Planning Board Member’s Present:

Earl Titus Larry Swan Bill Deming Deb King Willis Haar

Public Attendance:

Roger Reep, Code Callie Perry, Town Clerk

Amber Brarens

Ron Mosher

Michelle Kay

Greg Edwards

Al Frinski

Dennis Ryan

Patrick King

Andy Sprague

Dave Fuller

7:05 pm Earl Titus called the meeting to order.

Public Hearing:

Patrick King – 9001 Preston Rd, Lindley, Tax map # 423.00-01-002.120, would like to divide 22-acre parcel into a 19-acre parcel and a 3-acre parcel.

Motion to approve Subdivision made by Deb King, seconded by Larry Swan.

 All in favor. Motion Carried.

James and Amber Brarens - 8520 Morgan Creek Rd, Lindley, Tax map # 404.00-03-006.121, would like to divide 99.532 into 3 parcels; 13.72-acre parcel, 70.07-acre parcel and a 13.742-acre parcel.

Motion to approve Subdivision made by Willis Haar, seconded by Deb King.

All in favor. Motion Carried.

Andrew Sprague – 9519 Welty Rd, Lindley, Tax map # 370.00-01-003.000, would like to divide 87.45-acre parcel into a 56.46-acre parcel and a 30.99-acre parcel.

Motion to approve Subdivision made by Willis Haar, seconded by Deb King.

All in favor. Motion Carried.

ESG Energy Holdings present for a Solar Project at the Presho exit, 9155 Smith Rd.

Chairman sent the documents to the County two weeks ago and has not heard back from them yet. Any final decisions may not be made tonight.

Dennis, the Owner, asked if they could approve the concept contingent on the County’s report approval. That would help the project move forward with the next steps. If there is an issue with the County’s review, the Planning Board would be notified and they will submit any additional information the County needs.

It was also suggested by Dennis to get approval contingent on the County’s approval, but also the SWPPP plan, a stormwater pollution prevention plan that is a requirement before any construction starts.

A SWPPP plan is required any time you disturb one or more acres of land. The Federal Government requires that you provide a Stormwater Pollution Prevention Plan and also the processes, procedures and weekly monitoring of management. This is submitted to the DEC for approval.

Bill Deming does not think he has seen enough of the plan to approve anything yet. Adding to the original documents that Dennis submitted in June is the Decommissioning Plan, Forestry Management Plan and a Conditional Use Permit application.

Conditional approval of the site plan would allow them to reach out to NYSDOT. They cannot reach out to the NYSDOT without the Planning Board’s approval.

Amber Brarens asked if this was a public meeting and, if so, if she could ask a few questions. She just heard about this project two weeks ago and would like to know exactly what is going on.

Atty – The Solar project would be next to the Interstate Highway where there is a land locked parcel at the Presho exit. The project includes Solar Panels and a Charging Station. There is already access to the property without creating new roadways. The project will include fencing and other security measures for the protection of animals and people.

Dennis will purchase a Bond for the Town of Lindley. The Bond will be a sufficient amount of money in order to remove the project and return to land at the end of the term or Dennis can be responsible for the removal. The panels Lifespan is usually 25 years and there will be an estimated 6000 panels. The Bond will be in the amount of $350,000.

Two-acres of the project will be a charging station powered by the solar panels for vehicles on the highway and an acre of land will be donated to the Pantry of Angels for a Community Garden that provides produce.

Dennis is also putting together a Community Benefit Agreement that will pay the Town, as a yearly donation, for the life of the project. This is not to be used for expenses, but something that will benefit the community. After the project ends, the new owner will have this agreement written into their contract of responsibilities. This is in addition to real property tax that is paid to the Town, estimated to be $200-$300k over the life of the project.

Down the road, a sign will be added to drive traffic into the charging station. The sign will stand 40 feet tall. Lindley’s Zoning Law states it cannot be more than 26 feet. Dennis agreed to lower the sign to 26 feet.

The project has interest and support from the community and it’s an opportunity for the Town to have additional revenue.

The project’s estimated cost is $8.5M with the land value of $200k. The neighboring contracted parcel, Finger Lakes Conservation Entity, a 995-acre parcel, looks forward to the project as the people waiting at the charging stations for their vehicles to charge can walk their trails.

The panels will not be seen from the road and are a distance of 1187 feet from the road. The sign will be built in a manner for traffic to see the sign as they pass by at highway speeds. The NYSDOT Laws control the illumination of the light.

The University of Buffalo is creating the design infrastructure.

Quantity of charging stations and its design will be determined at a later date. They will then come back to the Planning Board with the new site plan.

The cost to consumers will be a flat rate price, whether they charge their vehicles during the day or at night.

The concept plan approval is all that needs to be approved at this meeting in order to move forward with the next steps.

The Lindley Zoning Law states that, “no sign shall be erected above the maximum elevation of the mail roof line of any building. Any permitted free-standing sign should not be more than 26 feet in height above the average surface of the ground of the parcel of which the sign is located.” Dennis has agreed to lower the sign to 26 feet.

Willis Haar would like more specifics in writing as to what will be on the sign.

It would be an estimated 18 months before construction would even start.

Earl Titus reviewed the Short Form part 2 questionnaire regarding the project, but it will have to be revisited once we get to the next step in the process.

Motion to approve the concept plan with contingencies:

* Steuben County approval
* SWPPP
* 26’ sign, and
* all other required approvals

made by Larry Swan, seconded by Deb King. Bill Deming NAY. Motion approved.

9:04 pm: Closed Public Hearing. Motion to adjourn made by Willis Haar, seconded by Deb King. All in favor.

Respectfully Submitted,

Callie Perry, Lindley Town Clerk