

Town of Eden - Planning Board Minutes

January 6, 2021 7:00 pm

Due to the COVID-19 Pandemic this meeting was held virtually through GoToMeeting.com.
The meeting link was made available to the public so that they had an opportunity to listen.

MEMBERS William Mahoney, Chairman
PRESENT Andy Romanowski, Vice Chairman
Brian Reed
Frank Meyer, DDS
Joseph Eppolito
Bethany Fancher-Herbert
Dave Brodzinski
Bill Zittel
ABSENT: Tony Weiss
OTHERS: Nexamp – Michael Cucchiara
Attorney for Nexamp – Ari Goldberg
Engineer for Nexamp - Christopher Knox, Crawford & Associates
Town Council - Susan Wilhelm, Richard Ventry
Code Enforcement Officer – Dave Rice

Mr. Mahoney called the meeting to order at 7:00pm

Minutes from last meeting:

Bill Zittel made a motion to approve the minutes from the October 7, 2020 meeting. Seconded by Frank; Motion approved unanimously.

Re-appoint Board Members:

Andy Romanowski will be re-appointed to the Planning Board as Vice Chair for a 7-year term.
Bethany Fancher-Herbert will be re-appointed to the Planning Board as an alternate for a 1-year term.
Dave Brodzinski will be re-appointed to the Planning Board as an alternate for a 1-year term.

Bill Mahoney thanked the Board Members for their time and dedication to the Town of Eden.

Nexamp / Eden Solar – Revised Draft Environmental Impact Statement:

The Revised Draft EIS (Environmental Impact Statement) was received by the Town on December 23, 2020. At this time, Planning Board members need to discuss the applicant's responses and provide feedback to CPL, the Town Engineer. CPL will summarize and submit all comments back to Nexamp.

The board discussed the proposed mitigation measures and the need for assurance of completion. Mr. Mahoney stated that the mitigation measures need to clearly define measurable milestones and provide for long-term management and repercussions if not maintained. We need to consider what options the Town would have, other than revoking the Special Use Permit, if the mitigation measures were not met. Mr. Knox explained that the largest change to the Decommissioning Plan was the removal of the salvage value so that now the full value of decommissioning is shown accordingly. The other major change to the proposal is that the annual renewal and escalation is now incorporated. Everything would be subject

to a final inspection and approval by the Town to confirm that the decommissioning is complete in accordance with the plan.

Mr. Mahoney requested that some of the details in the draft be corrected. The DEIS has been updated many times, and throughout this process, some of the details were not changed accordingly. Specifically, page 51 of the document references a bond amount of \$53,670, this number is in fact quite different per the comments back in the summary document. Mr. Knox responded that any discrepancies noted would be corrected.

Mr. Mahoney questioned the review period for the Town and type of financial assurance, is it a bond or security of a different source? Mr. Cucchiara responded that they use a bond company to provide a bond in the amount that is agreed upon and is automatically updated annually. The bond company will provide the Town with a letter every year stating the bond amount.

Mr. Mahoney asked about the viable life of the project. Some areas of the DEIS state 25 years and other areas reference 40 years. Mr. Cucchiara replied that the length of the contract with National Grid is 25 years, the initial life span. After the initial 25 years, we would consider if there is an additional program to participate in to provide power or start the decommissioning process. The useful life of the solar panels are 30 to 40 years, which is why we have that lease span of 25 to 40 years.

Mr. Mahoney questioned if the PILOT calculations would be different if the property were classified as Residential (sewer and water are available) as opposed to Agricultural. Mr. Goldberg stated that he was not sure and would look into it. Mr. Cucchiara added, according to Real Property Tax Law (RP487) the PILOT would not cover special districts (sewer and water) and therefore, they would be responsible for the taxes on special districts.

Mr. Mahoney requested that all board members provide comments and feedback to Jen Crowe, secretary, by January 11th. The Town Engineer and Town Attorney will summarize all comments and responses, then submit back to the applicant the week of January 18th.

Bill Zittel made a motion to adjourn the Planning Board meeting. Seconded by Joe; Motion approved unanimously.

The next meeting is tentatively scheduled for February 3, 2021 at 7:00 pm.

Respectfully submitted,
Jen Crowe
Secretary Eden Planning Board