

Planning Board - November 16, 2020

Meeting held in the meeting room at 56 Geneva Street Dresden, NY. following Covid safety protocol, was called to order at 7:00PM by Chairman Dave Granzin

Present: Dave Granzin, George Dowse, Robert Miller, Ellen Campbell
Excused: Floyd Hoover,

Others Present- Dan Huntington-Norbut Solar, Dale Stell, Jack Ossont, Grant Downs, Abi Buddington, John Christensen, Kevin McAuliff, Dale Irwin- Greenidge, Linda Downs, Patrick Flynn, Colby Petersen, Kate Bartholomew, Dwight James Torrey Code Officer

Dave led the pledge of allegiance

September & October minutes, George made motion to approve 2nd Robert carried by all.

Greenidge Site Plan: Upon the closing of DEC comment period on SEQRA for Greenidge Data Facility Center and received comments reviewed by planning board members, Town Clerk, Code Officer and Town Attorney.

Discussion on letters received and the wording of the SEQRA declaration. With minor edits by Ellen the following declaration was introduced by Dave:

The Town of Torrey Planning Board issued a Conditioned Negative Declaration with respect to the Greenidge Generation Onsite Data Center (the "Project") located at 590 Plant Road in the Town of Torrey. The Project includes installation of a data processing facility together with the associated site improvements (grading and roads). The data processing facility will be made up of 4 structures each built on a concrete slab. Each structure will house computer processing and networking equipment (equipment only) for data processing functions. Electrical equipment will be installed (overhead and underground) including poles, transformers, and other associated equipment, that connects the data processing facility to the Greenidge Generating Facility. The total project area is 1.3 acres including roads. Power for this data processing will be the onsite Greenidge Generating Facility. A stormwater management system will also be installed as part of this project. Construction is anticipated to begin in the fall of 2020.

The conditions for the Project were as follows:

1. All power will be generated on site with no impact to the grid.
2. Noise Level testing will verify compliance to the Town of Torrey Zoning Code.

3. Applicant will fulfill all DEC requirements relative to the Greenidge Generation operations.

Notice of the Conditioned Negative Declaration was published in the Environmental Notice Bulletin on October 7, 2020, and the 30-day public comment period expired on November 7, 2020. The Town Planning Board received 320+ comment forms.

The comment forms expressed concerns about impacts to Seneca Lake and impacts with regard to climate change. However, during its analysis of potential impacts on Part 2 of the Environmental Assessment Form, the Planning Board found that there would be no impacts on surface water, including Seneca Lake, and no impacts on climate change. The Applicant holds valid permits from the New York State Department of Environmental Conservation with respect to air emissions and water discharges, is operating in compliance with those permits, and will continue to operate in compliance with those permits even after completion of the Project.

The comment forms do not raise any issues that identify potentially significant environmental impacts that were not considered by the Planning Board during its SEQRA review or provide substantive information regarding the inadequacy of the proposed mitigation measures. The Town has also received a copy of correspondence from the New York State Department of Environmental Conservation noting that there is no basis to reopen any of the Applicant's existing permits.

As such, the Town Planning Board finalizes the Conditioned Negative Declaration. Dave motion to accept this declaration 2nd George, This by roll call vote- Granzin Aye, Dowse- Aye, Miller - Aye, Campbell- Nay Hoover -absent 3 Ayes 1 Nay

Ellen questioned use of electric to data facility not grid in permits.

Kevin McAuliff responded that the letter dated November 16, 2020 to David Granzin Chairman of Planning Board addressed this question. Stating Greenidge remains a fully permitted and licensed generation facility with a contractual obligation to bid into the wholesale market on a daily basis. The continuous operation of the Greenidge facility at a partial load state, reduces the time required for Greenidge to provide energy to the grid in case of emergency, voltage regulation need or other service requirement. He also noted the letter from DEC dated October 23, 2020 addressed to Mary Anne Kowalski. This DEC letter was a response to her letter dated 9/16/20 on behalf of the Committee to Preserve the Finger Lakes, regarding the request to modify, suspend or revoke permits for the Greenidge Station.

The DEC responded it was a determination that the facility operations within the limitations of the permits. The facility is in compliance with the terms and conditions in the permits. The Thermal Study workplan which is a requirement of the SPDES Permit, was submitted September 2020 and is currently being reviewed. The Thermal Study is planned for 2021.

Also determined that none of the grounds contained on Subpart 621.13, which allow the Department to suspend, modify or revoke permits were identified. Therefore DEC will not be suspending, modifying, or revoking the Greenidge permits in response to Mrs. Kowalski's letter.

Dave made a motion to approve Greenidge Data Center Site Plan 2nd by George, carried with Granzin Aye, Dowse- Aye, Miller- Aye, Campbell Nay 3 Ayes-1 Nay.

Norbut Solar Farms Area Variance Dan Huntington of Norbut Solar Farms appeared to present the application. He is requesting a lot coverage 28%(8% more than zoning allows.)

Discussion on total green space on site and land. Discussion on decommissioning plan in place for solar arrays. Mr. Huntington stated the 20% of project cost put in a decommissioning bond cannot be achieved. Could not be financially achieved.

Pat Flynn Town Supervisor, stated Bond are affordable & available. Mr. Huntington listed projects in Spencer Parma, Angelica/Belfast and Jefferson County.

He stated review of the Area variance is separate from bond issue. No chemicals will be used on fields

Will apply for PILOT with Yates County

Discussion on Grid sale of electricity. On SEQRA # 3 is correct acreage number.

No letters of support have been received for this project.

Dale Stell owner of property of proposed solar array site supports this application.

Motion by George 2nd Bob to recommend approval of this Area Variance of 8% for the Solar Array application carried 4 -0.

Dave reported the Town Board received the Planning Board recommendation for a sliding scale for projects that have commenced or are completed without permits. Code will now use the sliding scale for fees for these offenses.

Discussion on Kennel draft. Lot size setbacks will guide limits on number of dogs on property. NYS Ag & Markets designates housing and run sizes required. Discussion on retail vs- wholesale and what agency oversees them.

Jack Ossont former Starkey official stated they used Perdue University information on Dog Kennels while drafting their law.

Dave will compile the edits and send out revised copy.

Kate Bartholomew of Watkins Glen inquired on the Greenidge SEQRA process. When designating Planning Board as lead agency was other agencies notified. IE: Yates Co Soil & Water, DEC.

Dave stated he had contacted DEC and invited them to meeting as they are not acting as lead agency they declined attendance.

Grant Downs reported that Town of Benton took cash deposit to hold for the decommissioning plan on a solar project.

Dwight James stated Benton did not have a decommissioning plan in their solar regulations.

Question on viewshed being altered and character of neighborhood With so many solar arrays in one area.

The viewshed is covered by the code.

Mr. Huntington stated the area variance will not affect the character of the neighborhood.

There being no further business before the Board
Motion by Bob 2nd George to adjourn at 9:03 carried.

Respectfully submitted,

Betty Daggett- Sec.