

Minutes of the Town of Smithville Planning Board
PUBLIC HEARING FOR MONOLITH SOLAR ASSOCIATES, LLC
Proposed Solar Garden Site Plan
Tarbell Road/Pearl St.
August 19, 2015

OPENING Jackie Centerwall, Chairperson 7:00 pm

ATTENDEES:

Planning Board Members:

Chairperson, Jackie Centerwall
Shane Butler
Adam Whitbeck
Robert Brooks
Suzette Valachovic

Town Board Members:

Supervisor, Fred Heisler
Tom Pollard
John Cammarata
Karl Ludwig
Alison Owens, Town Clerk
9 Residents, 1 non resident

NOTE: Copies of the proposed site plan were displayed for public review.
Monolith Solar Associates, LLC provided photographs of other solar garden sites.

Chairperson Jackie Centerwall welcomed community members and thanked them for attending; introduction of Planning Board Members, Shane Butler, Adam Whitbeck, Robert Brooks and Suzette Valachovic, Clerk.

Chairperson Jackie Centerwall informed public that after the Planning Board reviewed the site plan application of Monolith Solar Associates, LLC for a solar garden, the Planning Board felt that it was in the public's best interest to have a public hearing on the matter.

Public Notice was published in Chenango American and on the Town Website; Shane Butler read the legal notice; Planning Board Resolution for a contingent approval of the site plan, subject to the public hearing, was read by Clerk, Suzette Valachovic.

Chairperson Jackie Centerwall opened the floor for discussion and asked that individuals stand, state name, and if a resident of town, if so desired.

Public Questions:

Beverly Giles, resident - How and what will the Town gain from this project?

Ans: Chairperson Jackie Centerwall: Monolith will be required to pay taxes which will come back to the community.

Introduction of Monolith Representative: Mark Fobare, Pres/CEO; company was started 7 years ago and is strictly based in NYS out of Albany and hope to expand across the state. We don't sell solar panels to customers, we sell electricity. We purchase the land and pay property taxes. In NYS, sales tax is paid on the sale of electricity in kilowatt hours, therefore, sales tax will come back to the county and the town.

Mike Harrington, resident – How do you look for a site beneficial to you regarding sunlight?

Mark Fobare – look for flat farmland, easy access to road, about 3 – 10 acres.

Tom Pollard, resident – Regarding the switch station inverter, how do you plan to protect from vandalism?

Mark Fobare – inverter will be hardmounted

Tom Pollard – we have problem with vandalism within the Town.

Mark Fobare – It takes a lot to damage the panels, even with a hammer, it is hard to damage

Liz Vanderweyde, on behalf of resident, Don Russell, resident – Mr. Russell's main concern with the project is will this have any negative impact on his assessment/taxes?

Ans – Chairperson Jackie Centerwall – this will need to be addressed by the Tax Assessor, at the present time, we are uncertain

Mark Fobare – plan is to maintain the property, keep mowing down, look pleasant to the eye; Public in general commented on the rocks/boulders on that particular parcel

Dave and Patty Micha – we currently farm that land, and it is rocky, has boulders

Tom Pollard – Is there a glare issue with the panels?

Mark Fobare – Panels are designed to absorb the light not reflect, no glare at all.

Tom Pollard – How does the snow affect the panels?

Mark Fobare – Snow slides off the panels.

Fred Heisler – question addressed to Chairperson, Jackie Centerwall – the sales tax revenue is a significant part of the town budget, why did this solar project trigger a public hearing?

Chairperson Jackie Centerwall – After review of the site plan application and the site plan review law, the planning board felt that the community should be made aware of this and have the opportunity to provide input; this is why we, the planning board worked hard to develop and get a site plan review law.

Fred Heisler – In surrounding areas, if a property owner wanted to use solar panels for their personal use, would the planning board need to approve it?

Ans - Shane Butler – Per Section 2.1 of the Site Plan Review law, if the plan meets the exemption requirements listed, there is no site plan review.

Mark Fobare – Monolith Solar wants the public to know that they are aware this is your community, want to make sure the public knows they do not want to take away from the community, solar power is here to stay as long as there is sun, there will be solar power, and they will be taxed, which will come back to the community.

Public question – will this be taxed as a commercial property?

Mark Fobare – no, it will be taxed as residential, to my knowledge.

Public questions – is the land being leased or purchased

Mark Fobare – purchased

Deb Gardner, resident – My property doesn't borders this project we are down the road. My concern is will there be noise, such as humming, buzzing, working functions of the transformer. We moved to the country to enjoy the peacefully quiet of this area, and now this!

Mark Fobare – I have a mechanical engineering degree. There are no moving parts, there is no noise, no humming, the transformer does not make noise that neighboring owners would hear, unless you are within 10 feet of the transformer itself.

Bev Giles - Will this affect other electronics/electrical devices?

Mark Fobare – No. No emissions, purely electricity

Mike Harrington – Does any testing need to be done in the area to insure that this will work, as is done with the installation of wind mill areas?

Mark Fobare – No. If the sun comes up, it will work; as long as the sun is up, it is producing electricity. If there is shade, no production.

Ken Gardner, resident – What is the production if there is a cloudy day versus sunny days?

Mark Fobare – Hard to answer. The amount of energy produced is modeled on a yearly basis, with an approximate number of sunny days, so to give detailed answer at this time, I cannot do so.

John Cammarata, resident – You will be hooking into the overhead electrical lines, so if a storm hits and lines come down, electricity goes out, is there a safety requirement that will shut down?

Mark Fobare - Yes.

Tom Pollard – If this project fails, is there a “take down” provision. Once the panels are no longer in use, it just stays there or will you be required to take them down?

Mark Fobare – It won’t fail, it won’t happen. There is a 20 year warranty. If there is sun, they will be in use.

Tom Pollard – when the windmills were initially installed there were tear down clause.

Mark Fobare – I cannot comment on that. We are buying the property and we expect these panels to last at least 30 years.

Deb Gardner – I’m all for green, but I do not find this project attractive. This is shocking. My trees will protect my view in the summer, but not winter. I believe the installation of this solar garden will de value my property assessment.

Chairperson Jackie Centerwall – Are there any other community members who feel this way?

Bev Giles – I agree

Mike Harrington – I agree

Mark Fobare – We want to make sure we address your needs. We will not be taking down trees

Mike Harrington – What about planting trees to block the neighboring views of the panels.

Mark Fobare – Depends on the expense.

Ken Gardner – are there any changes to the site plan you have?

Chairperson Jackie Centerwall – The changes that have been made; there will be no motion sensor lights because the wildlife would set off consistently. On the first drawing there was fencing, however, there will be no fencing, want to keep this natural, the only fencing will be around the switchgear transformer.

Fred Heisler – Do you see solar farm staying in this configuration for 20 yrs, or going smaller?

Mark Fobare - Highly unlikely because of the solar efficiency.

Tom Pollard - Is there a chance of the solar farm growing from the existing proposal

Mark Fobare – I don't know, if the opportunity presented itself, maybe, if so, we would have to go back to the planning board.

Ken Gardner – Will there be any compensation for devalue of our property?

Mark Fobare - No

Mike Harrington – Do you have any grants or are you using your own money?

Mark Fobare – Combination of own money and grants

Ken Gardner – Are the panels made in the USA?

Mark Fobare – No, made in China.

Chairperson Jackie Centerwall – I was contacted via phone by **Lorraine Buckley**, an adjacent land owner, who couldn't be present tonight, and I would like to note the concerns she relayed to me: She is upset because she had other plans and couldn't be here tonight, she requested additional time to review the plan, to review how this will affect her property value and also, she wants it known that she has concerns about the road use, the number of vehicles it will take to install, what will the traffic be like, etc.

Mark Fobare – It will take approximate 3-4 weeks to install. The vehicles will be pick up trucks, 4-6 per day; there may be 2 tractor trailers on 1 day to bring in the panels; no heavy equipment, there will be 14-15 guys working on the project.

Deb Gardner – which photograph is most accurate of the panel?

Mark Fobare – the panels are approximately 10' high.

Tom Pollard– Would this work for residents?

Mark Fobare - Yes, would love to do so, would be happy to see if the town would be interested in buying solar systems for their own private use, would increase their values and NYS would not increase tax on solar use on personal residence

Ken Gardner – When will a decision on this project be made?

Chairperson Jackie Centerwall – Minutes from this public hearing will be compiled and sent to the planning board members to be reviewed and then discussed at the September 2nd Planning Board meeting. Public Hearing meeting minutes, once approved will be posted to the Town website and made available to the public.

Bev Giles – Who decides if this project is approved?

Chairperson Jackie Centerwall- The Planning Board

Bev Giles – Even if, as stated here the majority of the public says no, can it still be approved?

Chairperson Jackie Centerwall – Yes, as stated in the Resolution read at the opening of this Public Hearing the Planning Board has given approval contingent on holding a Public Hearing.

Bev Giles – Then why did you ask us to provide our feedback?

Chairperson Jackie Centerwall – I would ask you to come to the planning board meeting in September to provide input on how this site plan can be modified to accommodate community and Monolith Solar.

John Cammarato – I have a comment. If all of this information has been available for the public review for about 1 month, Lorraine Buckley could have looked this all over and shouldn't have to have additional

time to review. I feel this project would be beneficial to the town, and I understand and appreciate the aesthetic concerns. Solar is the way of the future.

Tom Pollard – I want to thank the planning board for having a public hearing on this project.

Chairperson Jackie Centerwall – Thank you. We (Planning Board members) serve our community because we like our rural community. We have worked hard to develop the site plan review law so that community members can know what is going on within the community. Anyone who has concerns please attend the planning board meeting to discuss further. There may not be total agreement, hoping for a compromise – opinions are good.

John Cammarato – Planning Board meets before the Town Board meeting?

Chairperson Jackie Centerwall – Yes, we meet the 1st Wednesday of the month, the next meeting is September 2nd at 7:00 PM here at the Community Center.

Shane Butler – If the Town had not adopted a site plan review law, this project would have taken place without the public having any notice or knowledge at all.

Chairperson Jackie Centerwall – I will make a note to check with the assessor to see what, if any, type of negative assessment value this may have on neighboring properties and have it available at the next planning board meeting.

Mike Harrington – I have a question for everyone here – how many of you would sell a portion of your property to have a solar farm on it? I would.

NOTE – 4 people would consider it on their personal residences.

Chairperson Jackie Centerwall asked if there were any further questions or comments.

Chairperson Jackie Centerwall closed the Public Hearing at 7:43 PM.