

TOWN OF EDEN – PLANNING BOARD MINUTES

EDEN TOWN HALL – 7:00PM

April 3, 2019

MEMBERS William Mahoney – Chairman

PRESENT: Scott Green
Frank Meyer, D.D.S.
Joe Eppolito
William Zittel
Bethany Fancher-Herbert

EXCUSED: Brian Reed

ABSENT: Tony Weiss, Andrew Romanowski

OTHERS: David Johnson- Town Engineer
Jesse Baker - Code Enforcement Officer
Town Council – Susan Wilhelm
Town Council – Richard Ventry
John Artmeier – Eden Solar, LLC – property owner
Christopher Knox, P.E.; Crawford & Associate Engineering, P.C.
Alex Curlin –Nexamp, Inc.
Rachel Schreiber-Merta
Daniel Merta

Minutes from last meeting

Mr. Zittel made a motion to approve the minutes of February 6, 2019 meeting. Seconded by Mr. Eppolito; All “Ayes” motion approved.

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**New Planning Board Alternate Member:**

Mr. Mahoney welcomed Bethany Fancher-Herbert, who is a new alternate member to this board.

**Eden Solar, LLC – 7501 Sisson Highway - Pre-submission**

Alex Curwin from Nexamp Inc., explained to the board that Nexamp Inc’s. headquarters are out of Boston; Massachusetts and they are one of the largest companies across the nation to develop and convert to solar. Nexamp Inc. applied for a Special Use Permit on Mr. Artmeir’s behalf, the owner of the property. This project involves the installation of 6.40 Megawatts (AC) of solar energy (photovoltaic) equipment. The solar installation will be placed on approximately 26 acres of land out of 84.34 acres at 7501 Sisson Highway in the Town of Eden. This project is defined by Chapter 172 as a Utility Scale Solar Energy System.

Christopher Knox from Crawford & Associate Engineering explained the project:

Mr. Knox explained to the board that this location is zoned Rural Residential and it is within 500’ of a State Road. It currently is used for agricultural purposes, there is a stream that runs through south of the property and flows into the MS4. The topography of the property is that it slopes up and away from Sisson Hwy and there is an existing tree line along the north and east sides of the proposed solar installation. A private energy

corporation owns 2 gas wells on site, and we are currently coordinating easements for each. We did a national wetland inventory and we will stay outside of that area. The solar panel foundations are driven in and there will be no concrete. The only concrete will be at the battery panel storage area. The solar panels are rectangular and are set up to be trackers (they follow the sun but you will not notice them moving). These rectangular panels will be no higher than shoulder height. These panels do not generate any heat they are antireflective or glare free. Concerns about Hamburg Airport was mentioned by a board member and Mr. Knox replied that if needed we will do an analysis per airport code

Mr. Knox was asked if the power lines would go across Sisson Hwy and his reply was that National Grid may run more lines and it was noted by Mr. Mahoney per our Town Code that the lines must be buried.

**Items that were discussed for the next submittal:**

- Fully delineated vegetation and wetlands
- Erosion control plan-MS4
- % of Disturbance – Panel Area & Access Road
- Site lighting
- Show full tilt height
- Screening and the distance between arborvitae or local species
- Height of fencing around project area
- Width of access road and grading
- Possibly reconfigure for a continuous farming operation
- Access from route 75 should be considered vs easement from neighbor.
- What the structure looks like. Possible provide photo rendering views from East, West, North and South.
- Must be submitted to NYS Ag and Markets along with a Notice of Intent for the conversion to solar.
- Conversion fee for converting existing farmland to utility solar
- 239m referral to Erie County
- Project submitted to Erie County Agricultural Protection Board for review and comment
- A site specific seeding/planting mix – must be specific
- A maintenance plan required for grounds and buffering materials
- An Interconnection agreement must be provided
- A removal and restoration plan is required
- A removal and restoration bond is required – 1.5 x removal price
- All topsoil removed as part of development, shall be kept separated and used for restoration purposes, topsoil areas shall be designated on plans and in the field
- Utility lines shall be buried 48” below grade – a note stating such is to be added to the plans
- Final plans will require the stamp of a NYS Licensed Professional
- All submitted documents must comply with current town, county, state and federal codes.

Mr. & Mrs. Daniel Merta expressed their concerns for property values and what they will be viewing out their property windows if this project is built. Mr. Mahoney replied that during the public hearing process you will have your opportunity to express your concerns and have them addressed.

**Comprehensive Master Plan** – Committee B & C’s next meeting is April 29, 2019 at 6 pm and Committee A’s is the same night @ 7pm all members are welcome. If you could review the MU -1 & 2 draft and send your comments to Diane before the meeting and she will make sure the committee receives them. This will be the last draft of the plan.

**Real Estate Developers Summit**

Supervisor Hartman has invited all members to an informal discussion “Real Estate Developers Summit” April 12, 2019 10am -12 pm. @ CPL, 26 Mississippi Street Buffalo, NY. If you can attend this it will be added towards your required training hours.

**Mr. Zittel made a motion to adjourn the Planning Board meeting. Seconded by Mr. Meyer; All “Ayes” motion approved.**

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The next meeting is tentatively scheduled for May 1, 2019 at 7:00 p.m.

Respectfully submitted
Diane Herzog
Secretary Eden Planning Board