

## ST. LAWRENCE COUNTY PLANNING BOARD MINUTES

7:00 p.m., Thursday, August 10<sup>th</sup>, 2023

In person, Public Safety Complex Planning Office, Canton / on Zoom

### I. Call to Order

- a. **Roll Call and Determination of a Quorum.** K. O’Neil called the meeting to order at 7:02 pm. A roll call was held; a quorum was established.

	NAME	ABSENT	PRESENT	NAME	ABSENT	PRESENT
1.	Ken Bellor		X	<b>Staff:</b>		
2.	Kim Bisonette		X (on zoom)	Jason Pfothhauer		X
3.	Don Chambers		X	Preston Santimaw		X
4.	Priscilla Darling		X	<b>Guests:</b>		
5.	Daniel Fay		X	Margaret Mauch		X
6.	Laura Foster		X	Bill Hayes		X
7.	Ed Fuhr		X	Tammy Hayes		X
8.	Andy Gilbert (Secretary)		X	Liza Schepps (Canton solar rep.)		X
9.	Dan Huntley		X	Evan Comilloni (Canton solar rep. on zoom)		X
10.	Robin McClellan		X	Eric Redding (Madrid solar rep. on zoom)		X
11.	Kitty O’Neil (Chair)		X	William Jaquith (on zoom)		X
12.	Julia Rose (Secretary)		X	Jeffery Lines (Madrid solar rep. on zoom)		X
13.	Heather Sands		X	Additional Public Stakeholders on zoom		X
14.	Cherrie Shatraw		X			
15.	Vacant					

- b. **Adoption of the Agenda.** O’Neil asked if there were changes to the agenda. Pfothhauer responded that there were no changes that needed to be made. The agenda was unanimously approved as written (McClellan/Gilbert).
- c. **Adoption of the July 13<sup>th</sup> Meeting Minutes.** The minutes were unanimously approved (Huntley/Rose).

### II. Public Forum

Margaret Mauch gave an update on No Dogs Left Behind. Her statement is attached herein.

### III. Project Reviews

a. **Referrals Returned Pursuant to MOU.** Pfothenhauer highlighted details for projects listed in the MOU Addendum. There were no comments.

b. **Full Reviews.**

i. Canton (T) – Special Use Permit for two 5 MW solar arrays: Santimaw presented the project review. Board members, Staff, and the applicant discussed:

- O’Neil: There should be a condition added for a decommissioning plan and bond.
- Chambers: Also a condition for a DOT permit for St. Hwy 310.
- Schnapps: The applicant has submitted a decommissioning plan and bond to the Town that follows the zoning code regulations; the salvage value for the equipment is not included. The applicant is also submitting for a DOT permit for the road width, they do not plan to sell the array, they are willing to edit the proposal to add wildlife-friendly fencing and warning signs, and the project has a 25-40 year proposed lifespan.
- Fuhr: Will there be battery storage?
- Schnapps: There will not.
- McClellan: Does Nexamp have a partner for the grid?
- Schnapps: No community partner.
- Fay: Where is Nexamp located?
- Schnapps: Boston; also regarding the soils, no soils will be removed from the property.
- O’Neil: Agriculture is the largest business in the county, development on prime soils should be avoided as much as possible.
- Schnapps: Nexamp is happy to look for solutions to this.
- O’Neil: Fencing condition should be changed because there cannot simultaneously be wildlife-friendly fencing as well as fencing that allows for livestock grazing.
- Fay: Concerns about the system being overwhelmed with both solar and hydropower; there may not be cheaper hydro power available if solar power is added to the grid. Will the gates open to let water out in order to accommodate solar?
- Schnapps: The interconnection study addresses this, the system should not be overwhelmed.
- Rose: How will soils be avoided?
- B. Hayes: Areas not leased for solar will be leased for hay and corn.

The Board voted to unanimously deny the special use permit with the suggested conditions and recommendations in the event the County decision is overturned (Gilbert/Huntley).

A change was made to the recommendation regarding fencing in line with O'Neil's comment that either livestock grazing fencing or wildlife-friendly fencing should be added; both cannot be accommodated.

Additional comments were made after the decision was made due to zoom complications:

Comilloni: The DOT and the Town is okay with a 22' wide access road being implemented; the utility requires at least 20' in order to avoid damage to the poles.

ii. Madrid (T) – Use Variance for 2 MW (AC) Solar Array: Pfothauer presented the project review. Board members, Staff, and the applicant discussed:

- Gilbert: The parcel is rented for farming and seeing a return.
- Bellor: Comments should be included about denying the project regardless of meeting the legal tests because of its location on prime soils.
- McClellan: Prime land concern is not part of the use variance approval criteria so it should not matter.
- Bellor: Is there battery storage proposed with this project?
- Pfothauer: None proposed.
- Rose: The impact on the hamlet should be more important than the soils.
- Pfothauer: The decision should focus on what has been applied for, a use variance.
- McClellan: Should the zoning be changed in order to accommodate this?
- Pfothauer: That could be an option for the whole district, but spot zoning is not recommended.
- Chambers: Solar is allowed in the hamlet, just not at the size the project is proposing.
- Jaquith: The parcel has been rented out for agricultural use, but has not seen a reasonable return; it received \$800 per year but the taxes are \$6,000 per year.
- Redding: The project will minimally disturb soils, and it is a non-permanent use. The project is also sloped downhill from the main road, and there will be vegetative screening, minimal traffic increase, no lighting, public utilities, or noise; the site will not alter the character of the neighborhood. It is also an ideal spot for this project which makes it unique.
- Lines: There has been no public opposition.

The Board voted unanimously to deny the use variance with conditions in the event the County decision is overturned (Huntley/Gilbert).

iii. Massena (T) – Special Use Permit for a 19.9 MW Solar array with 2 MW AC battery storage: Santimaw presented the local law review. Board members and Staff discussed:

- Rose: What kind of trees are currently on the property?
- Gilbert: Scrubby.
- Huntley: Are there prime soils on the site?
- Gilbert: Not prime soil.
- Shatraw: Concerns with battery energy storage.
- Fuhr: Comments about fire training; the Board should add to the condition regarding fire prevention to make it more sound.
- Gilbert: Fire suppression systems at battery energy storage systems that were installed before the fire in Jefferson County are the same as the one that caught fire.
- O’Neil: The water demand is very high to put out these fires.
- Rose: Could a well be put on site to address this?
- Fuhr: There’s not enough water from a well.
- O’Neil: Where on site is best to put the battery storage?
- Chambers: Could the guidelines for putting out fires be similar to the chemicals used at airports or hangars?
- McClellan: We do not have the technology to put out lithium battery fires.
- Huntley: Adequate road access for the battery storage system should be required.
- Rose: Do Akwesasne residents have a say on this project?
- Pfothauer: They will be notified because they are within 500’ of a Town boundary.
- Fuhr: The access roads should be able to withstand heavy equipment to accommodate all potential equipment needed to suppress a fire; comments about how battery storage should be a separate business.
- Huntley: Fire prevention should be proactive; suggested recommendation for a condition to be added regarding road access to the battery storage system.

The Board voted to 12-1 with one abstention to approve the Special Use Permit with conditions and non-binding recommendations (Gilbert/Shatraw, Bellor abstained).

Huntley made additional comments about solar in general after the decision on this project was made. The following was mentioned:

- It should be noted that there is a state mandate for solar production.
- There is a difficult balance to be kept between solar and agriculture in St. Lawrence County.
- Suggested to ask the Board of Legislators to require a fee to offset the financial loss that results from lands no longer in agricultural production.

iv. Louisville (T) – Zoning Code Revisions: Pfothauer presented the code revisions. Board members and staff discussed:

- McClellan: Question on plowing recommendation.

- Chambers: They are talking about seasonal public roads during construction.

The Board voted unanimously to approve the code revisions with conditions (Rose/Chambers)

#### **IV. Reports**

- a. **Executive Committee.** O’Neil said the Executive Committee met on July 27<sup>th</sup> to set the meeting agenda and discussed the projects presented at tonight’s meeting.
- b. **Board of Legislators.** Fay reported on election workers not getting paid on time as well as problems at a daycare center in Brasher; both of which are being figured out.
- c. **Highway Department.** Chambers reported:
  - An additional 10 miles of paving was approved to be added to the 2023 paving schedule.
  - A capital reserve was established for equipment; \$1million was reserved.
- d. **State of the County Roundtable.**  
None.
- e. **Staff Report.** Pfothenhauer reported:
  - Comments on the 2024 county budget review.
  - The St. Lawrence County Agricultural Tour will be on Friday, August 18<sup>th</sup>.

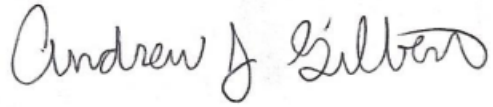
#### **V. Other Items**

- a. **Correspondence.**  
The Planned Industrial District in the Town of Stockholm was submitted to the Planning Office.
- b. **Announcements.**  
None.
- c. **Next meeting dates.**
  - i. Executive Committee: Thursday, August 31<sup>st</sup>, 2023 at 4:00 pm.
  - ii. Planning Board: Thursday, September 14<sup>th</sup>, 2023 at 7:00 pm in the 2<sup>nd</sup> floor conference room of the Public Safety Complex, located at 49 ½ Court Street in Canton. (Location subject to change)

#### **VI. Adjourn**

a. The meeting adjourned at 9:35 p.m. (Fuhr/Shatraw)

Respectfully Submitted,

A handwritten signature in black ink that reads "Andrew J. Gilbert". The signature is written in a cursive style with a large initial 'A' and a long, sweeping underline.

Andy Gilbert, Secretary

Minutes prepared by P. Santimaw