

**Town of Northumberland
Public Hearing
April 14, 2016**

Supervisor Willard Peck called the Public Hearing to order @ 7:00 PM. Following the salute to the flag, roll call was taken. Those attending included Supervisor Willard Peck; Councilman Paul Bolesh; Councilman John DeLisle; Councilman George Hodgson and Councilwoman Patricia Bryant. Also attending were Clerk Denise Murphy; Town Attorney Douglas Ward; Highway Sup't Harold Vance Jr and Building and Zoning Administrator Richard Colozza.

The purpose of the Public Hearing was to hear the public's comments on Proposed Local Law #1 of 2016 A Local Law establishing a temporary moratorium on the further consideration or approval by the Northumberland Town Planning Board of any proposed construction of large scale Solar Arrays.

Supervisor Willard Peck stated that the Town Board is seeking an eight (8) month moratorium for large scale solar arrays. Presently the only solar arrays allowed are for the home owner for their own use. The Town's Zoning Law does not allow solar arrays without there being a primary use already on the property which would make this an accessory use. The Planning Board had an application before them for a Solar Farm on the corner of Rugg and Colebrook Road. Their application was denied since this was vacant land, there was no established Primary Use and was located in the Agricultural Protection District. Supervisor Peck stated that the Town Board would need to consider updating the Town's Comprehensive Plan with the intention of subsequently enacting revisions to our existing Zoning Ordinance. Supervisor Willard Peck stated that residents owning 10 + acres received letters inquiring about possible 20 year solar farm leases on their property. Supervisor Willard Peck opened the Public Hearing for comments.

Fiona Farrell, Esq., stated that her concern was with the eight (8) month Moratorium which would mean it would be in effect until the middle of December. The Federal Tax Credit, if not extended, will end December 31, 2016. This credit effects both residential and commercial use. Attorney Farrell asked if this Moratorium will affect free standing solar arrays. It was the consensus of the Town Board that they should extend the wording in Local Law #1 to include free standing solar arrays. Attorney Farrell stated that Cornell Cooperative Extension is holding educational seminars in various locations to help landowners make an educated decision. Attorney Farrell stated that landowners that are presently receiving an agricultural exemption may lose them since large scale solar arrays are considered commercial. Attorney Farrell also stated that landowners are also taking a huge risk, tying up their property for 20 - 40 years and giving land use rights away and changing their neighborhood. Attorney Farrell stated that she will be one of the speakers regarding legal issues for the landowner to understand at the Cornell Cooperative Extension Workshop on Renting land for Solar Arrays.

Supervisor Willard Peck stated that he received a flyer regarding large scale solar arrays. Some of the areas they pointed out were as follows:

- Does the Company making the proposal have to put money into an escrow account to guarantee their ability to remediate the property at the end of the lease?
- Will the property involved be reassessed if this change is made?

**Town of Northumberland
Public Hearing
April 14, 2016**

- If the assessment changes on the property as a result of accepting this proposal, will the company pay the new increased tax bill?
- Will the property still be eligible for agricultural assessment?
- If the company retains the right to reassign the lease on the involved property to another party, what happens with the contract if the landowner dies or sells the property?

Supervisor Willard Peck asked if there was any other comments from the public. There were no further comments from the public.

Councilman Paul Bolesh made a motion @ 7:30 PM to adjourn the Public Hearing on proposed Local Law #1. Councilwoman Patricia Bryant seconded the motion. All in favor, motion carried.

Respectfully submitted,

Denise D Murphy
Town Clerk