

TOWN OF FABIUS
Zoning Board Meeting
18 July 2024
(Berry Road Solar Project)

Present:

Mr. Thomas Herlihy – Chairman

Mr. Craig Riker - Member

Mr. Robert DeMore - Town Attorney

Others: Bill & Joanne Casey, Paul Sheneman, Haley Effler, Brian Baylor, Matt Kerwin

Mr. John Foster – Member

Mr. Jeremiah Eaton – Member

Motion to open the meeting by Mr. Foster, seconded by Mr. Riker, at 7:00 P.M.

Ms. Effler explained instead of sumac, they are planning to use deciduous and evergreen trees for the landscaping: Juniper, Serviceberry, Dogwood and Nannyberry. They will also be using a different grass seed under the panels, rather than the common fescue, as it is known to attract pollinators. The Juniper will be less attractive to deer and will not get big enough to put a shade on the panels.

Ms. Effler said they plan to use sheep to keep the grass “mowed” inside the fence. Mrs. Casey expressed concern as there is a large number of coy dogs in the area that may hurt the sheep.

With regard to the decommissioning of the site, Mr. Casey explained that for farmland, getting rid of the tree root systems is quite a complicated and lengthy process. Ms. Effler agreed to update the plan to include removal of landscaping trees and their root systems. Mr. Casey mentioned Ag & Markets recommendation to work 6 inches of compost into the soil at the time of decommissioning.

Site Plan Review:

- Town regulations require the applicant to submit an electrical diagram. Mr. Sheneman suggests this is a bit cumbersome and we may want to remove this for future projects. For this project, the Town will waive this requirement.
- Must apply to the DEC to be covered under their Storm Water Prevention Plan permit (SWiPP).
- Ms. Effler will contact the local fire district to discuss an emergency response plan.
- Fixed tilt panels are just 8.6 feet, less than the 15 foot maximum allowed.
- There are 19.2 hours of potential glare on Daley Road from 5-7 PM from June to July for a length of only 400 feet.
- There is no lighting in the proposed area.
- There will be no notable noise at the fence line.
- The project area is 25.9% of the property, well under the 75% maximum allowed.
- The fence will be no more than 7 feet high and will be an agricultural-style which allows small animals to get through.

- Onondaga County Planning recommends a driveway permit and SWiPP permit.

Motion by Mr. Herlihy, seconded by Mr. Riker to recommend the following to the Town Board:

- Approval of the Special Use permit
- Waive requirement of 75 acres and approve the 74.5 acre project
- Extend the permit from 18 months to 36 months
- Comply with recommendations from Onondaga County Planning agency
- Approval of the Site Plan

All in favor; motion carried.

We will hold a Public Hearing in September to address the above.

Motion by Mr. Riker, seconded by Mr. Eaton, to adjourn the meeting at 7:57 P.M. All in favor; motion carried.

Respectfully submitted,

Margaret M. Riker
Town Clerk