

Town of Cazenovia Planning Board

Meeting Minutes

January 4, 2024

Members Present: Robert Ridler, Chairman; Anne Ferguson; Linda Cushman; Dale Bowers; Thomas Clarke; Gerald Rasmussen; Roger Cook, Alternate Member; Jerry Munger, Alternate Member

Members Absent: Mary Margaret Koppers

Others Present: John Langey; John Dunkle; Wayne Emmons; Laura Emmons; Andrew Dwyer; Casey Dwyer; Adam McAllister; Steve Evans; John Watson; Sheila Fallon

R. Ridler called the meeting to order at 7:30 P.M.

Roll was taken; all were present except for Mary Margaret Koppers. Roger Cook acted as a voting member in Ms. Kopper's absence.

The next regularly scheduled meeting will be Thursday, February 1, 2024.

The next deadline day will be Wednesday, January 17, 2024.

The next regularly scheduled work session will be Thursday, January 25, 2024.

Motion by A. Ferguson, seconded by T. Clarke, to approve the December 7, 2023 meeting minutes was carried unanimously.

LAND DISTURBANCE/SITE PLAN REVIEW/SUBDIVISION

*Emmons, Wayne & Laura – Site Plan Review – 5241 Emhoff Road, Cazenovia
File # 23-1493 (Dale Bowers)*

Wayne Emmons was present to represent the application and Laura Emmons was in the audience.

D. Bowers said the Zoning Board of Appeals (ZBA) granted the area variance needed for the placement of the garage to be in front of the house. He described where the property was located on Emhoff Road, referring to the aerial photograph in the file. He said the property was almost 600 feet from Emhoff Road, and was the last parcel in the Town of Cazenovia. He explained the area variance file had been assigned to David Vredenburg and, as is the practice of the ZBA, a thorough review had been done. He explained Mr. Vredenburg had visited the site and had determined the location of the garage was the best option for the site, and Chairman Pratt had ensured the ZBA approval was conditioned upon all the pertinent details including exterior lighting being dark-sky compliant.

D. Bowers thought the application was complete noted the most recent submission was the building specifications and the site plan.

J. Langey led the Board through the Short Environmental Assessment Form (SEAF) and informed the Board the ZBA had also performed their review of the SEAF and had made a Negative Declaration based upon that review, and he expected the Planning Board's findings to be the same. He also pointed out that the ZBA acknowledged that the answer to Item 10 (*Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?*) was that the placement of the structure was more advantageous than having it in a location behind the house (which would be closer to Chittenango Creek). He also noted the creek would not be impacted by the location chosen because of the topography.

R. Ridler asked about the conditions of the ZBA approval.

J. Langey offered to read the six (6) conditions imposed by the ZBA, and said the Planning Board could incorporate the conditions by reference.

Motion by D. Bowers, seconded by A. Ferguson, to appoint the Planning Board as Lead Agency for the purposes of the State Environmental Quality Review (SEQR), to affirm the

matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF and to approve the site plan for a 28' X 30' garage as most recently submitted and with the same conditions as the area variance approval was carried unanimously.

W. Emmons asked if he could get the permit the following Wednesday.

He was told to meet with Mr. Ladd for the permitting process.

*Golub, James & Janine – Line Change – 1590 Peth Road & West Lake Road
With Rubenstein, Elaine
Our Farm the Golubs, LLC – Minor (1) Subdivision – 3360 Peth Road
Golub, James & Janine – Line Elimination – 1590 Peth Road & Peth Road
File # 23-1510 (Mary Margaret Koppers)*

No one was present to represent the file.

R. Ridler said Mr. Golub was still working on this file.

Motion by G. Rasmussen, seconded by L. Cushman, to continue the file was carried unanimously.

*Dwyer, Andrew & Crystal – Site Plan Review – 2960 West Lake Road, Cazenovia
File # 23-1511 (Anne Ferguson)*

Andrew and Casey Dwyer were present to represent the file.

A. Ferguson said the Dwyers were intending to build an accessory structure.

A. Dwyer submitted some renderings of how the structure would look from the north, east, south, and west.

A. Ferguson asked if a decision had been made regarding the placement of the structure on the site. (The original submission had noted two areas the building might be located.)

A. Dwyer produced a drawing entitled *Dwyer Property Drawn from Survey 1/10/1986* dated 12/18/2013 which showed where his current accessory structure was located 48.15 feet from his south property line. He said he would remove that structure and replace it with the proposed bigger structure which would be to the east of the current shed. He said he would construct the new structure, and once that was enclosed, he would disassemble the existing shed and plant grass where it had been.

A. Ferguson informed Mr. Dwyer that to finalize the plan, he would need to determine where it would be sited on his map and they would need elevations.

A. Dwyer asked if a surveyor would need to site the structure on the map.

D. Bowers explained the Codes Enforcement Officer would have to verify that the building will be built according to the Planning Board's approval. He said it has to meet the required setbacks, but it would also have to be located in area shown according to the approved drawing.

A. Ferguson answered a surveyor was not needed to site the location.

A. Dwyer explained there was a low spot in the area he wanted to locate the new building and he wanted the flexibility to shift the angle. He asked if he could sketch the general location himself.

R. Cook suggested Mr. Dwyer place four (4) posts in the ground with the accurate dimensions (to help the Codes Officer verify the location).

A. Dwyer said he had done that in another location, but then found that to be too far from the house.

A. Ferguson said once the location was determined, the impervious surface calculations could then be computed (for the driveway extension).

A. Dwyer said he had calculated those percentages because he knew the measurements of all the construction. He submitted a sheet dated 12/20/2023 that showed the existing coverage to be 14.7% and the proposed to be 18.5%. He said the new building would be 64' X 32' with a 2' overhang and a 10' apron.

A. Ferguson said ideally one would not exceed 15%.

A. Dwyer thought he could have 20% coverage since it would be more than 500 feet from the lake.

R. Cook confirmed 20% could be covered 500 feet from the lake.

The drawing Mr. Dwyer submitted this evening showed the 500-foot line at the eastern edge of his property where there would be no construction.

R. Cook said Mr. Dwyer was the second house from West Lake Road.

A. Dwyer said he owns the 4-acre lot and then three (3) other 1-acre lots.

R. Ridler asked the size of this lot.

A. Dwyer responded it is 3.84 acres.

A. Ferguson asked the material for the proposed building.

A. Dwyer answered it would be a pole structure, having metal siding and metal roofing with garage doors. He said the garage doors would match the color of the doors of the house. He said the location would be far enough away so as to not overwhelm the house, but with the same colors so it “will blend in.” He said looking from the driveway down to that section of the lot, it was wooded behind. He elaborated the gray would match the house and the bark on the trees, repeating that it would blend in with the area.

R. Ridler asked if the doors would face north.

A. Dwyer replied they would.

A. Dwyer explained how he would access the building from the existing driveway. He intended to move a culvert and to keep the driveway addition 500 feet from the lake as well.

A. Dwyer sketched the driveway and the pole barn locations on the drawing. He said the driveway would be 40' at the culvert, narrowing to 15', and then opening to 62' in front of the building.

A. Dwyer said another consideration for the location was a big oak tree that he wanted to keep, so he would remove dead ash trees instead.

R. Ridler said the Board would prefer that too.

D. Bowers said he was unfamiliar with the site and asked Mr. Cook if he was familiar with it.

R. Cook responded he was.

D. Bowers asked if there was any issue with water, wondering if there were any streams.

R. Cook answered there were no streams. He said the only place water flowed was down the driveway.

A. Dwyer answered, "Between the two driveways."

D. Bowers just wanted to make sure nothing would be obstructed.

D. Bowers informed the Applicant that typically the Board would like to have this information to review two (2) weeks in advance, giving the Board a chance to review the project and keeping the Board from "making bad decisions."

A. Ferguson elaborated that the information should have been submitted with the application. She said if the Board had no objection, she felt they could move on this.

D. Bowers said he would defer to those who had visited the site, but had no objections from the material provided.

R. Cook commented where it was proposed was fine and there was nothing built near it to the north or to the south, so it would not affect the neighboring properties.

A. Ferguson asked Mr. Dwyer to initial and date his drawing with his sketches.

Motion by A. Ferguson, seconded by R. Cook, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to affirm the matter an Unlisted Action and make a Negative Declaration based upon the review of the SEAF and to approve the site plan for a 64' X 32' pole barn with a 10' apron and the removal of an existing shed as most recently submitted was carried unanimously.

A. Dwyer asked if he could make a deposit to the builder of the pole barn and get on the builder's schedule and get a full set of drawings for the permit.

He was told he would need a permit for construction.

A. Dwyer explained he needed the stamped drawings from the builder, and he could not get those before paying a deposit. He thanked the Board for working with him.

*Mc Allister, Adam – Line Change – 1875 Route 80 with 1905 Route 80, New Woodstock
File # 23-1512 (Dale Bowers)*

Adam McAllister was present to represent the file, and Stephen Evans, the potential buyer of the proposed smaller lot, was with him.

D. Bowers said the Board has seen an application for the two (2) lots in question before, and both parcels were located along New York State Route 80 in New Woodstock. He said it was not shown on the drawing entitled *Portion Of The Lands of Adam McAllister New York State Route 80 Town of Cazenovia – Madison County State of New York* drawn by Chapin Land Surveyors dated 12/18/2023, but one could tell by the aerial photographs that 15 acres would be carved from the larger parcel and the remainder of that land would then be added to the parcel with the house to the east.

D. Bowers said the other consideration was that the 15-acre parcel would have a barn with no primary structure. He said the Board could give the Owner a year to construct a primary residence, or the Owner could convert the barn to a residence, but at this time, he considered this to be just a line change which could be moved to a public hearing at the next meeting, and the Applicants could decide in the next month how they would like to make bring this into compliance, which could then become a condition of an approval.

S. Evans expressed understanding and indicated it would not be too difficult to convert the barn.

R. Cook also felt the barn was designed in such a way that would be easy to modify.

J. Langey then led the Board through Part 2 of the SEAF.

Motion by D. Bowes, seconded by G. Rasmussen, to appoint the Planning Board as Lead Agency for the purposes of the SEQR, to move the application to a public hearing at the February 1, 2024 meeting and to continue the file was approved unanimously.

R. Cook remarked that there was no minimum size of living space required for this location.

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*EBAC, LLC/ Owera Vineyards – Site Plan Review – 5276 East Lake Road, Cazenovia
File # 22-1428 (Robert Ridler)*

No one was present to represent the file.

Motion by T. Clarke, seconded by G. Rasmussen. to continue the file was carried unanimously.

*Love Frazee Assoc with Pushlar, Paul — Site Plan Review – Route 20 with Route 20 &
File # 23-1497 (Robert Ridler) Fenner Road, Cazenovia*

John Watson was present to represent the file.

R. Ridler said several people have approached him regarding the name of the project, "Ballina Solar Farm Project." He explained because there had been a previous project for the Sadlon property on Ballina Road, this name caused confusion for many residents.

J. Watson said he had spoken to his partners and they were not averse to changing the name. He noted it would change thousands of pages of documentation, but he reassured the Board he would be happy to do that, wondering when the Board wanted to have it renamed.

A. Ferguson thought going forward from now.

R. Ridler asked Mr. Langey about changing the name.

J. Langey said he understood the confusion at this time, and said the Town would have to try to avoid confusion in the future when the file is being reviewed and the name has been changed. He said there would have to be a reference "Formerly known as..." clearly on the records. He said he's never had to do this before, but he understood the reasoning. He said it was the Applicants' project so the Applicants decide what they want to call it.

J. Watson replied, "We are apathetic." He said they named it Ballina because that was the substation they would be "connecting to."

A. Ferguson suggested "The Route 20 East Solar Project."

J. Watson said they could also refer to any historical significance. He said they could discuss it with the land owners as well.

R. Cook suggested Cazenovia Preservation Foundation (CPF) may know of a name referencing something of significance.

A. Ferguson cautioned against naming it after people.

J. Watson said he would "make a hard recommendation" for a name change.

R. Ridler said the second item was the question of whether land owned by Paul Pushlar could be used as a buffer. He said the Board had received communications from Quantum DPI Group Inc. Ballina Solar LLC, CPF, and the land owner representative and he believed that issue has been resolved. He asked Mr. Watson to explain his understanding of that resolution.

J. Watson said he believed that issue had been resolved and the last inquiry from CPF was regarding the assurance of prohibition of pesticide and herbicide use. He believed Paul Curtin as the attorney for Paul Pushlar concluded that the use of the Pushlar farmland as a buffer for the solar project was resolved.

J. Langey said a separate issue was if any part of the Pushlar property that would be used as a buffer was actually located in the Town of Nelson.

J. Watson did not believe they would be using any eastern property in the Town of Nelson.

J. Langey believed he had read and heard that some property was in that township. He said if that was the case, even if it were buffer area, the Town of Nelson Planning Board would have to approve that part of the project as well. He wanted the Applicants to be aware that another agency would need to be involved regarding SEQR.

J. Watson responded, "I hope it's not." He said they would be happy to do whatever they needed to do.

J. Langey asked for confirmation regarding whether the Town of Nelson would be involved.

J. Watson used his laptop to try to determine if that was the case. He said he would confirm that and send an email to update the Board.

J. Langey reassured Mr. Watson that it was allowable, but that it would involve extra steps and an additional entity to work with.

J. Watson did not believe that any of the leased land was in the Town of Nelson referring to the Memorandum of Lease. He repeated he would confirm it for Mr. Langey. He said they would be leasing the northern parcel and the western parcel from Mr. Pushlar, but not a parcel to the east.

R. Ridler then asked about the most recent email from Jennifer Wong of the CPF and asked how the Board could ensure that those practices would be incorporated into an approval of the project.

J. Dunkle said it should be referenced in the Operations & Maintenance Plan (O&M Plan).

J. Watson responded that it was included in the O&M Plan. He thought Ms. Wong was just asking how that would be enforced, and how it would be conveyed to any subsequent operators and enforced. His response was that the conditions of the approval would be a condition of the project for the life of the project and any owners and the conditions would be enforced by the Code Officer.

R. Ridler asked if the language addressing that issue would be in the deed or in the documents at the time of a sale.

J. Watson answered the approval would attach to the Ballina Solar LLC (or whatever the name will be if changed). He said the condition would “float with the project; that will never change.”

J. Langey assured the Board there would be a way to insure there is enforcement.

R. Ridler said another item provided was the revised Full Environmental Assessment Form (FEAF). He then reviewed that form. He verified the answers for C.2 (c) *Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan* – the Applicants stated it was not. C.3 (a) *Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance* – the Applicants stated it was. D.1 (b) *total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor* – the Applicants answered 170.06; R. Ridler noted 65 acres would be under the LLC’s control, and size of the actual array would be 25 acres.

R. Ridler asked if there would be any wastewater associated with the project.

J. Watson responded, “No.” He said they would have a State Pollutant Discharge Elimination System (SPDES) Permit during construction for erosion control.

R. Ridler asked about D.2 (k iii) *Will the proposed action require a new, or an upgrade, to an existing substation* – the Applicant answered Yes.

J. Watson said they would not require a new substation but they would need to upgrade the Ballina substation. He explained they would be paying for new components to be added to it. He added the substation was offsite.

R. Ridler asked if CPF had identified any land uses not indicated in the answer to E.1 (a) *Existing land uses*. The Applicants had identified Forest, Industrial, Commercial, Rural, and Agriculture as the uses, and Mr. Watson did not believe there were any others. He said Mr. Pushlar can still use the land for agriculture with the trust agreement.

R. Ridler asked if all 21.95 acres of the array would be fenced.

J. Watson answered it would be.

R. Ridler asked what the fencing would look like.

J. Watson proposed a deer fencing or a 6-inch wire mesh similar to what was used in orchards which would allow small fauna to run freely through. He said chain-link was another option, but they thought chain-link was less attractive.

T. Clarke asked about maintenance beneath the panels, thinking he saw some mention of mowing.

J. Watson said that was in the O&M Plan.

R. Ridler then asked about the height of the fence, thinking the maximum would be 8-foot tall.

A. Ferguson believed it was eight (8) feet for the approved solar project on Barrett Road.

J. Watson thought the National Electric Code required it to be a minimum of seven (7) feet.

A. Ferguson asked that the fencing specifications be provided.

J. Watson believed it was included in the site plan. He found the information on his laptop and showed the Board how the fence would look. He verified it was proposed to be 8-foot above-ground.

A. Ferguson noted it showed an open space at the bottom.

R. Ridler saw that the site was not in a flood plain, which he commented was good. He did note the location was in an area which was designated as agriculture district certified pursuant to New York State Agriculture & Markets (Ag & Markets) laws.

J. Langey said he had reviewed the revised FEAF, and he had comments regarding it which he would get to the Board.

J. Dunkle said he had comments as well which he would put in writing. He said one item that caught his attention was the statement that no herbicides or pesticides would be used, but the plan states they may be used.

J. Watson said they would make the correction.

J. Dunkle said the O&M Plan should include whatever agreement they have made with CPF.

J. Langey said he had found 6-7 items that needed correcting. He said the revised FEAF was an improvement over the first submission, but there were enough items still in need of correcting that prevented him from sending it to the other agencies.

J. Dunkle said they would both list the items they found for the Applicants.

R. Ridler believed they had already discussed the aerial site plan.

A. Ferguson confirmed that was done.

R. Ridler said the site survey with the existing topographical conditions was also done, as well as the site survey with the new topographical conditions. He asked about the landscaping plan.

J. Watson said at the last discussion they were told a formal, straight, English hedge was not wanted, so they staggered and randomized the spacings for the different species of trees. He knew tree canopy was valued in Cazenovia and said they would be adding a great deal of canopy. He asked what the expectation of the Town at the time of decommissioning was, wondering if the LLC should be harvesting trees as hardwoods or if the intention was to keep the trees for future development by the landowners. He indicated the long-term intention for the trees would influence the varieties chosen.

R. Ridler believed that might be a question for the landowners, but the Board would like to review that decision.

A. Ferguson said the trees for the Barrett Road solar project were to be dealt with by the future owners of the land. She said the Board was not looking for dwarf apple tree varieties, but types like spruces, and large shrubs that are natural to the area. She thought a mass line of evergreens might be appropriate from Route 20 looking north to screen the view, but on the less visible areas something less artificial looking along the fence would be better, using staggering spacing. She repeated spruce was one variety.

J. Watson said Norway spruce and Alberta spruce were commonly used.

A. Ferguson said once the trees were in, they would remain there until future land use required their removal.

J. Dunkle said sometimes having a tree line fragments ag land use, so field access might be a consideration.

R. Cook added the Code already states that upon decommissioning, the entire site must be restored to its former condition, and money is put aside for that purpose.

A. Ferguson asked if the ideas for the landscaping would be ready for the next discussion.

J. Watson said the spacings were staggered and randomized, but he understood there may be patches that do not need any plantings to look more natural, so they would revise that plan. He said they may have a landscape architect help with that. He said it would be helpful to see what was done for the other solar project.

He was told that information could be provided to him.

R. Ridler asked about the visual assessment study, and how the project would look from Route 20 from all directions and how it would be shielded from view.

A. Ferguson recalled the Applicants were going to provide additional views.

J. Watson said they did not have the actual photo views, but they did provide renditions of the topography from certain vantage points. He said he would provide larger copies of the simulations. He explained they show the elevations, trees, and what one would see from certain directions.

A. Ferguson asked that actual photos be submitted showing how it would look from the road and various elevations in all directions.

R. Ridler noted some photographs that were included in the second submission, but those were of existing conditions in September of 2023.

R. Cook mentioned another solar project that was along Route 11 near Tully and how that project looked versus other arrays in the Cortland area.

A. Ferguson said if the requested photos could be provided for the next meeting, that item could be closed out as well.

J. Dunkle said as he reads the plans, he saw that 4-5 power poles were proposed at the end of Remington Drive. He said there were no power poles in that tract now, so that would potentially have a visual impact.

A. Ferguson said the poles should be shown.

J. Watson said the poles were in the site plan drawing. He explained pole installation was mandated by National Grid.

R. Ridler asked if that could go underground.

J. Watson said it would go underground up Remington Park and then “pops up where there is a transformer pad.” He zoomed out on the drawing which he had displayed on his laptop and showed where the apartment complex was located and Cazenovia Equipment. He saw there were actually six (6) poles proposed. He said some trees would help screen the poles, or the poles could be moved back. He said he was looking into a solution using a pad-mount cabinet. He said they have not tried that method in previous projects.

J. Dunkle said that was done for a project in Lenox.

J. Langey advised Mr. Watson to discuss the sensitivity of the Route 20 corridor with his team, saying it “was a really big deal.”

R. Ridler added it was a (national) scenic highway.

R. Cook interjected it was more than just a town-designated scenic byway.

J. Langey offered to help the Applicant find a solution for this very important detail.

J. Dunkle gave street directions to see how a pad-mount cabinet would look, saying it could be seen along Route 290.

J. Watson talked of another project that he felt was not done well and repeated his willingness to look into the new system. He thought they might lose a recloser which allows them to connect and disconnect remotely automatically, but was unsure if that could be added to the new system.

R. Ridler saw the geo-technical report was another item needing approval.

J. Dunkle said the soils on the property were prime ag soils. He said he was unable to tell by the small sized information he had received if the Applicants would be doing any significant grading.

J. Watson responded, “No grading.”

J. Dunkle said given that there are prime soils on the site, there is a protocol to follow so the prime ag soils retain their character at the end of the project that entails pre-development testing to establish the permeability and the chemical make-up of the soil, and then part of the decommissioning plan would be to retest the soil and to

restore it in accordance with Ag & Markets' standards for prime ag soils. He explained those kinds of things need to be worked into the construction plans and the decommissioning plan.

A. Ferguson asked Mr. Dunkle if he found the geo-technical report and the soil analysis complete.

J. Dunkle responded it depicts the soils accurately on paper. He said it would need to be confirmed prior to construction, so there would be a base recording how the soils need to be restored at the end of the project.

R. Ridler asked how the confirmation of that would be presented.

J. Langey answered the Applicants would have to submit that report.

J. Watson asked where he could find that.

J. Langey said with Ag & Markets standards.

R. Cook said Ag & Markets has a whole report Mr. Watson could follow.

J. Dunkle said he had a couple of other items to mention as well. He asked if he could receive the full site plan either electronically or by hard copy, that would be large enough for him to read.

J. Watson responded, "Absolutely."

J. Dunkle said the hydrology or the Storm Water Pollution Prevention Plan (SWPPP) states there would be no change in hydrology. He said that would need to be confirmed by the Applicants by analysis.

J. Dunkle also said the Applicants must confirm the panels' spacing will meet the Department of Environmental Conservation (DEC) standards for disconnection.

J. Watson expressed understanding.

J. Dunkle said he could not determine that from the details on the small plan he was given. He did not find a panel spacing notation.

J. Watson said on other projects it had been 5.5 meters pitch, but he would make sure Mr. Dunkle had the plats.

J. Dunkle advised the Applicants also demonstrate how the panels meet one (1) of the two (2) DEC standards for considering the panels to be pervious.

J. Watson replied, "OK."

J. Dunkle assumed the slopes would be less than 10%. He was unsure if they would be within the 5% range. He asked if Mr. Watson was familiar with the DEC standards for panel spacing that determine when the panels can be considered disconnected.

J. Watson answered, "Yes."

J. Dunkle felt it would be appropriate to do a hydrology analysis, as supporting documentation.

J. Dunkle said he was also unsure if there would be vegetative cover change from brush to meadow that would impact hydrology, so that should be added or included, and he needed to see the extent of the grading to be done.

J. Dunkle said those were his initial comments.

J. Langey asked if the Applicants would be traveling over any Town roads during the construction phase or any aspect of the project.

J. Dunkle asked if Remington Drive was a private or a Town dedicated road.

After some discussion it was determined Remington Drive was a private road.

J. Watson said they have a maintenance agreement with the Frazees.

J. Langey asked that Mr. Watson confirm there would be no need to utilize any Town road for the construction of the project, otherwise the Town law requires a Road Use Agreement for protection.

J. Dunkle also advised that the pollinator mix be noted on the landscaping plan and in the O&M. He asked about grazing.

J. Watson said there were no plans for grazing at this time, but they would be happy to integrate it. He also mentioned if there were any beekeepers, they would be happy to do an apiary.

J. Dunkle said regarding the tree planting, the Town would want a security, like a 3-year guarantee for replacements, for a couple growing seasons. He was unsure where in the plans that would be included.

J. Langey said that would usually be a condition of an approval. He said the Applicants would have an option to either post cash or establish a rolling evergreen bond for a 5-year period for that to be renewed and potentially updated as prices change.

J. Watson expressed understanding.

R. Ridler asked if the Grading Plan, the Erosion & Sediment Control Plan and Details were covered.

J. Dunkle responded he needed full sets of all those so he can review them.

R. Ridler believed the Applicants were going to work on the Photo Simulations.

J. Watson said they would get those from the different cardinal directions.

R. Ridler asked about the Panel Racking Specifications.

A. Ferguson asked if those had been submitted.

J. Watson said they were included.

J. Langey asked, regarding the Photo Simulations, if the Board would be interested in getting any potential views the residents of the apartments might see. He suggested the Applicants get permission from the landlord to get photo sims from the premises.

J. Watson said they could take drone photos, but he was unsure if that was permissible.

J. Langey advised against floating a drone without permission.

T. Clarke said Mr. Munger asked about the views from Red Barn 20.

R. Cook did not think it would be visible from Red Barn 20 saying the woods would block the view.

It was noted Red Barn 20 was now known as Wind Ridge.

R. Ridler asked if the Panel/Racking Specifications were covered.

A. Ferguson believed they had been submitted but that Mr. Dunkle still needed to review them.

R. Ridler asked about Plant Selections and Specifications.

A. Ferguson said those still need to be submitted.

J. Dunkle was unsure what would be produced for the visual sims but the age of the plantings should be noted, advising one showing the initial planting height and another in five (5) years. He said it should be documented that at first it may not be very effective.

J. Watson asked what the height requirement was for new plantings.

J. Langey did not think the height of the trees was codified.

J. Dunkle responded typically trees 6-8 feet tall would be used. He commented 3-foot-tall trees would be completely ineffective.

R. Cook said for the 6–8-foot trees to double in height, it would take 5-6 years.

J. Dunkle said white pines would be the fastest growing species.

J. Watson said they proposed eastern white pine and Norway spruce.

R. Ridler asked about the Fence and Gate Specifications.

A. Ferguson said that was still an open item.

R. Ridler noted the fence would be eight (8) feet high. He asked about access for emergency services.

J. Watson said they would have “an aux box” and they would coordinate with the fire department.

A. Ferguson instructed them to get a letter (from emergency services) at some point in this process.

A. Ferguson asked how many access points were shown on the site plan.

J. Watson said there was just one (1). He thought there would be gates for crossings through trees, but he said they would not be fortified like the main gate in the front. He looked at his information and determined there was just the main gate and the tree crossings were integrated into the fencing.

A. Ferguson asked if that gate specs were submitted so they could close that item out from the list of information needed. She asked if it would be a standard swing gate.

J. Watson answered it would be a double gate, double-doored swinging on both sides. The width would be 20 feet, and each gate would be 10 feet.

A. Ferguson asked where the signage would be, wondering if it would go on the gate.

J. Watson said there would be an entrance sign. He again retrieved the information on his laptop and showed the Board the sign. He said there would be signs on the perimeter fence as well.

A. Ferguson asked if an emergency phone number would be listed.

J. Watson answered the sign would state who owned and operated the facility and what number to call in case of an emergency in addition to 911. He said that other number was to be determined at this point.

R. Ridler asked if the size of the signs adhered to the Code.

J. Watson answered, "Correct."

R. Ridler asked what the maximum size was, wondering if it was 2' X 4'.

J. Watson was unsure of the dimensions but said it was set by the National Electric Code.

A. Ferguson asked if the sign size was regulated.

J. Watson replied, "Correct."

A. Ferguson thought that detail could be closed out.

R. Cook thought the Town Code allowed up to 25 square feet for commercial properties.

R. Ridler said the next items would be items in the SWPPP or items Mr. Dunkle would need to review.

J. Watson understood they needed to provide the large drawings to Mr. Dunkle.

A. Ferguson asked what items would be prepared for the Board's sign-off for the February meeting. She thought the Photo Sims was one item.

J. Watson knew there were comments coming regarding the FEAF, but he said they "would like to kick off SEQR whenever everyone is comfortable."

J. Langey thought by the next meeting that should be in order and he would have a resolution prepared.

J. Dunkle requested a copy of the latest version of the FEAF, he thought he might have been working from an older version.

J. Watson replied they would respond to all the comments with another revised FEAF.

J. Langey said an item on the solar checklist was the Payment In Lieu of Taxes (PILOT) Agreement and the Host Community Benefit Agreement. He asked when the Applicants intend to start the process to show the Town which languages will be used, because that sometimes delays the project.

J. Watson said they have done agreements with other towns and asked if there was a template Mr. Langey wanted them to use.

J. Langey responded he would work with what the Applicants have. He asked that they send a proposed draft for him to review. He remarked most agreements were very similar. He said the biggest question was the amounts being offered to the Town. He said the with the Host Community, what he has seen lately was that the amount can be paid out over a 15-year period, or a lump sum can be paid. He said Mr. Watson would need to consult with his businesspeople about that.

J. Watson asked if a Host Community and a PILOT were done for the other solar project.

J. Langey could not remember the specifics, having done so many for his other municipalities, but he believed that was part of the Cazenovia Town Code.

J. Watson asked if the amounts were to be negotiated.

J. Langey affirmed they were.

J. Watson said in his experience, some school districts want to keep the bulk of the PILOT, keeping the PILOT lighter and the Host Community heavier.

J. Langey responded that was precisely why he was asking about it.

J. Watson said they were happy to do that.

A. Ferguson asked if it was too early for review of the SWPPP.

J. Dunkle answered he could write comments now, but there was more he needed "to see."

A. Ferguson asked if February would be too soon for his comments.

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J. Dunkle responded, “It depends.” He said he could write it, but it would list a lot of information he still needed.

J. Watson said he would send Mr. Dunkle the digital version, and then they could have dialog with Mr. Dunkle if that was appropriate.

J. Dunkle said he would work directly with the LLC, and he would copy the Board the comments.

J. Watson hoped that would help them to have the SWPPP “ready to go.”

J. Watson thanked the Board for their time and said he would see them February 1st.

Motion by D. Bowers, seconded by G. Rasmussen, to continue the file was carried unanimously.

Motion by D. Bowers, seconded by T. Clarke, to adjourn the meeting at 8:44 P.M. was carried unanimously.

Sue Wightman, Planning Board Secretary – January 5, 2024