

Minutes

ST. LAWRENCE COUNTY PLANNING BOARD

7:00 p.m., Thursday, June 9, 2022
via Zoom

The public is welcome to join the meeting via Zoom.

I. Call to Order @ 7pm

a. Larson called the meeting to order at 7:00 pm.

b. Roll Call and Determination of a Quorum

	NAME	ABSENT	PRESENT	NAME	ABSENT	PRESENT
1.	Eric Alan (Vice-Chair)		X	Staff:		
2.	Ken Bellor		X	Dakota Casserly		X
3.	Kim Bisonette		X	Matilda Larson		X
4.	Don Chambers		X			
5.	Priscilla Darling	X		Guest:		
6.	Daniel Fay		X	Dave Spilman - Town of Gouverneur		X
7.	Laura Foster		X	Jim Geddis - Cypress Creek Renewables		X
8.	Andy Gilbert		X			
9.	Dan Huntley		X			
10.	Kitty O'Neil (Chair)		X			
11.	Julia Rose (Secretary)		X			
12.	Heather Sands		X			
13.	Cherrie Shatraw		X			
14.	Vacant					
15.	Vacant					
			12/15			

c. Adoption of the Agenda

i. The agenda was unanimously adopted (Gilbert/Huntley).

d. Approval of the May 12, 2022 Meeting Minutes

i. The minutes were unanimously adopted (Bisonette/Bellor).

II. Public Forum: None.

III. Project Reviews

a. Referrals Returned Pursuant to MOU

Larson presented a list of nine projects.

- i. **Gouverneur (T)**: Alysson Davis, **special use permit and sign permit**, open and operate a restaurant and sell meat and other retail products, 985 US HWY 11.
- ii. **Massena (T)**: James Carter, **area variance**, area variance to change side yard property line from 20 feet to 7 feet to allow for an addition, 626 CR 42.
- iii. **Morristown (T)**: Joseph and Jamie Coon, **area variance**, area variance to change rear setback from 30 feet to 0 feet and side setback from 10 feet to 3 feet, 2746 B County Route 6.

- iv. **Morristown (T):** Robert and Katherine Gilmour, **subdivision**, subdivide one parcel into two parcels, 483 Gilmour Rd.
- v. **Morristown (T):** William & Maureen McNally, **area variance**, area variance to change rear yard setback from 30 feet to 17 feet, 461 River Rd.
- vi. **Morristown (T):** Paul Price, **special use permit**, operate an Air B & B, 3854 County Route 6.
- vii. **Morristown (T):** 3349 County Route 6 Corp, **area variance**, area variance to front yard setback from 75 feet to 29 feet, 3351 County Route 6.
- viii. **Potsdam (V):** David Hurlbut, **area variance**, build an accessory building to 26 feet with the village having a height requirement of 15 feet maximum in R-1, 71 Pierrepont Ave.
- ix. **Waddington (T):** Anthony Mallory, **area variance**, 20 foot area variance front yard setback, 141 County Route 33.

b. Full Reviews:

- i. Gouverneur (T) - Solar Law
Larson presented the project.

The Town of Gouverneur has drafted a Solar Energy Facilities local law to regulate the installation of solar energy systems in the community, and to balance the potential impact solar collectors may have on existing development and agricultural land. The primary intent of the law is to regulate freestanding ground/pole mounted systems via special use permit. Contents of the regulations include definitions, standards for minor and major systems (Intensive Development (I-D) and Rural (R) Zones), and special use permit requirements.

Discussion

- O’Neil asked if major systems were permitted in the I-D and R zones. Larson replied that they require special use permit and site plan review.
- Gilbert talked about how a large farmer could have a solar array to power the farm operation and therefore be classified as a minor system. Larson concurred and said that Dept. of Ag and Markets supports this type of energy installation on a farm.
- Huntley said that focusing on prime soils is well intended, however all tillable soils should be accounted for. Ag lands in Gouverneur are a good example of this.
- Rose asked if there is data for active use on prime ag lands. Larson replied that we don’t have an accurate dataset, however we can see lands with ag exemptions and 100 Agriculture real property classifications.
- Huntley said that the 10% threshold for prime soils can have an impact on towns with low amounts of prime soils and potentially drive solar development to those areas.
- O’Neil said that towns with low amounts of prime soils may still want to protect their tillable lands by land use regulation. Larson agreed and that home rule permits them to do so.
- Rose asked if the lease total acreage of 2,219 acres includes a proposed project in Helena. Larson replied, no. Gilbert asked how much of the Brasher (North Side Energy) project is being farmed.
- A 10% threshold, per project, with a variance to exceed, was generally supported by the Board, however this would not apply to

the largest projects. Rose questioned the Board's authority to impose this threshold because it can be overruled at the local level. There was further discussion on protecting farmland in the County as our greatest natural resource.

- O'Neil supported the separate review for Battery Energy Storage Systems (BESS). Larson noted that this is important for emergency response.
- Bisonette cautioned more restrictions because there is a risk that the State would take over review of all solar projects. Also, Board reviews should be consistent.
- Chambers said that the 10% threshold should be a recommendation, not a condition.
- Huntley praised Larson's presentation and its supporting data. Also, he suggested that tillable acreage would be helpful. Larson and O'Neil replied that this data is challenging to obtain. Larson suggested that this question be added to the County's Ag Data Statement.
- Rose talked about a requirement for solar developers to continue an agriculture use.
- Spilman talked about the following in the Town of Gouverneur: retiring farmers who are looking for additional income from solar projects; concerns about solar impacts on tillable acreage; economic challenges (PILOTS) from solar; and how the IDA has been helpful with negotiating PILOTS.
- The Board voted unanimously to approve the project with conditions and non-binding recommendations (Alan/Chambers).

- ii. Canton (T) - Grass River Solar, 6578 CR 27 (Canton-Morley Rd)
Casserly presented the project.

Discussion

- Rose asked if the proposed vegetative screening is far enough off the road to avoid road salt impacts. Chambers replied that County Hwy uses a sand/salt mixture along County roads to reduce these types of impacts.
- Rose asked about nesting bird impacts from the project. Geddis replied that this is part of the SEQR process and they are coordinating with the DEC and USFWS if mitigation efforts are required. Also, a solar project can provide enhanced wildlife habitat for birds and small mammals.
- Larson asked about removing the access road as a part of the decommissioning process. Geddis replied that they leave this decision to the land owner, however, if the removal is needed, then it is covered by decommissioning.
- Larson asked Geddis to talk about other sites that were considered with less prime farmland impacts. Geddis replied that they have considered 100s of sites and there are a limited number of them that balance the varied requirements.
- Alan asked about a future solar grazing plan. Geddis replied that they are working with the [American Solar Grazing Association](#) to find a grazer for the site.

- Alan and O’Neil talked about the challenges of solar grazing operations in the County. Chambers replied that there are sheep grazing a small solar project in Somerville, NY.
 - Chambers talked about DEC wetlands restrictions driving solar site location to prime farmland. For example, this project has delineated wetlands in active hay fields that are prime farmland..
 - Larson talked about other sites (brownfields, industrial sites, capped landfills) and that they should be considered for solar.
 - Rose said that the recommendation of 50% prime ag land disturbance be reduced to 10%.
 - Gilbert talked about his concern of future solar projects meeting this threshold and the Board spending time on preconceived denials.
 - Geddis asked for clarification of prime farmland. The Board considers prime and prime if drained farmland as prime farmland
 - A majority of the Board voted to deny the project (Fay/Chambers, Opposed: Huntley, No abstentions).
- iii. Casserly shared some information about an upcoming solar project review in the Town of Canton at the July meeting.

IV. Reports

a. **Executive Committee**

- i. O’Neil talked about setting the agenda, project(s) discussion, and solar project review ideas. Also, at the July meeting, the Board should discuss.

b. **Board of Legislators**

- i. Fay talked about: ARPA funding to towns and villages, the IDA is assisting with this project; the recent Dairy Ambassadors event; and a landlord who is having challenges with renters paying rent.

c. **Highway Department**

- i. Chambers talked about: Potsdam outpost construction has begun; planning a recycling station at the Ogdensburg transfer station; a road paving recycling project on CR6; asphalt price increases of 10%/month; and increasing fuel and material costs that are making operations challenging.

d. **State of the County Roundtable**

- i. Update on Large Scale Solar Development
 - Casserly talked about a recent announcement from the Governor about large scale solar projects in the North Country.
 - a. Moss Ridge Solar, 60 MW Dekalb (T) (Bigelow), Hermon-Richville Rd and Boland Road.
 - b. Roosevelt Solar: ReneSola Power Holdings LLC, will build a 19.99 MW solar facility with 2 MW of co-located Storage in the town of Massena.

e. **Staff Report**

- i. Larson talked about an ARPA funded project that the Planning Office will administer.
- ii. Casserly talked about the ongoing land use revision project with the Town of Rossie.

V. Other Items

a. Correspondence

- i. Larson shared [links to webinars](#) about solar leases from the New York Farm Bureau.

b. Next meeting dates:

- i. Executive Committee: Thursday, June 30th at 4:00 pm
- ii. Planning Board: Thursday, July 14th at 7:00 pm

VI. Adjourn

- a. The meeting adjourned at 9:30 pm (Huntley/Fay).

Respectfully Submitted,



Julia Rose, Secretary

Minutes prepared by Dakota Casserly