

TOWN OF CLARKSON PLANNING BOARD MEETING MINUTES
Held at Clarkson Town Hall
Tuesday, November 15, 2022, at 7:00 PM

Board Members

John Jackson, Chairperson
Dave Virgilio
Harold Mundy
Daryl Fleischer
Pat Didas

Support Board Members

Keith O'Toole, Town Attorney
J.P. Schepp, Town Engineer
Kevin Moore, Bldg. Inspector
Andrea Rookey, Bldg. Dept. Clerk

* Excused

CALL TO ORDER:

J. Jackson called the Planning Board meeting to order at 7:00 PM and led everyone in the Pledge of Allegiance and read through the agenda for the night.

PLEDGE:

PUBLIC HEARING:

Applicant: Geoff Johnson

Property Owner: Buck Run Solar

Property Address: 2540 Redman Road

Tax ID: 028.03-1-17

Acres: 116

Applicant requesting construction of a ground mounted community solar array on approximately 27.4 acres (disturbed area).

J. Jackson read the application and legal notice for the Public Hearing aloud.

Jim Getas, a member of Philips Lytle LLC was representing on behalf of the Buck Run Solar Project.

J. Getas used the television screen in the room to display the map before the public who were present for the Public Hearing. He explained that the north portion of the project was where there would be poles and an access gate. He further explained that the gate would be designed to allow access to the maintenance team for Buck Run and leaves the entrance visible to show if someone is parked there that is not supposed to be.

H. Mundy asked about the plaques that were proposed to be placed on the gates for emergency responders.

J. Getas stated that there was one proposed plaque that would go on the maintenance entrance that would be on the property.

H. Mundy asked why they do not have a plaque on both gates. He further stated that it would stop confusion if the responders arrived at a different gate.

K. Moore said that the code requires there to be one plaque on site and does not require the plaque to be on the gate.

K. O'Toole stated the plaque could be duplicated and placed on both gates.

D. Virgilio said that he thought it would be best if the plaque was on both gates.

J. Jackson asked that they revise the gate and place the plaque on both gates that way it is easily accessible.

J. Getas provided revised simulations from three vantage points.

K. O'Toole asked when the project would be less visible.

J. Getas walked through the simulation and explained that year 5 it would be barely noticeable and year 10 it would be the least noticeable. He also stated that there would be slats woven in the gate that are green as well as a coated gate to prevent rust to keep the appearance nice.

Steven Piskorowski asked how far back the panels were.

J.P. Schepp scaled the panels to be about 600ft.

S.Piskorowski asked how far over the panels will be from the property line.

J. Getas stated that it would be 96ft from the property line, which allows enough room for the DEC to continue access.

Mark Weston asked if there would be a warranty on the property maintenance.

J. Jackson stated that the maintenance would be lifetime.

Tom Conman said that he was worried about invasive weeds in the area.

J. Getas stated that they are pollinating good species that will push out the invasive species.

T. Puckner stated that they would like to strike L-20 and L-21 from the last supplemental they provided.

S. Piskoroski asked how long the project would take.

J. Getas stated that the project would take about 3-6 months and they would start in mid-spring to late summer of 2023.

J. Jackson asked if there would be any advantages to the solar project.

J. Getas stated that the community solar will allow anyone to take advantage to use the solar and will reward 10%-15% off the service.

The residents were collectively concerned about the property value of their houses in the area whether they are living next to the location of the project or across from it.

K. Moore stated that the accessor did research about areas property values decreasing due to solar and there was no affect that was presented in the research conducted.

D. Fleisher suggested that the residents concerned about property value speak with the town accessor to ask questions about property value.

J. Jackson motioned to close the Public Hearing for Buck Run Solar Project.

D. Fleisher seconded the motion.

Unanimously carried.

J.P. Schepp stated that he would hire a landscape architect as a condition of approval to ensure the species and soil is right for the area.

J. Jackson said that the setback is also unclear and asked that it be defined and noted that it should be specified to the setback line being 10 ft away from the right of way.

J. Jackson motioned a resolution that stated:

WHEREAS, applicant wishes to construct a ground mounted community solar array on approximately 27.4 acres at 2540 Redman Road; and

WHEREAS, application has been made to the Planning Board for a Special Use Permit and Site Plan approval; and

WHEREAS, SEQR has already been resolved by the Town Board,

Now Therefore, be it, **RESOLVED**, that the Planning Board approve the Special Use Permit and grant **FINAL** Site Plan approval subject to the following conditions:

1. Storage Batteries Prohibited--No Storage batteries to be installed on site whose purpose is to ultimately export electricity to the utility grid. However, this shall not prohibit the use of uninterruptible power supplies (UPS), or backup generators used to power equipment on site
2. Landscape Plan-- The landscape plan shall be subject to the Town Engineer's approval and such landscape consultants acting in his place and stead
By way of example only, the plan shall provide:
 - sufficient detail as to the species, type, height & caliper of all plantings
 - Evidence that the landscaping shall be of commercial quality so as to camouflage the enclosure within 5 years while becoming a visual asset to the surrounding residential neighborhood.
 - Additional plantings shall be provided along the frontage so as to make the site naturally blend into the surrounding residential neighborhood rather than just simply offer a straight green wall hiding the enclosure.
 - Within the enclosure, pollinating plantings shall be planted among the solar arrays so as to ultimately decrease need for mowing.
3. Landscape Note on the Site Plan – Add a note to the site plan that states that the “All landscaping shall be forever maintained. Any dead, dying or diseased landscaping shall be replaced by the end of the next planting season.”
On site plan sheet L-8.2 last dated 11/08/2022, remove “Landscape Notes” numbers 20 & 21.
There are two “planting seasons” for the replacement of dead dying or diseased landscaping:
 - 1) The months of April-May; and
 - 2) The months of September -October

(By way of example, if a shrub was determined to be diseased on January 20, 2023, it would be replaced no later than May 31, 2023.)
4. Landscape Maintenance Agreement – The applicant shall provide a landscape maintenance agreement which is subject to the approval of the Town Engineer and such landscape consultants acting in his place and stead.
By way of example only, the agreement shall require:
 - An overall maintenance plan meeting commercial standards for quality for a 1st quality lawn and landscape maintenance project. A manicured lawn and a manicured landscape outside of the fenced enclosure. A more naturalized landscape within the fenced enclosure.
 - Watering plan--Provide for a plan and fixed schedule of watering all plantings to insure their continued growth and survival.
 - All Landscaping shall be forever maintained.
 - Any dead, dying or diseased landscaping shall be replaced by the end of the next planting season.

- Mowing Plan--Cut the grass along the frontage of Redman Road outside of the enclosure so as to create a well-maintained residential lawn where the grass height shall not exceed 3 inches.
 - Herbicides--Use herbicides outside the enclosure to suppress weed growth as would be customary on a professionally maintained lawn.
 - Any tree and shrub plantings and planting beds shall be maintained free of weeds, brush or grasses and shall be well mulched
 - Fertilization plan
 - Weeding plan
 - Tree & Shrub pruning and maintenance
 - Spring clean-up plan
 - Fall clean-up plan
5. Landscaping and Landscape Maintenance Agreement:
The Planning Board finds that landscaping and landscape maintenance on other solar farms in the Town has proven to be problematic and thus, require closer review and oversight.
Five Years from this date, the applicant shall appear before the Planning Board at which time the adequacy of the landscaping and landscape maintenance program for the site shall be subject to review and revision as appropriate.
6. Decommissioning Bond and Five-Year Review:
Applicant shall post a decommissioning bond or other financial security acceptable to the Town in accordance with 108-9 D of Town Code in an amount and adequacy to be approved by the Town Engineer and the Attorney for the Town prior to the issuance of a building permit.
Five Years from this date, the Decommissioning bond (or such aforesaid financial security) shall be subject to review and approval of the Town Engineer.
At that time, the amount and adequacy of the decommissioning financial security shall be revised by the applicant (its successors and/or assigns) to an amount deemed adequate by the Town.
7. Construction Hours-- No construction shall take place between the hours of 7:00 p.m. thru 7:00 a.m. of any day.
8. Coordinate the Host Benefit Agreement with the Town Board.
9. No building permits will be issued until the payment of all fees and financial obligations owed to the Town are paid in full to the Town of Clarkson.
10. Fence. The Fence for the enclosure shall be a seven-foot-high fence with the following requirements:
- (i) A self-locking gate.
 - (ii) Galvanized steel chain link mesh with a minimum 9-gauge thickness, an actual 2" x 2" opening, and a green vinyl (PVC) coating.
 - (iii) All chain link mesh openings to be filled with camouflaging hedge slats. (Hedge link brand or equivalent, also green)
 - (iv) An emergency contact sign shall be mounted next to the fence enclosure entrance gate.
- Access Gate: In addition to the fence enclosure, an access gate shall be installed to discourage trespass on the site. An additional emergency contact sign shall be mounted on the access gate.
11. Lighting. All lighting shall be dark sky compliant
12. Wildlife Management Plan – A wildlife management plan shall be submitted and approved by the Town Engineer and such consultants acting in his place and stead to manage fauna such as deer.
13. Expiration– The Special Use Permit will expire within six months unless the applicant both applies for and receives the building permit for the entire project as shown on the site plan.
14. Draw the 100' front setback on the site plan.

D. Fleisher seconded the motion

Unanimously carried.

NEW BUSINESS:

Applicant: James Bitsas and Marc Massaro

Property Owner: PB Clarkson

Property Address: 3670 Lake rd. North

Tax ID: 054.14-1-5.11

Acres: 3.13

Applicant requesting site plan approval for a pizzeria at the address of 3670 Lake rd. North.

J. Bitsas explained that the business going into the PB Clarkson Plaza would be a family-owned business and would be a take-out and delivery only pizzeria.

H. Mundy asked how many locations they own

J. Bitsas stated that they have three locations.

J.P. Schepp asked where the grease is going

J. Bitsas explained that there is a holding facility that will get pumped out.

D. Fleischer asked how many times the oil will be changed

J. Bitsas stated that the oil would be changed every three days, but it will get filtered everyday

D. Fleisher asked how many spaces would be dedicated to his pizzeria in the front of the building

J. Bitsas stated it was only the two spaces in the front of the pizzeria, but they can use the side lot as well.

P. Didas motioned that they would waive the Public Hearing and there was no requirement for a fresh site plan upon approval.

D. Fleisher seconded the motion

Carried Unanimously.

REVIEW OF MINUTES:

D. Virgilio motioned to approve the minutes from November 1, 2022, upon correction.

J. Jackson seconded the motion

Carried Unanimously

NEXT MEETING DATE:

December 6th, 2022, at 7:00 PM

ADJOURNMENT:

J. Jackson motion to adjourn at 8:47 PM.

P. Didas seconded.

Unanimous.