

**TOWN OF BATAVIA PLANNING BOARD
Public Hearing, September 17, 2019 7:10 P.M.**

PRESENT: Chairman Kathy Jasinski, Paul McCullough, Don Partridge, Jeremy Liles, Jonathan Long and Steve Tanner.

ALSO ATTENDING: Mr. and Mrs. Saile, Bruce Gerould, Dan Lang, Steve Mountain, Marc Kenward of Erdman Anthony Consulting Engineers, Emilie Flanagan of Borrego Solar Systems, Daniel Yanosh of Hunt Engineers, Architects & Surveyors, Tom Healy of Prowind, Incorporated, Brian Quinn of the Batavia Daily News, Mike Pettinella of The Batavian, John Della Penna, Sharon White and Secretary Kim McCullough.

ABSENT: Paul Marchese, Gordon Offhaus and Lou Paganello.

Public Hearing announcement was read regarding the application for a Special Use Permit by Bright Oak Solar LLC (Wayne Dunham) to construct and operate a 20-acre solar field at 3565 Galloway Road, in the Town of Batavia.

PUBLIC HEARING 7:10 P.M.

Daniel Yanosh of Hunt Engineers, Architects & Surveyors, Tom Healy of Prowind, Incorporated gave an overview of the solar project. This is to be a 4-Mw Solar Farm located at 3565 Galloway Road, Batavia NY. The Solar Farm is in the southern portion of Mr. Dunham's property and will be using approximately ½ of the property. The Solar Farm will face the Galloway Road side. The other half of the property will remain agriculture. Everything will be fenced in along with screenings. Due to topography of the site very little will be seen and there will be screenings along Galloway Road. Very minimal visual impacts to the road. Under 20 acres for the project to comply with the Zoning Ordinance. The fencing will be chain link, 7' feel tall and a row of plantings will be 6' tall pine trees. Per Tom Healy the maximum size of the Solar Farm can only be 4-Mw due to the size of the line from National Grid.

Chairman Kathleen Jasinski opened the floor to the public after the reading of the Public Hearing Announcement.

Brandon Miller – 7758 Lewiston Road, Batavia – Against this project. This project will be in his backyard and he will have to look at. He is trying to sell the house. He feels that people looking at his house will not like this. Housing on both Lewiston and Galloway Road, it's ridiculous to put here and why not put it in the middle of nowhere, where you are not affecting all of these houses. He sees deer and other wildlife out there in the field and if you cut off their route then maybe they will go across Galloway Road and get hit or maybe across Lewiston Road and get hit. He also asked the question about property values due to him trying to sell his house.

Kathy suggested he call his assessor regarding this. Kathy also stated there is not enough information to know how it will affect the assessment in the future.

John and Linda Fox – 7736 Lewiston Road, Batavia – If approved what is the approximate timetable and will there be any private property appropriated for it. Per Daniel Yanosh of Hunt Engineers, Architects & Surveyors, start will likely be in the Spring.

Mr. and Mrs. Hall – 3591 Galloway Road, Batavia – this is the first he has seen of this project - was there consideration given as to where it should be put. What kind of environmental impact statement/study been done? It is zoned agriculture how can you do this? What benefit will be seen and who benefits from the project, will the homeowners in the area see any benefit. Mr. Hall later stated he has seen these all over the United States and they are ugly. Kathy answered the question about the environmental impact is being taken care of as part of the 9/17/19-PublicHearingBrightOakSolar3565GallowayRoad

Planning Board's regular meeting tonight. She also stated the Town Engineer, Project Engineer, Zoning people, there is also other staff who works with the project engineers to get things ready for us and the Planning Board makes the final decisions.

Per the Planning Board for this being allowed – it is allowable per the Zoning. Per Tom Healy of Prowind, Incorporated, stated our point of interconnection back into the grid is along Galloway Road, this will be the closest connection back into the grid. The energy is exported into the distribution system, which is National Grid. It is Community Solar, there is opportunity to subscribe to the project and receive a discount on your energy bill, but it is further down the road once this project is approved.

When it rains – concerned with the run off. What consideration has been taken into consideration. Steve Mountain answered there is to be a 24-inch pipe put in to the drainage ditch. Per Daniel Yanosh of Hunt Engineers, Architects & Surveyors there is going to be planted with grass and will slow the rush of water down.

Linda Fox – 7736 Lewiston Road, Batavia - Totally against it – concerned with wild life – sees deer, all kinds of animals, in her yard she has chip monks and hummingbirds. If this is outback of her house, they might as well sell their house and go. Also asked if there were plans to go further up the field.

Per Tom Healy there is a limit on the line therefore this will only be 4-Mw system.

Sonja Armbrewster – 3645 Galloway Road, Batavia – what screening would be along her property line and her view will be impacted – would you consider screening on her side of the property. She will see a bunch of solar panels, and agrees with others about the view and seeing the deer in the field. Asked how they would be notified of all of the answers to the questions and was told she could stay for the remainder of the meeting. It was suggested she check the Town of Batavia's website for the Planning Board meetings or she could give the secretary an email address so Kathy could email her an agenda for upcoming meetings regarding this project. What is the durability of the solar panels?

Per Daniel Yanosh of Hunt Engineers, Architects & Surveyors answered they have a 25year life span, they are hail and weather resistant. Another question was asked where they are made and Tom Healy of Prowind, Incorporated answered in Eastern Asia and the United States. After 25 years they are decommissioned. Per Dan Lang - The Town requires a Decommissioning Bond is put into place even before the project starts. Kathy also brought that while this land is being taken out of agricultural use, the Planning Board is requiring planting of a habitat for pollinators, Soil and Conservation will be watching to make sure this is done.

Nancy Brock - Ellicott Street Road, Batavia – She hears the pain in the voices of who spoke and what is the most effective way they can do to try to not have those in their backyards, besides petitions and “begging” what other routes can they use.

Property can be bought.

Steve Mountain, Town Engineer spoke – through the process of reviewing the Comprehensive Plan, at that time they look at all of the zoning in the Town of Batavia and compare it to the land use planning and at that time it is the best time for your voices to be heard. There are Public Hearings on this and he also stated for the residents to stay up to date with what is going on in the Town.

Nancy Francis – Galloway Road, Batavia – value of the property question. She was told to contact the Town Assessor Rhonda Saulsbury to discuss with her.

Tim Call – 3592 Galloway Road, Batavia – what does it take to construct.

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Per Daniel Yanosh of Hunt Engineers, Architects & Surveyors – there is no concrete – driven I-beam pushed into the ground. No concrete trucks, there will be deliveries of materials that come on trailers. 2-3 trips a year after construction.

When it rains – concerned with the run off. What consideration has been taken into consideration. Steve Mountain answered there is to be a 24-inch pipe put in to the drainage ditch. Per Daniel Yanosh of Hunt Engineers, Architects & Surveyors there is going to be planted with grass and will slow the rush of water down.

Per Dan Lang – many phone calls were received in opposition of this project.

The Public Hearing was closed at 7:45 pm.

Respectfully submitted,

Kim McCullough
Secretary

Kathleen Jasinski
Chairman