

**Mexico Zoning Board of Appeals
Minutes of the Solar RIC Workshop
Held March 8, 2022 at McAuslan Hall
Commencing at 2:00 P.M.**

Present: Ned Waterbury, Chairman
Marcia DeLong, Counselor
Dan Yawman, Counselor
Graham Seiter, Town Attorney
Nancy Weber, Planning Board Chairwoman
Kevin Bliss, RIC Representative
Nancy Vlahos, RIC Representative
Ivo Tomchev, RIC Engineer

Absent: Ron Marsden, Code Enforcement Officer
Marty Trey, Counselor

And 0 in the audience.

Chairman Waterbury called the meeting to order with the Pledge of Allegiance at 2:07 pm.

RIC Solar

Waterbury said Toth provided copies of documents to the ZBA that would be helpful regarding elements from communities engaged in an RIC project, including a primer on area variances, explanation on a shift from 2 to 5 megawatt facilities that reflects scale and return on investment. Waterbury asked the board to review the information.

Yawman said it is helpful to compare the map with the custom soil report with the map of the solar farm, both found in the application. Yawman said RAB is the main section where the solar panels would be placed and would be considered prime farmland if drained. DeLong said that there is no evidence that drainage tiles exist so the property is not drained as it exists. Weber said Oswego County Soil & Water confirmed that it is undrained; so it is not prime farmland as is. Waterbury said that RIC's response #2 gives a percentage breakdown on prime farmland. Waterbury asked if the board has enough information on this topic. DeLong said she feels they have the information they need to be able to determine if criteria is met for an area variance.

Waterbury said the board can walk through RIC responses to previous questions.

5 Megawatt v 5 Megawatt Hours- Yawman said the maximum allowance for credits is 5 megawatts. DeLong said the local law is specific regardless of any trends. Seiter said there may be room for interpretation of the local law and that NYS policies could impact board member's ideas. DeLong said the board needs to consider the setting of precedence for future use. Waterbury said if the variance is granted, other applicants can use this as an argument for larger area variances. DeLong noted 5 factors relating to the size of the variance.

Yawman said solar credits on electric bills can be achieved without this project so that benefit to the community is available without this project. DeLong said the credits are on usage and not on delivery. Yawman said the benefits may not offset the gravity of the variance. Weber said on page 12 of a document from Toth that a benefit would be a higher tax rate on the property. Seiter said a PILOT with the IDA would be additional income for the town. The school district and the county would also benefit. Waterbury said that currently, the town and county taxes on the property are \$1,284.41 and that a 20 year PILOT with 2% escalator would provide approximately \$5,900 to the town, \$14,000 to the school, plus additional monies to the county. Seiter said it would be \$5,000 per megawatt, which would be \$25,000 per year broken down to town at 20%, county at 24%, and school at 56%, which is about 10 times more than the current tax revenue. The PILOT is for the footprint of the solar farm, about 25 acres. The other 25 acres is taxed based on the town's assessment, independent of the PILOT. Waterbury asked who engages the IDA. Seiter said RIC would decide to go through IDA. Toth said the IDA has a public hearing for the PILOT and uses policy to proceed. DeLong said the local law does address opt-out.

Tomchev said regarding the megawatts that it is the potential capacity of energy will be produced for a year compared to annual usage of the average home.

Noise/Decibels- Noise should be inaudible to neighbors. DeLong said the rating is 40-45 db, ambient. Tomchev said they are using smaller inverters at the ends of some of the rows on the South side of the property; 23 inverters; the nearest house is 400 feet away. Bliss said sound-proofing is possible if complaints do occur. Tomchev confirmed that there are no inverters on the Northwest side of the property. Yawman said it's 50-65 db at the property line and asked how realistic that number is. Waterbury asked if the manufacturer sends information regarding noise. Bliss said they can forward information on noise from the engineering firm. DeLong wants to know where the transformers are located. Vlahos remembered that, at the site visit, Oswego County Soil & Water members said they cannot hear the solar field located next door to their offices.

Seiter stepped out of the meeting at 3:28.

Panel Height- Vlahos said the height of the panels at maximum tilt will not exceed 12'.

Seiter returned at 3:33.

Perimeter Fencing- Waterbury said a fence height of 8.5' is required. Weber said fence height was not specifically reduced but could be. Yawman said there is no reason to deviate from height but that 8.5' is a very tall fence. DeLong said the original intent was for security purposes. Bliss said a 6' fence with 3' barbed wire or 7' fence are options. DeLong prefers an 8.5' fence.

Stray Voltage- DeLong said there are measures in place to deal with stray voltage.

Energy Savings- Waterbury said that 10% savings is on usage but not the delivery fees. Waterbury asked how many people can sign up for the savings. Tomchev said 2,300. Waterbury asked if the sign-up can be offered first to Mexico residents. Tomchev said that's not standard procedure but that people sign up online with a timeline of 6 months until capacity is full. Tomchev said up to 40% of customers can be larger than residential, for example: schools, businesses, government buildings and that the program is free to sign up for and on a first come, first served basis. Customers can sign up for savings anywhere within National Grid territory and there is a current waiting list.

Aquifer- Waterbury said there is no disruption.

Operation and Maintenance- Yawman said facility maintenance is self-serving.

Complies with LL 2 of 2017, section 505.

Need for 5 Megawatt Facility- DeLong said that less than 5 megawatts is doable with the same acreage. Tomchev said smaller projects are feasible but the interconnection cost for this project is the same regardless of size. Tomchev said the lines and substations with the current load drives the cost. Waterbury said the site is ideal for solar and asked why the cost is so high. DeLong asked if RIC is local to NY. Tomchev said their parent company is in Spain but that RIC headquarters are located in NYC.

Waterbury said there is some mutual benefit. DeLong said it is important for the board to be able to defend their position.

Tomchev said that the alternative to not installing a 5 megawatt system does not produce any additional benefit to the town. Tomchev said that the extra released capacity could result in another project coming into town but that if RIC taps out the capacity, there is no chance of another project. Tomchev said that the flood of solar farms has slowed because the grid is nearly at capacity. Yawman said the law does seem to favor smaller sites. DeLong said the local law is specific about areas where it can go in.

Signage- There will be no signage.

Emergency Power Shutoff- Tomchev said that there is a shutdown switch at the entrance and switches on the grid with a low voltage switchboard.

DeLong said the five standards for variance will be discussed leading up to the board's decision.

Waterbury said the next ZBA meeting is the regular meeting on 3/21/22.

Weber said added that making the project smaller will not make the project better. Weber said the farm land is $\frac{3}{4}$ open and $\frac{1}{4}$ wooded and that this farmland becomes unusable regardless of the size of the megawatt project size. Waterbury said the land would not be permanently removed as farmland and added that it is fallow now as it stands. Yawman noted the description of the lot listed by the real-estate company.

A motion was made by Waterbury and seconded by Yawman to adjourn at 4:35. The motion was unanimously approved.

Respectfully submitted,

Nicole Wild
Town Clerk