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# Planning Board Meeting

Date: August 17, 2021

Time: 7:00 pm

Location: LaFayette Town Hall

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**Meeting called by:** LaFayette Planning Board

**Chair:** Brad Bush, Chairman

**Secretary:** Sue Marzo

**Attendees:** **Planning Board members: Chairman Brad Bush, Heath Kotula, Barb Lasky, Rick Markoff, Mike LaCava**  
Jeff Brown, Town Counsel, Ralph Lamson, Codes Officer, Noel Swanson, Carly Farm Solar, LLC and Dimon Solar, LLC

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- Agenda Items:**
1. Pledge of Allegiance
  2. Approval of March 16, 2021 Planning Board minutes
  3. Case #2-2021-PB

Carly Farm Solar, LLC and Dimon Solar, LLC – proposed site plan wherein a reconfiguration/adjustment of lot lines are needed to accommodate the changes that National Grid made that affect the original location of their hook-ups on Apulia Road and Palladino Roads for proposed revised site plan.

**Discussion:**

Brad Bush welcomed all in attendance and asked for everyone's participation in the Pledge of Allegiance. Motion was made by Mike LaCava, second by Rick Markoff approving the minutes of March 16, 2021 as written. All Board members were in approval.

Chairman Bush stated that Carly Farm and Dimon Solar was approved 3 years ago, and they are looking for minor modifications.

Noel Swanson representing Carly Farm Solar LLC and Dimon Solar LLC stated there have been delays. There have been a lot of changes with supply chains and modifications to materials and most importantly, the applicant met with National Grid to verify the plan would work for infrastructure upgrades. There was a misunderstanding about where the project would connect to the local distribution facility. That threw a wrench in the project and the applicant had to maneuver its electrical design. It is prohibitive to have two solar facilities on one property which created the need for a

subdivision. The Dimon facility needs to stay on its own parcel. A new point of interconnection was relocated for the access point for the Carly facility. That is the main change. The technology being used has also changed. The racking design has changed a little bit but has the same footprint. The new plan and old plan were displayed. Mr. Swanson mentioned the increased efficiency of the panels. There were also site plan details showing a minor change to the type of fencing. More of a deer fence while still serving the same purpose securing the facility.

The applicant is asking to amend the approvals previously received. After finally navigating through all this their biggest concern is to re-process the Type 1 action under SEQR due to the relocation of the Carly access road. The wetland impacts have been permitted. The applicant has received Article 15 approval in March and Army Corp of Engineers issued permit in January of this year.

The other issue is that Zoning Board approval expired 90 days after issuance of the special use permit. Ralph Lamson corrected the applicant stating that only Planning Board approvals expire in 90 days. The applicant wanted to reintroduce the project and what has changed since last reviewed and recommends restarting the SEQR, County Planning and Markets Review.

Chairman Bush asked Ralph Lamson, Codes Officer if he has looked at the plans. He looked at the plans displayed and pointed out that road frontage needs to be defined on the map.

Attorney Brown asked where the applicant was with the PILOT. Mr. Swanson said they were waiting on subdivision approval. Ralph Lamson stated there will be no building permit until PILOT is in place.

Attorney Brown asked if they have submitted a new SEQR Part 1. Mr. Swanson stated that they have a Part 1 that needs to be submitted. Ralph Lamson asked why we need a new SEQR. Mr. Swanson stated there is an impact to a stream that was not identified in the original SEQR. Waste generated by taking deliveries will also change. Attorney Brown said the applicant has a new SWPPP that must be reviewed by the Town as well. It will need to be sent to Mark Chambers, Town Engineer. Mr. Chambers will decide if we need a new SEQR. Some of this documentation from original approvals would be easiest to effectively rezone or amend with the original approvals.

Attorney Brown said the applicant is asking the Town to issue all new approvals for financing. Ralph Lamson said he did not know they needed all new approvals, including SEQR.

Attorney Brown urged the applicant to better communicate with Ralph Lamson, Codes Officer and not blind side the Board about what is expected. Ralph Lamson stated we must go full steam on this.

Joint meeting with the Planning Board and ZBA might be possible. This is a sketch hearing until we get SEQR, and it is sent to Mark Chambers.

Chairman Bush asked if anyone on the Board was opposed to the subdivision. There were no objections.

Attorney Brown confirmed with the Board that they will again serve as lead agency. SEQR documentation must be received before scheduling any joint Board meetings. Ralph Lamson confirmed the developer fee has been received.

Noel Swanson stated that County Planning Board meets on the 15th of the month. Mr. Lamson said it depends on when we receive the paperwork from the applicant and Mark Chambers reviews it if we meet that date.

Attorney Brown wants a more definitive outline of the PILOT. Are you negotiating with the Town and County? Mr. Swanson stated they were.

Attorney Brown advised the applicant that the Town Board has amended our law dealing with solar taxes. The applicant is no longer exempt from taxes. He provided the applicant with the revised code.

Motion was made by Rick Markoff, second by Mike LaCava to adjourn. All Board Members were in favor.

Meeting adjourned at 7:21 pm.

Respectfully submitted,



Susan M. Marzo  
Planning Board Secretary

