



Town Board Meeting

Minutes

Monday, June 26, 2023 at 7:00 pm

Attendees: Supervisor; Jeffrey Horton, Deputy Supervisor; John Tschranke, Board Members ; Michael Austin, James Drumm, and Glenn Vogel, Code Enforcement Officer Thomas Hargrave, Town Clerk; Michelle Seeley, Chelsea Robertson of STCRP &DB

Guests

Drew Rogerson, Bob Oman, Adam Oman, Joshua Oman, Norman Maynard, Kevin Cleveland, Jordan Ribble, Erin Rumsey, Joe Seeley.

1. Pledge / Call to Order / Roll Call

Minutes:

Supervisor Horton opened the Public Hearing at 7:00 PM with the Pledge of Allegiance.

2. New Business

a. LL# 2 of 2023 Zoning Law Addendum- Public Hearing

Minutes:

Supervisor Horton then introduced Chelsea Robertson from Southern Tier Central Regional Planning and Development Board (STCRP&DB).

Mrs. Robertson presented and discussed the proposed changes to the 2014 Zoning Law.

She laid out the new language that has been updated to include Renewable Energy (Solar projects) in the Town of Campbell.

3. Public Comment

Minutes:

Supervisor Horton stated that there would not be a vote at this meeting for this Proposed Local Law, this meeting was set to hear comments and answer questions from the Public, he then opened the public speaking portion of the meeting to questions.

Norman Maynard questioned if applications were submitted would they be presented to the Town Board. All applications would be presented to the Planning Board, any Appeals or special use permitting issues would be presented to the Zoning Board. Mr. Maynard's concern is if a project is large- for example 300 acres- would there be any other board that would look at the application?

Mrs. Robertson stated that projects over 25 MWH would have state intervention. Town law would be looked at. This is similar to mining permits, which the State manages. Joseph Seeley: Is this law geared more toward commercial use rather than residential. Mrs. Robertson stated that both are addressed but that the major portion of the law is about utility use solar. Commercial use solar

has more impact than residential. Kevin Cleveland. Will agricultural land be rezoned to commercial? Mrs. Robertson- said no. As to where they are allowed to be placed is basically anywhere in the Town, the stipulation on how much of a parcel that can be used is based on prime soils and soils of state significance. Kevin Cleveland stated that God only made so much farmland, his uncle is looking into solar on prime soils. He also stated that he is not totally against Solar, but old brush lots and areas that have been cleared should be used, not prime soil areas. Bob Oman- Even if only part of your ground is Prime Soil or has soil of State wide significance a smaller portion (20%) can be used. On a 93 acre farm, only 18 acres could be used for solar. Solar companies would rather put the project in an open field with easy access. There are some restrictions for areas with these soils, so these companies may not be interested because of the smaller portion that can be used. Will there be a work around? Mrs. Robertson explained that there is a process which can be used to work around this issue. The Zoning Board of Appeals would look at soil maps and reports, and could issue a variance, in these cases. Mr. Oman is in favor of protecting prime lands, but there are farms that have areas of flood plains that cannot be used and this would restrict the projects even further. Kevin Cleveland asked about replacing vegetation that had been removed. Would the removed trees be replaced with the same type of tree or a different species? Mrs. Robertson stated that the same species would need to be planted at a 1:1 ratio on the same property. Erin Rumsey-asked where the energy goes? Does it come back to the area or is it shipped out to other places. Mrs. Robertson- It depends on the company and their agreement, A Community Solar project is a farm that is for a specific area. Norm Maynard asked if these laws were similar to other Towns laws. Mrs. Robertson stated there are many example laws in the region that were used as a starting point for this particular law. There are similarities to laws from other towns, however this law has been finely revised by the committee to fit this community. Bob Oman If clearing needs to be done, does the law specify how it needs to be done? Mrs. Robertson- That would be part of the site plan. There are other pieces of the Zoning Law that would apply, such as storm water run off. Bob Oman- Is this process done by the developer or the land owner? Who is responsible for meeting all of the requirements? Mrs. Robertson replied that the land owner and the developer would discuss that and that it would be determined by them who would do the process. Most of the time the Developer is the one doing the negotiations on behalf of the land owner. The developer would be responsible for meeting all of the requirements. The permit goes with the land so whatever is presented needs to be taken to the Planning Board. If a developer is representing a project, the Planning Board would request a letter from the land owner giving permission for the developer to represent the application. Bob Oman asked if Battery Storage had been ruled out. Mrs. Robertson stated that there was no language in the revised law about Battery Storage because if there is no verbiage then it is not allowed. The committee and the public have been very clear that they were not comfortable with the idea of battery storage. The Town cannot outright ban battery storage because the State could say that they are being unreasonable. The recommendation to the Board from STCRP&DB is if and when they lift the Solar moratorium that a new moratorium be placed on Battery Storage, until there is time to figure out how to handle it and deal with it. Norm Maynard questioned wind energy. Mrs. Robertson stated that while the law addresses personal windmills, it is unlikely that commercial windmill farms will be in Campbell. The State map does not show that our area gets the wind needed for the windmill farms. With no further Public comment the Public comment

session was closed at 7:32 Pm Supervisor Horton made a comment that the Planning Board would be in charge because. The Board then asked questions. Glenn Vogel wanted to ensure that the Fire Department has proper training to manage any emergency that may arise at the site. Mrs. Robertson stated that she could look into it. With no further discussion Supervisor Horton stated that there would not be a vote on the addendum at this meeting or the regular meeting on July 10, 2023.

4. Adjournment

Minutes:

At 7:45 a motion by Glenn Vogel seconded by James Drumm to close the meeting was adopted.

Vote results:

Ayes: 5 / Nays: 0

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