's their soul responsibility...do these projects comply with the laws that the Town Board gives them to analyze and review projects for conformance.

Considerable discussion with regard to contaminants, water testing, etc... and the need for a Maintenance with annual testing were discussed.

Doug Beachel stated that we don't have that capability. We're not a regulatory agency. We look at projects that are presented to us to see that they meet the Code. We can't change the law, we don't have that capability. That's a function of the Town Board. Private property owners can make an application to us for anything they want, if they don't meet the requirements, we can say no. If it does we have to work with them.

Steve Darcangelo questioned if we should require residential property to conduct tests of their septic systems...there's a potential for contaminants there but we don't. We understand that they are designed, built and maintained per the requirements and we have to take that into consideration. Or every homeowner being required to take monthly samples of ground water. It's just not reasonable.

Martin Willix and Kacey Rose, Erdman Anthony, were before the Board representing their client, stated that they have provided photo simulations and two copies of the Stormwater Pollution Prevention Plan (SWPPP) this evening.

Mr. Willix stated that the plans have all been mounted on the board for review and asked if the Board would like a presentation before continuing with the Public Hearing.

Karen Rice, Clerk, stated that the plans are also on the AV System as well.

Ms. Rose stated that the project is a 2.9 AC Ground Mounted Community Solar Energy System and also has a battery storage system for capacity of up to 5 megawatts per hour AC. The project site is 31.2 acres. The Solar Farm encompasses approximately 16 acres. The fence array itself is 16.7 acres with a 20' wide crushed stone driveway that is about 0.2 acres outside of the fence and .4 acres inside the fence. The battery storage system is about 0.19 acres and we have a total of 2.7 acres of tree clearing that will be required. There are five utility poles proposed. The maximum coverage 45% in panel area. They are visually screened both along the west and north sides of the property. Since it is visually screened we have provided a 70' setback on the west and a 75' setback on the north side. A 234' setback has been provided on the east side with a 222' setback on the south side. The proposed trees will be between five and seven feet tall.

Mr. Fusco asked if the setbacks were taken from the center of the road with Ms. Rose stating that they are to the panels.

Considerable discussion was had with regard to property values, additional screening along the north side of the property line since the existing trees lose their leaves in the winter; as well as additional screening to the west.

Mr. Fusco expressed his concern for the Aquifer stating that he looked on a 'map' and found that his well is within the Aquifer.

Paul Richards, Fenner Road, stated that he's concerned with the run-off as well because these panels will create run-off. The Reeves farm this area, that run-off could affect their crops.

Mr. Corey stated that the Board just received the SWPPP; which should address the question of run-off.

Brian Reeves, Wheaton Road, stated that he's raised this concern before, before the Town Board...this is 100% prime soil. It's a shame to have this sort of thing on 100% prime soils when there is land all around that's moderate or poor for agricultural production. There's not an acre there that's not prime soil and excellent agriculture production. If anything it is very well drained, but there's water nearby, the Aquifer and the Seneca River 500' to the south. The Emmi's irrigate out of the Seneca River. That's a concern of mine...to see this get lost. I realize all construction is not created equal...on our farm we've got a gas line, we've got power lines and every time that someone did those things they said the property would be restored when they were done. None of it is the same before construction. Drainage has changed, compaction has changed, the fertility of the soil has changed...I don't care if you remove the topsoil and spread it around later, it's not the same as what Mother Nature does. So to say it's not going to have an impact, it is. It is going to have an impact on agriculture. If you put it against the total number of acres in Onondaga County or in the Town of Lysander I suppose it's a small percentage, but repeatedly throughout NYS prime Statewide soils have been impacted by houses and by solar. This is a shame because it's 100% prime soils. That's hopefully something that gets addressed with the moratorium. I do realize, as much as it bothers me, property rights, but it is a balance. I believe this particular parcel is a 25 year lease with four 5 year renewable leases that could tie property up for 45 years. Essentially 35 acres of prime soil will disappear from our agricultural landscape.

Mr. Corey stated that personally he couldn't agree more to Mr. Reeves, I believe this is a bad location for a solar farm but I'm guided by Codes. Our CLUP and the County has an Ag Protection Plan but were not in a better position to control that better, hopefully out of this moratorium we can. I see a lot of reasons why we shouldn't have a solar farm in that location. That's an 'Agri-corridor' along there. We have three farmers that have stands, people come there, pick fruits along there. It destroys the whole sense of character in that area. I wish there was another spot to put it. Personally, the setbacks on the north and west sides is not effective screening because they're deciduous trees so a significant part of the year they're going to be bare. If we are going to be putting something on that property we're going to have to have further setbacks or some very significant screening. My preference right now would be 200' setbacks. These are just comments for your consideration. There are places in Lysander where solar makes sense and prime soil isn't one, but to your point right now we don't have the tools to do a lot about that; so given its location and the traffic through there we're going to be very careful about what goes in there and if anything goes in there it's going to be screened very well or setback significantly to the best of our ability.

Hugh Kimball concurred with the increased setbacks.

Mr. Darcangelo questioned why you wouldn't bring the screening to the south closer to the road so that it's more effective at a younger age. Right now you have it pushed off the road a certain distance. The closer it is those viewing it the more effective it is. There might be a reason, maybe someone wants to use that portion of the property, but it's something to think about. Also, why don't you continue your screening to close up some of the holes.

Mr. Fusco questioned if there's a greater fire hazard with battery storage. If this solar farm goes belly up and they try to return it to its original state, something like the battery storage area could create more problems.

Mr. Darcangelo stated that the Board has asked for additional information on the battery storage.

Mr. Kimball concurred stating that this is the first one we've looked at with battery storage and we will definitely be taking a closer look at it.

The Public Hearing adjourned at 9:06 p.m.

SEQR Review: 3353 Cold Springs Solar, LLC: 3400 Cold Springs Road

This item will be tabled.

PUBLIC HEARING -- 7:15 p.m.

3. Minor Subdivision  
Case No. 2023—008

3354 Cold Springs Solar, LLC  
3400 Cold Springs Road

The Public Hearing opened at 9:07 p.m.

Kacey Rose, Erdman Anthony, represented the applicant stating that the site is located at 3400 Cold Springs Road. It is a proposed Minor Subdivision that will divide the property into three parcels, Parcel 1 being 14.072 acres; Parcel 2 being 21.592 acres and Parcel 3 being 44.781 acres. The property as a whole is 100.445 acres. Parcel 1 is targeted for residential development; Parcel 2 will be turned over to a Land Conservation Group and Parcel 3 will be used for solar development and a Controlled Site Use application has been submitted for this currently under review.

Ron Bryant, Hayes Road, stated that this is some of the best farmland that we're turning into apartments and solar. You really should take that under consideration. How are you going to block those solar panels looking across from Abbott Farms on Route 370?

John Corey, Chairman, stated that they will look at it as part of the review.

Tony Fusco, Fenner Road, expressed his concern with blinding light off of the panels which could end up in a catastrophe. Who would be responsible if somebody gets killed because of the blinding light off of these 'mirrors.

Mr. Corey stated that we're discussing the Minor Subdivision, not the solar farm application.

Hugh Kimball stated that they're not mirrors, they're designed to absorb the sun, not to reflect it.

Steve Darcangelo posed a question to the Planning Board Attorney with regard to the environmental review for both the proposed use of Lot 3 and the subdivision together

Tim Frateschi, Planning Board Attorney, questioned if we have a subdivision map with Al Yager, Town Engineer, stating that his electronic copy was illegible and he hasn't received a paper copy of the subdivision map therefore I haven't done my review.

Mr. Frateschi stated that we will be doing a SEQR review on the three lot subdivision...why isn't that not segmentation is the question. There's a concept of the law that states if you break up a project into smaller bits to reduce the impacts from an environmental standpoint then that's not permissible. In this case, we're simply doing a three lot subdivision. If this subdivision is approved each one of those lots that would have a project on it will have a separate and distinct SEQR review that will determine the impact housing for instance if that's one of them. We don't know that today because we don't have an application for that. We do have an application for the solar farm on the middle place that will be reviewed separately and distinctly from the three lot subdivision and we will make a separate determination; so we aren't going to segment it in the sense that we're going to be looking at it the whole solar farm from an environmental impact statement. So, I'm ok with looking at the three lot subdivision and doing a short form SEQR determination on that.

It was discovered that paper copies of the Minor Subdivision were received, however this item and any action on it will be tabled until the next Planning Board meeting.

The Public Hearing adjourned at 9:15 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the May 11, 2023 regular Planning Board meeting.

This item will be tabled until the July 13, 2023 Planning Board meeting.

### III. OLD BUSINESS

1. Controlled Site Use  
Case No. 2023—002

RIC Energy  
1743 Lamson Road

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, who made the following determination, in part:

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENTS in regards to the Lysander II PV, LLC Solar Farm application:

- 1) The applicant advised to consult the New York State Department of Agriculture and Markets' guidelines for solar energy projects on agricultural lands to minimize impacts due to construction activities and ensure post-construction restoration and/or a decommissioning plans allow for continued or future use of agricultural areas that may have experienced ground disturbance during construction.
- 2) This project is located in a potential agricultural priority area in Onondaga County. The installation of solar energy systems on active or prime farmland should be minimized where possible, and alternately designed to minimize disruption to existing and future agricultural operations. The applicant is advised to avoid configurations that fragment farm fields and projection and disturb prime and statewide important agricultural soil types.

Best practices to consider include siting solar systems in more remote areas with marginal soils and less productive lands, minimizing disturbance of topsoil, soil erosion and compaction during construction, requiring maintenance and reuse of disturbed topsoil on the same site, planting pollinator-friendly and native species between solar panels, using lands around solar panels as pasture for grazing, installing ground mounted solar systems that do not require footings, allowing for small animal movement through fencing, and avoiding nearby wetlands or floodplains.

There is a letter on file prepared by Al Yager, Town Engineer, dated June 7, 2023 that will be made part of the public record, in part:

I have completed my review of the most recent site plan drawings, revision date of April 3, 2023, SWPPP dated April 2023 and SEQR for the Lysander III Solar Farm project. My review generated the following comments that the Planning Board will need to consider prior to moving forward with any approvals related to this project.

#### Site Plan Review Comments:

- 1) The Planning Board should request a copy of the interconnect agreement from National Grid to verify that additional off-site electrical grid improvement will not be required for this to move forward.
- 2) I would recommend that an additional row of evergreen trees to added to the landscaping plan that is 10' from the currently proposed trees and that all trees be planted at a maximum spacing of 10 OC.
- 3) I would recommend that the spacing between the rows of trees and that the row of shrubs be reduced to 4' to 5' and that the shrubs are planted with a maximum spacing of 4' OC.
- 4) A note will need to be added to the landscaping plan that states the following: "All plants that have received deer damage, are dead or not in good condition, shall be replaced within 1 year. Plants that have received deer damage shall not be replaced in kind. The site shall be inspected annually by the Town Engineer to determine trees and shrubs that need to be replaced."
- 5) Correspondence form the Onondaga Department of Transportation and Town of Lysander Highway Superintendent should be provided to verify that the proposed driveway location area acceptable.

SWPPP Review Comments: No comments at this time.

#### SEQR Review Comments:

- 6) A copy of the SHPO no effect letter should be included in the SEQR FEA supplemental information.

Overall the site plan, SWPPP and SEQR submission included with the site plan application for this project is very complete. The site seems well suited for the proposed development. The setbacks and proposed screening appear to mitigate to the greatest extent possible the visual impacts associated with the project on the surrounding properties and traveling public.

Tim Frateschi, Planning Board Attorney, stated that he has prepared a Draft Resolution for the Board's review. If the Board is ready to move forward to the approval of the Site Plan package, there are still a couple of questions that we discussed after the Public Hearing.

The Board reviewed the Draft Resolution with modifications made throughout and made part of the following Resolution:

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**IN THE MATTER  
Of  
SITE PLAN DETERMINATION FOR  
THE LYSANDER III SOLAR PROJECT  
PROPOSED BY LYSANDER III PV, LLC**

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**Resolution #2023--002  
SITE PLAN APPROVAL**

**MOTION BY COREY, SECOND BY DARCANGELO**

**WHEREAS**, Lysander III PV, LLC (the "Applicant") is proposing the construction of a ground mounted photovoltaic solar energy generating facility generating 2.4 megawatts (MW) alternating current, located at 1743 Lamson Road, Phoenix, NY (tax ID: 017-04-06.1) (the "Project"). The Project is situated within an approximately 22-acred portion of an approximately 121-acre parcel (the "Property" or "Project Site").

**WHEREAS**, the Applicant, through its engineers RIC Development LLC has submitted a site plan package (the "Site Plan Package") entitled Lysander III Solar Site Plan Review Application, which consists of the following Sheets: Title Sheet RIC Energy, Lysander III Solar G-001; Existing Conditions C-101; Site Preparation and Erosion and Sediment Control Plan Site C-102; Overall Site Plan C-200. Site Layout Plan C-201; Interconnection and Utility Access Plan and Profile C-202; Grading and Drainage Plan and Proposed Access Road Profile C-301; Landscape Plan C-401; Landscape Butter Plan Enlargement & Plant Details C-402; Site Details C-501; Site Details C-502 and Site Details C-503; Project No. 607122, dated April 3, 2023.

**WHEREAS**, the Planning Board and its engineer have reviewed the Site Plan Package and have considered it in relation to the SEQRA review and findings set forth herein;

**WHEREAS**, the existing zoning for the Project Site is Agriculture which allows the Project as set forth in the Application;

**WHEREAS**, land uses in the adjacent surrounding area are primarily agricultural and vacant land and woodlands;

**WHEREAS**, on June 8, 2023, the Planning Board reviewed Part 2 of the Long EAF and determined by Resolution that the Project will not have a significant environmental impact under SEQRA, which Resolution is made part of this Resolution;

**WHEREAS**, by letter dated June 7, 2023, the Engineer for the Town has reviewed the Site Plan Package and based on his review has determined that the Site Plan Package meet the engineering and State/Town standards for a solar voltaic system in the Town of Lysander (Engineer's Review Letter of 6-7-2);

**WHEREAS**, by resolution dated April 26, 2023 the Onondaga Planning Agency determined that the Project would not have an inter-county wide impact and offered one modification, which modification is agreed to by the Planning Board;

**WHEREAS**, the State of New York has adopted the 2015 New York State Energy Plan, which sets forth various renewable energy goals for the State;

**WHEREAS**, on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law which was among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. <https://climate.ny.gov/>

**WHEREAS**, the Planning Board agrees with the goals set forth in these and all the State policies on renewable energy and encourages the production of renewable energy in the Town of Lysander;

**WHEREAS**, on June 8, 2023, the Planning Board held a public hearing on the Site Plan Package at which time the public was given an opportunity to speak for and against the Project;

**NOW, THEREFORE BE IT RESOLVED** that the Planning Board hereby approves the Site Plan Package with the following conditions:

1. All of the conditions set forth in the Town Engineer’s Review letter of 6-7-23;
2. Applicant shall work with National Grid and the Engineer for the Town to reduce the number of telephone poles for the Interconnect site to one and the rest of the lines shall be ground mounted (and screened) or underground, to the extent National Grid allows. In the event National Grid requires more than one pole, all the poles shall be screened to the satisfaction of the Engineer for the Town.
3. No chemicals will be used to clean the panels.
4. Stockpile the soils on site to be resettled on the property once the project is de-commissioned.
5. An escrow account shall be established to authorize the Town to inspect the plantings annually to verify the plantings are still viable.

5 Ayes -- 0 Noes

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| 2. Controlled Site Use<br>Case No. 2023—004 | West Genesee Road Solar 1, LLC<br>1235 West Genesee Road |
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This item will be tabled until the July 13, 2023 Planning Board meeting.

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| 3. Minor Subdivision<br>Case No. 2023—008 | 3354 Cold Springs Solar, LLC<br>3400 Cold Springs Road |
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This item will be tabled until the July 13, 2023 Planning Board meeting.

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| 4. Controlled Site Use<br>Case No. 2023—005 | New Leaf Energy: 3354 Cold Springs Solar<br>3400 Cold Springs Road |
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This item will be tabled until the July 13, 2023 Planning Board meeting.

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| 5. Minor Subdivision<br>Case No. 2023—006   | RMS Engineers: Solar Power Network<br>9237 & 9241 River Road |
| 6. Controlled Site Use<br>Case No. 2023—007 | RMS Engineers: Solar Power Network<br>9237 & 9241 River Road |

Aaron Ovios, RMS Engineering, represented the applicant stating that he is before the Board this evening to get guidance from this Board as to how to proceed after having what has already been submitted. Solar Power Network is headquartered in Toronto that started in Asia, moved into Japan, Asia, Australia, Canada and now the States.

Mr. Ovios stated that they have two land owners. We are looking to combine the property and reconfigure them to create two thirty (30) acre parcels to develop for solar. One of the parcels would be 5 megawatt the other one we are looking at 10 megawatt. The issue is the Town’s ordinance has minimum of 30 acres for solar, while New York State Energy Research and Development Authority (NYSERDA) has a requirement that you cannot put more than 5 megawatts from a single tax parcel. So what we were looking at is two 5 megawatt arrays on one lot.

Al Yager, Town Engineer, questioned if the interconnect study has been done.

Mr. Ovios stated that they’ve started the conversation with the Utility to do that.

Mr. Yager stated that we had another project come in on River Road, also for 5 megawatt, but it was dropped back down to just under 3 megawatts because of the grid connection costs.

Mr. Ovios concurred stating that the Utility would have to accept it. If the existing line can handle it, there’s no off-site improvements. We’ve worked in other communities where we’ve actually put the poles a couple hundred feet away from the road and actually go underground from



where the arrays are all the way out to the road. That is often done with a lot of our projects. With this because it's a larger scale project we have more megawatts so it can financially afford to put in the off-site improvements. If you're doing a small 2 or 3 megawatt project the problem is if you tip the scale you're paying for all of the improvements. Where if you do enough of it you can absorb that cost.

Mr. Yager questioned how we can do this on 60 acres when we just looked at a site that was 22 acres with 2.41 megawatts. If you triple that it would be over 7 watts...what am I missing here.

Mr. Ovios stated that we've done the analysis on the system we're proposing...

Steve Darcangelo questioned how many panels.

Mr. Ovios...a lot.

Mr. Darcangelo how can you possibly do the ten.

Mr. Ovios stated that the difficulty is the Town's Ordinance says 30 acres for a solar project; but with this caveat that you can only have one interconnection for a tax parcel. So, in order to do ten the question is whether the Town would look at that as one project and have two tax ID's or if that wouldn't be acceptable and we'd have to have 30 acres for each 5 megawatts.

Mr. Yager stated that it's going to have to be separate with separate studies. You would need to have three separate 30 acre parcels and three separate projects in the eyes of the utility.

Mr. Ovios stated that we've had other situations where we've had two separate tax parcels with reciprocal easement agreements so basically it's functions as a single entity to avoid that so therefore we're allowed multiple connections from that one.

Mr. Darcangelo questioned if there would be 21 utility poles on this project.

Mr. Ovios stated that there would be three inter connection points and six poles for each.

Mr. Darcangelo questioned if you'll be clearing trees for this site.

Mr. Ovios stated that they try to minimize all clearing. There is an existing agricultural field there, abandoned other agriculture uses as other uses; but we try to minimize the impact.

Tim Frateschi, Planning Board Attorney, questioned how the soils are.

Mr. Ovios stated that that will have to be addressed. The State has established a guidelines for development within agricultural lands, what you have to do, how you have to stage it, etc... They're very aggressive in promoting renewable energy. There's a lot of guidance and legislation trying to promote solar in these rural communities and I know it makes your life very difficult and I respect that. I'm just trying to get some input from you.

John Corey, Chairman, stated that clearly you've seen that we focus on minimizing the impact, setbacks and screening are the two biggest tools we have right now. I'm very familiar with that piece of property since I grew up right across from it. You may have a screening issue with regard to River Road; the other side is more wooded.

Mr. Ovios concurred stating that there's also a wetland to the south that will never be developed that can be used as a buffer.

Mr. Ovios stated that there have been some properties across the State that we have walked away from or scaled them back because they didn't want to cut down mature trees...why would you destroy forest for solar. They're very environmentally conscience so that's what we try to do. We look at abandoned agricultural land that isn't prime.

Mr. Darcangelo questioned fi the project would have on-site storage with Mr. Ovios stating that it would not.

Mr. Ovios thanked the Board for their time.

#### IV. OTHER BUSINESS

1. Recommendation to Town Board: Melvin Farms Letter of Intent; which is available on the website at [www.townoflysander.org](http://www.townoflysander.org).

John Corey, Chairman, stated that the Town Board has asked the Planning Board for a recommendation on Incentive Zoning for Landmark Challengers, Melvin Farms Letter of Intent for increased density in their proposed project.

In reviewing the CLUP and Incentive Zoning Law as part of our recommendation we have to consider whether or not the proposed project is consistent with the Comprehensive Land Use Plan goals. Are the benefits and amenities provided to the Town adequate in nature? Do they support the level of density that they're offering in exchange for them?

Mr. Corey stated that he has been part of the process. In looking at it there's no doubt that the proposed project is consistent with the CLUP. This location was very specifically chosen as an overlay area to allow the opportunity to create development through getting a pump station and putting sewers into that area. It's extremely high-dense, though, very high dense with almost 600 units. The comments and concerns that I have I'm not sure right now that the density that is being proposed is supported by the benefit and amenities that have been offered. Part of the uncertainty is the fact that they're still seems to be a question about capacity of the pump station. The Town Board has to make sure that the pump station is of sufficient size to ensure that it can services all of the entities intended through the representation of this project.

Al Yager, Town Engineer, stated that it's 687,000 gallons per day.

Mr. Corey stated that that would allow connection of all the existing developments that are there on dry sewers, plus adding sewers, Palmer Elementary School and the project itself. Right now there's a question of whether or not the force main and well are actually of that size.

Steve Darcangelo questioned if the trunk sewers that these dump into take that flow.

Mr. Yager stated that there is no trunk sewer, this goes directly to the plant.

Mr. Darcangelo reiterated that new piping will be run all the way down to the plant with Mr. Yager concurring stating that it's about 1000 feet of gravity sewer on the Sewage Treatment Plant site.

Mr. Darcangelo stated that it would head to John Glenn Boulevard and dump into the Lift Station.

Mr. Yager stated that it's a much shorter distance to go to Baldwinsville-Seneca Knolls by 1 ½ miles.

Karen Rice, Clerk, questioned where Palmer Elementary School would tie in with Mr. Yager stating that it would come down Hicks Road. The Developer is running gravity sewer to the intersection of Hicks and 370. Palmer School will have to run it from 370 north.

Mr. Darcangelo questioned if they would go any further than Hicks, River and Patchett with Mr. Yager stating not at this time but it is something that I've encouraged the Town Board to consider.

Mr. Darcangelo stated that another lift station would be required.

Mr. Yager concurred stating that we get it as deep as we can and pick up as we can in each direction on Patchett The biggest concern is the School District because of the cost of replacing the school's subsurface disposal system and you have the houses on Gloria Drive that (Camerondale Farms) have dry sewers and quite frankly those septic systems are in less than ideal soils.

Karen stated that the older section of Camerondale Farms have septic that are 50+/- years old with no dry sewers.

Mr. Yager concurred stating there is not, so there will be a debt service component with connecting those residences to the new gravity sewers and they would need to be in favor of those costs. The beauty of it is the School Districts do pay towards debt service and School Districts would be the biggest user in that District north of 370 from a flow standpoint.

Mr. Darcangelo questioned if the school is having issues.

Mr. Yager stated that they are not having issues at this time but the anticipated service life of that existing leech field is within three years of being reached.

Mr. Darcangelo questioned what the cost of rebuilding their septic system, \$80,000?

Mr. Yager stated that they don't anticipate the State would allow them to rebuild their septic system because they do have poor soils. They anticipate the State would require them to get pumped back to the Timber Banks forced main or pump directly to the plant.

With regard to making a recommendation there was considerable discussion as to what still has to take place.

Mr. Darcangelo stated that if you were to ask me at this time I would be going on just some qualitative thing...I don't know what the costs are to this Developer; what the benefits are to them.

Mr. Corey stated that it's spelled out in the Letter of Intent. The Developer lists the proposed benefits monetarily. Our question is do we agree with that. It doesn't appear that the Board is in a position to make a recommendation this evening.

Kevin Rode, Town Board, stated that if there's anything the Board wants from the Developer let the Supervisor know so that we can request same. Al's looking at the sewer study for the Cold Springs Peninsula. That may be something we want to explore before we entertain whether this makes sense.

Karen questioned if you would put that on this Developer?

Mr. Yager stated that the Town Board could or they may want to share the cost.

Karen added that a traffic study should be included.

Tim Frateschi, Planning Board Attorney, questioned what intersections with Mr. Yager stating Hayes/Hicks and 370, River and 370, Hayes and 370 by the Elks and 370 and John Glenn Blvd. We don't anticipate that there's going to be an issue associated with those intersections.

Karen questioned the 5 Corners; do you want that in there?

Mr. Yager stated that he doesn't anticipate a huge volume of traffic going north.

Mr. Kimball stated that unless the new people who are going to live in this development are going to be working at Micron. They're going to be going north to get there.

Mr. Corey stated that he believes that he's not concerned with Micron. They'll have a lot of opportunities instead of coming all the way down to Lysander to drive out 31 to get to Micron.

Mr. Darcangelo thinks people will want the Baldwinsville School District and that they'll come here. Cicero North Syracuse is a big school with a graduating class of 850 kids.

Mr. Darcangelo would like to put off making a recommendation. Tonight's discussion gives me a better understanding of it more thoroughly where I'll be able to make an informed role.

Mr. Kimball questioned how much is it really going to cost to get all the sewage out of the places we want to get them out to and into the plant? Are we talking what the original plan showed or are we talking a bigger pipe, more pumps, whatever to get it there.

Mr. Yager stated that adding additional pumps is not the biggest cost. The big ticket cost is when you have to replace the force main and up-size it because you have bypassing cost. Or if you have to increase the size of the wet well.

Karen questioned how deep the pipe has to be in the ground.

Mr. Yager stated that eight feet on average.

Karen...in Red Rock, you're going to get that, with the water table?

Mr. Yager...(unclear) excavation.

Mr. Corey stated that his concern is the three apartments that are right up along 370 in that layout. They don't fit there. They destroy the viewshed. I would personally like to see them removed from the project, that would reduce the density or at least move them back so they're not sitting right out there on 370.

Mr. Yager stated that interconnectivity throughout the development is important too, whether it be sidewalks, trails, something to make it connect. As you review the Letter of Intent reach out. I'll be the messenger.

Mr. Frateschi reviewing his notes are as follows:

- Density as proposed is not necessarily equal to the benefit being offered to the community.

Mr. Corey concurred stating that that is because of the extremely high density being proposed. We've received more in Incentive Zoning for less density in other projects.

- Forced Main and Well needs to have enough capacity to handle all of this development, Palmer School and the existing houses in the area (Melia Park, Camerondale Farms, Brickwalk, Springbrook, Red Rock)
- Traffic Study has to be updated to include the following intersections: Hayes/Hicks and 370, River and 370, Hayes and 370 by the Elks and 370 and John Glenn Blvd.
- Sewer Study for Cold Springs Peninsula

Mr. Corey questioned if that has to come through this Board with Mr. Yager stating a sewer study is a Planning function and that it was a recommendation of County Planning. It is needed to complete the evaluation of the benefits that the Town is receiving.

Mr. Darcangelo questioned why it is so critical to get sewers to these homes that have septic's; because of the costs associated with those individual homeowners or is there some environmental concern?

Mr. Yager stated that for some neighborhoods there certainly is cost concern. The houses on Hayes and in Red Rock because when you go down to Red Rock on a hot Summer day there's water in those ditches and it doesn't smell good and they're tributary to the Seneca River.

Mr. Darcangelo stated that he had to rebuild his septic as his cost. They own a home, they're homeowners.

Mr. Kimball stated that a lot of those houses down on Hayes were built in the 1930's. The lots are too small, they're too close to the river and they can't rebuild under today's regulations.

Mr. Frateschi reiterated that the Seneca River makes the difference.

Mr. Darcangelo questioned why the neighborhoods that aren't anywhere near there...Camerondale has pretty good sized lots, they're not lower income.

- The three apartments building proposed along 370 are too close to 370 and would destroy the view.
- Interconnectivity throughout the development is important.
- The project is consistent with the CLUP and Incentive Zoning.

Mr. Frateschi stated that that's what he has so far with Mr. Corey stating that that's a good start.

There being nothing further this item will be tabled until the July 13<sup>th</sup> Planning Board meeting.

## V. ADJOURN

### RESOLUTION #3 -- Motion by Corey, Second by Kimball

RESOLVED, that the June 8, 2023 regular Town of Lysander Planning Board meeting adjourn at 10:19 p.m.

Respectfully submitted,

Karen Rice, Clerk  
Planning Board

