

**REGULAR MONTHLY MEETING
PUBLIC HEARINGS
PUBLIC COMMENT PERIOD
September 9, 2021**

Public hearing to hear comments on proposed changes to the Zoning Law and Battery Storage Law was opened at 7:00 pm September 9, 2021 with the pledge of allegiance led by Supervisor Acton.

All Board members were present. Others in attendance included Kelly Sullivan of Bergmann Architect representing DRS Solar, Chris Centola of LaBella, Bill Dailey, Shawn Gasby, Jerry Snyder, Norm Grosse, Peter Gradoni, Dan Hagerty, Bob Volk, Richard Stuart; Town of Howard Councilman, Police Chief Paul Griffith, and representing the Village of Alfred, Jim Ninos. Attending via Zoom were Kathy Spencer of LaBella, David DuBois, Catherin Chambers. Dick Lang, Fred Sinclair, Christel and Jason Rodd, Kasey Klingensmith. Also present was Bob Halsey, Highway Superintendent and Town Clerk Janice Burdick. Dwight Kanyuck joined ZOOM later in the meeting.

Supervisor Acton explained that the changes would transfer the authority for a Special Use Permit from the ZBA to the Town Board. Due to no public comment the public hearing was closed at 7:10 pm with a motion by Dan Acton, seconded by Matthew Snyder and carried 5-0.

Public Hearing to hear public comments on the Delaware River 4.9 MW Solar Project.

Kelly Sullivan of Bergmann Architects explained the proposed project and provided pictures of what it will look like when the leaves are off the trees as requested. Fencing will be wire mesh so has not to disturb wildlife. Will do proper environmental study. Jim Ninos asked how are they planning on maintaining around and under the panels? Ms. Sullivan replied that no chemicals will be used and will hire a local landscaper or goats for mowing – depends on what the landowner prefers. Dan Acton asked what the life expectancy of the panels is and what happens to the panels at the end of that time? Ms. Sullivan stated that the life expectancy is 20-30 years and there is a decommission plan and bond to cover cost. Norm Grosse asked about property taxes and was told there would be a PILOT and it would increase the taxable value in the Town. Also, pay full taxes on special districts so the Alfred Station Fire Company will benefit from this. Also, NYSEG will give discounts to residents on their electric. Jerry Snyder, local dairy farmer, stated that most farmers are distressed financially right now and farms have a chance to make money by leasing their property. The Comprehensive Plan assigns great value to its natural resources and scenic sights. County is promoting this area as the Wilds and now going to be surrounded by glass and metal. If motivation is to bail out farmers won't it be better to help the farmers by putting panels on barns, etc. instead of fields, so can still grow crops and raise animals. Kelly Sullivan explained that this project will maintain the farm and work with the grazing patterns of the cattle. The public hearing was closed at 7:30 pm with a motion by Dan Acton, seconded by Bill Cleveland and carried 5-0.

Regular Monthly meeting Public Comment Period regarding the sale of Marijuana in the Town of Alfred. Wendy Dailey reviewed the results of a survey that was conducted asking the following two questions:

1. Are you in favor of having marijuana dispensaries (retail sales) in the Town of Alfred?
2. Are you in favor of having marijuana on-site consumption locations in the Town of Alfred?

There were 61 responses – 72% in favor of retail sales (equivalent to a liquor store). 58% in favor of on-site consumption with 42% against.

August 12, 2021

Chief of Police Griffiths explained that a DWAI is the same as a DWI and they have seen an increase in that since marijuana became legal. He also cited that dispensaries have become a target for break ins. In Colorado have had to have teachers and principals drive buses due to drivers not able to pass a drug test due to the fact that it stays in the system for days after using it. Feels it was done as a revenue generator. State is forming a Marijuana Commission and there are still a lot of unknowns. Have to depend on a field sobriety test because with a blood test could be in their system for up to a week,

Approval of Minutes: The minutes of the August 12, 2021 meeting were approved with a motion by Fion MacCrea, seconded by Dan Acton and carried 5-0.

Police Report – Received after the meeting.

Code Enforcement's Monthly Report – No report

Supervisor's Monthly Financial Report – reviewed with no concerns.

Correspondence – Resignation from Highway worker John Perkins effective October 28, 2021. John was thanked for his years of service and wished luck in his retirement.

2020 Census – Town of Alfred population down 80 from 10 years ago.

General Abstract #9-2021- Vouchers #69-75 in the amount of \$1113.79 in the General A Fund; Voucher #12-15 in the amount of \$12352.51 in the B Fund, #9 in the SF Fund in the amount of \$3511.33 approved with a motion by Bill Cleveland, seconded by Matthew Snyder and carried 5-0.

Highway Abstract #9 -2021 Vouchers #84-89 in the DA Highway Fund in the amount of \$1492.86 and #24-27 in the DB Fund in the amount of \$5617.57 were approved with a motion by Matthew Snyder, seconded by Bill Cleveland and carried 5-0.

Solar Escrow Account Abstract #1, vouchers #1-2 in the amount of \$5942.75 were approved with a motion by Wendy Dailey, seconded by Matthew Snyder and carried 5-0.

Highway Report: The written Highway report was reviewed. Graded roads, helped Almond, Andover and Independence.

Supervisor's Report:

Beiler Special Use Permit Application – waiting for response from County Planning Board.

Motion to appoint Kristen Beck to the ZBA to fill an unexpired term made by Dan Acton, seconded by Bill Cleveland and carried 5-0.

Local Law #1-2021 to Amend the Zoning Law and Battery Storage Law was adopted with a motion by Dan Acton, seconded by Wendy Dailey and carried 5-0. At 8:10 pm Dwight Kanyuck joined the meeting via ZOOM. Attorney Kanyuck stated that the next step for DRS is to consider the determination on the SEQR review – negative or positive. Then approve the site plan than onto the ZBA for a Special Use Permit. Kathy Spencer of LaBella stated that the did prepare some comments. Chris Centola added that they (Bergmann) tried to illustrate what the site will look like with leaves off but the only true way to see it is when the leaves are actually off. They did provide a planting plan with trees along Pine Hill Drive and Jericho Hill. Also added a landscape plan. Kelly Sullivan explained that the trees are planted at about 8' tall and will plant three different kinds of trees. If die within 3 years will replace. Dan Acton stated that due to concerns expressed by residents, would like to see the panels moved down to help the view from Randolph. Norm Grosse asked when the project will start and Mr. Acton replied next year. Mr. Acton asked Ms. Sullivan if she received the questions from the Planning Board and she stated yes, they will be taking them into account as they prepare Part III of the SEQR and will have a chance to review before the final SEQR is completed. Fred Sinclair stated he would like to see the questions and the responses and Mr. Acton replied when all the information is completed and after the Town Board has had a chance to review it, then will forward to him. When asked about the timetable to respond to questions Ms. Sullivan stated could push for

August 12, 2021

October but would be easier to go for November. Attorney Kanyuck stated he doesn't believe the SEQR clock has started due to SEQR not complete yet. There is a 90-day clause in our Zoning Law and the new Solar Law will clarify that. Kelly Sullivan asked if the County comments come back in 2 days why can't this be done for the October meeting? The developer needs to get this into NYSERDA for financing. Chris Centola stated they need time to review, especially if anything gets changed. LaBella is reviewing it, then the Town Board needs to review everything and be comfortable with it. Kelly Sullivan stated she would like a good honest try for October. Chris Centola stated that they can't commit to that because if any changes happen could change things. Bill Daily stated he doesn't want to see this rushed and mistakes made. A motion was made to go into Executive Session to discuss personnel by Dan Acton at 8:45 pm. Seconded by Bill Cleveland and carried 5-0. Executive Session ended at 9:08 with a motion by Dan Acton, seconded by Wendy Dailey and carried 5-0.

Matthew Snyder stated that he feels the landscape plan needs to be looked at more carefully in regards to the DRS project. Should always split the species of plants.

The meeting was adjourned at 9:10 pm with a motion by Matthew Snyder, seconded by Fion MacCrea and carried 5-0.

Respectfully submitted,
Janice L. Burdick
Town Clerk