

At 7:00 p.m. Supervisor Carges called to order a public hearing located at the Town Hall, 18 State Street, Brockport, New York on Tuesday, September 12, 2017. The purpose of the public hearing was to hear all persons for or against the adoption of a proposed local law designed to regulate solar energy systems and solar energy farms. (Second hearing on the draft local law – first hearing was held June 13, 2017)

Town Board Members present were Supervisor Robert Carges, Councilperson Robert Muesebeck, Councilperson Mary Rich and Councilperson Lori Skoog. Also present were Finance Director Leisa Strabel, Town Attorney Jim Bell, Superintendent of Highways Brian Ingraham, Town Clerk Karen Sweeting and Solar Committee members Mark Rabjohn and Don Pophal.

Visitors present were Joan Hamlin, Chris Hamlin, Mike and Janice Waeghe, Janet McKinney, Beverly McKinney, Don Grentzinger, Robert Connors, Susan Smith, Kevin Johnson, Patricia Hayles and Laura Smith from Harter, Secrest & Emery, LLP.

Supervisor Carges asked Town Clerk Karen Sweeting to read the legal notice published in the Town newspaper. Notice read.

Councilperson Muesebeck said he is pretty happy with the draft. Committee member Don Pophal commented on the many definitions within the draft.

Mr. Carges opened the floor for comments.

Resident Robert Connors hopes the Town Board does not adopt the draft local law as written, he feels it is inadequate. He pointed out that some sections of the draft law mirrored the state model verbatim. Mr. Connors had some concerns with the draft, particularly page 3, definitions of large-scale solar energy system and solar farm. He also pointed out concerns with page 5 Section B Ground Mounted Solar Energy Systems. Mr. Connors mentioned certain sections pertaining to onsite and offsite consumption and the difference between them. He is concerned that this local law will affect the ability of residential properties to install ground-mounted systems and referred to the section on variance applications and incentive zoning. He noted on page 11 the reference to Sweden Town Court. (Town Attorney Jim Bell confirmed that this was an error and should read Sweden Town Code.)

Laura Smith from Harter, Secrest & Emery, LLP, thanked the solar committee for all their hard work and time committed to this draft and for taking her previous comments into consideration. Ms. Smith had one remaining concern – page 11 number 12 – “shall not contain or release hazardous materials”. She indicated that all electrical systems contain some type of hazardous material and that the materials were enclosed, not volatile and did not leach into the air. She asked for clarification of “hazardous material”. Ms. Smith felt that any other items could be dealt with in the permit process.

No other comments.

Supervisor Carges closed the public hearing at 7:15 p.m.

Respectfully Submitted - Karen M. Sweeting, Town Clerk