

January 12, 2023 Town of Kiantone Public Meeting

Proposed Adoption of Local Law 1/2023; Amending the Town of Kiantone Solar Energy Law

Hearing held via zoom with participants from CS Energy and Laberge Group

Councilwoman McDonald stated the purpose of the public hearing: Public Hearing in consideration of Local Law 1/2023, Amendment to Kiantone Solar Energy Law.

Supervisor Ostrander called the public hearing to Order at 6:00pm.

***Due to technical difficulties, both audio and visual, minutes are not transcribed verbatim**

Introductions were made: Mitch _____ of CS Energy; Sage _____ of CS Energy; Alicia _____ of Laberge Group and Kevin _____ of Laberge Group attending via zoom.

Conference including interested parties including representatives from Hodges Rus & Consultants, CS Energy, and other interested parties took place on January 11, 2023, hard copies of documentation to be provided to Kiantone Legal Counsel Hajdu to include nine (9) proposed revisions, duly posted by Councilwoman McDonald.

Lyle Hajdu stated the purpose of the public hearing was to provide a full and fair understanding of the law and for the public to express input.

Sage _____ of Laberge Group provided recap of 1/11/2023 discussions involving subcommittee, board member, attorney; 9 points of consideration which were incorporated and presented as part of the law.

Kevin of Laberge Group was introduced by Lyle Hajdu, Kiantone Legal Counsel; noting primary changes concerning farmland protection, fire protection, protective screening.

- Further technical difficulties experienced

Discussion regarding Main Access Road setback requirements. 30 feet entrance to permit fire equipment to swing in. 20 feet width roadways, to permit passing of fire equipment. Opportunity for specific plan to be reviewed and approved by the Kiantone Independent Fire Dept.

Councilwoman McDonald reiterated that the matter of roadway width as previously discussed as “settled”

- Further technical difficulties experienced.

Glare, Ag & Markets provisions, shown to be consistent in law.

Brief overview of §10, 11, 14: timeframe – NYS requirements of utility companies

System Operations: No equipment stored or left behind, unless proper storage structure approved by Town of Kiantone Zoning.

Discussion regarding installation of gating primary access road.

Discussion regarding tree cutting/timber. Supervisor Ostrander stated his position that the land belongs to the landowner and decision regarding tree cutting should be left up to the landowner.

Discussion regarding the width of trees permitted to be cut.

Discussion regarding snow removal.

Resident Todd Stimson stated his opinion that the solar beneficial to the environment and for public.

After discussion, Mitch _____ of CS Energy “okay with terms”:

- Add clarification to what bond can be called upon, to write bond itself
- Growth/Screening- Landscaping
- Access Roads to be maintained properly.

Topic of Bond: no end date on bond, life of project for maintenance. Town of Kiantone to have some level of funds in the event that project company not willing to maintain, ownership of project is transferred, or project is no longer in production. 20% precedent of other communities. Town of Kiantone can place a term with recommendation of term limit from start of the project to two years post. Construction Bond: 1 year post, Use permit issued 3 years to 5 years max. Construction Bond term 2/3 years. Topic of Review Process of Bond, Planning Board Chair Rich Haller suggested 5 years, option to end early if in compliance and per performance. Mitch _____ of CS Energy: Maintenance Bond: 5 year post construction, cancel early if compliant. Specific List of Factors for use of bond. Amendment to be drafted.

Discussion regarding list of materials in panels/well water contamination, EPA Legally Allowed percentages of “hazardous” materials. Proposition of Revision for clarification to proposed law.

Town of Kiantone to hold Decommission Bond.

Statement/Questions from Public: Q: Will Kiantone Residents have the opportunity to “buy” solar energy produced in the town of Kiantone much like current utilities? A: No, energy produced is sold to utility providers, not for private sector use. Community does however benefit from Host Community Agreement. Q: Is Tax Base Lost on the land used for the solar project? A: No, taxes are still collected. Q: Will the solar company hire local workers or “truck” workers in? A: Efforts are made to hire Local qualified individuals. Q: How long does a project take to be completed? A: 18 month time frame.

With no further questions or comments from the floor, Public Hearing was closed by Supervisor Ostrander at 7:36pm.

Motion made to accept proposed amendments as written and to publish, duly seconded, no opposition, approved.

Motion for resolution to adopt local law 01/2023 duly made, duly seconded, no opposition, approved.

Public Hearing adjourned at 7:43.

Supervisor Ostrander called for 4 minute recess prior to opening of Town of Kiantone Organizational Meeting.

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Respectfully Submitted

Gail Davis, Town Clerk

Town of Kiantone

- Copy of Public Hearing Sign In Sheet attached to original minutes

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