

**TIOGA COUNTY PLANNING BOARD
SPECIAL MEETING MINUTES
August 27th, 2018
Ronald E. Dougherty County Office Building
Legislative Conference Room – Main Floor
56 Main Street, Owego, NY
7:00 PM**

I. CALL TO ORDER AND INTRODUCTIONS

- Chairman D. Chrzanowski called the meeting to order at 7:00 PM.

II. ATTENDANCE

A. Planning Board Members:

Present: Doug Chrzanowski, Georgeanne Eckley, Grady Updyke, Tim Pollard, Rawley Filbin, John Current, Sarah Titus, Chelsea Robertson, Pam Moore

Excused: Art Cacciola, Mike Reynolds

Absent:

B. Ex Officio Members:

C. Local Officials: Robert Klossner, Town of Tioga Code Enforcement Officer

D. 239m Review: David Norbut and Jared Perram of Norbut Solar Farms

E. Guests:

F. Staff: Elaine Jardine

III. APPROVAL OF AGENDA

- Approval of agenda.

T. Pollard/S. Titus/Carried
None Opposed
No Abstentions

IV. APPROVAL OF MINUTES

- Approval of July 18, 2018 minutes

J. Current/S. Titus/Carried
None Opposed
No Abstentions

V. PRIVILEGE OF THE FLOOR

- Chairman Doug Chrzanowski thanked the TCPB members for agreeing to hold this special meeting.

VI. NEW BUSINESS

A. 239 Reviews

1. County Case 2018-021: Town of Tioga, Site Plan Review, Norbut Solar Farms

The applicant is proposing to construct and operate the Norbut Solar Farm project on this 93-acre open land property that was previously pastured farmland. This solar project involves construction and operation of two 5MW PV arrays on two sites on the property, of about 20 acres each. The current property owner plans to subdivide the entire 93-acre property, so that the applicant will own

that 52-acre portion on the eastern side of NYS Route 96 only after obtaining local approvals. This would result in a project acreage of about 40 acres on a 52-acre property. There will be one access road constructed that will wind around the front residential property, then bisect the two arrays in the middle, running eastward.

This project location is strategic to NYSEG infrastructure for interconnection. The applicant has conducted a thorough site due diligence of environmental, natural and cultural resources investigations. The project is not located within the floodplain and does not contain or have the potential to contain wetlands. The applicant has obtained a clearance letter from NYS DEC for threatened or endangered species and NY SHPO for archeological and cultural resources. NYS DOT Region 9's Site Plan Review Committee has already reviewed and provided comment stating that a drainage study must be completed and submitted. The applicant has had that drainage study completed by a licensed engineer. The result is that there will be no changes in peak flow during any storm conditions resulting from this project, so no stormwater practices are required.

Staff recommends approval of the site plan review with the condition that the applicant and the Tioga Town Board work out either a decommissioning plan or bond requirement in case of abandonment.

Q. P. Moore – Is this property in an Agricultural District? **A. E. Jardine** – Unsure. **A. D. Norbut** – No. **P. Moore** – If the property does receive agricultural assessment, back taxes will be owed. **D. Norbut** - We will pay whatever the owed back taxes amount to. Then discussion ensued regarding back taxes owed if property receives agricultural assessment and is in or not in the Agricultural District. Back taxes owed on the differential between farmland and improved land would be eight years if not in the NYS Ag District Program, or five years if it were enrolled in the NYS Agricultural Districts Program. **Update** – E. Jardine researched this and the property is enrolled in the NYS Agricultural Districts Program.

Q. P. Moore – What kind of vegetative growth do you plan under the panels and how do you plan to maintain it? **A. D. Norbut** – We have been advised by the farmer that clover should be the vegetative cover. **P. Moore** – How high will the panels be above the ground? **D. Norbut** – 30 inches. **P. Moore** – Clover does not have a sufficient root structure to hold soil on this steep property. You should consider a different grass type.

Motion to recommend approval of the Site Plan Review with the condition noted:

G. Eckley/T. Pollard/Carried	
Yes	8
No	0
Abstention	1 (D. Chrzanowski)

VII. ADJOURNMENT

- A. Next Regular Meeting September 19th, 2018 @ 7:00 PM in the Legislature Conference Room.
- B. Motion made to adjourn at 7:23 PM. P. Moore/T. Pollard /Carried.

Respectfully submitted,
Elaine Jardine, Tioga County Planning Director
Economic Development and Planning