

# Planning Board Meeting Minutes

## April 14, 2022

Upon due notice, a regular meeting of the Village of Minoa Planning Board, was held on Thursday, April 14, 2022 at 7:00 p.m. at the Municipal Building, 240 North Main Street, Minoa, New York.

Present: Chairman Dan DeLucia, Planning Board Members: Alan Archer, John Jarmacz, Sheri Hayner, Attorney Courtney Hills and Secretary Barbara Sturick.

Absent: Gail Greiner-Hammond

Also Present: Resident Jeremiah Butchko, Rita Kozak and Mark Potter of Bergmann Architects Engineers Planners.

Chairman Dan DeLucia opened the regular meeting at 7:00 p.m., stating The Village of Minoa Board of Trustees has referred to the Planning Board, for review and recommendations, an application submitted **by from RPNY Solar 4, LLC, requesting a zone change from Residential R-A1 to PDD (Planned Development District) for the development of an approximately 13 acre, 3 MW Community Solar Project located on tax parcel #005.-10-01.0., 5986 Clemons Road.**

**The Village Board declared Lead Agency, reviewed concept plan and outline for the proposed Planned Development District (PDD) and delegated the Planning Board to be responsible for ensuring the general concept plan and outline of the proposed project is further refined and capable of being properly implemented.**

Chairman DeLucia asked if all members had the opportunity to review the previous meeting minutes of March 10, 2022. A motion was made by John Jarmacz to accept the Planning Board minutes dated March 10, 2022 seconded by Sheri Hayner. All in favor. Motion carried.

Attached hereto as Schedule "1" is a letter dated April 13, 2022 from the Village Engineer detailing his review of the 3/24/22 **RPNY Solar 4, LLC** submittal package. Upon receipt of Village Engineer letter dated April 13, 2022, Mark Potter presented an updated Site Plan Proposal for RPNY 4, LLC Attached hereto as Schedule "2".

The following items were discussed in reference to letter from Engineer and updated Site Plan.

- Chairman DeLucia stated he would like clarification on setbacks from what was previously presented and the comments in Village Engineer letter.
- Mark Potter stated that they did not previously have definitive proof of the exact location of the right-of-way, RPNY Engineer wants to see if he can get confirmation from village that the dimensions shown on the site plan are correct. Attorney Hills advised that their Engineer needs to pull Deeds to get Legal Descriptions of properties. Mr. Potter stated their Engineer is aware he needs to obtain Legal Description and an updated Survey.
- Alan Archer stated Deeds in Village usually go to center of road.
- Mark Potter stated the first panel on the presented Site Plan is 45 feet from right-of-way
- Mark Potter stated the Village Engineering request of 100 feet RPNY would requiring losings 2 rows of panels and reduce megawatts to the point where the project would not be feasible.

- Sheri Hayner questioned if the distance of the right-of-way line and the first set of panels. How many panels would be lost? And how many megawatts would actually be lost if row of panels changed? Mark Potter did not know the actual figures but stated he could figure it out. Sheri Hayner requested Mark Potter provide actual numbers of rows of panels that could possibly be removed and how many megawatts of production would be lost, and if there could possibly be compromise given once actual numbers obtained. Mark Potter stated he could provide that information.
- Mark Potter clarified for Board that the trees would be after the roadside ditch on right-of-way line, then the distance from trees to the fencing would be 20 feet, from fence to the first panel would be an additional 20 feet, thus giving 45 approximate feet from right-of-away. The members agreed that a 45 ft. from right-of-way as presented on current site plan was acceptable.
- Board members clarified for Mark Potter that Baird Street is a Village Road and Clemons Road is a Town Road.
- The electrical connection location was discussed and determined the location was at the suggestion of Utilities Company and Planning Board members requested to review connection at Maize Path as alternative connection location rather than Clemons Road and Baird Street location.
- Mark Potter asked Rita Kozak to make a note to question Brian Madigan, AICP of Renewable Properties as to whether their client looked into possible alternative connection locations.
- Planning Board members reviewed the agricultural fencing details (wooded post with galvanized steel black mess wire). Mark Potter provided sample photographs with his cell phone of another project with agricultural fence and the members agreed that the black mess fencing is visually hard to see and would suit the project appearance, would allow wild life to roam freely, that it was durable and the trees would provide for privacy screening. Planning Board members agreed with installation of agricultural fence.
- Mark Potter stated the type of trees for screening is usually suggested and up to the board to approve.
- Alan Archer mention PDD Section 160-13.1 I (2) (e) and questioned whether or not this would be considered an accessory structure which would trigger the height restriction. Attorney Hills stated this was not considered an accessory structure.
- Chairman DeLucia stated the other items listed in Village Engineer letter pertaining to Permits, Pilot agreement, and Suggestion of Security of Decommission Plan are processed through the Village Board.
- Rita Kozak confirmed with Planning Board members they received Onondaga County Planning Board Resolutions Approval dated March 23, 2022 in reference to the referral of Zone Change PPD and for Site Plan from the Village of Minoa.
- Mark Potter stated he has designed and presented Stormwater Design SWPPP reports/plans to comply with DEC requirements.

Chairman DeLucia asked for Public Comments as follows:

Resident Jeremiah Butchko of 240 S. Main St:

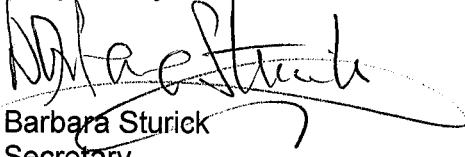
- Mr. Butchko questioned what other benefits there were for village resident besides the 10% discount on National Grid billing? Chairman DeLucia stated that there would be a public hearing prior to the zone change and Mr. Butchko is welcome to submit comment and suggestion for the Village Board to review prior to the Public Hearing meeting.

A Motion made by Sheri Hayner and seconded by John Jarmacz to provide the following recommendations to the Village of Minoa Board.

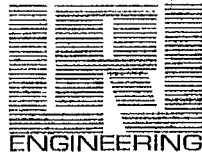
The Planning Board recommend proceeding with **a zone change from Residential R-A1 to PDD (Planned Development District) for the development of an approximately 13 acre, 3 MW Community Solar Project:** Site Plan Proposal presented with the addition of providing Village Board with comparison cost analyst of proposed location of electrical connection at the presented location of Baird St and Clemons in comparison to Maize Path and Clemons for their review.

A Motion made by an Alan Archer and seconded by Sherri Hayner to close the Planning Board Meeting at 7:54 pm. All in favor. Motion carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara Sturick', written over a large, loopy flourish that extends to the left and underlines the name.

Barbara Sturick  
Secretary



**L.J.R. ENGINEERING, P.C.**

ELTA BUSINESS PARK  
8394 ELTA DRIVE  
CICERO, NEW YORK 13039

April 13, 2022

Ms. Barbara Sturick  
Village of Minoa  
240 N. Main Street  
Minoa, NY 13116

Re: RPNY Solar 4, LLC Planned Development District (PDD) Application  
Review of 3/24/22 Submittal Package  
File No. 331.014

Dear Barb:

At your request, I have reviewed the March 24<sup>th</sup> response letter and updated documents provided by the applicant's consultant as related to the above referenced application. The contents of this latest submittal package respond to the comments, questions, and concerns outlined in my March 3, 2022 letter to you. The majority of my questions have been answered. Based on my review of this latest submittal package, I offer the following summary for the Village's consideration:

**Village Code:**

As I mentioned in my previous letter, the Village Code does not specifically address this proposed use. As such, the Village may want to consider updating the Code to include such provisions prior to moving forward with this application.

**Decommissioning Plan:**

As requested, the applicant has provided a Decommissioning Plan (dated March 2022) for the project. The Decommissioning Plan also includes an estimate of decommissioning costs. Upon review, both the Decommissioning Plan and cost estimate appear reasonable. In their 3/24/22 letter, the applicant's consultant also offers a surety bond to cover the estimated cost for decommissioning. I suggest that receipt of security as acceptable to the Village be a condition of any project approvals.

**PILOT Agreement:**

The applicant proposes to coordinate a PILOT agreement with OCIDA "once all required approvals are received". I suggest that the applicant and Village reach agreement on the terms of the PILOT prior to issuance of any approvals from the Village and that any Village approvals be conditioned upon execution of the agreed upon PILOT.

**Boundary & Topographic Survey:**

The applicant has submitted a Boundary & Topographic Survey as required as part of the Village's application requirements. The survey uses the centerline of Baird Street and Clemons Road to establish the project property boundary. The survey should be revised to also show the road right-of-way (r.o.w.) boundaries. Any front setbacks established as part of the PDD application should be maintained from the road right-of-way boundaries (not from road centerline).

**Setbacks:**

In my 3/3/22 letter, I suggest that the Village and applicant reconsider the setbacks proposed by the applicant. Most importantly, I recommended a larger front yard setback to allow for adequate visual buffering. The current plans submitted by the applicant suggest a 10 feet front yard setback from the centerline of Baird Street and Clemons Road. This setback would fall within the limits of pavement of both roads. I don't believe this is the applicant's intent nor would it be acceptable to the Village as it would not accommodate any visual buffering.

The current plans show the nearest solar panels approximately 70 feet from the road centerline (or approximately 45 feet from the r.o.w. boundary). I'm confused why the applicant requests a front setback of 10 feet when their plans show a 45 feet front setback. In my previous letter, I suggested a front setback of 100 feet (from the r.o.w. boundary). As a minimum, I recommend the required front yard setback be increased to be consistent with the 45 feet setback used on the current plans. I also again recommend that the applicant provide photo simulations of the project to help the Village evaluate the requested setbacks.

I again recommend that the maximum structure height be limited to 15 feet.

**Buffering & Visual Considerations:**

In addition to the setback considerations mentioned above, I recommend that the Village and applicant evaluate the visual impacts of the project. The applicant proposes an "agricultural-style" perimeter fence as part of the project. The detail of this proposed perimeter fence is included on Sheet C008 of the applicant's plan set. My concern with the proposed fence is that affords no visual screening of the proposed solar farm from the public roads. Is it possible that the fencing along Baird Street and Clemons Road be a solid, privacy-style fence? Again, photo simulations of the project from various vantage points that include the proposed evergreen plantings would help the Village evaluate this issue.

**Site Access:**

In my previous letter, I recommended that the applicant reconsider the location of the proposed driveway and to seek input from the Town of Manlius. In this latest submittal, the proposed driveway location is unchanged and no correspondence with the Town of Manlius is included.

My opinion continues to be that the proposed driveway location will be problematic, especially during construction. However, since the proposed driveway is under the jurisdiction of the Town of Manlius, I

defer to the Town on this issue. I recommend that the applicant confirm their proposed driveway locations with the Town of Manlius and provide the Village with a copy of this confirmation before the plans are finalized.

Again, I also recommend that any discussion of the proposed driveway include photo simulations or examples (that show the proposed utility poles & related equipment) for visual evaluation.

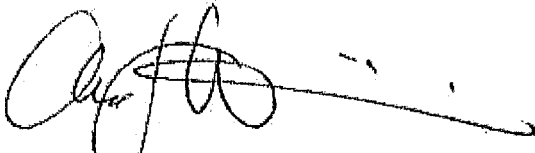
The updated copy of the Environmental Assessment Form provided now lists the Town of Manlius under Section B, but incorrectly references the approval required. This should be corrected to reference the driveway permit (not building permit).

**Stormwater Pollution Prevention Plan (SWPPP):**

As requested, the applicant has prepared a SWPPP for the project. Based on my review, the SWPPP meets the requirements of the Village Code and I have no further comments.

I hope this summary is helpful. Please do not hesitate to contact me should you have any questions or if you require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex J. Wisniewski', with a long horizontal line extending to the right.

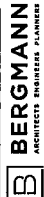
Alex J. Wisniewski, P.E.  
President, LJR Engineering, P.C.

# RPNY SOLAR 4, LLC

CLEMONS RD  
SOLAR FARM  
5986 CLEMONS RD  
VILLAGE OF MINCO



879 SANCHEZ ST  
SAN FRANCISCO, CA 94114



Bergmann Architects, Architects, Planners, Inc.  
Architects, Planners  
305 East 57th Street  
New York, NY 10022  
Tel: 212 835 1100  
Fax: 212 835 1101  
www.bergmannarchitects.com

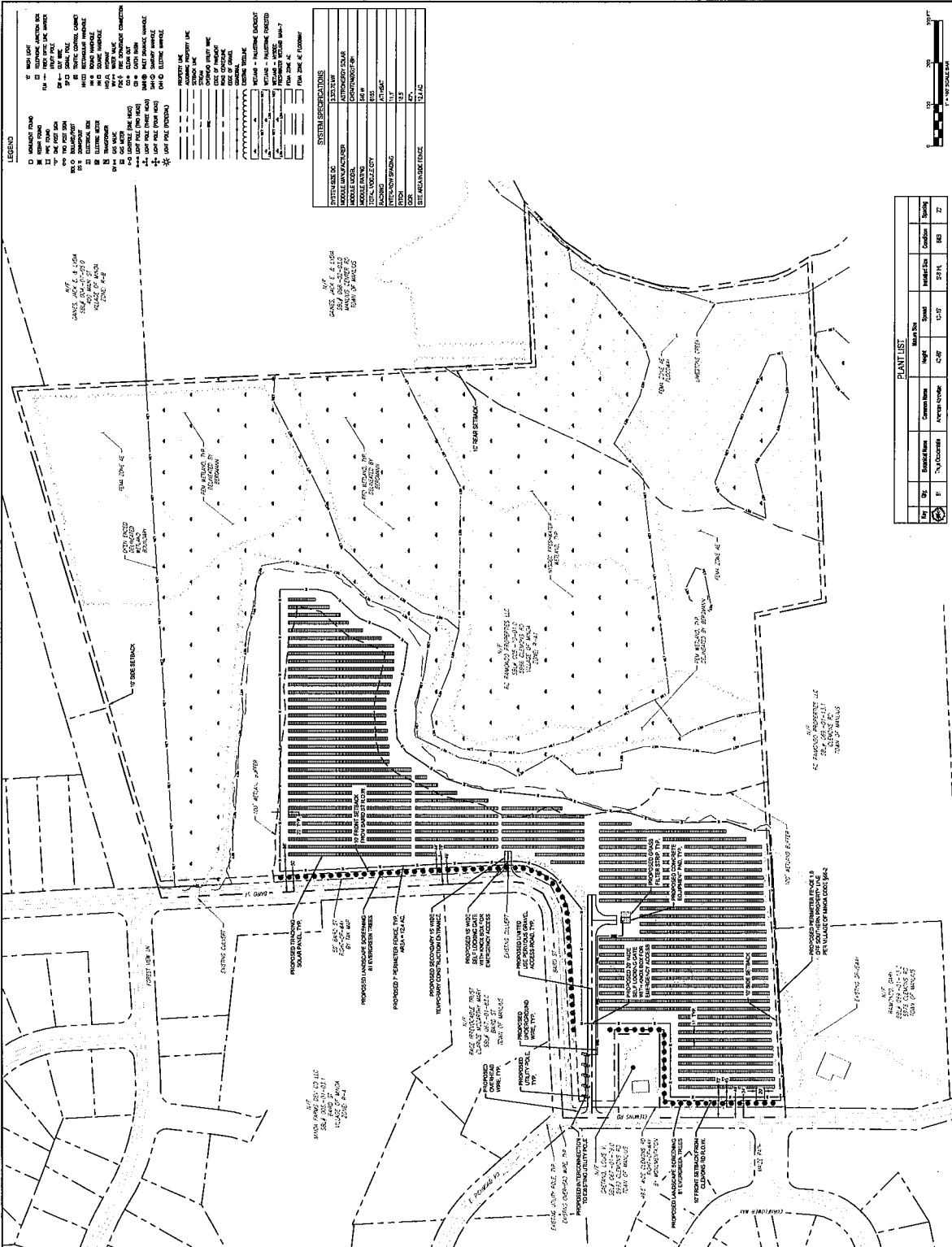
DATE: 11/27/11  
PROJECT: RPNV SOLAR 4, LLC  
DRAWING: 11/27/11



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## SITE PLAN

C005



### LEGEND

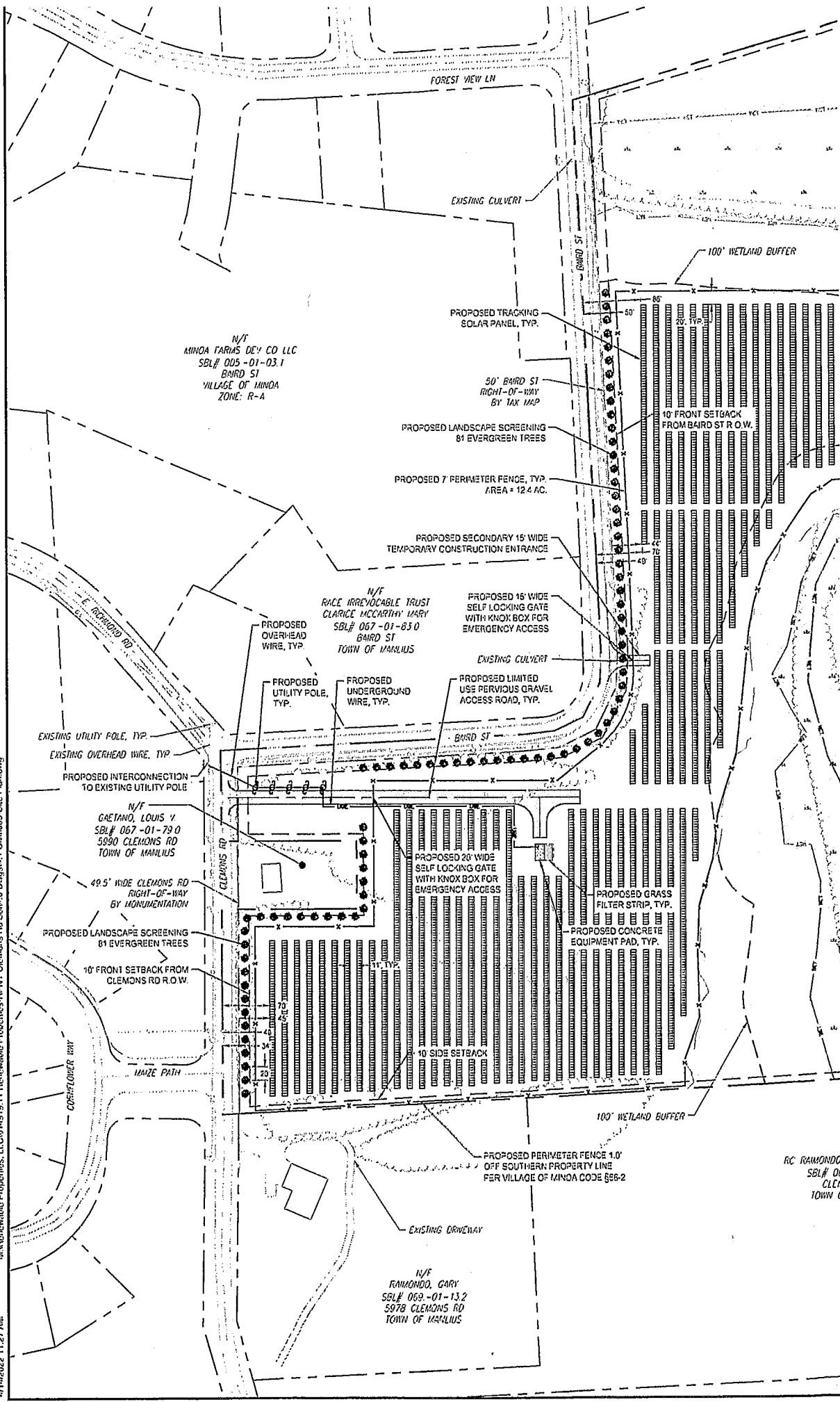
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PLANT LIST	Quantity	Plant Name	Remarks

Schedule # 2<sup>nd</sup>

4/14/2022 11:27 AM  
MAY Renewable Properties, LLC 014819.11 Renewable Properties RPNY Clemons Rd SolaM.D Design 1 Civil0005-Sub Plan.dwg



N/F  
MINOA FARIAS DEY CO LLC  
SBL# 005-01-03.1  
BAIRD ST  
VILLAGE OF MINOA  
ZONE: R-A

PROPOSED TRACKING  
SOLAR PANEL, TYP.

50' BAIRD ST  
RIGHT-OF-WAY  
BY TAX MAP

PROPOSED LANDSCAPE SCREENING  
81 EVERGREEN TREES

PROPOSED 7 PERIMETER FENCE, TYP.  
AREA = 12.4 AC.

PROPOSED SECONDARY 15' WIDE  
TEMPORARY CONSTRUCTION ENTRANCE

N/F  
RACE IRREVOCABLE TRUST  
CLARICE MCCARTHY MARY  
SBL# 067-01-83.0  
BAIRD ST  
TOWN OF MANLIUS

PROPOSED 15' WIDE  
SELF LOCKING GATE  
WITH KNOX BOX FOR  
EMERGENCY ACCESS

PROPOSED  
OVERHEAD WIRE, TYP.

PROPOSED  
UTILITY POLE,  
TYP.

PROPOSED  
UNDERGROUND  
WIRE, TYP.

PROPOSED LIMITED  
USE PERVIOUS GRAVEL  
ACCESS ROAD, TYP.

EXISTING UTILITY POLE, TYP.

EXISTING OVERHEAD WIRE, TYP.

PROPOSED INTERCONNECTION  
TO EXISTING UTILITY POLE

N/F  
GAETANO, LOUIS V  
SBL# 067-01-79.0  
5990 CLEMONS RD  
TOWN OF MANLIUS

49.5' WIDE CLEMONS RD  
RIGHT-OF-WAY  
BY MONUMENTATION

PROPOSED LANDSCAPE SCREENING  
81 EVERGREEN TREES

10' FRONT SETBACK FROM  
CLEMONS RD R.O.W.

PROPOSED 23' WIDE  
SELF LOCKING GATE  
WITH KNOX BOX FOR  
EMERGENCY ACCESS

PROPOSED GRASS  
FILTER STRIP, TYP.

PROPOSED CONCRETE  
EQUIPMENT PAD, TYP.

10' SIDE SETBACK

100' WETLAND BUFFER

PROPOSED PERIMETER FENCE 1.0'  
OFF SOUTHERN PROPERTY LINE  
PER VILLAGE OF MINOA CODE §66-2

EXISTING DRIVEWAY

N/F  
RAMONDO, GARY  
SBL# 069-01-13.2  
5978 CLEMONS RD  
TOWN OF MANLIUS

RC RAMONDO  
SBL# 06  
CLIN  
TOWN C