

Hinsdale Town Board
Work Session
Meeting Minutes

December 6, 2021

I. Call to order

Supervisor VanDeCar called to order the solar work session of the Hinsdale Town Board at 7:00pm on December 6, 2021 at the Town Board Room.

II. Roll call

The following persons were present: Jeffrey VanDeCar - Supervisor, Ronald Brown, Joseph Noll Douglas Wilson and Gerald Maerten, - Board members, Ann Carr- Town Clerk and Jeremy Karpf –Director of Policy at Strategy Omni Navitas Solar energy Development

III. Jeremy Karpf went over the plans for the Solar Project on Rt. 446.

IV. Supervisor VanDeCar addressed the following Questions with Mr. Karpf.

Town of Hinsdale

**December 6, 2021 Town Board Work Session for Initial Review of Omni Navitas
Proposed NYS Rte 446 Solar Project**

Additional Information, Clarification and Corrections

1. **Special Use Application**
 - A. Section II projected cost has not been completed.
 - B. Section IV – 4,900 panels, what is the size of each panel?
 - C. Section V – Insurance information has not been completed.
 - D. Section VI – Answer indicates the project site is not in a flood plain.
This is incorrect; part of the parcel contains a Federal protected wetland and is in the 100 year flood zone.
 - E. Section VI - Answer indicates the project site is not in an Agricultural District. The Environmental Questionnaire shows the project site is in the Agricultural District - Catten5.
 - F. Section VI – Answer states NYS D.E.C approval has been received.
My contact at the D.E.C in Buffalo states there is no record of a

planned solar project in the Town of Hinsdale. Please provide evidence of NYS D.E.C approval.

2. Full Environmental Questionnaire

- A. Page 1 - Applicant Section A is incomplete**
- B. Government Approvals Section B – County agencies is marked no. This project must be reviewed by the Cattaraugus County Planning Board.**
- C. Government Approvals Section B – State agencies should also include the NYS D.O.T.**
- D. Section C.4.b – Police protection is provided by the Cattaraugus County Sheriff and NYS Police.**
- E. Section D.1. a, b, and c are not complete or possibly incorrect.**
- F. Page 6 e.iii – runoff will flow to the Oil Creek and a Federal wetland.**
- G. Page 9 E.1.a. – Only agricultural is marked. There is a residence on the project parcel as well as two residential adjoining properties.**
- H. Page 9 E.1.b – Complete land use or cover type section.**
- I. Page 11 E.2 a, b, and d – Complete all items.**
- J. Page 12 E.2.m – we have been notified that the eagles from the fallen nest may have re-nested at the rear of the proposed project site along the Oil Creek. The NYS D.E.C. is surveying this issue.**
- K. Page 13 E.3.h – This site is within 5 miles of the Seneca’s Oil Spring Indian Reservation and the NYS Historic Seneca Oil Spring site.**
- L. Page 13 G – Verification Section**

3. Additional Questions and Clarification

- A. How long has Omni-Navitas been in the solar business?**
- B. How many solar arrays does Omni Navitas own or operate? Are there any operational or projects in the construction or planning stages in Cattaraugus or Allegany Counties?**
- C. Have any of Omni Navitas’s solar projects ever been cited for operational or environmental issues?**
- D. Have any of Omni Navitas solar projects been decommissioned prior to the end of their useful life? Is so why?**
- E. Has Omni Navitas reviewed Town of Hinsdale Solar Law- Local Law #2 of 2021 to ensure the project will be in full compliance for a “Type 3” solar project and prepared to provide all required documents, studies and approvals?**
- F. What is the projected life expectancy of this solar project?**
- G. In what direction will the solar panels be directed?**

- H. Has there been an analysis of “glare” to the adjoining properties and the vehicular traffic on NYS Rte 446 and Interstate 86?
- I. How often are the solar panels and equipment inspected for damage and operational functionality?
- J. What type of foundations will be used to mount the solar panels?
- K. Will there be any additional site runoff to adjoining properties, Federal wetlands or the Oil Creek?
- L. Could there be potential soil contamination and runoff from the solar panels or solar equipment?
- M. Are the project’s construction and engineering plans available for review, if not when will these be available?
- N. Is the decommissioning plan available for review, if not when will this be available?
- O. Will local contractors, labor and materials be utilized if available?
- P. Will Omni Navitas agree to provide safety training to the local fire departments and E.M.S. providers?
- Q. Will Omni Navitas be seeking Federal, State or local funding or tax incentives for this project?
- R. Per Hinsdale Local Law #2-2021 Section VI.b.i, ii and ii.1) Screening and Visibility, has the visual assessment been completed and is the screening and landscaping plan available for review?
- S. What is maintenance plan for regular site maintenance and inspection of the equipment and solar panels?

Answer to the above Questions

Additional Information, Clarification and Corrections

1. Special Use Application

- A. Section II projected cost has not been completed.
- B. The size of the panels are 6ft by 9ft
- C. Section V – Insurance information has not been completed.
- D. Section VI – Answer Will correct
- E. Section VI –Answer Will correct
- F. Section VI – Answer will correct

2. Full Environmental Questionnaire

- A. Page 1 - Applicant Section A is incomplete

- B. Government Approvals Section B – County agencies is marked no. This project must be reviewed by the Cattaraugus County Planning Board.
- C. Government Approvals Section B – State agencies should also include the NYS D.O.T.
- D. Section C.4.b – Police protection is provided by the Cattaraugus County Sheriff and NYS Police.
- E. Section D.1. a, b, and c are not complete or possibly incorrect.
- F. Page 6 e.iii – runoff will flow to the Oil Creek and a Federal wetland.
- G. Page 9 E.1.a. – Only agricultural is marked. There is a residence on the project parcel as well as two residential adjoining properties.
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- J. Page 12 E.2.m – we have been notified that the eagles from the fallen nest may have re-nested at the rear of the proposed project site along the Oil Creek. The NYS D.E.C. is surveying this issue.
- K. Page 13 E.3.h – This site is within 5 miles of the Seneca’s Oil Spring Indian Reservation and the NYS Historic Seneca Oil Spring site.
- L. Page 13 G – Verification Section

3. **Additional Questions and Clarification**

- a. Since 2015
- b. The owner will be Oya Solar out of Toronto and they own and operate over 300 projects. There is one in the planning stages in Cuba NY. There are more and the list will be forwarded to Supervisor VanDeCar.
- c. None of their or Oya solar projects have ever been cited for operational or environmental issues?
- d. None of their projects have been decommissioned prior to the end of their useful life.
- e. Omni Navitas has reviewed Town of Hinsdale Solar Law- Local Law #2 of 2021 to ensure the project will be in full compliance for a “Type 3” solar project and prepared to provide all required documents, studies and approvals?
- f.
- g. The solar panels will be facing east to west. They will rotate with the sun. They are called a single axis tracker.
- h. There has not been a formal study of the glare yet.

- i. The solar panels and equipment will be inspected for damage and operational functionality quarterly.
- j. The Foundations have not been determined yet. Depends on how the ground test come back.
- k. There should not be any additional site runoff to adjoining properties, Federal wetlands or the Oil Creek. The Site will have a Storm Water Mitigation plan so that no site water will flow into the creek.
- l. There is no potential soil contamination and runoff from the solar panels or solar equipment. They will provide studies for the public for their environmental concerns.
- m. The project's construction and engineering plans will be available for review sometime before the building permit is issued.
- n. The decommissioning plan is available for review. It will be forwarded to Supervisor VanDeCar
- o. Local Contractors, Labor and materials will be utilized when they are available.
- p. Omni Navitas or Oya Solar will provide safety training to the local fire departments and E.M.S. providers?
- q. Omni Navitas or Oya Solar will be seeking Federal, State or local funding or tax incentives for this project.
- r. They are planning to have some sort of visual plan between the fence and the road using local indigenous plants
- s. The site would be inspected at least quarterly or seasonally.

V. Board comments: Councilman Brown also expressed some environmental concerns that he has received from the neighboring residents. He would like them should be addressed before the public hearing so that we have answers for the residents.

VI. Adjournment: Motion to adjourn the meeting made by Councilman Wilson. Seconded by Councilman Brown. Ayes all
Supervisor VanDeCar adjourned the meeting at 8:10pm.

Minutes submitted by: Ann L. Carr

Minutes approved by

