

ST. LAWRENCE COUNTY
AGRICULTURAL AND FARMLAND PROTECTION BOARD

Public Safety Complex, 2nd Floor, 48 Court Street

Canton, New York 13617-1169

Tel: (315) 379-2292 • Fax: (315) 379-2252

MEETING MINUTES

Thursday, April 7, 2022

Zoom Meeting ID: 882 2048 9705

Passcode: 048565

I. Call to Order

A. Members present: P. Ames, R. Andrews, L. Denesha, M. Finen, B. Green, J. Greenwood, S. McKnight, J. Pfothenhauer and J. TeRiele. **Members Absent:** D. Fisher. **Staff present:** M. Larson. **Others present:** Raeanne Dulanski, Soil and Water Conservation District Manager; Bob Ahlfeld, St. Lawrence County IDA; Mary Kelly, dairy operator and Dekalb resident.

Roll Call and Determination of a Quorum. Andrews called the meeting to order at 6:01 pm. Larson did a roll call for attendance; a quorum was established. Andrews asked all those present to please introduce themselves.

B. Adoption of the Agenda. Larson reviewed the agenda. The meeting agenda was unanimously adopted (Greenwood/McKnight).

C. Approval of the Minutes. Green asked that his report in the minutes be corrected to state residential property values increased by 8%, and waterfront property values rose by 16%. The corrected February 3, 2022 meeting minutes were unanimously adopted (Greenwood/Ames).

II. New Business

A. Eight Year Review for Agricultural District 2. Larson presented an overview of the Agricultural District program's intent; a history of the program in the county; the program's benefits; responses to five criteria when conducting an eight-year review; and the proposed modifications to the District. Larson concluded her presentation by reviewing next steps, and suggesting scheduling a public hearing for public comment on May 24th. Larson confirmed for McKnight that a property owner is not required to attend the public hearing in order for their land to be added to the district. Larson affirmed for Pfothenhauer that property owners can ask the County for its land to maintain its status quo with the District. Greenwood suggested the AFPB's recommendation be subject to any opposition received from affected property owners. The Agricultural and Farmland Protection Board recommended a continuation of Agricultural

District 2 with the modifications, subject to opposition received from affected property owners (Greenwood/Ames).

Andrews asked Larson about whether lands hosting solar arrays would be removed from an Ag District in the next eight-year review. Larson replied that she would not recommend that those lands be removed so that the NYS Department of Ag and Markets continues to have a role in the review process for additional phases to expand a facility, and to ensure the property is properly decommissioned when the solar facility ceases to operate. Ames asked whether the County received any petitions from landowners to remove their land from District 2 in order to host an array. Larson replied no; the only petitions the County received were to remove parcels in order to combine small residential lots together. Ames suggested scheduling a tour of a solar facility to see how one is designed well, and to tour one that is not designed very well. A discussion ensued about a number of solar projects that are under construction, and others where construction is complete.

- B. 4.3 MW Acer Solar Facility at 50 Cogswell Corners Road, Madrid.** Larson reviewed a memo from the NYS Department of Agriculture and Markets and their request for input from the Ag and Farmland Protection Board on the proposed project. Pfothenauer presented an overview of the project, and shared how projects are typically reviewed by the County Planning Board. Pfothenauer said while the Town of Madrid does not prohibit solar facilities in their Residential-Agricultural zone, members of the County Planning Board expressed an on-going concern about the displacement of prime agricultural land for solar arrays. Pfothenauer said the County Planning Board unanimously voted to deny the project, and the project was returned to the Town of Madrid Planning Board who can overrule the County Planning Board's decision. Pfothenauer said the AFPB can offer comments as requested by the NYS Department of Agriculture and Markets. Pfothenauer affirmed for Ames and Greenwood that the response could also be provided to the Madrid Planning Board. Larson reviewed a copy of the County Planning Board's Notice of Action.

Greenwood said the multitude of small solar projects being built on farmland is going to kill local agriculture. Greenwood said the project should be denied, and suggested the State should provide additional funding for the Department of Agriculture and Markets to purchase development rights from landowners. Denesha said he believed landowners should be able to do what they want with their property, but said he saw farmland in North Carolina being taken out of production host solar arrays, and said you can't eat energy. Denesha said he found it ironic that forestlands are being destroyed for renewable energy in an attempt to stop the world from being destroyed. The Board unanimously voted to oppose the project, and said the project was contrary to the County Board of Legislator's resolution to encourage the siting of solar arrays on marginal lands (Greenwood/McKnight). Pfothenauer affirmed for Andrews that the AFPB response to the Department of Agriculture and Market's request would be shared with the Department, Madrid Planning Board, County Planning Board and County Legislators. Andrews asked whether it would make sense to provide copies of the Board's response to State elected officials. Greenwood and Denesha agreed. Finen suggested drafting a letter stating both the County Planning Board and Agricultural and Farmland Protection Board unanimously opposed this project, and oppose the siting of solar energy facilities on prime farmland.

III. Old Business

A. None.

IV. Reports

A. NYS Department of Ag and Markets Farmland Protection Working Group. Larson said she participated in a virtual meeting chaired by Ag and Markets Commissioner Ball. Larson said NYSERDA and the statewide solar association attempted to demonstrate compliance on farmland preservation when siting solar arrays. Larson said she and Pfothauer also participated in a statewide Planning Directors virtual meeting to discuss farmland preservation when siting arrays. Larson said she learned mandatory mitigation measures are required for solar projects with footprints that are 30 acres or greater. Larson said the average size for solar projects in St. Lawrence County is 20 acres, and do not benefit from mandatory mitigation measures. As a result, Larson recommended lowering the threshold from 30 to 20 acres. Larson said her 2nd observation is that Ag and Markets are given the opportunity to review and comment on solar projects under SEQR, but that is too late in the application review process. Larson suggested the developer approach Ag and Markets first. Larson said developers are also obtaining local input from municipal planning boards, but those boards do not know the location and extent of prime soils in the county. Larson recommends developers also be required to consult with county agricultural and farmland protection boards. Finen asked whether developers are required to consult with County Planning. Larson replied no, but they should.

Larson said mitigation funds are also being collected by NYSERDA when solar arrays are sited on prime soils. Larson said those funds should be allocated to Soil and Water Conservation Districts with funds set aside for program delivery and administration so that these districts can increase their staffing capacity to expend those funds. Larson said Ag and Markets also has a farmland conservation easement program, but the appraisal process through that program does not take solar lease values into account to reflect current land values. Larson said other work group members suggested local governments be allowed to update their agricultural preservation plans less than every 10 years. Larson added the local match requirement also be eliminated, or be revised to match other state planning grants. Pfothauer and Greenwood thanked Larson for her work to date on the Working Group.

B. Updates from AFPB Members. Green said tentative rolls are being prepared for each town in time for May. Green said Larson came and delivered a presentation on the eight-year review for Ag District 2 at a local assessors meeting. Denesha said COVID19 cases are down, and updates from the Public Health Department are now twice per week rather than daily. Denesha reviewed new case, positivity and vaccination rates. Denesha said Joe Seeber was hired as the new DSS Commissioner, and Jolene Munger was appointed Director of the Public Health Department. Denesha said 79 contaminated, tax delinquent properties over the last seven years have been cleaned up. Denesha said the County Legislators passed a resolution declaring March as Women's History Month. Ames said April marks the end for Cooperative Extension's delivery of agricultural programming, and transition to ag awareness

programming for youth. Ames said Cooperative Extension had a strong maple production season with surrounding schools. Ames described the vet tech, and dairy programs that are underway, and announced new hires. Ames said shooting sports and 4-H youth programming are scheduled to begin. Pfothauer said the preliminary review for the North Side Energy Solar Project proposed for Brasher, Massena and Norfolk is complete, and is now under review by a seven-member review board. Pfothauer said the Department of Environmental Conservation disagrees with the applicant's wetland calculation by 621 acres. The Department of Public Service believes the applicant has not minimized its impact to wetlands to the maximum extent practical. Pfothauer said the applicant may request a six month extension and reduce the size of the project. Ahlfeld reviewed projects recently financed by the IDA, and the completion of a Comprehensive Economic Development Strategy. Dulanski discussed upcoming grant funding deadlines with two participating farm operators, and the lining up of projects over the next few months.

Andrews talked about a solar array in Spraugville with 300 sheep grazing within a fenced area of 335 acres.

VI. Other Items

A. Correspondence. None.

B. Announcements. Larson said solar company Boralex has accepted an invitation to attend the AFPB's October meeting to discuss how their solar facilities are designed to accommodate an agricultural activity within the fenced area of the array.

C. Next Meeting Date. The next Agricultural and Farmland Protection Board meeting will be held on Thursday, October 6, 2022 at 6:00 pm. Larson said she anticipates M. Kelly will have gone through the County Legislator's appointment process by then, and will participate as a member of the Board.

VII. Adjourn

The meeting adjourned at 8:00 pm by consensus.

Respectfully submitted,

Matilda Larson