

**TOWN OF SWEDEN
Planning Board Minutes
November 23, 2020**

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 23, 2020, at the Sweden Courtroom, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard; David Hale; Craig McAllister; Matthew Minor; Wayne Rickman, Peter Sharpe; David Strabel.

Also, present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., MRB, Town Engineer; Jared Perram, Saturn Power Inc.; Brian and Gilda Gowanlock; Franca and Joseph Mantsi; Richard Maier, Maier Land Surveying.

Chairman McAllister called the meeting to order at 7:05 p.m. and asked everyone present to say the Pledge of Allegiance.

Correspondence was passed to members for review.

Moved by Mr. Hale, seconded by Mr. Sharpe, that the minutes of October 26, 2020, be approved as corrected.

*Mr. Dollard – Abstain
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Aye
Mr. Sharpe - Aye
Mr. Strabel – Aye
Chairman McAllister – Aye*

Moved by Mr. Strabel, seconded by Mr. Hale, that the regular meeting be adjourned to the public hearing.

*Mr. Dollard – Aye
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Aye
Mr. Sharpe - Aye
Mr. Strabel – Aye
Chairman McAllister – Aye*

The Public Hearing began at 7:08 p.m.

Chairman McAllister read the notice of public hearing and affidavit of publication.

Mantsi Solar Farm Subdivision, Site Plan and Special Use Permit. 7397 Fourth Section Rd.082.02-1-22

Mr. Perram thanked the Board for their time. He stated quite a few comments were received from the Town Engineer, County and ECB. Chairman McAllister asked Mr. Perram to give a brief overview of the project.

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Mr. Perram explained the project is located at 7397 Fourth Section Road. The property will be subdivided into two lots with the installation of a 5 MW solar farm on Lot 1, the southern half of the property. A full wetland delineation report is included in your packet. The plan shows a protected wetland with a 100 ft. buffer. Indigenous screening is proposed on West Sweden Road. Because this is a community solar farm, the project is capped at a 5 MW-ac mark with modest tree clearing and little ground disturbance. The permanent turnaround will be used first as a temporary staging area. A permanent service parking space is now shown on the plan.

Interconnecting costs are favorable for this project, which can sometimes be a huge hurdle to get over or end the project. The access road will be off West Sweden Road with the interconnection to the north off Fourth Section Road. The interconnection will require an easement from the owner. There will be no battery storage. Trackers will track the sun from east to west. Lastly, there is a concrete bridge proposed over the wetland where the system expands on the east side of the property.

Chairman McAllister asked if there was anyone present with questions, comments, or concerns.

Gilda Gowanlock, 151 West Sweden Road – Ms. Gowanlock has concerns because the solar farm is directly across the road from her property. The proposed driveway is at our neighbor’s driveway. The main concern is what will the solar farm do to property values. Presently, there is no public water, sewer, or gas; and now, there will be a 58-acre solar farm across the street. Mrs. Gowanlock believes property values will go down considerably. It will be hard to sell the house because of the above. The Gowanlocks moved to West Sweden Road to be out in the country. Looking out the front window at a 58-acre solar farm is not looking at the country. It is directly across the road from their house.

Brian Gowanlock, 151 West Sweden Road – Mr. Gowanlock’s concern is if there is any money set aside to clean up the site should this project fail, or something goes wrong.

Chairman McAllister stated anytime a project is approved like this, a bond must be posted for reclamation so when the project is terminated there is money to restore the site to its original state.

Mr. Gowanlock asked what type of screening is proposed and can he see it. Mr. Perram stated a comprehensive screening plan was put together. The ECB gave some positive feedback as to what is indigenous to the area. The plantings were chosen for two reasons. The height was important so that plantings will get to a point that it fully screens the project, and at the same time not too tall which would shade the structure. Plants chosen are indigenous to this area and ones that could be purchased from the County to drive revenue back into one of the municipalities in the area. Plantings will be used in a mixed manner with what is already existing on the site or at roadside. Mr. Perram stated he is truly open to having a conversation with the Board or community as to which plantings will work best. He explained the plantings or even a modest berm should not be an eyesore for the neighbors to look at.

Chairman McAllister clarified that the height of the proposed solar panels is 9 or 10 ft., and the proposed screening is 9 to 12 ft. He also confirmed that the neighbor’s property is on the west side of the road and sits higher than the solar farm property. Mrs. Gowanlock indicated that the screening would have to be higher than 9 ft. Mr. Perram stated that everything would be done so that the solar farm is not visible to the neighbors. Mrs. Gowanlock asked how close to West Sweden Road is the solar farm. Mr. Perram stated 200 ft.

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Mr. Strabel asked of the buffer, which is from the road to the proposed fence, is it proposed plantings of some sort. Mr. Perram discussed that most of the proposed plantings for the buffer are for the access road south, while the north has existing, natural vegetation. The height of the proposed screening to the fence line is approximately 200 ft. away. There is the possibility of losing some sun with the proposed screening during the winter months, however, it can be made up with the trackers.

Mr. Strabel asked to see a contour plan to better see where the neighbors' properties sit relative to the solar farm. Most of the contours seem to be going east to west. Mr. Perram did not have a survey of the topography of the neighbors' properties done. Mr. Perram would be happy to provide a contour plan and spot elevations to help the Board feel comfortable with how much of the solar farm the neighbors will see with the proposed screening.

Chairman McAllister asked if there were any other questions, comments, or concerns. There were none. The Board moved on to the next hearing.

2610 Colby Resubdivision – Lot R-1A, Colby Street. 084.03-1-24.11

Mr. Rich Maier addressed the Board. He explained this project is a resubdivision of a resubdivision. The applicant is proposing to subdivide approximately 200 ft. on the extreme west end of Lot R-1A, creating lots AR-1A-1 and AR-1A-2. No improvements are proposed at this time.

Chairman McAllister asked if there was anyone present with questions, comments, or concerns. There were none.

Moved by Mr. Strabel, seconded by Mr. Minor, to adjourn the public hearing to the regular meeting.

*Mr. Dollard – Aye
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Aye
Mr. Sharpe - Aye
Mr. Strabel – Aye
Chairman McAllister – Aye*

The Public Hearing ended at 7:25 p.m.

The Clerk confirmed with the Chairman and Town Engineer that continued review of the Mantsi Solar Farm would take place at the next meeting, December 14, 2020. The Board continued reviewing the 2610 Colby Resubdivision.

Chairman McAllister asked Mr. Oberst for a status of review. Mr. Oberst is all set; the three review comments have been addressed.

Moved by Mr. Hale, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the 2610 Colby Resubdivision, Lot R-1A, located on Colby Street, which was accepted for review on October 26, 2020, and

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WHEREAS, a public hearing was held by the Planning Board on November 23, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Subdivision Application, Short Environmental Assessment Form, and the comments of the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application and determines that the 2610 Colby Resubdivision, Lot R-1A is an unlisted action, which will not have a significant impact on the environment, and grants the resubdivision Preliminary Approval, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived, and the 2610 Colby Resubdivision, Lot R-1A, be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Mr. Dollard – Aye
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Aye
Mr. Sharpe - Aye
Mr. Strabel – Aye
Chairman McAllister - Aye

OTHER

Helios Energy New York Sweden Solar Farm Amended Special Use Permit

Chairman McAllister explained that Helios Energy inquired as to the expiration of the Special Use Permit (SUP). The SUP runs concurrent with the site plan. The site plan runs from date approved for three years. If it has not been substantially developed by then, the site plan approval expires. The SUP, when approved, would go along with the expiration of the site plan as outlined above.

If the property is developed as approved, then the SUP would be subject to an annual review to make sure all conditions are being met. Mr. Strabel asked if the three-year approval is in our code. Counsel Lester referenced A177-19 of the Land Use Regulations, Expiration of Site Plan. Counsel Lester recommended for future projects, the expiration date of the approved site plan and SUP should be noted in the resolution.

The Clerk asked the Board's preference regarding holding a second meeting in December. The Board agreed to hold the December 14 meeting only.

The meeting was adjourned on motion at 7:45 p.m.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk