

The Town of Romulus Planning Board
Romulus Town Hall, 1435 Prospect St., Willard, N.Y. 14588
Meeting Minutes July 11, 2022

Call to Order

Guests: Tim Gourly

Tom Bouchard, Chairperson

Janet Lynch

Cindy Meckley

Michelle Bulley

Lisa Babiarz

Kate Sinicropi

Mark Schott

Pat Morrell, Town Attorney

Pledge of Allegiance and Moment of Silence

Approval of Minutes: Motion made by Cindy to approve with corrections. Lisa seconded the motion. Motion approved.

Public Hearing for Kanagy Solar Farm(reopened). Tim Gourly presenter of the proposal is in attendance. Tom reported that the County Planning Board reviewed it and sent a response with a recommendation. Janet made a motion to reopen the Public Hearing for Kanagy Solar Farm and Michele seconded the motion. Motion carried. Tom reopened the Public Hearing. Tom reported that the County reviewed it. The Special Use Permit was acceptable. There is a lot of data in it. They approved the application conditional upon getting a decommissioning plan cost. Pat Morrell received the decommissioning plan through Tim Gourly. There is an actual dollar amount for the decommission bond which is \$202,341. Tim noted that the bond amount is based on the NYSERDA regulations. The regulations suggested 2.5 % inflation rate after 25 years. Lisa asked what the time frame was when it was calculated. This is a reoccurring calculation done at the time, in April. Tim stated that there is a 1.8% factor increase per the chart handed out, on the cost estimate. The bond is posted as part of the building permit application. Pat recommends that we go with what NYSERDA recommends. Tim reiterated that they are looking to get approval from us as soon as possible. The total parcel is 66 acres, and we are subdividing 17 acres out after we get approval from the board. Lisa asked, "What was the county's concern?" Pat responded that in the model of solar law, they wanted a third-party estimate. Tim is a third party, contracting with the applicant. Lisa, "Does the third-party piece matter?" Discussion followed.

Tim explained that in the NYSERDA guidelines which he passed out, the \$60,200 is what is recommended, but this is for a 2 megawatt and the project is for 3.60 megawatt. Pat commented that it matches the NYSERDA guidelines strategy that some companies have used which assumes that the scrap metal will be marketable. This is purely speculative. That is not what is being presented by Kanagy per Pat. There is written comment from DEC per Pat as he

received an email. DEC sent a 9-page letter responding to us. DEC agrees with the proposal. Michele asked if Tim was purchasing the land. Tim said that they would own it, after the subdivision.

Pat stated that we need to complete Part 2 of the SEQR. Pat reported that the board did receive a DEC written communication to the Board. They have no reason to take issue with this application. Pat read the letter from his phone, as it was not available to the rest of the board. "Any comments from the public?" Tom asked. There was no one present that wanted to speak. A motion to close the public hearing was made by Cindy. Mark seconded the motion. Motion carried.

SEQR Part 2. Part 1 is fifteen pages and dated April 8th, 2022. **Full Environmental Assessment Form Part 2 SEQR:**

1. Impact on Land a. The proposed action may involve construction on land where depth to water table is less than 3 feet. No b. The proposed action may involve construction on slopes of 15% or greater. No Tim noted that the water table is addressed on page 11-13. The average depth of the water table is up to 6 inches. There is no impact to the sub surface. The Applicant will do 21/2" of construction. (page 11 e.2.d on page) No, or small impact may occur. c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. N/A Wires need to be trenched in conduits per Tim. d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material. N/A e. The proposed action may involve construction that continues for more than one year or in multiple phases. N/A Tim noted that construction will take less than a year. f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment of herbicides). No g. The proposed action is, or may be, located within a Coastal Erosion hazard area. N/A

2. Impact on Geological Features NO **3. Impacts on Surface Water** NO (Refer to page 11 e 2 h.in application) **4. Impact on Ground water** NO **5. Impact on Flooding** NO (reference page 11 in application I – J) **6. Impacts on Air** NO **7. Impact on plants or animals.** NO **8. Impact on agricultural resources** YES 8 a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System. Yes (reference page 11+ 12 e in application) 8 b. The proposed action may sever, cross, or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) NO Tim stated utilize for a different use, as sporadic use as a hay field, not in ag production on a regular basis. 8 c. The proposed action may result in the excavation or compaction of the soil profile or active agricultural land. NO 8 d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District NO 8 e. The proposed action may disrupt or prevent installation of an agricultural land management system NO (reference e 1 b in application – 14 acres taken from 66 acres, located in far northwest corner of property, not preventing anyone else from usage of property.) 8 f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland. NO 8 g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan. NO

9. Impact on Aesthetic Resources NO **10. Impact on Historic and Archeological Resources** NO **11. Impact on Open Space and Recreation** NO **12. Impact on Critical Environmental Areas** NO **13. Impact on Transportation** NO **14. Impact on Energy** NO **15. Impact on Noise, Odor, and Light.** NO **16. Impact on Human Health** NO **17. Consistency with Community Plans.** NO **18. Consistency with Community Character** NO

Part 3 Determination of Significance. Pat explained a negative declaration and a positive declaration to clarify for those who are new to the long form. Pat summarized that there were no large impacts, no adverse impacts and therefore a negative declaration. Cindy made a motion to declare a negative declaration for environmental impact. Motion seconded by Lisa. Motion carried. This is a Type 1 action.

Tom noted that this is the first solar project in Romulus.

Special Use Permit for Kanagy Solar Farm – Motion to approve the Special Use Permit for Kanagy Solar Farm by Janet, seconded by Michele. Motion carried.

Tim asked, “What is the next step?” Pat responded that we had to finish paperwork here at the Planning Board. Pat stated, “You can apply for the building permit. The Subdivision application comes to the Planning Board.”

County Rd. 132 Waterline Replacement - Tom reported that the bond issue is an ongoing discussion.

Centerline Communications antenna application update –Tim Dorn said they need a bond for the decommissioning plan. Tom to contact Harriet.

Compost Workshop – 7/23/22

Michele asked about training online. – Tom will get info for them.

Old Business

Comprehensive Plan update – Tom reported that the notice was put in the Ovid Gazette but not posted on the Town website. So, there is no other notice to companies that we have a proposal and want a quote. Tom to call Harriet about how to get the word out.

Memorial for Bill – Cindy has left messages for the stone cutter. He has not returned her calls. She will go personally to contact him.

Seven to Save/ Preservation League update – nothing new.

Michele – is anyone checking on Mr. Martin? Hearing that illegal people living in tents and the old barracks. Car races occurring there?

Motion to adjourn made by Cindy seconded by Mark. Motion carried. Adjourned at 8:11pm.

Respectfully submitted,

Kate Sinicropi, Secretary