

Town of Tully
May 27, 2020

7:00PM

PUBLIC HEARING
OF THE TULLY TOWN BOARD
AS REQUIRED BY LOCAL LAW NO. 1, 2020, A SOLAR SYSTEM ENERGY LAW, TO
CONSIDER ALL COMMENTS FOR AND AGAINST THREE APPLICATIONS SUBMITTED BY
NB DEVELOPMENT LLC FOR SPECIAL USE PERMITS FOR SOLAR ENERGY SYSTEMS AT
THREE LOCATIONS IN THE TOWN OF TULLY

Members Present: Supervisor John Masters
 Councilor John Snavlin
 Councilor Christopher Chapman
 Councilor Catherine Goodwin
 Councilors Speziale

Others present: Town Attorney Robert S. DeMore, Parks & Rec Director Ryan Dando, Sean Reardon, Greg Hering, Kim & Mark Guttendorf, John Sidd, Matthew Horelick, David Khasidy, Thomas Fucillo, Colby Smith, Residents Janis Hartnett, Kim & Mark Guttendorf, Michael Stermer, Mark Drumm

Notice of this Public Hearing was published in the Post Standard on May 17, 2020 with same being posted at the Town Hall and on the sign board at the Tully Post Office as well as being posted on the Town's website.

Supervisor Masters called the public hearing to order and advised that the board would take comments on the Drumm property first, followed by the Potter south property, followed by the Potter north property. The applicant will do a brief overview of the project by parcel. John advised that, currently, the joint planning board has reviewed all three applications, reviewed the site plan and approved it and also reviewed the SEQR process and recommended a negative declaration. The Town Board has formally gone through the SEQR process and has reached a negative declaration meaning there would be no significant environmental impact.

Greg Hering from NB Development spoke first about the mission of the company which is to develop projects that sit well in the community, speak to the neighbors first and then develop massive computer models to figure out how to replicate all that advice. He went on to say that they would love to work with the town to develop three sizeable projects that are basically hidden from the major areas of the town.

Next, Sean Reardon, the applicant's civil engineer, gave a brief overview of the **Drumm** site which included describing some aerial photos. He went on to say that all three projects are about the same size, about 30 acres, and all generate about 5 megawatts of power. Brief discussion followed with a question by Supervisor Masters and comment by Mr. DeMore.

Next, Supervisor Masters read the notice of public hearing into the minutes as follows:

"Please take notice that a public hearing will be held by the Town Board of Tully on the 27th day of May 2020, at 7pm as required by Local Law No. 1, 2020 a Solar System Energy Law, to consider all comments for and against three applications submitted by NB Development LLC for Special Use Permits for solar energy systems at the following locations in the Town of Tully:

- **705 North Road, Parcel ID: 114.-01-06.1**
- **254 Route 11 South, Parcel ID: 115.-02-14.0**
- **340 Route 11 South, Parcel ID: 115.-02-03.0**

Copies of the applications for a Special Permit for the above applications are available on the Tully website www.townoftully.org.

Written comments can be submitted to the Town Hall no later than 4PM June 1, 2020 by mail to PO Box 206, Tully, NY 13159.

To make the public hearing accessible to all in these times of social distancing, the Town Board will conduct the public hearing virtually by Skype. To participate in the public hearing, please call 1 347-690-4420 and enter the following conference ID: 41060872#. Please feel free to join, and all participants will be asked to identify themselves. Alternately, if you're a Skype user, the direct link to the meeting can be found on the Tully website www.townoftully.org. (Cont'd on next page)

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Any email sent to tullysupervisor@cnymail.com with NB Dev. Solar in the subject field will be read into the record at the public hearing.

**BY ORDER OF THE TULLY TOWN
BOARD, SUSAN VACCARO,
TOWN CLERK**

Town attorney Bob DeMore added that the applicant has mailed notices to residents within 500 feet of each project. Mr. DeMore has the affidavits of mailing and a list of the residents who were notified.

Mark Guttendorf: What's the useful life for installations such as these?

Greg Hering: The useful life of the solar project is between 25 and 45 years. The agreement with the utility is perpetual. The panels are warranted for 25 years. The racks have about a 40-year life. And we have ground leases with the families for out to 45 years.

John Masters: There is also a provision in the agreement for when things are slated for removal of the equipment.

Robert DeMore: The applicant will have a bond in place that our town engineer already approved that will last the life of the project.

Michael Stermer: Have there been any studies regarding the groundwater?

Robert DeMore: Our engineer has reviewed the runoff plan and made some recommendations, and the applicant has complied with those in their application, so that was reviewed by the engineer on all three projects in great detail.

Sean Reardon: When we do sites like this, there's two kinds of water we're concerned about, surface water and then groundwater. He went on to explain how they address these issues.

John Snavlin: When you take out the panels when you're all done, do you take out the concrete pilings or whatever you've got driven into the ground?

Sean Reardon: There are no concrete footings. What we use are called friction piles that are either drilled in or pounded in so when they come back out, they're either unscrewed or pulled out. Thus, all the underlying soils stays in place. Brief discussion followed.

Potter South

Next, Sean Reardon gave an overview of the **Potter South** project using the aerial photo to describe where the entrance and various features are located. There is a 6-foot chain link fence around each project which is required by code, so it's not an option. He went on to describe lighting, pads, and a series of poles that connect into the overhead lines that run down the road. He also briefly discussed landscape screening.

Potter North

Again, Sean gave an overview of this project via the aerial photos. He reiterated that all three projects have a six-foot fence, a landscaping screen, two pads, and the size is approximately 30 acres. There are cabinets that have fire suppression equipment in them, and we will be training your local fire department and first responders how to respond to any calls at these locations. On this project, we have a gas transmission line that runs underground. We also have an overhead transmission line. Brief discussion ensued.

Frank Speziale: I have a question on the fire suppression system. Is it going to be ABC, chemical, CO-2 or do you have something else in mind?

Greg Hering: It's the FM200 commonly used by gas stations. And there was a question during the planning board process about that, and we have a written response to that in one of our submittals.

Catherine Goodwin: I just had a few people ask me how they go about signing up for the community solar. Do you have any details on that?

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Greg Hering: Yes. When we start construction, we'll have signage up, temporary signage, definitely getting the word out throughout the Tully community that residents can sign up to purchase power from the company.

Catherine Goodwin: Second question: One of the alleged benefits of having solar in the community is the job opportunities for people. And will there be any job opportunities for residents?

Greg Hering: There will be job opportunities during the construction process; we would hire a large general contractor, and then they will source some electricians from the area. And then during the operations of the project, we would be looking for good landscapers and snow plowers; and then occasional electricians for a quarterly check; some part-time groundskeepers and then snow plowers to deal with the snow.

Kim Guttendorf: So how does the snow impact the production of electricity through this process?

Greg Hering: Snow definitely hurts the production of the solar project, but it's a very complicated issue. He explained briefly how they would address that issue including using snowblowers. He added that the industry is constantly evolving on this.

Kim Guttendorf: So the benefits for Tully are that residents can buy electricity at a better price? Are there other benefits?

Greg Hering: The main benefit to the town are the taxes that we pay through a PILOT agreement that the town and school have expressed that they want to enter into with us. And then on the community solar, the community solar is 10% less than the generation component of your bill. So the bill is distribution and generation. Our company and other members of the industry offer a 10% discount, so it's some savings.

Brief discussion followed after which Greg added that the Town can say with confidence that their demand is completely met by generation within the town.

Sean Reardon: John, just for clarification, we are asking for no relief on Potter North, so we are complying with all the zoning requirements.

John Masters: Understood.

RESOLUTION 65-2020

MOTION TO CLOSE THE PUBLIC HEARING was made by Councilor Speziale. Second by Councilor Chapman.

The resolution was ADOPTED by ROLL CALL VOTE:

Chapman - affirmative
Goodwin - affirmative
Speziale - affirmative
Snavlin - affirmative
Masters - affirmative

RESOLUTION 66-2020

MOTION TO ADJOURN THIS MEETING AT 7:50PM. Motion by Councilor Snavlin. Second by Councilor Goodwin.

The resolution was ADOPTED by ROLL CALL VOTE:

Chapman - affirmative
Goodwin - affirmative
Speziale - affirmative
Snavlin - affirmative
Masters - affirmative

Respectfully submitted,

Susan Vaccaro, Town Clerk