

**ST. LAWRENCE COUNTY PLANNING BOARD
DRAFT MEETING MINUTES**

7:00 p.m., Thursday, October 8, 2020
Via Zoom

I. Call to Order

- a. **Roll Call and Determination of a Quorum.** Chair B. Murray called the meeting to order at 7 pm. Casserly did a roll call for attendance. A quorum was present.

Members Present: K. Bellor, K. Bisonette, D. Chambers, P. Darling, D. Duff, D. Fay, M. Gazin, A. Gilbert, M. B. Murray, K. O’Neil, J. Rose and C. Shatraw, J. Cameron.

Members Absent: E. Alan

Staff Present: J. Pfothauer, M. Larson, and D. Casserly.

Others Present: Hillary Beaudouin, SUNY Potsdam student; Vaughn Golden, Watertown Daily Times.

- b. **Adoption of the Agenda.**

The agenda was unanimously adopted (Gilbert, O’Neil).

- c. **Approval of the September 10, 2020 Meeting Minutes.**

The September 10, 2020 minutes were unanimously approved (Shatraw, Rose).

II. Public Forum

- None

III. Planning Board Discussion Regarding Solar Development

- Larson presented on this topic which focused on:
 - Accelerated Renewable Energy Growth and Community Benefit Act.
 - NYSERDA Fact Sheet handout that contained detailed information about the Act.
 - Dates for public comment will be forthcoming.
 - Sites, like brownfields, can reduce timeline.
 - NYS’s goal of 70% of renewable energy by 2030.
 - Adjudicatory hearing may be used if host community raises substantive issues and if this hearing is not held, a public hearing will be scheduled.
 - Community and local government benefit.
 - Build-Ready Program.
 - Power Grid Study and Investment Program.

- Gazin asked about construction process and queue.
- Duff asked about queue and developer speculating on prime farmland sites and how to prevent this.
- Duff asked about the siting office and response time.
- Gilbert asked who decides about substantive issues.
- Gilbert asked about local zoning and how does the state view this.
 - Larson responded that the state would consider local laws.

- Gilbert continued with an example of 40MW project in Parishville and could they bypass local regulations.
- Gilbert talked about the state being cash strapped and not having resources to review large projects.
- Pfothhauer talked about lawsuits tying up large projects.
- Murray asked if this applies to wind as well, Larson confirmed.
- Duff said that the siting law is coming about because of local opposition, the playing field is tilted away from local control, Gilbert agrees and added, states are doing this in order to meet renewable energy goals.
- Rose asked, how long are land owners tied up with solar leases.
 - Gilbert responded that he has seen leases for 25 years (they are renewable) and developers' hold leases until they decide to build.
- Chambers said investment in the power grid will be substantial to meet demand.
- Larson talked about NYPA increasing capacity of the grid with future phases.
- Chambers said that smart path construction is a mono pole design in the center of right-of-way, in order to make room for expansion.
- Pfothhauer introduced NYS Ag and Markets orders regarding solar developments.
- O'Neil asked about projects with public funding, which projects have CPB reviewed, do projects reviewed by CPB have public funding, state or fed.
 - Larson confirmed, yes.
 - Duff asked about money and size of array, how does it work for amount of funding.
 - Pfothhauer replied, funding follows amount of MWs.
- Rose asked about annual amount of one-time fee for conservation easement.
- Duff and Shatraw asked about conservation easement payments.
 - Larson replied with Tug Hill Tomorrow example and how lease payments are factored into assessment.
 - Gilbert added that he has seen conservation easement payments at \$1000 per acre (one-time payment).
- Pfothhauer talked about prime farmland and soils, and their definitions.
- Rose asked whether or not we have an idea of how much prime farmland is projected to be covered.
- O'Neil stated that there are 354,000 acres of prime soils in SLC.
- Duff said if prime farmland is covered then neighboring prime might be hard to produce, and relative distribution is not even across communities.
- Larson talked about decommissioning plans, she highlighted Nexamp Gouverneur and EDR in Oswegatchie. The best include an escalator for the life of the bond and remove salvage value(s). Projects in Lawrence were bad examples.
 - Gilbert said that we are ahead on decommissioning plans compared to others he has viewed.
- Casserly introduced some content on interconnection and the queue in regards to solar projects. More detailed content to come at the next CPB meeting.
- Murray said that investors are looking to make money and are essentially securing leases and waiting on system upgrades. Duff and O'Neil agreed. Members of the board asked will they come back for (re)review.

- Pfothauer said that there is a time element with a special use permit, one year, and after one year a special use permit technically expires. Should CPB review older solar projects before construction? Yes, board consensus.
- Bellor asked if there are any projects where this applies and should we send reminders to municipalities. Rose agreed with Bellor that we should send reminders and include the towns.
- Gazin said that Richville project has one junction pole in place.
- Pfothauer asked what defines project movement.
- Larson talked about Hammond wind law and how developers should submit a project schedule/timeline.
- O’Neil said timelines should be submitted as part of the review.
- Gazin emphasized more attention on one year special use permits.
- Duff said that local municipalities need to have more certainty with timeline.
- Chambers talked about “build it and they will come” in regards to the grid. The state is possibly encouraging developers to secure leases to get an idea of where to upgrade the grid.
 - Pfothauer asked where is this type of information found, NSERYDA, etc.
 - Gazin noted that large electrical users (industry) who have moved out or ceased operation in the County.
- Casserly said that the State Dept. of Public Service (DPS) reviews projects and interconnection with the grid. And, there are steps that developers have to take with utilities to move their projects along, eg., SIR (Standard Interconnection Requirements) and CESIR (Coordinated. Electric System Interconnection Review), which can be costly. Nexamp’s application for a solar project in the Town of Oswegatchie included their CESIR.

IV. Project Reviews

- a. Referrals Returned Pursuant to MOU - RFLA (Return for Local Actions)
- Pfothauer presented the list of projects.
 - Duff asked about deed description re-writing when parcels are combined. Larson replied that, a deed needs to be rewritten. Bisonette suggests following up with the assessor about combining parcels and deed requirements.
 - Stockholm, old gas station on US Hwy 11, underground tanks were removed, the convenience store will be re-used as a motorsports store, it’s a permitted use, and signage is compliant with local code.
 - Duff asked about empty tanks and fuel pump, will they stay or go, applicant states tanks to be removed, not clear on pumps.
 - Massena, data center, shipping containers double stacked to mine bitcoins, permitted use in the zone and RFLA.
 - Larson asked about highway access permit.
 - O’Neil asked about CPB’s previous decision, because this is a repeat applicant. It was RFLA.

V. Reports

- a. **Executive Committee – B. Murray**
- The Executive Committee met to set the agenda for the Oct 8 meeting.

- b. **Board of Legislators – D. Fay**
 - Fay talked about how the budget for 2021 was presented, there is a small decrease in tax rate, sales tax negotiations with Ogdensburg are ongoing, they are asking the County to give up \$6 million, and Ogdensburg needs help financially. Fay doesn't believe that the County will give up the \$6 million.
 - Gilbert asked why Ogdensburg has such large fire and police departments and this is due to past negotiated contracts.
- c. **Highway Department – D. Chambers**
 - Paving projects to be completed in next two weeks and they are preparing for winter operations (sand and snow).
- d. **State of the County Roundtable - None**
- e. **Staff Report – J. Pfothenauer**
 - Septic repair, we have until the end of the year to spend down the grant.
 - Lead grant, moving along.
 - Hammond land use revisions, first meeting is next week.
 - Larson will step back a bit from her usual CPB role, due to SLC public transportation demand.
 - Board members thanked her for her excellent work.

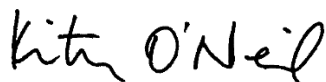
VI. Other Items

- a. **Correspondence**
 - Matt McCluskey has resigned from the board, Murray has written a letter and will send on behalf of CPB. CPB member information is on the website.
 - Pfothenauer talked about state superfund site along Denison Road in Massena that was delisted, and letters from FERC that are blank.
 - Gazin asked about fire dept. training for battery storage.
 - Murray replied, can we refer this to fire advisory board, can it be held at a central location. A good contact would be Joe Finnigan.
- b. **Announcements**
 - Work program check-in and update for next meeting.
- c. **Next meeting dates**
 - Executive Committee: Thursday, October 29th at 4:15 pm
 - Planning Board: Thursday, November 12th at 7:00 pm

VII. Adjourn

- The meeting adjourned at approximately 9 pm (Duff/Rose).

Respectfully Submitted,



Kitty O'Neil, Vice-Chair

Minutes prepared by Dakota Casserly