

Town of Albion Planning Board

3665 Clarendon Road

Albion, NY 14411

(585)589-7048

Fax: (585) 589-9452

Date: 3-6-24

In attendance: Kevin Sheehan
Mike Whiting
Kyle Smith
Julie Andrews

Dan Strong 6 Public attendees – see attached
Chris Kinter

Call to order: 5:01PM

Pledge of Allegiance

Confidential Session – Including the Board members and Dan, Chris, Jim Bell, Shaun Logue

Meeting reconvened: 5:28 PM

Old Business:

I. USLE attorney by telephone

Mr. Jim Bell spoke- The bond has been agreed to and received by both parties.

He then read into the record the resolution granting final approval of the Special Use Permit and Site Plan, as well as the Decommissioning Plan.

Motion: To adopt the resolution as read

Motion was made by: Julie

Motion was seconded by: Kyle

Vote: Passed unanimously

Roll Call vote was taken, all members voted affirmatively of the resolution

II. Beardsley Creek Solar Project

Motion: To continue the public hearing at 5:35 PM.

Motion was made by: Julie

Motion was seconded by: Kyle

Vote: Passed unanimously

It was stated that the parcel for this project now falls below the 50% parcel coverage, thus meeting the land criteria set forth by the Town Code. The overall size for the solar project was reduced by 2.5 acres.

Mr. Bell assured the public that all pertinent questions that have been submitted thus far would be answered at the appropriate time.

Mr. Shaun Logue reviewed the new dimensions of the project. SEQR will still be conducted. SHIPO will need to sign off on the project, which may alleviate some of the public's concerns. There is also a look at the natural landscape, including trees, which are considered prior to a Site Plan review, which tries to limit the number of trees and natural fauna that are removed or disrupted. Landscape will help to soften the visual impact of a solar farm. He also stated that the local Solar Law dictates that there has to be a minimum of 52.5 feet (fifty-two and one half feet) of distance from the closest residence. This project is 400 (four hundred) feet, which is eight times further away from the closest residence than what the code specifies.

Mr. Garrett Knack – stated that he hoped that this Board would not just rubber stamp the County suggestions, but really digest the interests of the public as well. He also stated that he feels that the opposition to this project is not being heard. However, it was stated by Mrs. Andrews (Board member) that, FOIL requests have been fulfilled which shows that opposition, in fact, has been heard. Mr. Knack would like the Board to consider all the opposition prior to taking the vote on this project.

Ms. Sara Bassinet stated that the local Solar Law states that projects will be considered on a case-by-case scenario. She hopes that the Board will do as such. would like to see a full environmental impact assessment study done, including the impact on wells, wildlife and homes. Additional steps will need to be taken in order to accomplish it. She also questioned what happens to the plants if they die. She was answered that if plantings are not replaced in a timely manner or otherwise taken care of to keep up a visual barrier, then the Special Use Permit may be revoked.

Ms. Peggy Lyman opposes the project. Additionally, she stated that this project (actual solar panels) seems to be physically closer to residences compared to any of the other projects that she has seen. In addition, the limestone house is listed

as an historical house. She also feels that this project will greatly disrupt that house. Furthermore, she stated that it just does not seem right that a solar farm be developed in the midst of a very close-knit community rather than somewhere else where it would not be so disrupting, both physically and visually.

Mr. George Schlegal likes the wildlife of this area and sees the animals currently. The solar panels would destroy their habitat and the animals would leave. Then he "will only see the solar panels" and not the natural wildlife. In other words, he lives in this community because of the rural aspect, including the wildlife.

Mr. Robert Queirolo stated that Phase I of the Environmental Review would be closely followed. He also reiterated that answers to the publics' questions that have been raised during the public hearing will be answered. He also wanted to know how long a public hearing could be kept open. He was answered with, "as long as necessary," which is dictated by the Albion Planning Board.

Motion: To send the Site Plan and Special Use Permit to the appropriate Orleans County Board.

Motion was made by: Kyle

Motion was seconded by: Mike

Vote: Passed unanimously

Roll Call Vote was taken and all present Board members voted affirmatively.

This public hearing was adjourned to April 3, 2024.

III. Meeting Minutes

Motion: To accept the minutes for November 2023 and February 10, 2024 as written

Motion was made by: Kyle

Motion was seconded by: Mike

Vote: Passed unanimously

It was stated to all present, as a reminder, that the minutes and all written transactions should be completed through email so that the time and date would be automatically noted.

Meeting closed at 6:10 PM

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590-2725

Sharon Schlager