

TOWN OF LYSANDER  
PLANNING BOARD MEETING  
8220 Loop Road  
**Monday, August 14, 2023 at 7:00 p.m.**

The regular meeting of the Town of Lysander Planning Board was held on Monday, August 14, 2023 at 8220 Loop Road, Baldwinsville, New York.

MEMBERS PRESENT: John Corey, Chairman; Hugh Kimball; Steve Darcangelo; Dough Beachel and Matt Hunt

OTHERS PRESENT: Al Yager, Planning Board Engineer; Tim Frateschi, Planning Board Attorney; William Massaro, Belgium Cold Springs Fire Department; Kacey Rose, Erdman Anthony; Martin Willix, Erdman Anthony; Sandra Richards; Paul Richards; Mark Hansen; C. Hansen; Tony Fusco; Brian Reeves and Karen Rice, Clerk

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

I. PUBLIC HEARING -- (Continuation from June 8, 2023)

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

John Corey, Chairman, stated that the Board has reviewed the Long EAF. Mr. Frateschi, our attorney, has prepared a Resolution containing the Board's comments and discussions that he will read into record as part of our review:

Mr. Frateschi recapped the review from prior meetings stating that we went over the Part 2 at the last Board meeting and based on the answers to all of those questions the Board directed me to prepare a Resolution which reflected the conversations that took place the decision that was ultimately reached; which was that the Project itself would not have a significant impact. We went through Part 2 and this Resolution reflects the areas of concern that were brought forth at the last Board meeting. Those concerns really had to do with Impact on Land, but when we went through the sub-questions on Impact on Land it was determined that all were either no, or small impact. Impacts on Agriculture...in the end the determination was that even though it will have an impact on productive agricultural land in the Town of Lysander it would not be significant especially since it we can stockpile the soils on this site and it will not be irreversibly lost agricultural land. Impacts on Historic and Archaeological Resources...one of the issues was were waiting for a letter from New York State Office of Parks, Recreation & Historic Preservation (SHPO).

Al Yager, Town Engineer, stated that we did receive a letter from SHPO stating No Impacts associated with the Project.

Mr. Frateschi stated that that was one of the things we wanted to wait for because there was some concern about the proximity to archaeological findings that might have been on the site; but since we have that letter dated August 8, 2023 from NYS Office of Recreation & Historic Preservation I think that we can conclude that there will not be a significant environmental impact.

The Board reviewed the Findings & Determinations and the following Resolution was prepared, with their comments and concerns, for action:

**RESOLUTION #2023—001 of August** -- Motion by Darcangelo, Second by Beachel

**Determination of Environmental Significance**

The **TOWN PLANNING BOARD OF THE TOWN OF LYSANDER**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Lysander, located at 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York, on the 14th day of August, 2023, at 7:00 p.m. The meeting was called to order by John B. Corey, as Chairman, and the following were present, namely:

John B. Corey	Chairman
Hubert D. Kimball	Member
Steve Darcangelo	Member

Doug Beachel

Member

Matthew Hunt

Member

Absent: None

**MOTION BY DARCANGELO, SECOND BY BEACHEL**

**WHEREAS**, West Genesee Road Solar 1, LLC (the “Applicant”) is proposing the construction of a ground mounted photovoltaic solar energy generating facility generating 2.9 MW AC, with approximately 8,400 panels and a coupled battery storage system (the battery units will be mounted to concrete pads) located at 1235 West Genesee Road, Baldwinsville, New York (tax ID: 033-02-03.2) (the “Project”). The Project is situated on a 31.7-acre parcel and the solar panels will take up approximately 17.11 acres of the 31.7 parcel (the “Property” or “Project Site”).

**WHEREAS**, the Applicant, through its engineers ERDMAN ANTHONY has submitted a site plan package (the “Site Plan Package”) entitled SITE USE PERMIT SET 1235 West Genesee Road, Lysander, NY, 2.90 MWAC Rated Solar + Storage Electric System, which consists of the following Sheets: Title Sheet T-1; Existing Conditions C-1; Tree Clearance and Demolition Plan C-2; Layout and Material Plan C-3; Grading and Erosion Control Plan C-4; Grading and Erosion Control Plan C-4.1; Civil Details C-5; Civil Details C-5.1; Driveway Permit Details C-5.2; Driveway Permit Details C-5.4; Driveway Permit Detail C-5.3; Landscaping Plan C-6, Project No. 220469, dated April 27, 2023 and last revision July 31, 2023 and a Stormwater Pollution and Prevention Plan (SWPPP), dated August 2, 2023, all said document hereinafter referred to as the Site Plan Package;

**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 a few single family homes;

**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 but raised several questions to the Applicant (See Engineer’s Review Letter of June 7, 2023);

**WHEREAS**, on June 27, 2023 Erdman Anthony responded to the questions and concerns raised by the Engineer’s Review Letter of June 7, 2023;

**WHEREAS**, in a letter, dated July 13, 2023, the Engineer for the Town indicated that he has reviewed the Stormwater Pollution and Prevention Plan, dated June 8, 2013 and he raised several questions to the Applicant;

**WHEREAS**, in a letter, dated August 14, 2023, the Engineer for the Town indicated that he is satisfied with the responses from the Applicant to the concerns he has raised and offers several conditions and mitigation measures that must be met (the “Final Engineering Letter”);

**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 several comments, comments are agreed to by the Planning Board;

**WHEREAS**, on July 13, 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 July 13, 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 and the fact that there are high tension lines adjacent to the property which already affect the aesthetics of the area, 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 (there is no evidence of nesting/roosting of bald eagles and the Applicant will have to follow DEC laws related to Indiana bat), Open Space and Recreation, Aesthetic Resources, Critical Environmental Areas, Transportation, Energy, Noise/Oder/Light (the battery storage area will have cooling fans that will keep the temperature low and said fans will not produce any significant noise that would affect the residential homes on Fenner Road), 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 Historical and Archaeological Resources;

**WHEREAS**, of the 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”, for the following reasons: (i) as to Impacts on Historic and Archeological Resources, the Applicant has provided a letter from the Office of Parks, Recreation and Historic Preservation indicating that there is no impact on archaeological concerns; and (ii) while high quality and productive farmland will be used by the Applicant, the amount of land (17 acres) is immaterial in the context of productive farmland available in the Town and the 17 acres will not be “irreversibly converted” away from farmland given the nature of a solar farm’s life expectancy of 25-30 years;

**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:

1. **FINDING and DETERMINATIONS**: The above recital paragraphs serve as the basis for the FINDINGS and DETERMINATIONS set forth herein and are made part of these FINDINGS and DETERMINATIONS.
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 and will be a benefit to the Town, County and State.
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, and the conditions and mitigation measures set forth in the Final Engineering Letter shall be met.
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 17 acres) is minimal in the context of the large size of the Property (30 acres) and because the Project will be situated, to the greatest extent possible, away from the few residential homes on Fenner Road.
6. **FINDING and DETERMINATION:** Based on the placement of the solar farm on the Property and the Photo Simulations prepared by Saratoga Associates and provided by New Leaf Energy on behalf of the Applicant (the 16 page package, filed in the Planning & Development Office) the 8,500 solar modules will be toward the west of the Property adjacent to an open field that is screened with natural vegetation and will not have a significant visual impact from adjacent properties. Also, the Engineer for the Town is recommending additional screening and placements that will reduce the visual impacts along the eastern side of the Property along Fenner Road to shield the residential homes on Fenner Road (See updated Landscaping Plan)
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 (by LaBella, dated 6/28/22) 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, they will rules and regulations regarding removal of trees from April 1 through October 31.
10. **FINDING and DETERMINATION:** The letter from Erdman Anthony, dated July 31, 2023, addressing the concerns raised by the Engineer for the Town have been sufficiently addressed to make the SEQRA determination set forth in this Resolution.
11. **FINDING and DETERMINATION:** The Final Engineering Letter from the Engineer from the Town satisfies the requirements of SEQRA, as long as the conditions and mitigation measures set forth therein are met by the Applicant.
12. **FINDINGS and DETERMINATION:** Per concerns raised by the Engineer for the Town related to fire mitigation of the battery energy storage system, any site plan approval shall address the training and equipping of the Plainville Fire Department's ability to mitigate the risks associated with chemical fires at the Project Site or the Applicants responsibility for fire suppression at the Project Site.

**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 FURHTER RESOLVED**, that the Project is a Type I Action under SEQRA;

**BE IT FURTHER RESOLVED**, that the proposed Action is located at 1235 West Genesee Road, Lysander New York;

**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**

The Public Hearing reopened at 7:15 p.m.

John Corey, Chairman, stated that we've had the Public Hearing open for two months now and asked if anyone was here this evening that might have some new information.

Kacey Rose, Erdman Anthony, represented the applicant stating that they have updated the plans so that we now have proposed trees all the way up to the fence line and also extend the "fuzzy fence" Hedgelink around that corner to help screen from the neighbor to the north.

Fenner Road Resident expressed her concern with the battery storage and that you can't extinguish chemical fires with water and you just have to let them burn-out.

Hugh Kimball stated that it sounds like that is basically true because we've had three instances in New York State within the last several weeks, one in Orange County, one in Suffolk County and the one up north in Jefferson County. In all cases they controlled the fire but they were not able to put any of them out. One of them went for six days.

Resident concurred adding that they still don't know what it has done to the soil and ground water. I thought that I heard the Governor was putting a freeze on any new battery storage units until they figure out how to deal with it.

Mr. Kimball stated that the State has put together a Fire Safety Working Group to get into that, you are correct, there's probably going to be some 'stuff' coming, but it is the State, it might not be in the next couple of months.

Resident: It is going to affect the environment, for you to say it's not going to, because when it does catch fire it's going to be in the ground water and run. You said it wasn't going to be an impact on any of the environment, but it will.

Al Yager, Town Engineer, stated that the impact is mitigatable because they can contain it.

Resident: Contain it, but it's still going to be in the ground.

Mr. Yager stated that if you don't allow it to wash into the ground by containing it then it's not an issue. That's for them (Developer's) to figure out. They have to contain it...

Resident: It could be too late then.

Mr. Yager stated that they will not get an approval until it's figured out.

Tony Fusco, Fenner Road, discussed some sort of containment plan with perhaps a chemical process for the Fire Departments to use to actually put out a fire. These are lithium batteries, when they get heated up it creates tremendous amounts of heat, over 300 degrees. Lithium reacts violently with water. It can't have contact with moisture, air, etc... Lithium can't be exposed to water vapor...apparently something is happening in these facilities where either they explode from hydrogens being created or whatever the mechanical process is that creates these fires. What guarantees can the Planning Board set up ahead of time to make sure these Developers that are coming in are doing this? A bond, or something that will be set aside to take care of all of those things.

Mr. Fusco continued stating that he has a concern for his well, as well as the Village wells that are 3/10's of a mile away. If residue from any type of accident like that do get into the ground water it's going to be one hell of a mess.

Mr. Corey stated that he understands what you're saying; we're keenly aware and we will deal with that during the Site Plan review as was indicated in the SEQR Resolution language by our attorney. We're struggling with how you provide the greatest protection on something that right now is in the state of flux. We don't know what the State is going to come out with. They want to promote battery storage, they've gone on record for that, now they're starting to see that there's a problem with it, so they're trying to react to it. We're going to do our best here; we're not in a position as a Planning Board to just say 'we don't like this and we can't guarantee it, so we're not going to allow it'. It's allowed under our Codes and Laws and we can't do that; but we will do the best we can to address the issue you're talking about.

Mr. Fusco stated that if you don't have satisfactory information or guarantees of some sort you have the ability to at least say that the site can be there but without the battery storage. A lot of sites don't have storage.

Mr. Kimball stated that this is our first one with battery storage. We're dealing with it for the first time also.

Mr. Corey posed a question to the Developer's representatives and asked why there's battery storage for this one but not the one proposed in Cold Springs.

Terry Nolan, New Leaf Energy, stated that the primary reason is because this is a smaller array, 3.9 megawatt, they typical size is 5 megawatt. The battery extends the life of the energy provided by the array charging it throughout the day and then it can extend it as much as 2 hours into the evening.

Mr. Corey reiterated that it's basically a mechanism for optimizing the return on the smaller size.

Mr. Nolan concurred stating that they are just as interested in establishing the State's Safety Standards as you all are. We will work to understand what we can and what we need to provide, including connecting with the Fire District and if there are resources the Fire District needs in order to (unclear) we can also discuss making a contribution to that. We are very open with you on that.

Resident: Are there cooling generators if this thing overheats and is ready to explode.

Mr. Nolan stated that there's a cooling fan. I believe what is going to have to happen is to have a "Battery Storage Expert" come to a future meeting to really hammer out these issues and concerns with the Town Engineer. I don't want to misrepresent. I think these issues have to be addressed and I'm not an engineer. But, my understanding is there is a cooling system built into the site, whether it has a generator that switches on or not, I don't know.

Mr. Corey stated that you can tell by the SEQR Resolution, the conditions expressed in the Town Engineer's letter and what we've discussed no action will be taken until they're met. Nothing is going to happen until we can get more comfortable.

Resident: I just want to make sure these topics are brought up.

Mr. Corey stated that we are very aware.

Mr. Fusco questioned if that includes the Governor putting a moratorium on battery storage to allow further investigating to see why these things keep happening. It may take some time.

Mr. Corey stated that he's not aware that a moratorium has been established on battery storage. They're trying to come up with ideas of how to address safely the handling of fires and the training and equipment for Fire Department Statewide. I haven't seen anything on a moratorium yet.

Mr. Kimball stated that it's all new...over the last three weeks.

Resident: I only caught part of the news where the Governor was going to put a hold on any battery storage. Will the Town's be notified when they decide to put a hold on batter storage?

Mr. Corey stated that he's sure they would, as would the 'solar companies' themselves.

Mr. Nolan stated that he's not aware of it but will look into it.

Mr. Corey stated that the Governor is going to have time to think about this before anything here before the Board goes into action. We're working on this, not slowly, but cautiously so we can make sure we get the concerns minimized.

Steve Darcangelo stated that he believes having an expert come before the Board would be very helpful by providing us with information of any 'lessons learned' of the few incidents that have happened already.

Mr. Nolan stated that the incident that took place in Orange County was on School District property; they School District where my kids go to school, so I will be particularly involved in that scenario. I am just as interested in getting to the bottom of this.

There was some discussion as to what batter type were involved with the three incidents discussed with the applicant stating that he will research that further to see if it's the same battery storage system.

There being nothing further, the applicant's representatives thanked the Board for their time.

The Public Hearing closed at 7:33 p.m.

PUBLIC HEARING -- 7:05 p.m.

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|------------------------|-------------------------|
| 2. Controlled Site Use | 3354 Cold Springs Solar |
| Case No. 2023—005      | 3400 Cold Springs Road  |

SEQR Review: 3354 Cold Springs Solar: 3400 Cold Springs Road

John Corey, Chairman, stated the Board will follow the same procedure with this application as it did with the West Genesee application, stating that the Board will review Part 1 with our attorney, if there are any questions we'll get the answers to them. Once we are done with that we will ask the attorney to prepare a SEQR Resolution for our September Planning Board meeting.

Tim Frateschi, Esq., stated that this is a 5 megawatt solar farm on a 47 acre subdivided parcel of which approximately 25 acres will contain approximately 12,000 solar panels, similar to the project we just discussed, except it will not have a battery storage facility on site. I have gone through Part 1 and frankly we're going to have very similar answers to the West Genesee Road Solar, where the Board found it to have a Negative Declaration.

Steve Darcangelo posed a hypothetical question to Mr. Frateschi, stating that battery storage carries a significant environmental concern for any property....what if there's an existing solar farm in the Town and they come back in a year or so requesting battery storage, would that be seen as segmentation.

Mr. Frateschi stated that we would have to do a separate SEQR analysis. It's a separate, distinct proposal, different than what a SEQR analysis was done initially. I would look it as an amendment to a site plan which would have to be reviewed separately. The Law takes the applicant's word that that is not what they're proposing tonight...correct?

Cold Springs Solar representatives concurred.

Mr. Frateschi continued stating that it can't be segmentation if that's not what they're proposing. If a year from now they say they want to add battery storage they'd have to come back for an amended site plan and we'd have to do a separate SEQR analysis on that.

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

It was determined that all impacts would be no, small to moderate with any requiring mitigation to be addressed further (Impacts on Land, Impact on Agriculture and Impacts on Aesthetics Resources). Based on that Mr. Frateschi stated that he will prepare a Resolution, similar to what was prepared tonight for this project that can be considered at the September 11, 2023 Planning Board meeting.

Both Mr. Darcangelo and Mr. Corey struggle with the Consistency with Mr. Frateschi stating that when we say community character we think intuitively, like what's there today and not what could be allowed under that zoning. It's an allowed use under that zoning.

Mr. Corey stated that now that we've gone through the SEQR the Board is in a position to open the Public Hearing, which will remain open for a period of time, just like the West Genesee Project, if there are people that aren't here this evening that want to address the Board, they will get a chance to do so at a future meeting.

The Public Hearing opened at 7:45 p.m.

Christine Hansen, 3395 Cold Springs Road, asked what SEQR stands for.

Al Yager, Town Engineer, State Environmental Quality Review.

Ms. Hansen asked if this was already approved.

Mr. Yager stated that it is not already approved. SEQR is a process. The applicant prepares Part 1 of that document. Part 2 is the portion the Planning Board reviews to consider any environmental impacts. Part 3 is the actual determination in relation to SEQR. SEQR is a tool that is used by Planning Agencies to evaluate affects that can be mitigated by the applicant related to the environment. At this point the Board hasn't taken any action other than identifying categories that can have a small to moderate impact on land, agriculture and aesthetics. The applicant will prepare their site plan with that in mind to see if those impacts can be mitigated.

Ms. Hansen questioned why the Board would approve ugly, unsightly solar panels on the main road going into Baldwinsville. There are a lot of housing developments there and this is so ugly. Why isn't it set back in the woods somewhere.

Mr. Darcangelo stated that the Board didn't choose the site.

Mr. Corey concurred stating that you'd have to talk to the representatives and the farmer that want that land used for this purpose. If you look at the photos this one is actually is pretty well tucked back.

Hugh Kimball added that you're not going to see much of it.

Ms. Hansen was invited up to look at the maps provided.

Terry Nolan, New Leaf Energy stated that the site begins approximately 341' from the edge of 3400 Cold Springs Road, behind a row of existing trees, with the access coming in from North Hayes Road, not Cold Springs.

Mr. Nolan, as he has done with other neighbors, offered Ms. Hansen his card to call him with any questions and/or set up a site visit.

Ms. Hansen stated that she hopes the panels will be hidden by trees so they don't have to look at it like they did across from the YMCA

Mr. Corey thanked Ms. Hansen for her comments stating that the Public Hearing will remain open.

The Public Hearing adjourned at 7:55 p.m.

## II. APPROVAL OF MINUTES

Review and approval of the minutes of the June 8, 2023 and July 13, 2023 regular Planning Board meeting.

RESOLUTION #2 -- Motion by Corey, Second by Kimball

RESOLVED, that the minutes of the June 8, 2023 regular Planning Board meeting be approved as submitted.

5 Ayes -- 0 Noes



### III. OLD BUSINESS

1. Controlled Site Use  
Case No. 2023—004

West Genesee Road Solar 1, LLC  
1235 West Genesee Road

Without representation from the applicant, Mr. Corey suggested that the Board may want to table any decision until we can get the 'Batter Storage Expert' in here as part of the process.

Steve Darcangelo concurred asking Mr. Frateschi if the clock starts on a Decision now that the SEQR has been done.

Mr. Frateschi stated that on a Site Plan approval you have 62 days from the close of the Public Hearing to make a decision on the site plan, but there's no enforcement mechanism unlike subdivisions where it's a default approval.

Al Yager, Town Engineer, added that as long as we're continuing to ask for additional information we're covered basically.

Karen Rice, Clerk, concurred...or an agreed upon extension.

Mr. Darcangelo stated that he would have like to discuss some of the conditions with the applicant and their representatives.

Mr. Frateschi stated that he could go over some of the conditions he is considering and see if the Board concurs so that the applicant is prepared:

- Before a Building Permit can be issued all of the conditions and mitigation methods set forth in the Engineer's letters shall be met.
- 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.
- No chemicals shall be used to clean the panels.
- All soil shall be stock-piled on site to be resettled on the property once the project is decommissioned.
- An escrow account shall be established in an amount to be determined by the Engineer for the Town for the purpose of ensuring that the Landscape Plan approved as part of the Site Plan Package is followed and such escrow account shall have sufficient funds for:
  - 1) The cost of the annual inspection to ensure the plantings setforth in the Landscape Plan are being followed, and
  - 2) The cost of any replacement plantings that the annual inspections deems necessary to purchase and installed at the project site.
- Letter from NYS Office of Recreation & Historic Preservation shall be supplied
- All comments from the Onondaga County Planning Agency in its letter dated April 26, 2023 shall be met.
- Applicant shall provide the Engineer for the Town to equip and train the Plainville Fire Department with the necessary tools to suppress and/or contain chemical fires from the Battery Energy Storage Facilities at the Project Site.
- In the event that the applicant and the Plainville Fire Department cannot agree to suppress and/or contain chemical fires on the Project Site the applicant is required to undertake its own fire suppression and/or contain the chemical fires with the Batter Energy Storage Facilities pursuant to a State Plan that is being developed at the time of this Resolution, only to recognize that the State knows this issue, is developing a plan to meet some standard to give us comfort that they can suppress and/or contain chemical fires on this site.

Mr. Yager stated that it is likely to be some sort of a dry fire suppression system that's mounted overhead of the battery with a secondary containment vessel to contain the chemicals that come from the chemical fires and the chemicals used for suppression. Similar to how they used to do fuel island canopy systems.

Mr. Darcangelo concurred stating that the only problem is water is so great at dissipating heat; I don't know what they're going to come up with. It seems odd that it won't have a water element to it only because nothing else absorbs heat as well as water.

Mr. Yager prepared a letter dated August 14, 2023 that will be scanned to the applicant and their representatives.

The Public Hearing adjourned at 7:55 p.m.

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|------------------------|-------------------------|
| 2. Controlled Site Use | 3354 Cold Springs Solar |
| Case No. 2023—005      | 3400 Cold Springs Road  |

This item will be tabled until the Monday, September 11, 2023 Planning Board meeting.

IV. NEW BUSINESS

- |                                 |                                       |
|---------------------------------|---------------------------------------|
| 1. Major Subdivision--Tentative | Whispering Oaks, Section 4, Phase III |
|                                 | Cabbage Patch: Rubicon Road           |

This item will be taken off of the agenda until such time that a complete application is made.

V. ADJOURN

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

RESOLVED, that the August 14, 2023 regular Planning Board meeting adjourn at 8:05 p.m.

5 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk to Planning Board