

A meeting of the Town of Moreau Planning Board was held on October 19, 2015 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Present:

G. Peter Jensen	Chairman
Linda Riggi	Planning Board Member
Reed Antis	Planning Board Member
John Arnold	Planning Board Member
Charlene Endal	Alternate Planning Board Member
Dave Paska	Planning Board Member
Ron Zimmerman	Planning Board Member

Also present: Stephanie Dilallo-Bitter, Attorney for the Town; Tricia Andrews, Recording Secretary; Ben Marcantonio, Asst. Code Enforcement Officer

Planning Board Members Absent: Erik Bergman.

Chairman Jensen called the meeting to order at 7:00p.m. The minutes of the August meeting were reviewed and Mr. Arnold motioned to accept with no corrections. Mr. Paska seconded. Motion carried unanimously.

### **#1 SolarCity Site Plan Review**

Mr. Bill Allen of Solar City and Mr. Scott Ooimet of LRC Group represent the project. Solar City wants to install solar panels on 2.03 acres of a 18.64 acre parcel belonging to the Town. The disturbance and site work will include temporary installation of a construction entrance and removal of tree stumps. The impacts to the earth are poles for mounting solar panels and for fencing, these are pole-mounted units.

Mr. Arnold: What are the plans for dealing with runoff?

Mr. Ooimet: Water will sheet off the panels and infiltrate into meadows. This infiltrates better than forests because there will be tall dense vegetation, and the grass is not cut until it is at least a foot high.

Mr. Arnold asked if it could be developed further and Mr. Allen said that is all they are aware of at this time. They were asked if they are leasing all or a portion.

Mr. Allen explained that they are not leasing anything, there is just a power purchase agreement.

Mr. Arnold: Was it walked or did you just look up the wildlife map on the internet.

Mr. Ooimet: It was walked by a biologist.

Mr. Arnold: What's the visibility, and will there be an issue with the reflection?

Mr. Ooimet: Solar panels are designed to absorb as much light as possible to generate electricity, so they reflect only 2%, which is less than a body of water.

Mr. Antis: I am curious about the license agreement. You create the electricity and that...

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Mr. Allen: We own the generating system, and the Town gives us permission to sell the power.

Mr. Antis: More. You make electricity. Who do you sell the Kilowatts to?

Mr. Allen: we sell it to the town, and charge them less than the utility does. We will be charging 6.8 cents per kwh.

Mr. Antis: What's the difference between that and the panels on the Town property now?

Mr. Ooimet: The Town uses a certain amount of power from the Grid, the solar panels are designed to offset that use.

Mr. Antis: Monolith is creating electricity. You will sell at less than National Grid. Monolith is selling power to National Grid, at a better price?

Mr. Ooimet: The Town is seeking additional savings by putting in more solar in other parts of the Town.

Mr. Arnold: They supply it through National Grid, but they supply it to the Town. The ones on this property just help supply power to this building.

Atty. Dilallo-Bitter: Does the Town only pay for power that you generate? So if something goes out and you don't generate, they don't pay?

Mr. Allen: Unless they are negligent...the agreement covers all of that, but on a cloudy day, yes, they only pay for what we generate.

Mr. Antis: What does happen on a snowy day?

Mr. Ooimet: There are many models depending on the weather, temperatures, etc. We take historic weather conditions into account when we estimate current flows, etc.

Mr. Arnold: Snow clears as fast as it can. How far from the ground are these things?

Mr. Ooimet: About 18-24" off the ground.

Mr. Arnold: Around here snow can pile up and build up on the bottoms of your panels.

Mr. Allen: Actually because of that we have gone to 36" on this one.

Mrs. Riggi: Did you make a proposal to the school district?

Mr. Allen: We wouldn't know about that.

Mr. Arnold: The stationary unit for switches- is that just like this one at the end of row 2?

Mr. Allen: There are several (points on diagram).

Mr. Arnold: What's the life expectancy of the installation?

Mr. Allen: About 30 years. The panels themselves are virtually indestructible, but the other equipment goes about ten years and we have maintenance plans in place.

Mr. Antis: You said virtually indestructible. What about hail.

Mr. Allen: They do face the sky. They are tempered glass, they are built to withstand.

Mr. Antis: Who is responsible if something breaks?

Mr. Allen: We are.

Atty. Dilallo-Bitter: They own the panels.

Mr. Antis: Did you approach the Town or the Town approach you?

Mr. Allen: We don't know that.

Mr. Antis: Did it go out to bid?

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Mr. Allen: You'd have to ask your Town Board.

Chairman Jensen: Are you going to get any renewable energy tax breaks or other incentives from Saratoga County?

Mr. Allen: We retain ownership of any benefits.

Chairman Jensen: That is understood but if you are getting those benefits from the County, they will have to be notified that SEQR Review is in progress.

Mr. Allen: I will look into that.

Mr. Arnold: That's interesting. Usually if you plant something into the ground it's attached to the property. If the agreement ends, are they supposed to remove everything down into the ground?

Mr. Allen: I believe so.

Atty. Dilallo-Bitter: I can confirm that with Peggy.

Mr. Antis: Who is going to pay taxes on this, does this remove it from tax rolls?

Mr. Arnold: It must be in the contract.

Atty. Dilallo-Bitter: Property or other taxes?

Mr. Antis: Property. So it's up to the Town Board to choose to sell the land. It's coming off the tax rolls.

Mr. Allen: It is in the contract that we have 90 days to remove everything when the contract is terminated.

Chairman Jensen: Board, do you want to declare Lead Agency?

Mr. Zimmerman: Is a Full EAF required for this?

Atty. Dilallo-Bitter: I don't believe it's a Type 1 Action, but you submitted for it. I believe it's an Unlisted Action and you could do a short form.

Mr. Zimmerman: Motion to declare Lead Agency.

Mr. Arnold seconded and the motion passed unanimously by roll call vote.

Chairman Jensen: Do you have enough information to move forward?

Mr. Antis: I am curious to what the Town Board thinks of this project?

Chairman Jensen: For Site Plan review, we don't care.

Mr. Allen: The contract was signed by Preston Jenkins, Town Supervisor, in January 2015.

Chairman Jensen: It is the opinion of council that Full EAF is not required, short would be adequate, we have the full, how do you want to proceed?

Atty. Dilallo-Bitter: I think we can use what they gave us to move forward on a Short Form SEQR.

Motion to accept Long Form was made by Linda Riggi, seconded by Mr. Zimmerman. All in favor, no roll call.

Chairman Jensen: Who are our involved agencies? Saratoga County, because of proximity to navigable waters. DEC. Army Corp because there are wetlands, although they are not touched, SHIPO.

We will submit to our consulting engineers for advice on our SWPPP, which is Garry Robinson.

Mr. Arnold: I appreciate your prompt answers. Can we revisit the runoff issue? I agree with you a seeded meadow is much better than a forest. But this is concentrated sheet flow. There are periods of time,

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especially if the ground freezes, where water doesn't permeate the soil. What other kinds of controls are built into your design for that flow? Is there berming?

Mr. Ooimet: The slope sends water under the next panel. Where it's not raining.

Chairman Jensen: Do you have enough information to continue? Is there anything in the submission lacking, other than Mr. Robinsons' opinion?

Mr. Arnold: Normally we get a projected view shed, especially within certain distances of some things, like the river. I only have an undeveloped, and I would like to see a computer generated image of what's going to be visible say from the river on a boat?

Mr. Ooimet: They are not tall enough to be seen above the trees.

Mr. Antis: You can't see the Industrial Park from the river.

Mr. Arnold: OK, I have never been out there on a boat, I wasn't sure.

Mr. Ooimet: It is surrounded on all sides by trees.

RZ: Will the orientation be similar to what we have outside here?

Mr. Ooimet: Yes

Mr. Arnold: Is it a set angle, not adjustable?

Mr. Ooimet: Yes.

Mr. Antis: Is there another municipality where we can see what you've done?

Mr. Allen: We've done many, I will try to get you a list.

Mr. Ooimet: We are currently in 8 towns at the municipal level.

Mr. Arnold: I have a question about your construction design. Am I to gather that you are going to go on the site, shove the post into the ground 4 feet, and then put a panel on it? There's no footing?

Mr. Ooimet: We use a post hole digger.

Mr. Arnold: It's only 4 feet. What type of posts are you using?

Mr. Marcantonio: Same as outside, they are driven.

Mr. Arnold: Into sand?

Mr. Ooimet: They do it everywhere.

Mr. Arnold: Wind effects alone have to move that?

Mr. Allen: We have 87 inches on our preliminary design, based on soil samples in the area.

Mr. Arnold: Ahh, that's better.

Mr. Antis: Where'd you get that 4 ft.?

Mr. Arnold: It's on the EAF.

Mr. Ooimet: We do adjust that based on soil samples. That's an average.

Mr. Allen: Just like they are mounted higher here than downstate.

Chairman Jensen: Enough info to move forward?

Mr. Arnold motioned to schedule a public hearing on Monday, Nov. 16<sup>th</sup> at 7:02pm. Mrs. Riggi seconded. Motion carried unanimously with no roll call.

Mr. Allen: Who looks into the Saratoga County issue?

Chairman Jensen: That's for you to find out. As soon as you can get it to us we will bring the County in.

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Motion to adjourn was made at 7:41 by Mr. Arnold and seconded by Mr. Antis. Motion carried unanimously and the meeting was adjourned.

Respectfully Submitted,

Tricia S. Andrews