

**TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES**  
**Tuesday, December 17, 2019 at 7:00 PM**

The Planning Board of the Town of Clarkson held their regularly scheduled meeting on Tuesday, December 17, 2019 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 7:00 PM.

**Board Members**

Conrad Ziarniak, Chairperson  
John Jackson  
William Rowe  
Dave Virgilio  
Thomas Schrage \*

**Support Board Members**

Richard Olson, Town Attorney \*  
J.P. Schepp, Town Engineer  
Kevin Moore Bldg. Inspector  
Anna Beardslee, Bldg. Dept. Clerk  
\* Excused

**CALL TO ORDER:**

C. Ziarniak called the meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence honoring Veterans, military service members and first responders. C. Ziarniak read aloud the agenda.

**PUBLIC HEARING:**

**Applicant:** Borrego Solar Systems, Inc.  
**Property Owner:** Michael K. & Sherri L. Foley  
**Property Address:** 2668 Redman Road  
**Tax ID:** 28.03-1-21 & 28.04-1-18  
**Acres:** 58.5 AC & 25.3 AC

To combine two lots of land (Tax ID #s 28.03-1-21 & 28.04-1-18) and grant a special use permit for development of a large scale community solar array to be constructed.

C. Ziarniak began the Public Hearing by reading the Legal Notice. He asked the representatives for Borrego to state who they were, and give a brief overview of the project and any new details that they had to share about the project.

Adam Fishel, who is the Civil Engineer, Emily Flanagan who is the Project Developer, and Steve Long from Borrego are at the meeting tonight to represent the project. A. Fishel began by giving an overview of the project for those who may not know. He went over the landscaping that was added for screening, and there was a reduction in the amount of poles that they would be placing and the Stormwater plan was updated, per request of Town Engineer. He added that a glare study was done for vehicular, residential, and aviation, and it came back that there were no issues with glare. A wetlands permit will be needed by U.S. Army Corp, which the paperwork has been submitted and they are waiting to hear back from them.

E. Flanagan stated that the project would be a 6 month window from beginning to end. The project would not start until spring or when the ground is no longer frozen.

C. Ziarniak asked about trenching. A. Fishel stated that trenching is only needed for the access roadway into the project and for the poles.

C. Ziarniak opened the Public Hearing

Alan VanEecke from 2669 Redman Road asked about discounts for customers. E. Flanagan stated that residents are able to get a discount on their monthly electric bill of 10%.

B. Rowe from Planning Board asked if the property is monitored. E. Flanagan answered that the system is monitored 24/7 and gives off alerts by a data acquisition system that monitors the productivity of the solar panels.

J. Schepp, Town engineer asked about the species and heights of the screenings. A. Fishel stated that there is a 7 foot chain link fence, and evergreen trees of heights that are 6-7 feet tall and are going in for screening in a staggered pattern, so everything will be completely screened for the residents next to the property.

S. Long stated that the landscaping is contracted for the trees to be maintained for one year, so if a tree dies it will be replaced. Flowering seeds will be put down and will be various colored flowers.

Alan VanEecke stated that he had called Borrego and asked about the taxes that are coming in from the project. E. Flanagan stated that Borrego has to pay county, town, and school taxes for the project.

Rick Davis, a Clarkson resident who may be moving into a house on Redman Road, shortly was inquiring about TV, radio, and cell reception from the solar panels.

S. Long stated that it has never been an issue.

Joscelyn Ruscio from 2660 Redman Road stated to Rick Davis that the cell service has never been good in that area.

R. Davis asked if there is an electrical outage will the solar panels be able to maintain the power for the nearby residences. E. Flanagan stated that it would be up to National Grid on how the electric gets put back on.

C. Ziarniak asked for someone to explain the reduction of the utility bill. E. Flanagan stated that at the end of the construction process, flyers will go out to the entire town and vicinity around it to participate. If you sign up for the project, you will receive a 10% discount on electric bill. The discount will show up on the National Grid Bill and the discount actually comes off of the amount of electricity that was used.

C. Ziarniak made a motion to close the Public Hearing

B. Rowe seconded.  
Unanimously carried.

C. Ziarniak consulted with JP Schepp. JP stated that all of his engineering comments had been addressed and resolved. C. Ziarniak explained that the town board approved the rezoning for the overlay district. The Planning Board has to approve, the combination of lots for the property, the special use permit on the solar project, and the site plan.

C. Ziarniak went through the code 140-38F for consideration of the Special Use Permit which reads as follows:

- a) The project should be in harmony with the purpose and intent, taking into consideration of the size and location, and intensity of the operations involved. C. Ziarniak explained that the project is a benefit to the town, and a solar project would be less intense than adding 100 homes on that property (in which Kevin stated that the size of the property lots, 100 homes could be added in its place).
- b) Depreciation values of the property around it were looked into. Kevin found studies on property values of surrounding solar projects, which showed that the values went up within 5 years.
- c) Hazards, health, and safety were looked into by the Town Engineer and do not seem to impose a threat on the community.
- d) The project will not show any detrimental traffic flow to that area because it is a solar project. So there is no concerns in regards to this.
- e) The project will not alter the character of the neighborhood or be detrimental to neighbors. C. Ziarniak stated that, considering what could be built on that area of property this will not alter or affect the neighbors. He also made a statement that Borrego has worked very hard to make sure screening was appropriate for the neighbors.

C. Ziarniak stated that the Borrego Solar Project is a Type 1 Action under SEQRA, and that the Town Board, as Lead Agency issued a Negative Declaration.

J. Jackson made a motion to approve the combination of lots, the special use permit for the project, and the site plan under the following conditions:

- a) The Site Map C-3.0 last dated December 12, 2019, is the map that will be utilized for the project.
- b) A maintenance agreement for screening and replacing any dead trees.
- c) No storage batteries to be used without the prior approval of the Planning Board.
- d) Applicant posting a decommissioning bond or other financial security in accordance with 108-9 D of Town Code in the amount of \$238,816.76 prior to the issuance of a building permit.
- e) The Federal Wetlands permit must be completed
- f) The project will follow Clarkson Town Code, 96-2A (5), which specifies the hours of power equipment during the construction process.
- g) Coordinate the Host Benefit Agreement and PILOT Agreement with the Town Board.

h) No building permits will be issued until payment of \$400,000 dollars is paid in full to Town of Clarkson.

D. Virgilio seconded.  
Unanimously carried.

**RECOMMENDATION FOR CLARKSON RENEWABLES:**

Upon discussion of the Planning Board in regards to the Application for Clarkson Renewables, LLC Solar Project, they were unable to make a recommendation at this time until the following concerns were addressed:

- a) The project is close to the Historical district and Route 19 is not equipped for 6 months of construction vehicles, it was discussed another access point needs to be determined for the construction of the project. Ideas were Redman Road access or Clarkson Apartments access road.
- b) Reduction of poles on site from 7 to at least 3 by using underground cable.
- c) Possible pad mounts for point of connection.

**MINUTES:**

J. Jackson made a motion to approve minutes for December 3, 2019.  
Seconded by C. Ziarniak  
Unanimously approved.

**ADJOURNMENT:**

J. Jackson made a motion to adjourn at 8:12 PM.  
Seconded by C. Ziarniak.  
Unanimously approved.

**NEXT MEETING:**

The next regularly scheduled meeting of the Planning Board will be held on January 7, 2020 at 7:00 PM.

Respectfully submitted,  
Anna Beardslee  
Building Department Clerk

*Minutes approved on 1/7/2020*