

Town of Albion Planning Board

3665 Clarendon Road

Albion, NY 14411

(585) 589-7048 Ext. 15

Fax: (585) 589-9452

Date: 1-3-24

In attendance: Kevin Sheehan

Julie Andrews

Mike Whiting

Kyle Smith

Isaac Robertson

Dan Strong, CEO

Chris Kinter, CEO

Jim Bell, Town Attorney

Shaun Logue, Engineer

+ 18 Public

(See attached)

Call To Order: 5:04 PM

Pledge of Allegiance

Pursuant to Public Official Law 108-3, this Board (plus Jim Bell, Shaun Logue, Chris Kinter and Dan Strong) sojourned to private quarters in order to talk with the Town Attorney)

Old Business:

1. West Albion Community Solar Project, (also referred to as "USLE" and/or "Longbranch B") Public hearing continuation from December 2023

Motion: To reopen (from December 2023 meeting) the public hearing on USLE Solar Project

Motion was made by: Issac

Motion was seconded by: Kevin

Vote: Passed unanimously

The public hearing reopened at 5:22PM

The public was asked for any comments. No comments were forthcoming. Additionally there were no written comments received since the December 2023 meeting regarding this project.

Motion: To close the public hearing at 5:24 PM

Motion was made by: Issac

Motion was seconded by: Mike

Vote: Passed unanimously

Mr. Jim Bell read out loud the Albion Town Board Resolution regarding this project (see attached.)

Motion: To approve the Albion Town Board resolution, which was just read and to resend the USLE Project to the Orleans County Planning Board

Motion made by: Issac

Motion seconded by: Kyle

Vote: Passed unanimously

A roll call vote was taken. All members of this Board voted affirmatively.

2. Beardsley Creek Solar Project (Public hearing continuation from last month)

Motion: To reopen the public hearing on Beardsley Creek Solar Project

Motion was made by: Issac

Motion was seconded by: Julie

Vote: Passed unanimously

Public speaks

Mr. Williams - Looks at the whole field. He is against the project. Four acres of woods, will they be removed?

Project Engineer - Minimal clearing will be done. Clearing 4 acres, 25 % clearing of the parcel

Mr. Bell - Refers to the December 9, 2023 letter, conditions that will be met. The Environmental concerns will be addressed by Mr. Logue. The decommissioning plan will go into detail about the project and it is currently getting written.

Mr. Knaac - Conditions to be considered on the project. Project may/may not be sold to another entity.

Mr. Bell - That is not within our code. We have no control over whether or not the project can get sold. Also, the decommissioning plan includes requirements like transfer of ownership and what occurs if the owner/operator leaves town without any take down of the solar project. The bond or cash will take care of the costs associated with returning the land to its original state prior to any digging.

Mr. Queirolo - Code NY represents Blue Wave as owner/operator of the project. No plans to sell.

Mr. Bell - Setting up \$20 Million account for decommissioning. Cannot be done, decommissioning money plus interest, bond rather than cash doesn't earn any interest. Inflation of money in 10-15 years is hard to estimate.

Mr. Knaac - How is the project advantageous to the public? The valuation of surrounding properties decreases is an assumption. Green bushes will die, who is responsible? Who is the owner/operator?

Mr. Bell - Placing a condition on the plan that makes the owner/operator responsible for the maintenance of the property is possible. The owner/operator is indicated on the application. The Town will always know who owns the property and who is the responsible party for the maintenance of the property, if it is different from the owner of the property.

Ms. Grandy - Provided a list of questions, when will they be answered?

Ms. Lyman - Request meeting notes. Is the project government funded or is it privately funded?

Mr. Logue - The environmental impact has not been finalized yet. It will be, just not at this time. All the concerns and impacts will be addressed.

Ms. Hunt - Tetra Tech is working on the environmental studies. (They were hired by Blue Wave.) All the involved parties are named in the application packet. Due diligence has been done on this project and will continue to be done.

Mr. Bezon – There is a Bald Eagle nest nearby, how will that be addressed?

Ms. Lyman – Who regulates the amount of projects in a specific area? The town code outlines the specific guidelines for projects.

Paragraph 105 Sub 8 D6 – The specific area is detailed in the code.

Ms. Grandy – Will there be blasting? The area is all rock.

Ms. Hunt – Not sure how deep the poles go. That area is all rock. Mr. Knaac – Pile driving – It is only 52 ½ feet away from residential area. Four hundred (400) feet away.

Mr. Logue – Bedrock is about 6 feet. Waterlines are also 6 feet.

Mr. Bell – Potential for fire? Battery storage has no component on this project.

Ms. Hunt – There is very minimal noise - 46 decibels in the center, at the fence line there won't be any noise.

Ms. Lyman – Are there additional poles for this project? Poles near my house are near falling – no one is fixing the problem? Who is supposed to fix them?

Ms. Grandy – Bad winter with lots of snow. How will the panels get rid of the snow? I assume when the panels are covered, they don't work as well?

Ms. Hunt – With tracking panels, the panels will go vertical. Thus, dumping the snow.

Mr. Queirolo – Localized, the tracking panels will be lower producing when covered.

Ms. Grandy – Decreased property values.

Ms. Hunt – No concrete is used. Small amount on the equipment pad. Carbon footprint after 3 years or so is offset by the energy. The footprint will be offset.

Mr. Bezon – Why buy a lease and not just the land? Each project is different.

Mr. Strong – At the end of the lease there will be approximately \$1.5 Million to owner of land to lease.

Mr. Angeloale – Most questions have already been answered. What are the list of components in the solar panels? What happens if toxins are found?

Ms. Hunt – Type 1 panels will only be used. Those chemicals are not in Type 1 panels. All MSDS sheets will be provided on the project. Condition for soil sampling every three years or so.

Ms. Atwell – Toxins are released into the soil which effects the supply of water by contamination. Will that be a concern for this project?

Mr. Logue – Studies will need to be conducted.

Ms. Atwell – What will happen if contamination is found?

Mr. Bell – We will not speculate on something that may or may not happen in the future.

Mr. Mack – Size of the project, only taking 50%? Is that being addressed?

Mr. Bell – That question is being addressed at this time. An answer will be forthcoming.

Motion: To adjourn the public hearing at 6:36 PM.

Motion was made by: Isaac

Motion was seconded by: Kyle

Vote: Passed unanimously

February 7, 2024 will be the next meeting for this Board

New Business:

Dates for this Board to meet in 2024 are as follows:

January 3, 2024	July 10, 2024
February 7, 2024	August 7, 2024
March 6, 2024	September 4, 2024
April 3, 2024	October 2, 2024
May 1, 2024	November 6, 2024
June 5, 2024	December 4, 2024

Motion: To accept the meeting dates for 2024

Motion was made by: Julie

Motion was seconded by: Isaac

Vote: Passed unanimously

Officers for 2024:

Chairman: Kevin to continue until the Beardsley project is completed. Then Isaac will take over the position.

Motion: To accept the Chairperson position as indicated.

Motion was made by: Julie

Motion was seconded by: Kyle

Vote: Passed unanimously

Secretary: Julie will continue

Motion: To accept the Secretarial position as indicated

Motion was made by: Kevin

Motion was seconded by: Isaac

Vote: Passed unanimously

Table the minutes for November 2023 and December 2023 until February meeting

Motion: To adjourn the meeting at 6:39

Motion was made by: Isaac

Motion was seconded by: Kyle

Vote: Passed unanimously

otion: To adjourn the meeting at 5:17PM

Motion was made by: Issac

Motion was seconded by: Kyle

Vote: Passed unanimously