

**ST. LAWRENCE COUNTY
JOINT PLANNING BOARD AND
AGRICULTURAL AND FARMLAND PROTECTION BOARD**

MINUTES

7:00 p.m., Thursday, February 9, 2023
49 ½ Court Street, Canton and
via Zoom: Meeting ID: 985 9321 3418, Passcode: 915408

I. Call to Order

- a. **Introductions, Roll Call and Determination of a Quorum.** Andrews called the meeting to order at 7:01 pm, welcomed all those in attendance, and asked everyone present to introduce themselves. Quorums were established for both boards.

	NAME	ABSENT	PRESENT		NAME	ABSENT	PRESENT
County Planning Board							
1.	Ken Bellor		X		Staff:		
2.	Kim Bisonette		X		Matilda Larson		X
3.	Don Chambers		X				
4.	Priscilla Darling	X					
5.	Daniel Fay		X				
6.	Laura Foster	X					
7.	Andy Gilbert, Secretary		X				
8.	Dan Huntley		X				
9.	Robin McClellan		X				
10.	Kitty O'Neil, Chair		X				
11.	Julia Rose, Vice-Chair		X				
12.	Heather Sands		X				
13.	Cherie Shatraw		X				
14.	Vacant						
15.	Vacant						
			11/15				
Agricultural and Farmland Protection Board							
1.	Kayla Gugin for Patrick Ames		X		Guests:		
2.	Bob Andrews, Chair		X		Patrick Kelly, IDA		X
3.	Larry Denesha		X				
4.	Margaret Finen		X				
5.	David Fisher	X					
6.	Bruce Green		X				
7.	Jon Greenwood		X				
8.	Steve McKnight		X				
9.	Mary Kelly	X					
10.	Josef TeRiele		X				
11.	Jason Pfothenhauer		X				
			9/11				

- b. **Adoption of the Agenda.** Andrews asked if there were any additions to the agenda; Larson responded no. The agenda was unanimously approved (TeRiele/McClellan).
- c. **Adoption of Meeting Minutes.** The AFPB unanimously adopted their December 1, 2022 meeting minutes (Greenwood/TeRiele). The CPB unanimously adopted their January 12, 2023 meeting minutes (Gilbert/Huntley).

II. Overview and Roundtable Discussion

O'Neil reviewed the intent for tonight's meeting agenda to discuss their board's joint interest in the siting of solar energy facilities on farmland. Pfothner delivered an overview of General Municipal Law and the County Planning Board's review of land use projects. Larson delivered an overview of Agriculture and Markets Law and the AFPB's role to comment on publicly funded projects that are sited on farmland in an agricultural district. Andrews thanked staff for their overviews. Comments made during the discussion were as follows:

- Huntley recommended members from both boards review the State's Climate Action Council's Scoping Plan.
- Huntley recommended local stakeholders ask how energy from solar energy facilities will be balanced on the electrical grid, and expressed concern about how solar energy will meet the demand for energy during the winter months.
- Andrews said a representative from Ag and Markets has been invited to present an overview of the State's Farmland Protection Work Group.
- Chambers suggested participation in the State's agricultural conservation easement program as it was successfully used by other counties elsewhere in the state.
- Gilbert recommended the preparation and distribution of a model lease law for landowners to use that favor agricultural production.
- Fay asked what county boards can do when it comes to the siting of solar arrays. McClellan voiced his support on mapping suitable sites for solar development.
- Rose said operation and maintenance agreements for solar energy facilities should incorporate dual uses within the fenced areas.
- Gilbert said if renewable energy sources fail, diesel generators will be used to continue operations.
- Greenwood said another indicator other than the presence of prime soils should be used to represent the extent of agricultural activity in the county. Larson said tillable acreage would be a better indicator, but those figures are only known anecdotally, and is not uniformly available across the county.
- Andrews said solar energy projects should be installed on marginal lands such as mine tailings and brownfields. Chambers said State regulations prohibit the siting of solar energy facilities on marginal lands that were previously farmed, but are deemed as wetlands.
- Rose recommended outreach and education of local planning boards who ultimately approved solar projects.

- Larson said Planning Office staff intend to pursue a mapping of preferred solar sites as staffing capacity allows.

III. Reports

- a. Board of Legislators.** Denesha said the Board of Legislators passed a resolution encouraging the Public Service Commission to reauthorize Re-Energy Holdings to continue the operation of a biomass facility that provides the energy needs of Fort Drum. The Board also passed a resolution for the State to assume the financial responsibility of administering unfunded mandates. Denesha also reported the proposed State budget includes the interception of Medicaid funds which are traditionally passed thru to County governments, which impacts the County's 2023 budget by \$3.08 million. Fay said the County will be awarding ARPA monies to local governments for water and sewer projects, and the County Attorney's office will begin addressing blighted residential properties that are in foreclosure. Denesha said the State's proposed budget includes provisions that if a foreclosed property sells for more than the delinquent taxes, the balance of those monies will be directed to the property owner. If the owner is deceased or unreachable, then the monies will be directed to the State.
- b. County Highway Department.** Chambers said the construction of the County's recycling center is approaching completion, and will open April 1st. In the interim, recyclables are being transported to Liverpool, and the County has partnered with Casella to compact materials before they are transported. The third outpost is approaching substantial completion within the next three weeks. Chambers said the outposts were especially valuable during the recent cold snap as hydraulic pumps tend to break when it is -20F, and no pumps broke as vehicles were stored inside. As for this summer season, Chambers said the Department will construct two bridges, and a substantial rehabilitation of a bridge, and reviewed projects that will go out to bid.
- c. Correspondence.** Larson said Andrews will sign a letter of support for Cooperative Extensions funding application to the USDA, and said she previously prepared a letter of support for Margaret Finen that demonstrates how Finen Maple Products' application to the IDA for ARPA funding is consistent with the County's Agricultural Development Plan. Pfothenhauer said the County Planning Board received correspondence from the Town of Canton Planning Board's approval of the Nickerson Road Solar Project with a supermajority vote. The Planning Board also received a Notice of Action from the Town of Macomb Planning Board on its recent approval of a subdivision.
- d. Announcements.** Larson highlighted recent news articles about breaking ground for NYPA's Smart Path project out of Malone, EDF Renewable's announcement to file its 94C application with ORES, and the filing of a lawsuit in Albany that challenges 94C and the usurping of Home Rule Law. Pfothenhauer said the Town of Canton Planning Board's review for a proposed solar array north of the United Helpers

nursing home is on hold pending further environmental review. Andrews said he was pleased with tonight's joint board meeting, and said he hopes the Department of Agriculture and Markets will accept an invitation to present at a future AFPB meeting on the State Farmland Protection Working Group.

The Agricultural and Farmland Protection Board meeting adjourned at 8:59 pm.

IV. **Project Reviews**

- a. **Referrals Returned Pursuant to MOU.** Pfothenauer summarized projects in the MOU list, and reviewed staff comments for projects listed in the addendum. He gave additional background on a use variance in the Town of Louisville that was returned for local action. Additional information was given for a billboard in the town of Massena, and the site plan for the Children's Museum in the Village of Potsdam.
- b. **Full Reviews.** Larson presented a Special Use Permit for a sawmill in the Town of Brasher. The permit would be retroactively granted. The application was submitted after a complaint from a neighbor was brought to the Code Officer. The sawmill is located on a 73 acre parcel at 600 CR 53 in the Rural Development Zone and is not located in an Agricultural District. The sawmill and residence was described in detail and a site plan was shown. The sawmill is approximately 120 feet away from an adjacent lot. The neighboring residents are concerned about the noise produced at the sawmill. Through the use of decibel data the noise level on the adjacent lot was estimated at approximately 69 dBA. Prevailing wind direction data was also shared, showing that winds will blow from the sawmill to the adjacent residence. The development does meet the minimum setbacks but the dimensions are minimal and should be revised. Staff suggested the non-binding recommendation that the sawmill addition be enclosed along the north and west elevations. Staff recommended the condition that the applicant apply for a highway access permit from the County Highway Department. Additional comments to share with the Town of Brasher include the revision of its zoning code to include a definition of a sawmill; that minimum front and side yard setbacks be increased to 100 feet when properties are adjacent to residential uses; and mufflers and wall enclosures be required to attenuate sound. Gilbert suggested that the barrier wall be baffled to allow for ventilation. Huntley suggested the quality of muffler makes a big difference. Rose asked if a decibel assessment was made at this site. It was noted that the town does not have the equipment to measure sound. She further asked if the Amish would be exempt from a highway permit. Staff stated that no exemption would be granted. Site distance may be of concern with the delivery of logs via tractor trailer. Widening the entrance to the site may help relieve congestion on CR 53 and will be examined with the permit process. A circular driveway was suggested to help with onsite traffic movement. Additional plantings of evergreens was suggested as a buffer. The project was conditionally approved (Gilbert/Huntley, Rose abstained).

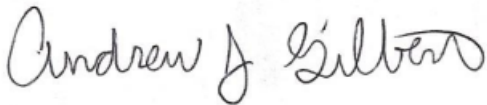
V. Next Meeting Dates

- a. Executive Committee: Thursday, February 23, 2023 at 4:00 pm via Zoom.
- b. Planning Board: Thursday, March 9, 2023 at 7:00 pm in the 2nd floor conference room of the Public Safety Complex, located at 49 ½ Court Street in Canton.
- c. Agricultural and Farmland Protection Board: Thursday, April 5, 2023 at 6:00 pm in the 2nd floor conference room of the Public Safety Complex, located at 49 ½ Court Street in Canton.

VI. Adjourn

The meeting adjourned at 9:20 p.m. (Huntley/Bellor).

Respectfully Submitted,



Andrew J. Gilbert, Secretary

Minutes prepared by M. Larson and J. Pfothauer

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