

ST. LAWRENCE COUNTY PLANNING BOARD

DRAFT MEETING MINUTES

August 13, 2020

Via Zoom <https://zoom.us/j/94388527944>

Meeting ID: 943 8852 7944 - Password: 935510

I. Call to Order

- a. Roll Call and Determination of Quorum.** Chair B. Murray called the meeting to order at 7 pm. Casserly did a roll call for attendance. A quorum was present.

Members Present: E. Alan, K. Bellor, K. Bisonette, D. Chambers, P. Darling, D. Duff, D. Fay, M. Gazin, A. Gilbert, M. McCluskey, B. Murray, K. O’Neil, J. Rose and C. Shatraw. **Members Absent:** J. Cameron **Staff Present:** M. Larson, J. Pfothauer, and D. Casserly. **Others Present:** Vaughn Golden, Watertown Daily Times; Ryan McCune, David Bryne, Nexamp

- b. Adoption of the Agenda.**

Pfothauer said he would like to add a site plan review for the Town of Massena to Project Reviews.

The agenda was unanimously adopted (O’Neil, Gilbert).

- c. Approval of the Meeting Minutes.**

The July 09, 2020 minutes were unanimously approved (Duff, O’Neil).

II. Public Forum

Murray mentioned the presence of two members of the press and two individuals representing Nexamp, a project applicant. No additional discussion.

III. Project Reviews

- a. Referrals Returned Pursuant to MOU.**

- i. **Massena (T):** Tareo Capital Management LP, Site Plan, 6100 SH 37

Pfothauer shared general information about this project, its location is in the former Sears store in the Massena Mall (St. Lawrence Centre), the applicant’s plan is to convert the space to a data center. There are no exterior impacts and few interior changes. Pfothauer said countywide impacts are minimal.

- Duff asked about power consumption, no indication of status from applicant. Duff also asked about a past Massena data center project.
- Member of the Board suggested to add a comment to NOA about potential power impacts (consensus reached).

b. Full Reviews.

i. Oswegatchie (T): Adoption of Local Law to Regulate Solar Energy Facilities

Pfotenhauer and Casserly presented the project review and reviewed staff recommendations.

- Gazin asked about the potential for solar speculators, decommissioning plans and how they are passed to subsequent land owners
 - Alan and O’Neil replied that decommissioning still applies when ownership changes
- Duff emphasized that we do not know how these decommissioning plans will work in the end because we have yet to realize this in the County. He cited wind as an example. Pfotenhauer replied referencing the decommissioning language in the solar law.
- Gilbert provided decommissioning example from gravel pits and language is improving to ensure that decommissioning is properly planned for and implemented.
- Murray asked if decommissioning bond language could be included with Payment in Lieu of Taxes (PILOT) agreement. Pfotenhauer replied no, because it is a separate agreement from land use regulation.
- The Board unanimously approved the local law with conditions (Alan, Chambers)

ii. Oswegatchie (T): Site Plan Review for 5 MW solar array at 56 Rufa Road

Casserly presented the project review and reviewed staff recommendations

- O’Neil said she would like to see the array moved to the northern part of the parcel to avoid prime farmland and for the applicant to produce a contract as proof of commitment for a grazing operation to manage vegetation growth at solar site.
 - Alan replied with his agreement on moving the array.
- Darling stated that farmers’ welcome the extra income from development like solar.
- Murray asked if moving the array would avoid wetlands, Casserly confirmed yes.
- Rose expressed concern of solar saturation in the county and do we have any way to control the growth.
- Bellor questioned whether or not utilities will have to invest in their infrastructure to meet additional power generation needs.
- Alan stated that we do still have local control over small solar projects. Whereas, we do not with the larger projects that fall under the State’s solar regulations
- Gilbert expressed his concern with imbalance in the grid due to increased generation during the day and less at night, can the grid handle this. Also, he said that one cow requires about 1MW of power/year on large farms.
- Larson asked about how much acreage it takes to feed one cow
 - Gilbert and O’Neil replied with about 2-3 acres
- O’Neil continued to question the need for array siting on prime farmland

- McCune (Nexamp) explained reasoning for current array site, it fits well between two drainage ditches and landowner approved. Per solar saturation, McCune explained that current conditions are already over saturated and could prevent future solar development in the area and state. The Ogdensburg substation, where this power would go, is 13 MW over saturated.
- Murray asked if Nexamp does a line analysis
 - McCune replied that they do when looking at feeder lines. He further explained that National Grid uses mid-grade line in our area.
- Rose asked if over saturation will lead to more battery storage projects.
 - McCune replied that he does not think so because the grid limitations will prevent it.
- O’Neil stated that she would rather see culverts used to cross ditches in order to move array away from prime farmland. Also, to handle vegetation around and under array, she recommended exploring options outside of livestock grazing.
 - McCune responded that they are working on a grazing agreement for their five projects in the county. This package is more attractive to potential grazing operations because SLC has a supply chain issue with finding mobile grazing operations.
- Larson asked about timeline and Cooperative Extension communication.
 - McCune responds without dates for timeline, however they have paid National Grid to make the necessary upgrades to their feeder line. Per Cooperative Extension, Nexamp is in talks with them to further explore grazing operators.
- Murray asked if board approves staff recommended conditions with O’Neil additions, board agrees.
- A majority of the Board voted to approve this project with conditions (Rose, O’Neil). Opposed: Alan

*Added below is an email response (8/17/20) from Ryan at Nexamp that addresses electric “queue”

As I mentioned – the substation is over queued. The utility won’t let these later stage projects be built, but they will remain in the queue until one of two things happens, either A) projects drop out and capacity opens up, or B) someone pays for SUBSTANTIAL upgrades – we’re talking well over 3 million in just upgrade costs. Right now, the Ogdensburg sub has the following attached:

.33MW built and connected, 26.76MW in queue, 18.6MW transformer capacity
23.52 Thermal capacity

Generally speaking, this substation is about 8.5MW over-queued. Those projects are likely in the CESIR (Coordinated Electric System Interconnect Review) study process, and will get CESIR estimates asking they pay for the substantial upgrades I mentioned before. My apologies on the 13MW... turns out that’s a figure for another substation im working on near Mexico NY. Its likely that at that time they will walk away from their respective projects and the substation will even out. As for us, we’re

firmly within the “first” 18.6 MW and have already paid over \$230k towards our respective upgrade costs.

iii. Oswegatchie (T): Site Plan Review for a 3MW solar array at 104 Horseshoe Road
Pftotenhauer presented the project review and reviewed staff recommendations

- O’Neil asked how to avoid prime farmland and to consider other grazing options
- A majority of the Board voted to approve this project with conditions (Cherie, Gilbert).
Opposed: Alan

iv. Brasher (T): Special Use Permit for a sand and gravel pit off CR 38 in the Rural District

Larson presented the project review and reviewed staff recommendations

- O’Neil commended Larson on the quality of her project review
- Murray expressed that applicant met all standards
- The Board unanimously approves with conditions (O’Neil/Fay)

IV. Reports

a. **Executive Committee.**

- Murray explained that the Executive Committee meeting was not held last month and that the Board needs to fulfill their 4 hours of required training at some point in the future. Board members agree and staff will help facilitate.
- Pftotenhauer said that Potsdam local government conference will be virtual and he submitted planning and zoning content for presentation.

b. **Board of Legislators (BOL).**

- Fay said that the BOL approved the contract with DANC for continued GIS services with their Internet Mapping Application for County data.
- Fay mentioned that there is ongoing discussion on the distribution of sales tax to local municipalities and the County will have a better idea of the amount received during the pandemic soon.
- Fay said the BOL Services Committee was presented with a plan to extend the National Oceanic and Atmospheric Administration’s (NOAA) proposed Lake Ontario National Marine Sanctuary down the St. Lawrence River into the County. This would include two shipwreck locations in the Town of Hammond. Fay added that some Legislators suggested expanding the sanctuary to the Moses-Saunders Power Dam.
 - Rose asked if any public meetings have occurred for discussion, Pftotenhauer responded, no.
 - Duff asked if local municipalities (Hammond) have been notified. Pftotenhauer responded that he did contact the Town of Hammond to share information.

c. Highway Department.

- Chambers said the most projects are going well. Bridge projects are still in process. Large culvert replacement project has been successful, one remaining to replace.
- Duff asked about status of bridge paving in Rossie.
 - Chambers responded that it should be done in the next couple weeks.

d. County Roundtable.

- Alan said Town of Hopkinton had their last public meeting on their solar law.
- O'Neil noted that the County is 40%-50% below the normal precipitation levels.

e. Staff Report.

- Pfothner recognized Chambers and the SLC Highway crew on recent paving.
- Pfothner explained a recently signed MOU with the Town of Hammond to revise and update their Site Plan Review Law.
- Pfothner provided an update on Census promotion, response time was shortened by one month, BOL has been encouraged to promote the Census, and the County received \$127,000 for promotion and Tenbusch will lead.
- Larson said that the County was awarded \$600,000 in REDI monies to help businesses along the St. Lawrence River.

V. Other Items

a. Correspondence.

- Pfothner said that the Town of Canton sent a letter confirming that a project applicant (Ron Bush) modified their plan according to CPB review.

b. Announcements.

- c. Next Meeting Dates.** The Executive Committee will meet online on August 27th at 4:15 pm. The next County Planning Board will be online on September 10th at 7:00 pm.

VI. Adjourn

The meeting adjourned at approximately 8:40 pm (Gilbert/O'Neil).

Respectfully Submitted,



Eric Alan, Secretary