

Town of Parma Planning Board  
January 5, 2017

Members present:

Chairman:  
Tod Ferguson

Executive Secretary: Dennis  
Scibetta  
Mark Acker  
Mike Ingham  
Mike Reinschmidt  
Bob Pelkey

Public present: Joe Camioco, Jocy Gavigan, Rick Wintz, Mark Bernreuther, Sherry Bernreuther, Bill Carter, George E. Smith, Colleen Farley, Jan Wessel, Penny Gerow, Gordon Gerow, Ron Zarpentine, John Chart, Ryan Schmitt, Jared Spring, Andrew Getbehead, Ethan Spring, Harold Wyant, Stan Hoy, Doreen Hoy, Mike Wyant, Brent Bashow, Roger O'Dell, Connie Hertzlin, Peter Hertzlin, Ed Arnold, Cindy Arnold, Norm, Alexander Parsons, Bill DiPasquale, Chad Corey, Brad Norbut, Dwight Kanyuck, Peter Yauchzee, Kyle Scovuzzo, Karin Gringer, Mike Gringer, Dick Kluth, Aida Davey, Joseph Davey, Will Rickman, David Norbut, Mike Weldon, Olivia Gombatto, Dominic Florro, Alsudi Sheibi, Soria Sheibi, Jarry Bauman, Lout Pertilli, Patrick Buskey, Doug Haslip

Meeting started at 7 p.m.

***A motion was made by Bob Pelkey and seconded by Mike Reinschmidt to approve the minutes of the December 19, 2016, meeting as presented. Motion carried unanimously 5-0.***

## NEW BUSINESS

### PUBLIC HEARING

146 Burritt Road

Site Plan

2MW Solar Facility

Kris Schultz and a representative from Delaware River Solar, Richard, were present for this application. Mr. Schultz described what his responsibilities were as to the site plan. He then reviewed other solar farms within the state and set out that a solar farm is new to our area.

Mr. Schultz then reviewed the site plan with the Board and audience, showing them a plan where a Goggle Earth Map had been imposed over the site plan. Mr. Schultz stated that the applicants would be using the existing farm lane on the west side of the property but the farm lane would be strengthened and widened to 15 feet of stone so that it could be plowed. The following items were also discussed:

1. Main array will be 800 feet off of the road.
2. A swale runs east to west on the property, Mr. Schultz described how the water flowed.
3. Applicants would be using existing shrub and greenery to shield the arrays.
4. The solar farm, in Mr. Schultz's opinion was like farming. It was an unusual type of farming, taking energy from the sun and making electric.
5. The array's highest point was only 8 feet off of the ground; he stated that if an apple orchard were planted it would grow much higher than 8 feet, and that this proposed solar farm will have less impact on neighboring properties than the new barn over at Green Acers on Manitou Road has on its neighbors.
6. Mr. Schultz stated that he felt that the impact of this application is not that great on the neighborhood.

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7. Mr. Schultz stated that he drove down Burritt Road and felt that there was only one spot that you would be able to see the arrays from the road.
8. That moving the arrays north, would make the arrays much more visible from the road.
9. Mr. Schultz then described how the panels work: a direct current goes to the transformer and then runs into the main power line on Burritt Road.
10. Mr. Schultz stated that the applicants had already done the work and know that the electric can be received by the proper recipients.
11. Mr. Schultz explained that the panels will be mounted on posts in the ground. There will be no concrete. A removal bond will be set up with the town and all the products that are being used are 100% reusable.
12. Mr. Schultz described how he could get a dozen homes on the property if he used the current zoning, and then asked the audience to weigh their options, would they like to see a dozen homes or this solar farms.
13. Mr. Schultz stated that there is not a lot of utilities in regards to this application. There are no storm sewers, there will be no re-grading, there are no sanitary sewers and no public water access needed. The only improvements needed for this site will be the access road, the transformers and a temporary building for construction. Mr. Schultz stated that they are proposing a small deer fence which will keep the deer out of the arrays. A large security fence will not be needed.
14. Mr. Schultz reviewed with the Board and the audience the depth of the property, stating that the north end is wooded and has a wetland that is regulated. He also stated that there is a EPOD district shown on the plan which includes a woodlot. He stated that he may have to submit an application to have the EPOD line moved. A lengthy discussion then followed on the movement of EPOD line.

Chairman Tod Ferguson opened the Public Hearing.

### Public Comments:

#### Joyce Gavigan-3 Mill Street, Town of Ogden

Stated that she was realtor and this type of application had not been seen in this area, but she has seen some in the southern tier. She is not anti-solar, just concerned with the placement of a solar farm in an agricultural district. She has read the town's zoning for agricultural and she feels this does not fit, it is not organic. She feels that the solar farm is a small power plant and therefore a business. She feels that the old landfill would be a better place. That the Board would be setting a precedent with the application and asked that the Board think deeply and long in regards to approval of this application.

Board member, Michael Reinschmidt questioned what the zoning of this property was and if this type of application was allowed within that zoning.

Dennis Scibetta stated that the property is zoned rural residential and under the zoning laws and this type of development is allowed.

John Chart -969 Parma Corners Rd, Town of Parma

Stated that he has a copy of the Master Plan signed by the former supervisor, Richard

Lemcke, which defines the lots in the Town of Parma. He then read a couple of paragraph

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from the document that he had, setting out under rural residential zoning, that neighborhood commercial was reserved for small businesses, fruit stands. He stated that the document was signed in 1977. He went on to state that the neighborhood commercial area was a small size limited use under this master plan. He produced a copy of a map that showed the entire town in regards to the master plan and stated that the entire area north of Burritt was designated as rural residential, low density. He stated that the project cannot be defined any other way than commercial and questioned how it could be allowed.

Chairman Tod Ferguson asked to see the document and reviewed the document that Mr. Chart had designated as the Master Plan. It was noted that this was just a letter from the Town Supervisor at the time setting out the proposal and not the actual Master Plan

Mr. Chart then reminded the members that not long ago the Town of Parma spent \$250,000 to stop any development at the corner of Burritt and Rt. 259 by purchasing that property and placing it into a trust. He then stated he believed if the Board approved this application it would be contradictory of the policies of the Town to allow this commercial development to be placed in a rural residential area.

Bill Carter-28 Tallwood Drive, Village of Hilton

Mr. Carter stated that he is a member of the Fire Department and wanted to know if anyone had contacted the Hilton Fire Department to review this application with them. He also stated that he was interested in the building process and the process of the conversion from solar energy to electric.

The representative from Delaware River Solar, Rich, stated that at the center of the array there is an inverter pad which is 6 x 30, it takes the DC from the solar energy and transfers it into AC. He then stated that the company has a detailed package in regards to the building equipment that will be on the property, that they will provide this package to the Fire Department. They will also provide training to the Fire Department and equipment to deal with any issues on the property. He then stated it is very rare for the equipment to catch on fire. If a fire starts, the protocol is to let the fire burn out and do nothing. He then stated that there is no HAZMAT material that will be used in the construction of this project. There are no toxic

chemicals and no silicone. The representative then stated that the company has a website and all of the information is on the website.

Mark Bernreuther-142 Burritt Road, Town of Parma

Mr. Bernreuther stated that his property is located to the west and south of this property

and abuts this property on his north and south lines of 146 Burritt Road. He stated that he has no problem with solar energy and it is a good thing as long as it does not interfere with the neighbors. He then showed pictures of his property to the Board and applicant, showing how his home and view would be affected by this proposal. He then stated he did some research into the company and stated that the CEO is also the CEO of another company that has installed other solar farms. The companies were really mortgage traders from New York City. He stated that most start up companies in realty have a 55% failure rate by the fourth year out and is concerned that this company would not be around in 3 years as stated before there is a 55% rate of failure for new companies, that this company has not yet built any solar farms, he feels

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that the Town of Parma is being used as guinea pigs, that he has questioned the building department and it is his understanding that the applicants have not taken the time to contact the local fire department, RG&E, the DEC or Army Corps of Engineers and felt that he would like to think that they would have at this stage of the game. He then reviewed that Mr. Schultz suggested that there was no significant impact on the surrounding properties. He again showed the Board the pictures that he took from his deck. He showed where he had measured back 800 feet, placed flags denoting where they would like to construct the arrays, and that was at the top of knoll which is 294 feet. That this was the perfect place for the arrays for southern exposure. That the swale and existing hedgerow elevations were only 270 feet. He stated that there was talk of putting supplemental trees across the 750 feet plus using the existing shrubs/trees to block the view of the arrays, he pointed out where the shrubs can be seen from his deck and stated the shrubs are 10 feet and presently he can see the top of the knoll. He then referred back to his pictures and stated that the height at the top of the knoll is 290 feet and that the proposed 10 feet fence and 8 foot arrays would now bring the elevation up to 304 feet and that any new trees would need to be at least 30 feet tall to block his view and would need to be a solid continuous line of trees and that shrubs will not block anything. He then pointed out that the area on the other side of the hill/knoll which is not facing south and is further back, would be a more appropriate spot for these arrays because it would not be such an impact on their properties but he understands that by doing that it would cost the developer more money. He stated that he does not want to look at the solar panels and that the solar panels will block his entire view. He then stated that the property that the solar panels are proposed to be on is 2,500 feet long and that they could be moved back, but again he knows this will cost the developer more and feels that this is the reason why this has not been done. He then stated that the developer would not want to live there and neither would Mr. Schultz want to live there. He then questioned the solar reflection from the arrays that would bounce back on his home.

He then stated that he has done research on the invertors and that the applicants and engineers have stated that they make no noise, and that may be true but he has read several sites on the Internet that they hum. He cannot prove that their invertors would make noise but he feels that the applicant cannot guarantee that there will be no noise. He then stated that the developer is out to make money, he is getting incentives from New York State, and the Federal Government. He questioned moving the EPOD line, the technology that they have today, and that the original EPOD lines were placed incorrectly, then proceeded to explain how he would make an application to have the EPOD line moved back to where it would be properly placed. Mr. Bernreuther stated that he loves the owners of the property and wants the project to go through so that they can make money, but has requested that the engineers move the proposed site of the arrays out of his line of site as the present placement would consume all of his view.

John Chart questioned the reflection, when the sun moves would it impact the other neighbors?

Chad Cory-200 Bailey Road, Town of Parma

Mr. Cory stated that he owns property at 98 Burritt. He asked if the drainage had been engineered as he does not want drainage from this site to affect his property. Also was the proposed road improvements engineered, will it be constructed to hold heavy trucks? Also the county just spent over \$400,000 fixing Burritt Road, will they be bringing heavy trucks over the road and destroying what the Town just spent money to fix? Also questioned if the fire department was going to be trained or had been trained, were they going to put trees all around the property and if so are they large trees? He then stated that there is a town park right behind

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the town hall and asked if the applicant had looked into putting the solar farm on the town park where it would not affect anyone. He asked if the town is looking at if the solar farm is going in the right place, and stated that the developer is not going to have to look at the solar farm once it is constructed.

Penny Gerow-134 Burritt Road, Town of Parma

Penny stated that she had taken pictures and sent them to the Town of Parma and Planning Board and had copies of them needed them. Ms. Gerow stated that she would see more than the other neighbors. She stated that she has a bow window. Presently the property behind her house is open. She wanted to reiterate what Mr. Bernreuther said, she felt that the panels were not ugly but were industrial, that there had to be another place where they could be put in the town. She stated that some would say that this was progress, but she again reiterated that none of those people would want to live looking at those arrays in their backyard. She then stated that she had lived in Hilton all of her life. She is not against the solar farm, but she did not want to be looking at it all the rest of her days. She feels that there will be noise from the proposed application, she has done research. She then stated that presently they state that there is no health risk, but who really knows as there is no data to prove or disprove this. The aesthetics will not look pretty unless there is a 30 feet tree with berm, there is no way to shield the arrays from their view. She was told by the CEO of Delaware River Corporation that there

were no wetlands, but Mr. Schultz stated that there are wetlands on the property.

Joe Camioco-447 Creighton Lane, Town of Greece

Mr. Camioco stated that while he is not a Parma resident, he is concerned about the application. He stated that he is a retired electrician. He reviewed how the invertors change DC to AC power that his home has 37 solar panels on it and he has no problem with the noise. That the electric that will be generated from this property will not be a major force, and there should be no issues with the energy produced. There are more problems with high voltage lines. He stated that he was a member of the North Greece Fire Department and that he was not speaking for the district but just trying to alleviate fears of the public. He that the solar farms are just like the computers when they first came out. He feels they are a positive for the environment as the fossil fuels do much more damage to the environment than the solar energy. He stated that the panels will be pitched and that he feels that the town has some challenges and that they need to work with the public. He again was just here to alleviate some fears from the public.

Will Rickman-24 Butcher Road, Town of Parma

Mr. Rickman stated that his main concern is the environment and the wildlife, the turkey and deer go through. Solar panels are detrimental to birds that they fly into them and then have to be cleaned up. He is against placing the project at this site and that he feels that the town needs to keep its agricultural roots, that they have already spent thousands of dollars to buy the farm on the corner of Burritt and Rt 259, and keep it agricultural, and they should be approving a commercial type of application just down the road from said property. Then reminded everyone how they fought against the cell towers even though there were still allowed to be built and questioned what would be next.

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Lou Pertilli-25 Butcher Road, Town of Parma

Lou stated that he lives a quarter of a mile down the road. He questioned how many panels would be placed on the property. The representative stated 9,000. Mr. Pertilli asked how the town benefits. He stated that if homes were built there, the town would receive the real estate taxes and if this were allowed, the land owner would get rent, and the developer would get money from the incentives but what does the town get.

Board member Mike Ingam wanted to know the size of the panels. The representative stated that he did not know exactly but they were possibly 9 x 5 and there would be 4.5 acres of glass.

Jamie Murphy-64 Butcher Road, Town of Parma

Jamie questioned what type of tax break this project would be getting, that the town relies on the property and school taxes.

Chairman Ferguson stated that the town was looking in to it. The Town Assessor was in the audience and stated that he was looking into it but did not have the answer at this time.

Dick Kluth-485 Wilder Road, Town of Parma

Mr. Kluth questioned what the life expectancy of the panels are and when they are no longer cost effective, who owns the panels and how will they be disposed of?

The agent from the company stated that they are good for approximately 40 years, and they degrade approximately 0.5% per year and at 20 years they will be producing 80% of the power. The representative stated that they have already offered a plan to the town for decommissioning of the site and will be placing a deposit with the town for decommissioning of the site, with additional monies added each year to this project. He stated that this is a \$5 million project and he felt that someone would take over after their company decided to sell, and if not all of the equipment on site is recyclable.

Brent Bashow -128 Burritt Road, Town of Parma

Brent stated that he will be able to view these arrays from his backyard, that he moved from the city 7 years ago to get away from this, and is not happy and does not want this project to go through.

Penny Gerow-(as above) stated that she knows that she needs to take the good with the bad, but would rather see houses on the property that will enhance her property not an industrial site. She would even like to see cows. Stated that she was very against this application.

Kyle Mullen, Town Board Member

Mr. Mullen asked Mr. Schultz if he they did a study with the prevailing winds and structures, what will the noise level be if you have 9,000 panels out there and the wind is out of the west with no block. Mr. Mullen stated that when the wind blows over objects it produces a noise, he PLANNING BOARD

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can even hear it when the wind passes over his flag pole.

Mr. Schultz stated that he had not, but that he would do some research into it. The representative from the company stated that the panels are made out of innovative PVC and that there is no intention to upgrade the panel, but will replace any that are defective.

Dennis Scibetta asked what the terms of the lease are. The representative stated that it was 20 years with an option to renew. Mr. Scibetta then asked how long the project will take to build out if approved. The representative stated 3 to 4 months.

Chad Cory (as above), then questioned if the construction of this site will be a bonded job.

Chairman Ferguson stated that a portion will be bonded and Mr. Scibetta reaffirmed this stating

that it will be much like the cell tower, that there will be a bond for maintenance, replacement and removal so that the town is not impacted by any of these items.

Mike Gringer-40 Valley Park Drive, Town of Parma

Mr. Gringer stated that he had reviewed a 30 year annual study on sunshine for the USA and that the Town of Parma is on par with Alaska, that there were notations on the cloudiness and asked what the attraction was for placing these solar panels on this property?

The representative for the company stated that the State has set a goal from the Government setting forth a 50% production for renewal energy, wind, solar, and hydro. He then described the community solar such as this project, being built in one place, providing power for over 400 homes. They will sell power at a discount to the community. That the Government is encouraging arrays be put in. That this site was picked because the site needs to be on grid.

Joyce Gavigan (as above) stated that she had a lot of clients who were on Board with the solar power back in the 1980s, and that has gone on the wayside. She stated that solar power on homes is not a big selling feature and that it is really not that efficient.

The representative from the company stated that the new panels are more efficient and capture 24% of the sun. That the panels are absorbing, do not deflect the sun and therefore will have no glare, and that they will be fixed and do not move.

Dennis Scibetta asked if there would be any glare off of the frames.

The representative stated that perhaps during sunrise there will be some.

Brent Bashow (as above)

Brent questioned where the other 76% of the sun go to if the arrays only absorb 24% of the sunlight.

A discussion was then had in regards to the accessibility of the electric produced to the community. The representative stated that the people in the town have the priority to purchase the energy first, and then it would go by zip code. That no power is sold to the power company, PLANNING BOARD

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that RG&E is just the transporter of the power and not the producer, and that they have permission to plug into their substation.

Mark Bernreuther (as above)

Stated that the representative has acknowledged that the owners of the property have consented to move the panels back and he wanted to ask if the owners of the property were aware of that.

The representative stated yes.

Mr. Bernreuther then asked if this was something that could happen, moving the panels back and if so when?

Chairman Ferguson stated that the Planning Board will handle this and review all visual barriers, residential and enterprise, and if they deem additional barriers needed, they will require them. If it is deemed that the project needs to be moved back, they will require it so.

The representative from the company stated that if he could move it back and impair the neighbors view less, he would. He believes that the proposed placement of the arrays is the best place and has the least impact.

Mr. Schultz stated that he would review the site plan again and if it would be viable to move the arrays back.

The representative stated that if he could move the arrays back, he would do so even if it was more money.

A lengthy discussion then followed on the high points on the properties on the map, the elevations on the map, the placement of the arrays, the pictures that the public had put forth and how the public felt that their entire view would be impacted.

Bill DiPasquale-190-200 Burritt Road, Town of Parma

Mr. DiPasquale wanted to ask the town if they were aware that they were approached for this project. He already has a road for a cell tower.

Chairman Ferguson stated that he was not aware of this.

Mr. DiPasquale stated that he is under contract with this company until June of 2018 and cannot do anything else with this property.

John Chart (as above) asked the representative if they would be doing this project if they were not getting money back from the government? He stated that he does not feel that it would be viable. That the government has already taken their money through taxation and now they are allocating billions of that money towards incentives towards solar farms like this and in the end we are all paying for this project.

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Cindy Arnold, 85 Burritt Road, Town of Parma

Cindy asked that the representative reconfirm the amount of panels  
The representative stated that there were 9,000.

Cindy reiterated that 400 homes would be able to purchase the electric at a reduced rate and asked how that would work? Do they have to apply to be the first 400 or is there a lottery?

The representative again went through the process for the residents to purchase the electric.

Colleen Farley-262 Ogden Parma Townline Road, Town of Parma

Colleen stated that she would not want this in her backyard and felt that it would ruin her view also. She stated that if it doesn't work here, the applicant should not disregard other sites. She believes that the fossil fuels are ruining our environment and that solar has less detriment to our environment than fossil fuels.

Penny Gerow (as above)

Penny stated that if this was in another spot, it would be wonderful and that she would rather pay the extra in energy bills than look at this project.

Stan Hoy-99 Burritt Road, Town of Parma

Mr. Hoy asked what the impact on the value of the homes is going to be?

Chairman Tod Ferguson stated that the town will be looking into that.

Joyce Gavigan (as above)

Joyce stated that was why she was called by some of her clients to determine what the impact would be the value of homes would be. She stated that it would be impossible to know until the project was completed and homes were put up in the area for sale, but she felt that there would be a devaluation of those properties.

Donna Hoy-99 Burritt, Road, Town of Parma

Donna asked if her property or the surrounding properties will be re-evaluated for assessment.

The town assessor stated that there is no data stating how harmful a solar farm would be to a property, like the cell towers were. At present he is not going to adjust value, but of course all members of the town are welcome to come into his office and talk with him in regards to this. The assessor then reviewed the grievance process. There was also a review of the exemption available for solar farms for real property taxes. The assessor then reviewed that the town was allowed to opt out of this exemption.

Ed Arnold-85 Burritt Road, Town of Parma

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Mr. Arnold stated that the representative stated that this was \$5 million project, would the

property value of this project go up to \$5 million.

The assessor stated it will not be \$5 million dollars but it will go up.

John Chart, (as above), stated that the town's income is subsidized through taxes which the taxpayers pay, and this solar farm would get an exemption. Stating the citizens are getting stiffed.

Cindy Arnold (as above) asked if the assessment was going to be even across the Board for the neighbors.

The assessor then again reviewed his process for assessing properties.

Karin Gringer-40 Valley Park Drive, Town of Parma

Karin has stated that she has heard of a possibility of the property value going down. That she invested in the Town of Parma and wants to get her money back if they sell their home. She asked the Board how they will address this and are they willing to lose value on their homes if they sell? What happens if she puts her home up for sale and loses money on the sale because of the solar power?

A small discussion followed.

Chairman Tod Ferguson, then read the following letters:

A letters dated:      1/3/17, from Kathy Dietrich  
                          From Craig and Susan Cory (no date)  
                          1/4/17 from Bonnie Bullivant

John Chart (as above) stated that there is a stream that runs through this property and that there are trout in the stream, and will the DEC have a chance to comment?

Chairman Tod Ferguson stated, yes if it will impact the environment, the DEC will be reviewing the project.

Mr. Chart stated that he has a letter that was put out stating that the property drains into streams.

Chairman Tod Ferguson closed the public hearing.

Dennis Scibetta thanked everyone for the kind and cooperative way that this meeting was held. He stated that it is important that you all are heard, and that the town gets this application right.

Mr. Scibetta then stated that the applicant has not provided the town with the necessary documentation regarding the interconnection requirements with RG&E and that town building department wants to know more before they move ahead. Mr. Scibetta stated that he has not heard anything from the DEC and has asked the town engineer to hold on his comments until the DEC and Army Corps of Engineer comments are received. He stated that the Ag and Markets department are considering labeling solar energy as part of agricultural. He also stated PLANNING BOARD

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that he is in the process of meeting with all fire departments in regards to this application. That there is a lot of information that is needed. He then reiterated to the applicant that the town building department is the agency that they need to contact and not the town Board or the

planning Board. If they have any comments, concerns, or questions, they need to contact the building department. Mr. Scibetta and his staff will then direct the questions to the appropriate Board members and supply the developer with the answers. That there are proper channels to go through, and the developer needs to adhere to those channels. Mr. Scibetta asked if the applicant had applied for the 5 digit "seser" number, as the town is not aware of any application at this time. Mr. Scibetta stated that there are a lot of differences between the proposal that was sent to the town and the plan that was brought in tonight. Looking at it he feels that the applicant is not being honest with the town and the Board is going to want to know why the changes were made, that drainage is an issue that will need to be addressed. That the planning Board does not hold public hearings before comments are received from all agencies, and that this public hearing was held because he felt that it was extremely important that the public be heard on this application. Mr. Scibetta stated that there was a lot of issues to deal with, that he has met with several of the citizens over the past 2 months in regards to this application.

**Board Comments/Concerns:**

Chairman Ferguson asked if the applicants would be using pesticides or herbicides to control the area.

The representative stated no.

Chairman Ferguson asked in regards to the structure in the front yard next to the driveway how big it would be?

The representative stated 60 x 30 cement pad, the invertors would be placed on the pads but there would be no structures. There are also poles. The only structure on the property will be the invertor pad.

Chairman Ferguson asked how the land will be maintained within the fenced area.

The representative stated that they will hire people to mow the grass.

Dennis Scibetta asked if they were going to go underground with the wires along the access road.

The representative stated that they should be going underground until they reached the NYSEG pole.

Chairman Ferguson asked if the applicant had confirmed that NYSEG could handle the energy produced by this site.

The representative stated yes.

Chairman Ferguson stated that proof needed to be provided to the town.

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A discussion followed on the fact that RG&E and NYSEG are the same company, just different names.

Chairman Ferguson asked if the farm land will return to farm land after this project is deconstructed and if there is any oil in the transformers.

The representative stated yes and that they have a way to take care of the oil in the transformers so that it is not discharged into the land and they will supply proof to the town.

A discussion followed on the oil used in the transformers, as well as where the panels will be purchased from.

Chairman Ferguson stated that screening is a major concern on this site, that he noticed from the plans how the property rises up and has an impact on the neighbors view. Chairman Ferguson stated that the town has visual and ground barriers. The Board will need to know what the sound levels are, what is being used to deflect sound, what is being done to address the visual impact. These items are major and if not addressed properly can sink the project.

The representative from the company stated that he will do research on the noise level and that he has heard everyone's concerns tonight.

Dennis Scibetta questioned the proposed fence/barrier and if there would be any small "doorways" for small animals to run through.

The representative stated no access point for animals, only 2 for people.

Chairman Ferguson stated that an updated submission would be needed.

The representative stated that they will submit new plans with changes addressing the concerns of the public and what he has heard tonight.

Board member Bob Pelkey asked if the angle of the panels will vary depending on where they are on site.

A discussion followed. Mr. Scibetta asked how many Board members had been to the site. All Board members stated that they had personally been to the site.

***A motion to table until resubmission with required information was made by Mike Reinschmidt and seconded by Mark Acker. Motion carried 5-0.***

The Board then took a 10 minute break before calling the next item.

**CONTINUING BUSINESS**

Mr. Norbut passed out plans and pictures for this site. Mr. Norbut stated that they have moved the proposed solar farm north on the property stating that you cannot see the proposed area  
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**1682 Hilton Parma Corners Road Continued:**

from the road because of the existing trees, and that there are between 4 and 5 acres of trees between the proposed solar farm and road.

Chairman Ferguson asked the applicant to id the corners of the property. He then asked the applicant if they had permission to walk the property.

Mr. Norbut stated that he presently is not the owner, but is in the process of purchasing it and will get permission from the present owner. Mr. Norbut then pointed out the scrub tree line that will be removed on the property. Mr. Norbut then reviewed with the Board that a portion of the property will be fenced in and kept as agricultural and used as agricultural. They are proposing to have free range chickens in the fencing which will also contain the panels.

Discussion followed if the applicants will be having other animals.

Mr. Norbut stated that the panels are at a 23 degree pitch.

Mark Acker asked how high the panels will be.

Mr. Norbut stated that the diagram was on the plan.

Mike Ingham asked how many acres of panels that there will be on the property.

Mr. Norbut stated approximately 9.72.

Chairman Ferguson asked if this was the same type of system that was previously presented at tonight's meeting?

Mr. Norbut explained that it was a different type of system and, explained the differences to the Board.

Mark Acker asked if the panels will be fixed or motorized.

Mr. Norbut stated fixed.

A discussion followed on the wattage of the proposed solar farm. A discussion then followed on the property and the future use of said property.

Mr. Norbut stated that in the future, they would like to make application to rezone the property located next to the road. That they are proposing to use rain water servicing the property and the animals. They are proposing to keep all waste on the property. They will be composting and

recycling on the parcel, and that their sole purpose is not to make money but to have a sustainable community within the site.

Dennis Scibetta stated that the total parcel is 66 acres.

Mr. Norbut stated that they have everything into RG&E and are waiting to hear from them. As RG&E can only handle so much capacity, that he has filled out the SEQR paperwork, and the site plan application. A discussion followed on how the town would require the plans to be submitted.

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### **1682 Hilton Parma Corners Road Continued:**

Mike Reinschmidt asked if NYSEG would need to be informed of this application.

Mr. Norbut stated that they are one in the same.

Mr. Scibetta stated that the applicants have already filled out the application for their 5 digit number.

Kyle Mullen explained to the Board the process of dealing with RG&E.

Chairman Ferguson asked the applicant if he heard what the public was saying at the previous public hearing.

Mr. Norbut stated yes and believes that they have screened their property well.

Dennis Scibetta has zoning laws and this application is not precluded at this time, and that the applicant has complied and done what has been asked of them by the building department.

A discussion followed again on how RG&E is set up to accept the solar power.

Chairman Ferguson asked what the visual impact of every neighborhood is during each season.

Mr. Norbut asked if pictures would be good and the Board stated yes.

Chairman Ferguson also stated that the Board will require certifications on the panel in regards to oil and noise, as asked of the previous applicant.

Mr. Scibetta stated that he has been to a site in Williamson and there was not a whole lot of noise.

Chairman Ferguson again reiterated that the applicant will need to provide the town with plans on how they intend to contain any oil spillage.

Mr. Norbut also stated that they will be fixing panels if broken and there is a replacement plan in place for upgrading.

Mark Acker then asked what was the response time to any issues that may happen on the property in regards to the solar farm.

A discussion followed on what the plans were. The applicant stated that the solar farm would be monitored 24/7 via wi-fi and that one of the owners only lives 5 minutes down the road and would be on site within minutes of being notified of any issue.

Bob Pelkey asked if the applicants knew of any issues that could be caused by the weather, snow/ice/wind?

The applicants felt that those would not be issues and that the panels will be low to the ground and be surrounded by trees. He then stated how snow is removed by the panels themselves as PLANNING BOARD

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**1682 Hilton Parma Corners Road Continued:**

they warm up during the day, the snow will slide right off of it.

Mark Acker asked if the applicants will be receiving any income in regards to the sale of solar energy?

The applicant stated that it would actually cost them to hook up and sell to the community.

A discussion followed.

Mike Reinschmidt questioned if the applicant was going to need access to the site for fire apparatus. It was decided that it was.

Chairman Ferguson told them what is required.

A discussion then followed on the proposed future use of the property.

The applicant stated to the Board, presently they are just here for review and approval of their solar farm portion of the property.

A discussion followed on the steps of the process that needed to be followed for approval of this plan by the applicants. The Board agreed conceptually with the plan and told the applicants to send the plans out to the agencies for comments and concerns.

**There being no further business to discuss a motion was made by Mark Acker and seconded by Mike Reinschmidt to end the meeting at 10 p.m. Motion carried unanimously 5-0.**

Respectfully submitted

Maureen L. Werner  
Recording Secretary

