

PUBLIC HEARING OPENED BY PHILIP DROZD, SUPERVISOR

ROLL CALL:

PRESENT: PHILIP DROZD, SUPERVISOR  
CLYDE M. DRAKE, COUNCIL MEMBER  
KENNETH D. ZITTEL, COUNCIL MEMBER  
KIMBERLY S. KRZEMIEN, COUNCIL MEMBER  
KENNETH KASSEL, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk  
BARRY A. EDWARDS, Hwy Supt  
BRIAN F. ATTEA, Town Attorney

Residents signed Sign-In sheet; see attached.

Supervisor Drozd opened the Public Hearing at 6 p.m. and introduced the Town Board members, Town Attorney, Highway Superintendent and Town Clerk. Supervisor Drozd advised those in attendance that there is the regular Town Board meeting starting at 7 p.m. and this project is not on the Town Board Agenda for their meeting tonight. Supervisor Drozd asked those in people in attendance to show their hands if they are Town of Concord or Village of Springville residents so the Board can see how many residents are in attendance. Supervisor Drozd explained the procedure for tonight's meeting; there are two other public hearings scheduled this evening so when it is time for those other public hearings to open, he will keep this meeting open and open the next public hearing. After any and all persons who wish to speak on that public hearing have a chance to speak, he will come back to this public hearing. Supervisor Drozd noted that this Public Hearing will remain open until 7 p.m. to allow for the residents to speak; if not all residents have had a chance to speak, the Town Board will schedule another Public Hearing so that all residents will have a chance to have their voice heard. There were a couple of residents who could not be in attendance and the Town received two correspondences from residents.

Town Clerk Schweikert had published the Notice of Public Hearing in the Springville Journal on May 16, 2024. The Public Hearing Notice was posted on the signboard at the Town Hall and on the Town's website: townofconcordny.com on May 10, 2024. Notice of Public Hearing was mailed to the neighboring property owners on May 10, 2024.

Town Clerk Schweikert sent the Zoning Referral to Erie County on April 16, 2024 and the County replied on May 20, 2024 with the reply "No Recommendation; proposed action has been reviewed and determined to be of local concern" and provided comments to the Town.

Supervisor Drozd asked introduced James Taravella from RIC Energy who introduced his two colleagues: Samantha Parker-Fann, Environmental Project Manager, and Sheila Ransbottom, Engineer/Wendel Companies. Mr. Taravella had a slideshow presentation detailing RIC Energy's background, Site Selection Process, Project Information and Technology, Typical Bifacial Crystalline Panel diagram and Panel Materials, and Is groundwater at risk? Copies of these are attached to the Minutes. Slide 1 relates the details about RIC Energy; they are headquartered in New York City but have Project Managers spread throughout New York State. Mr. Taravella explained that in order to select a site, the company needs to find compatible utility lines by identifying NYSEG & National Grid feeder lines with a voltage greater than 4.8 kV (identified by the red lines on Slide 4) and the second element is that the substation has to have capacity (identified by the yellow stars on Slide 4). There is only one substation near the Town of Concord that has capacity. Once the area is established where RIC Energy could put a project, parcel size. The Town Code limits use to 40% of the parcel and typically they

would want 25 acres for a solar farm so RIC Energy looked for parcels no smaller than 50 acres; parcels along or really close to the red lines on Slide 4. National and State Wetlands have to be considered (Slide 5); and then the slope of the site is considered; there can't be too steep of a slope (Slide 5); relatively flat land with grades less than 15%. Mr. Taravella then reviewed Slide 6 with the parcel information for this proposed project. RIC Energy was able to come to an agreement with the landowner: unaddressed Springville Boston Road parcel near the southeast corner of Genesee Road. The total parcel size is 102 +/- acres and RIC Energy has agreed to lease approximately 45.4 +/- acres with the actual project size being 35.2 +/- acres. The size of the system would be 5 MW using two single axis trackers and there will be two transformers on site that will convert the electricity to tap into the line with the utility. Mr. Taravella then explained Slide 7 which is a general overview of the rough layout of the project pointing out the driveway at the north end of the property; the project would be at least 330 feet away from the two properties adjacent to the site. The Town Code allows a project to cover approximately 40% of the site and this project is at 34.3% (Slide 8). The setback and height information are also contained on Slide 8. The proposed height for this project is 15 feet. Mr. Taravella discussed the Agricultural resources information on Slide 8. This project typically has a 30-year lifespan after which a decommissioning plan is followed and everything comes out. The project area has 31.34 acres (30.4% of the parcel) of soils that are deemed prime farmland and 4.0 acres (3.9% of the parcel) of farmland of statewide importance; total 35.14 acres. This would be 34.3% of the parcel. This would go back to agricultural use at the end of the project. Mr. Taravella reviewed Slide 9 with regard to the technology. The panels use a tracking system so the panels can pivot throughout the day to maximize the sun exposure. Mr. Taravella detailed the layers of the panels (Slide 10). He noted that all the materials used in solar panels are non-hazardous. Question: If panel breaks, does it affect groundwater? Mr. Taravella stated that the simple answer is "no." The panels are aluminum, glass, ethylene vinyl acetate, silicon and other materials (Slide 11) that are naturally found and does not leach into the ground and will not absorb in water to penetrate (Slide 12). Mr. Taravella had a larger sized drawing of Slide 13 on display for residents to view which showed what RIC Energy anticipates the site to look like. Mr. Taravella finished his overview and noted that he will remain after the Public Hearing to answer resident questions.

Supervisor Drozd then opened the floor for public comment and asked those speaking to state their name for the record.

Dan Congrove: Did not see lead on the material list. Is it unleaded soldering? Mr. Taravella: yes. Mr. Congrove: Will this presentation would be available on pdf afterwards. Mr. Taravella will get the slides to Town Clerk Schweikert; or he can email them to anyone as well.

Wayne Lucas from North Collins: Where will the power from this project would be run to? Mr. Taravella: The Cob Hill Substation, north of the town. Mr. Lucas: Is it going out of the area? Who is benefitting from this power? Mr. Taravella: The community is able to get discounted power by signing up with NYSERDA. There is no cost to sign up; and a person can get out anytime they would like. He projected that a resident could save \$10-\$15/month. Mr. Lucas: Being that NYS enacted the RAPID Act and property can be taken by eminent domain, is RIC Energy planning on doing any of that eminent domain? Mr. Taravella: Absolutely not. This project is not a 94-c solar project and does not qualify for eminent domain; their project falls under the Town Code.

Supervisor Drozd advised that this Public Hearing while remain open; he then opened the Public Hearing on the request of John Keem, III, owner of Buffalo Flex Business Park for the rezoning of 14145 South Cascade Drive, Town of Concord. Once that Public Hearing was opened, he reopened the floor to continue this Public Hearing.

Dale Griffey: When these panels go bad, who will replace them? If RIC Energy goes out of business, who will be in control of that? Mr. Taravella: That is a good question. It is part of the required submission. RIC Energy had to submit a decommissioning plan so if the facility at any point does not produce power or is out of commission (the Town Code states for six months), and as part of the decommissioning plan, RIC Energy will provide a bond to the Town so that if RIC Energy does not fix it,

maintain it; RIC Energy will have already paid the decommissioning costs to the Town in the form of a bond which is paid for by RIC Energy. Mr. Griffey: So if the bond does cover it, the Town is responsible if RIC Energy goes under. Mr. Taravella: As far as getting it done but monetarily it is still RIC Energy. Mr. Griffey: The problem is still going to be there if RIC Energy closes and there are not a lot of solar panel companies in the United States that stay open long so the Town is going to be responsible to tear these down.

Beverly, lives in Springville: What is the life of the project? Mr. Taravella: The initial lease is 25 years and there are two five-year options afterwards. Solar projects generally produce for about 30-35 years and after that point they get pulled out. The company would have to go back before the Town if the company wanted to re-introduce new panels; the company would have to go through the process all over again. Beverly: Will the project be expanded during the life of the project, that 25 years? Mr. Taravella: Absolutely not. This project is part of a NYSERDA program that limits the size; and this project taps out the substation that RIC Energy would be connecting into. Samantha Parker-Vann, RIC Energy representative, noted that any change in the project would be a change in their Special Use Permit which would require RIC Energy to come back before the Town. Beverly: This site is near a pond with geese, fish and other wildlife. Will this affect any animals? Mr. Taravella: If anything, the panels would give the animals a little more shelter especially ground nesting birds. Some facilities will leave the fence about six inches off the ground to allow ground animals to get inside; but it won't have any affect on the wildlife. Samantha Parker-Vann, RIC Energy representative, noted that they have also spoken with NYS Fish & Wildlife Service and the DEC just to confirm that there will be no negative affect. Beverly: How visible will this be from the road? Mr. Taravella: Reviewed a pdf that has some visualizations (see Visual Impact Assessment). He pointed out numbers 1-6 on Figure 1 as well as Section A-A and Section B-B. The natural vegetation will remain and is not being disturbed (see Figure 2); it will follow the tree line and be inside. The cornfield is the site location. The proposed buffer will be a mix of plantings. Beverly: It takes a long time to grow to a tree and if only little bushes are planted, it will not be a buffer. Samantha Parker-Vann: The plantings will be 6' to 7' tall, in that range when they are planted. Mr. Taravella: Also keep in mind is that right by the tree line is a natural ridge and this project is on the downside of that ridge. Beverly: From Genesee Road, can you see it? Mr. Taravella: Can't see it. Unidentified Resident from back of Room: He may not be able to see that but if there are power lines going across, it will go right by his property. Mr. Taravella: The power lines will be subgrade up until they get to the roadway where they will be put on poles to tie into the existing utility lines that are there. Unidentified Resident from back of Room: When she looks out her back window, she can see the whole back corner of where this will be.

Douglas Holtz continued the discussion from the Unidentified Resident pointing out where they lived on the overview drawing. Looking out the back window, he can see this whole down slope area and he really does not want to see this. Unidentified Resident noted that she also did not want to see it from her property. Mr. Holtz: Is the Town Board concerned with how many residents want this or don't want this? Is there any reason why you can't just say "who is for this" and "who is against it." Irrelevant of why we don't want it; it doesn't really matter why. We don't want it. The Town should be concerned. Supervisor Drozd: That is why he asked the question at the beginning of the Public Hearing about how many people in attendance of residents of the Town and Village so the Board realizes that these are Town of Concord residents and taxpayers. Residents have called him, emailed him, stopped at his house. Supervisor Drozd introduced Caleb Henning from MDA Engineering Consultants who has been hired to do the SEQR reports and will be reviewing this project in more depth for the Town. Their staff is very versed in these projects. Mr. Holtz: He doesn't care what people do with their own property but when it has a negative impact on his property, he does care. Supervisor Drozd: The Board will not be making a decision on this tonight. Mr. Holtz: He understands that the Board is not making a decision tonight but he thinks most of the people in the room do not want this. The residents clapped.

Kevin Wulff: Why he wasn't notified; he never got anything in the mail. Town Clerk Schweikert: The Assessor's Office determines the neighboring parcels within 500 feet. The Notice of Public Hearing is mailed directly to those residents at the address on the tax bill. The Notice was also published in the Town's official paper (Springville Journal), posted on the Town's website and on the signboard at the Concord Town Hall. \*After the meeting, Town Clerk Schweikert reviewed her list of neighboring parcels and a Notice was sent to Mr. Wulff at the PO Box address on the tax bill.

Tim Koffkey: Earlier Mr. Taravella made a statement that there would be no impact upon birds, animals, insects, etc. He had printed off information from US Energy Information Administration who has oversight with regard to solar panels, and this is on their website. In addition, the beam of concentrated sunlight solar power tower creates can kill birds and insects that fly through the beam. Just south of this, there is a bog and a nature preserve; a lot of birds, a lot of wildlife. What is the impact? How do you resolve this? Mr. Taravella: What Mr. Koffkey is referring to is solar concentration facilities which are facilities with a bunch of mirrors that reflect the light back to a central tower (as seen in California deserts). That is completely different technology in those solar concentration facilities. Tim Koffkey: How realistic is it for a 30-year lifespan on these solar panels? Mr. Taravella: Pretty realistic. At 30 years, they are projected to produce 80% of their rate of capacity. Mr. Koffkey: Do you see that commonly actually used for 30 years and more realistically the are only 15 years according to Harvard Business reviews. Mr. Taravella: That depends on the panel and the panel manufacturer; there are different warranties. Mr. Koffkey: How many years tax breaks is RIC Energy receiving? Mr. Taravella: RIC Energy has not received any. RIC Energy will have to negotiate a payment in lieu of taxes (PILOT) with the Town of Concord so RIC Energy would either pay the tax rate the Town wants or negotiate a PILOT agreement with the Town and pay taxes that way. RIC Energy would be paying taxes on the parcel that would be in excess of what the agricultural land is currently paying. Mr. Koffkey: Why are you getting rid of more farmland? He does not think this is a good idea for this site. The residents clapped.

Richard Hare: Had a whole list of questions that could take two hours; but will condense it. He questioned the wetlands. There are wetlands all around that field; they may not be national wetlands, but they are wetlands. Some of the property, next to his property, couldn't even be built on since it is declared wetlands. Mr. Taravella had said that if these panels break or something, that it is not going to affect the ground water. He had solar panel sensor for his pasture and a tree fell on it and it broke. Nothing has grown underneath that area for about ten years so that is a lie. There is stuff in there that when it leaks, and gets into the ground, all of the wells in that area are tied together. His is only 35 feet deep and most of the neighbor's wells are too. That is his concern. Mr. Taravella: Offered to speak to Mr. Hare and go over his list of questions/concerns with him. The residents clapped.

Brenda Hanson, an independent journalist: Questioned the efficiency rating at 30 years sometimes being up to 80% of the rated capacity, what is that rate of capacity? Mr. Taravella: He believes these are 560 watts/panel. Ms. Hanson: What is the percentage of sunlight that falls on the panels that is captured? Mr. Taravella: That would vary depending upon the manufacturer and he did not have that information off the top of his head. Ms. Hanson: Did her research and it seems that about 25%. Mr. Taravella: Sounds about right. Ms. Hanson: How does that percentage hold up as every taxing year goes by? Mr. Taravella: Degrade to the 80% which is typically about 30 years. Ms. Hanson: It will degrade....and every year, will there be less percentage that is captured? Mr. Taravella: At 30 years, instead of being 5 MW it would be 4 MW at 30 years. Ms. Hanson then questioned the Board, and perhaps the Board can't answer this but she has two questions: Is there a possibility that the Board would consider making it a requirement of the developer that they need to certify somehow that the components used in their solar array do not contain rare earth metals that are mined in child labor in Democratic Republic of the Congo since there are human rights issues involved in obtaining some of the rare earth metals and if there would be consideration given to asking the developer to show that that is not something that is in the panel arrays they are using. Supervisor Drozd: At this point the Board can't answer this; the Board will take it under advisement. Ms. Hanson: All of the decommissioning plans that she has looked at

for solar, the plans are very vague when it talks about recycling at the end of the lifespan. Recycling is kind of promised but in general. Will the Board ask for more specific information. For example, does the technology even exist to properly recycle the panels so they don't end up landfill. If it does and if it is in a location that is accessible to this project so that cost would not prohibit the panels from actually being recycled vs ending up in a landfill. Her understanding is that NYS is somewhat positioning itself to a landfill nightmare over the wave of solar and wind components over the next several years. Supervisor Drozd: Ms. Hanson brought up several great points for the Board to talk about. The residents clapped.

Steve Kovacik: An earlier slide showing View A is his back deck. The slide drawn showing the visuals. Concerned about the lack of detail in the PowerPoint; there was no mention as to how tall these panels are off the ground. Mr. Taravella: 15 feet was on Slide 8. Mr. Taravella brought up the slide the resident was referencing and the owner pointed out which home was his. The back of his house is nothing but windows; he purchased this house because of the view and the wildlife. He was a little disappointed to hear about this meeting a couple days ago while coaching a baseball game. The ultimate point, when you look at his house, and he won't speak for his neighbors that would have almost the same views that he has, is there nothing that will be planted on the backside? He understands there will be plantings where it meets the road? Mr. Kovacik pointed to the slide and asked if nothing would go other locations. That View A is his house. He asked if he would be able to see the panels. Sheila Ransbottom: The view the resident is looking at was taken from the project site looking east and what was noted in the Visual Impact Statement. The views into the site from these houses are partially obscured by existing vegetation when trees are leafed out. Completely blocking views of the solar array from this side would be difficult as the eastern edge of the project site is a high point and the grade to the east drops steeply. This would limit the ability of anything but very tall trees to have any screening potential. Mr. Kovacik: What does that do to his property value? What has happened in other areas to the property values for a person like him that purchased his home specifically for that view? Unidentified Resident from back of Room: Me as well. She is not happy to have her view ruined by these solar panels. Mr. Kovacik: What does it do to his property value? Mr. Taravella: He personally has not done any real estate studies. Mr. Kovacik: Someone has. Unidentified Resident from back of the Room: It lowers our property's value. Supervisor Drozd asked her to state her name if she was going to comment: Unidentified Resident from the back of the Room identified herself as Amber Adanti. Ms. Adanti: Lives on Genesee Road as well and it is affecting her property. When she will sit on her back deck, she will see solar panels for a view while she has her coffee. Mr. Taravella: He can forward to her the report that he has seen on values. Ms. Adanti: Pulled it up on her phone right then and they will affect property values. Mr. Kovacik: Guesses that this is from a business perspective because obviously there is viewpoint that clearly shows his house. Yet two days ago he finds about this meeting; he believes some kind of notice would be had. The wildlife impact is probably more than is being described. He is disappointed, especially when RIC Energy has the viewpoint of his house. Hopefully we make better decisions. From his deck, he can see everything that happens, ironically, in all the area that is listed on the slide. The Residents clapped.

Ray Hilliker: He introduced himself by saying that he is on the Town of Concord Planning Board and has worked on this project for months now and scoured through all the paperwork; did internet research, everything he could possibly do to wrap his head around this project. That was his job to do; and he did it. Tonight, he is speaking as a concerned citizen; not as a Town employee. He is fundamentally opposed to this project. The Residents clapped. Many of those here tonight had concerns: the water table, noise, view, wildlife; there are a zillion reasons why you don't want this, right? Because you live next to it or are close to it. He is opposed to it from a moral and fundamental standpoint. This project location is in some of the best farmland in our Town. The State recognizes this farm ground as, some of it is prime farmland and some of it is farmland of statewide significance, meaning the best of the best. Why would we put this solar project on this piece of property? He's not saying that he is against solar because he thinks there is a right spot in this Town for solar and there is room in our Town for renewable energy so he doesn't want to come across as the guy that is anti-solar or anti-renewal energy because he is not. He forgot to mention that he also considers Ken Zittel a friend of his

and they do business together and there is no hard feelings. They have talked endlessly about this and it makes it harder to stand up here tonight and talk about this project. He wants to be clear that this is not a personal vendetta. This is a moral objection to this project. Part of the process is that the Town has to refer out to the Erie County Planning Agency on projects like this and Erie County gives their guidance back to the Town. When would think that Erie County would be all about renewable energy but in this case Erie County came back and said this is not the best spot for the project. This is farmland of statewide significance, the best farmland. It is not the right spot. He asked why we would do this? This project is being proposed because RIC Energy is a business. They are going to gather many state, federal subsidies for this project. That's what makes it profitable. A private business can't build a solar farm and make money without these. So if you are RIC Energy and you are going to build one of these, where would you want to build it? Of course you want to build it on the nicest, flattest piece of gravel land around; you don't have to fight mud or clear any trees. It is more money in their pocket. He shared that RIC Energy, in his opinion, are not good stewards of their projects. The Planning Board toured their project in the Town of Hanover. RIC Energy built it; it's done and it was in deplorable condition. There was construction debris left behind. The fence was down; it was mis-engineered and it blew over. Okay, things happen but it was down for many, many months. Laying flat; the whole property. Not a little bit of fence; hundreds of yards of fencing laying flat, wide open to the public. When the Planning Board pressed them about it they were told it was winter and they couldn't get it. Mr. Hilliker works construction and he could call a fence company and get a temporary fence built in 24-48 hours anywhere. This was negligence on RIC Energy's part. Why would we partner with this particular company. He has toured other solar farms in other towns and they are neat; they are properly fenced. There are signs with emergency contact numbers. RIC's Hanover project had no emergency contact numbers; no signage whatsoever. When it was brought up, RIC Energy noted that it should be there. Mr. Hilliker continued that it needs to be there especially with a solar project with no fence around it. If his kids lived next to this site, they would be climbing on it; it looks like a playground. Mr. Hilliker's next point with regard to RIC Energy when speaking about their decommissioning plans; this company is not going to own this solar farm very long. Their business model is to build it, grab the tax subsidies and sell it off. They have sold seven this year already. As a Town, we don't know who we will be dealing with in 30 years; that that there is any guarantee that they would be around anyways but we know that based on their pattern and their business model and what they have done in the past, they are not going to stay here and do this. Based on their other projects, they did not do a good job. At the end of all this, Mr. Hilliker thinks that the Town Board needs to make a list of all the pros for this project; all the reasons why they like this project is good for the Town and then make a list of all the reasons the Board thinks this is bad for the Town; then compare the lists. He challenges the Town Board to go to the taxpayers with what are the true benefits of this project to this Town. Are we creating more jobs? No. Are we providing power to our community? No. What is the Town actually getting? Maybe some tax money but that's peanuts. It doesn't matter in the grand scheme of things but we are setting ourselves up to build this project on the best farm ground in Town. Not to mention it is over the aquifer that feeds all the way over to Collins.

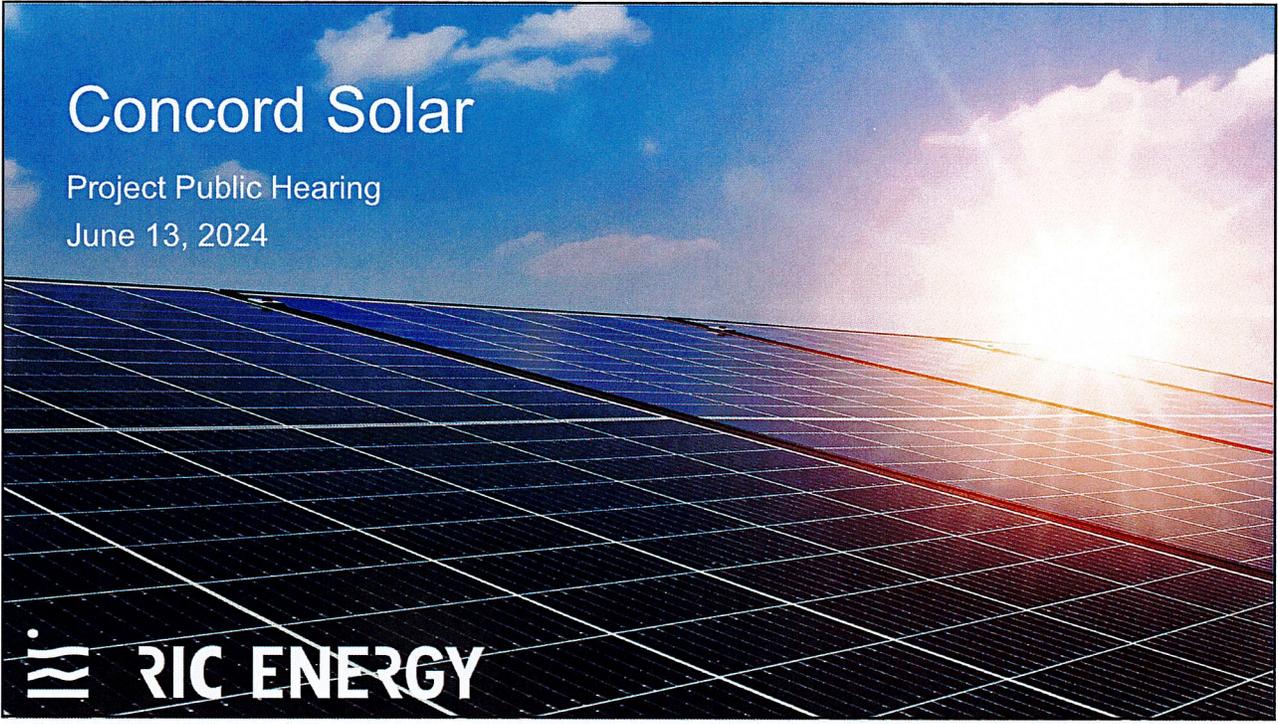
Supervisor Drozd interrupted at this point to advise that he needs to close this meeting to proceed with the regular Town Board meeting scheduled at 7 p.m. Mr. Hilliker said he would like with one last comment: When the Town Board votes on this, yes or no, he wants the Board to think about the taxpayers that voted for the Board members and what you think those taxpayers...the end of Mr. Hilliker's comment was not able to be heard because of the loud clapping of the Residents.

Supervisor Drozd asked if there were people in attendance tonight that did not have a chance to speak? There were some. The Board will schedule another Public Hearing on this project. Once a date has been scheduled, the Notice of Public Hearing on this project will be published in the Springville Journal, on the Town's website and the signboard at the Town Hall; the Notice will be mailed directly to those neighboring parcels within 500 feet. He also noted that there were a couple of residents who could

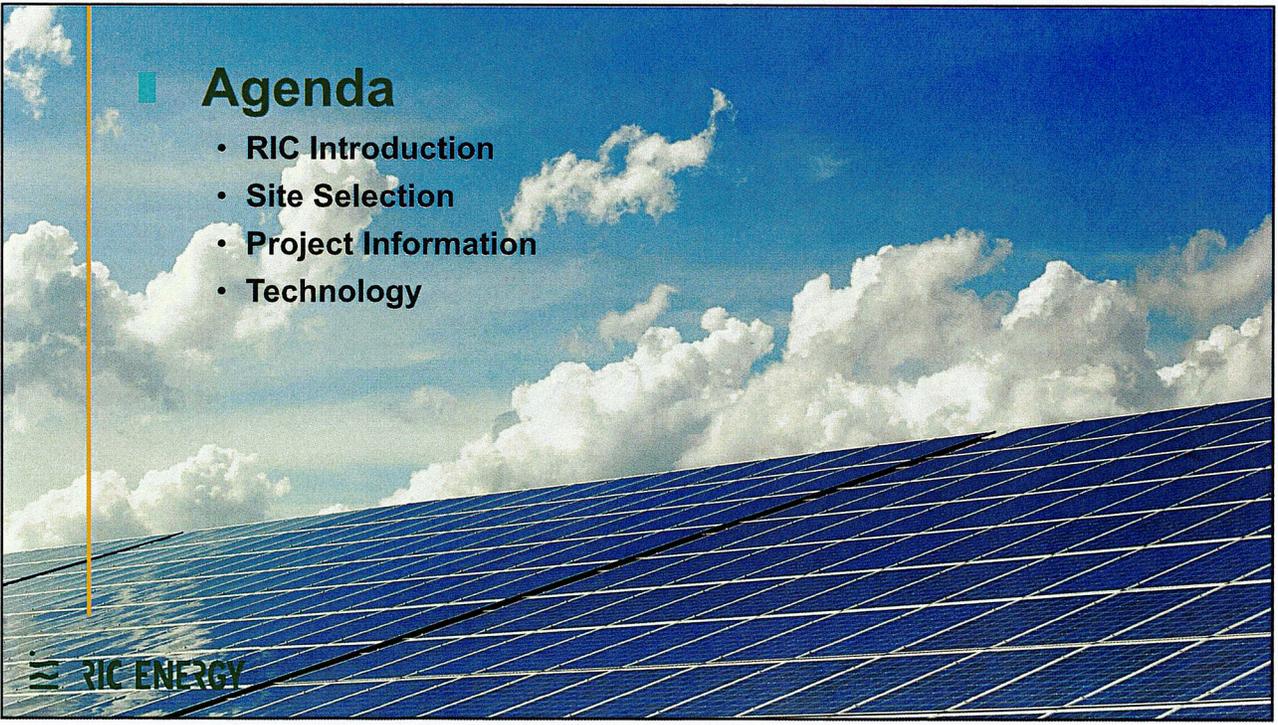
not be here tonight and had submitted letters of opposition: Kenneth Gross and Meaghan Krzemien. These letters will be attached to the Minutes. Supervisor Drozd thanked the Residents for their great points; the Residents are the heart of our community. Supervisor Drozd noted that Council Member Zittel cannot vote on this matter; nor does he want to vote on this matter.

Motion by Council Member Drake, seconded by Council Member Krzemien, to close the hearing at 7:00 p.m. Council Members Drake, Snyder & Krzemien; Supervisor Drozd, voting aye; Council Member Zittel, abstained. Carried.

  
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Darlene G. Schweikert  
Town Clerk



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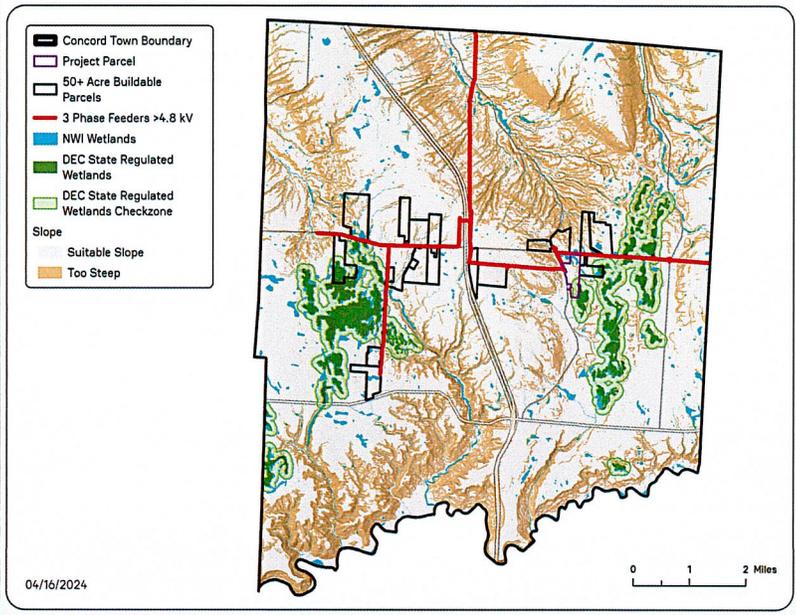
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Identify parcels along feeders that are:

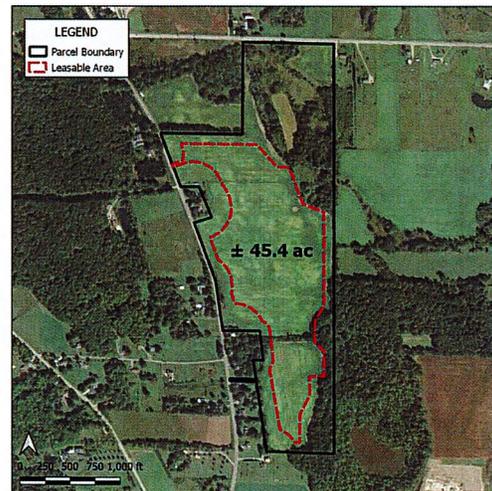
- Close to adequate power lines.
- Minimum of 50 acres.
- Free of listed wetlands
- Relatively flat with grades less than 15%.



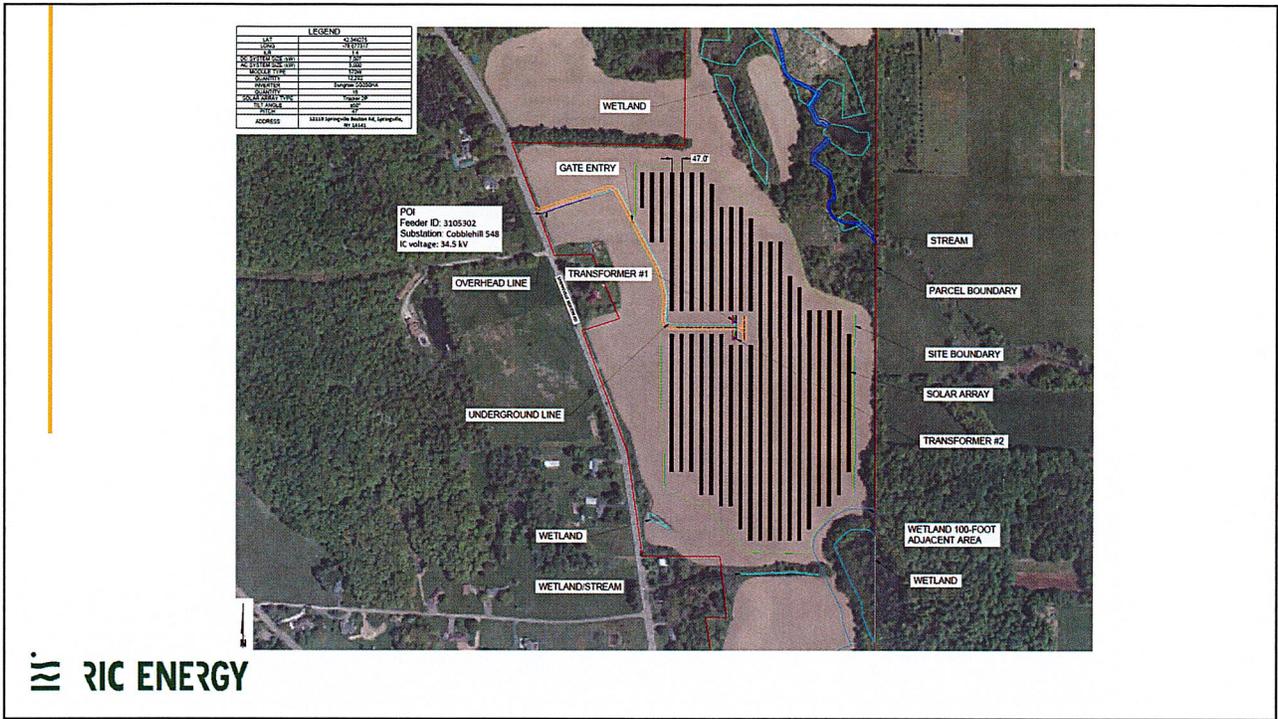
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## Project Information

- Unaddressed Springville Boston Road parcel (SBL: 307.00-3-37)
  - Near the southeast corner of Genesee Rd
- Parcel Area: ±102.14 acres
- Governed by §150-208 to 222 of the Town Code
- Available Project Area: ±45.4 acres
  - Actual Project Size: ±35.2 acres
- Zoning: Rural Agricultural (R-AG)
  - Tier 3 Solar Systems Permitted
- System Information
  - Size: 5 MW<sub>AC</sub>
  - Single Axis Tracker
  - 2 Equipment Pads



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## Project Information

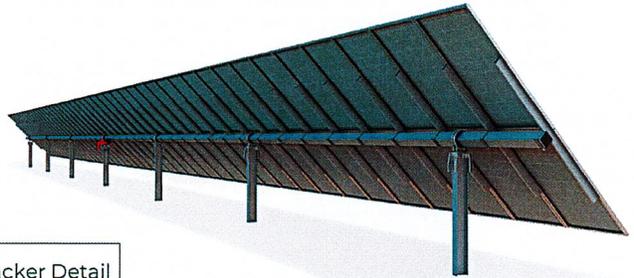
Project Element	Requirement	Proposed
Lot Coverage §150-216.A(1)(b)	40%	34%
Setbacks §150-216.A(3)	Front: 100 ft Side: 100 ft Rear: 100 ft House: 300 ft	± 193.9 ft ± 1,285 ft & ±125.3 ft ± 133.3 ft ± 335.2 ft
Height §150-216.A(4)	20 ft	± 15 ft
Agricultural Resources §150-216.C(1)	Occupy less than 50% of prime farmland or farmland of statewide importance	The project area is atop 31.14 acres (30.4% of the parcel) of land designated as prime farmland and 4.0 acres (3.9% of the parcel) of farmland of statewide importance for a total of 35.14 acres.  <b>34.3% of the parcel</b>

**RIC ENERGY**

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# Technology

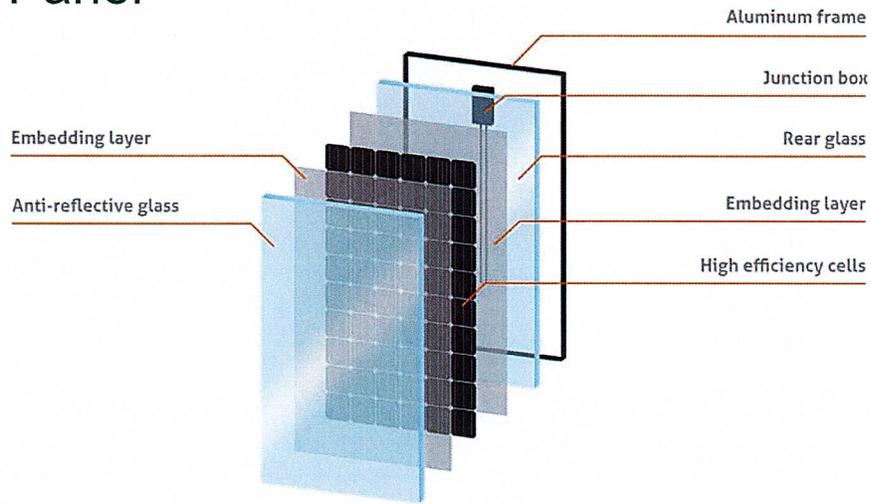
- Mono-crystalline photovoltaic cells
- Single-axis tracker (follows the sun)
- Bifacial panel
- Connected to 23 DC to AC inverters
- 2 transformers to step up the voltage to match 34.5 KV



Tracker Detail  
Max Tilt: ~60%



# Typical Bifacial Crystalline Silicon Panel



# Panel Materials

- Aluminum frame
- Glass panel
- Embedding layer - Ethylene-vinyl acetate (EVA)
  - Food grade
  - Crocs & Mouthguards
- Silicon cells
  - 2<sup>nd</sup> most common element (only Oxygen)
  - Contained in wheat, oats, barley & rice



# Is groundwater at risk?

A material would need to

- Be toxic/harmful; and
- Be a liquid or water soluble

	Toxic	Liquid	Soluble
Aluminum	NO	NO	NO
Glass	NO	NO	NO
EVA	NO	NO	NO
Silicon	NO	NO	NO

- Testing affirm products: “do not release any chemical substances under normal or reasonably foreseeable conditions of use.”





Thank you!

Jim Taravella, P.E.  
Project Development Manager  
jtavarella@nrgenergy

# Visual Impact Assessment

Prepared for:  
Concord PV, LLC



# RIC ENERGY

## Concord Solar

12119 Springville Boston Road  
Springville, NY 14141

*Update*  
Date: April 2024

Prepared by:



# VISUAL IMPACT ASSESSMENT

## Concord Solar

12119 Springville Boston Road  
Springville, NY 14141

### Project Description:

Concord PV, LLC is proposing to develop and build a new distribution generation solar photovoltaic (PV) facility at 12119 Springville Boston Road, Springville, NY 14141. The proposed Project has an AC nameplate capacity of 5,000 kW, with a standalone ground-mounted system on a single-axis steel structure. The system will include 16 SUNGROW SG250HX inverters. The inverters will be connected to two separate step-up transformers. The total planned DC capacity of the plant is 7,000 kW DC – a total of 12,292 bi-facial solar PV modules. RIC is proposing to interconnect the project to the nearest distribution circuit (3105302) - a 34.5 kV feeder, fed by the Cobblehill 548 Substation. There will be an access road of 1,507 linear feet and acreage of disturbance is 35.20 ac. The Project is comprised of one (1) parcel which totals 102.46-acres of land and is identified as follows by the Erie County GIS mapping system:

12119 Springville Boston Road S.B.L: 307.00-3-37 102.46-acres Springville, NY

The Project site is located on the eastern side of Springville Boston Rd, County Rte 228, with the approximate center of the site located 775 feet away from the road. There is a grade drop of approximately 35 ft from Springville Boston Rd to the eastern edge of the Project site. The existing property is primarily used for agriculture. The property also contains six (6) wetlands, however none are located within the limits of the Project. A wooded area comprised mainly of deciduous trees is in the southeastern portion of the parcel. The west side of the parcel is bordered by several properties containing single-family residences with lines of sight to the Project parcel partially blocked by existing vegetation. The northern, eastern and southern sides of the parcel are bordered by wooded areas obscuring lines of sight to the project area.

### Viewpoint Methodology:

The site was visited on 10/26/2023, at which time photo assessment locations were selected based on identified critical view sheds, nearby residences, adjacent roads, and determination of visibility. Multiple photos were taken at all locations. Ultimately, three sites on Springville Boston Rd were chosen for visual analysis, and an additional fourth site was selected from within the Project site to illustrate visibility from the Project site to residential homes to the east. See the Viewpoints Summary (below) for a more detailed description of the locations and rationale behind each selected view. An annotated plan was created to note the view locations, surrounding context features, existing areas of wooded canopies, and other topographical features that impact visibility (see figure 1).

April 2024 Update - New VIA Viewpoints per Town Request: The Town of Concord requested three additional views; one view each from the rear yards of 12133 and 12145 Springville Boston Road, as well as a Line of Sight diagram from the southwest corner of the Project site along Springville Boston Road. Another site visit took place on 4/15/2024 to shoot the additional viewpoint photos.

### Viewpoints Summary:

Location 1: View 1 was taken west of the Project site on Springville Boston Rd looking east. Views from this spot are currently unobstructed into the Project site. At this location the entrance road from Springville Boston Rd heads east into the Project site. From this location, views into the Project site will be obstructed by remaining agriculture, and the planting buffer of native evergreen trees, native deciduous trees, and native shrubs. (viewpoint photos were taken on 10/26/2023)

Location 2: View 2 was taken west of the approximate center of the Project site on Springville Boston Rd looking east. Views from this spot into the Project site are currently partially obstructed by existing vegetation growing along the edge of Springville Boston Rd and existing agriculture. Views of the Project site will be further obstructed by the planting buffer of native evergreen trees, native deciduous trees, and native shrubs. (viewpoint photos were taken on 10/26/2023)

Location 3: View 3 was taken at the approximate southwest corner of the Project site on Springville Boston Rd looking east. Views from this spot into the Project site are currently partially obstructed by existing vegetation growing along the edge of Springville Boston Rd and existing agriculture. Views of the Project site will be further obstructed by the planting buffer of native evergreen trees, native deciduous trees, and native shrubs. (viewpoint photos were taken on 10/26/2023)

Location 4: View 4 was taken from the eastern edge of the Project site, looking east towards residential houses located about 0.75 miles away. The View 4 existing conditions photo and Section A-A line of site diagram indicate that views into the Project site from these houses are partially obscured by existing vegetation when trees are leafed out. Completely blocking views of the solar array from this side would be difficult as the eastern edge of the Project site is at a high point and the grade to the east drops steeply. This would limit the ability of anything but very tall trees to have any screening potential. (viewpoint photos were taken on 10/26/2023)

*April 2024 Update - New VIA Viewpoints per Town Request:*

Location 5: View 5 was taken from the rear yard of 12133 Springville Boston Rd looking east toward the Project site. Views from this spot into the Project site are currently partially obstructed by existing vegetation growing on the edge of the rear yard as well as existing agriculture. Views of the Project site will be further obstructed by the planting buffer of native evergreen trees, native deciduous trees, and native shrubs. (viewpoint photos were taken on 4/15/2024)

Location 6: View 6 was taken from the rear yard of 12145 Springville Boston Rd looking east toward the Project site. Views from this spot into the Project site are currently partially obstructed by existing agriculture. Views of the Project site will be further obstructed by the planting buffer of native evergreen trees, native deciduous trees, and native shrubs. (viewpoint photos were taken on 4/15/2024)

Section B-B: The line of site diagram is from the southwest corner of the project site, running south along Springville Boston Rd. The line of site diagram indicates that views into the Project site from the road are partially obscured by existing vegetation when trees are leafed out, and partially prevented by changes in topography within the Project site.

**Planting Summary:**

*All plant species used on the project site are native to the Western New York region. The table below represents the anticipated heights of the selected tree species at time increments of 5, 10, and 20 years after planting (Growth rate and height depends on many variables including environmental factors, sunlight, periods of extreme temperatures, etc).*

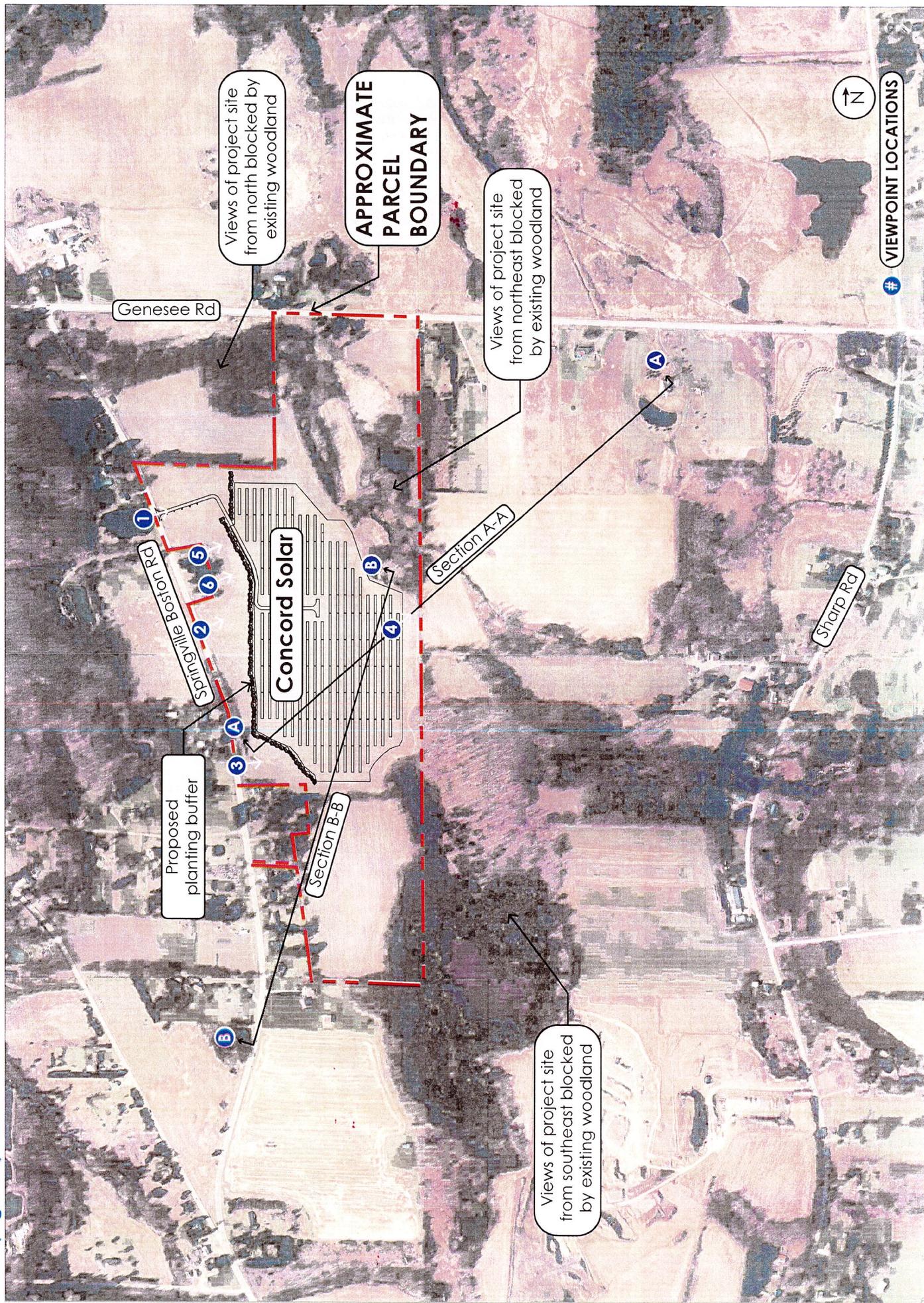
<b>Botanical Name</b>	<b>Common Name</b>	<b>5 Yr. Height</b>	<b>10 Yr. Height</b>	<b>20 Yr. Height</b>
<i>Abies balsamea</i>	balsam fir	12 - 15 ft	20 - 30 ft	30 - 50 ft
<i>Acer rubrum</i>	red maple	12 - 15 ft	20 - 30 ft	30 - 50 ft
<i>Nyssa sylvatica</i>	black gum	8 - 12 ft	12 - 15 ft	20 - 30 ft
<i>Piceas mariana</i>	black spruce	12 - 15 ft	20 - 30 ft	30 - 40 ft

**Study and Analysis Methodology:**

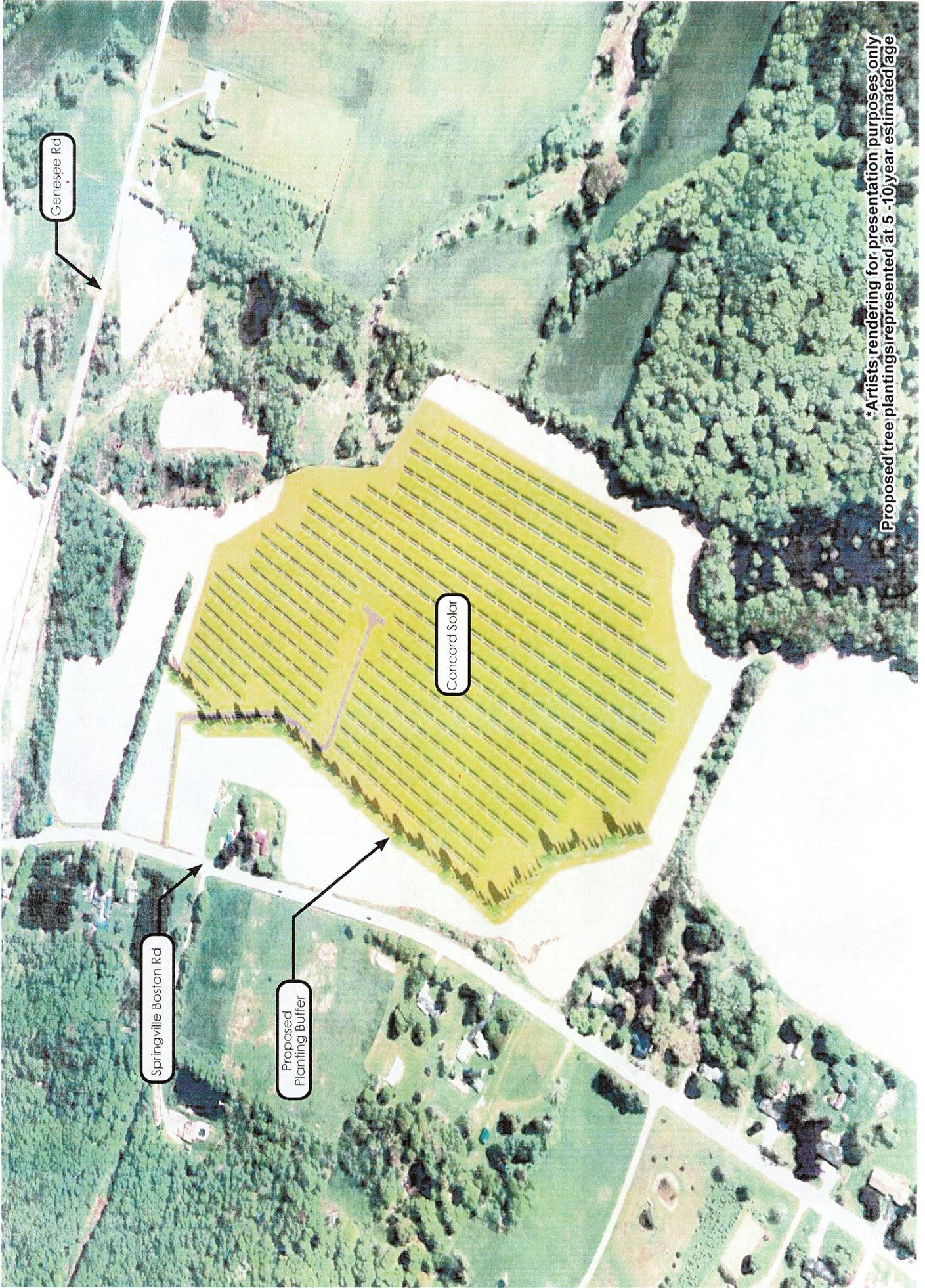
*An aerial simulation model of the proposed Project Area was generated to study terrain, eye level view sheds, proposed landscape buffers, and adjacent nearby residences/public roads (see figure 2). Project elements were modeled to a 'final' visual representation. Tree plantings were represented at a 5-10 year estimated age.*

# PROJECT SITE AERIAL CONTEXT:

(Figure 1)



**AERIAL SIMULATION RENDERING:**  
**(Figure 2)**



\* Artists rendering for presentation purposes only  
Proposed tree plantings represented at 5 -10 year estimated age



**VIEW 1:  
EXISTING CONDITION**



Project site located behind proposed vegetative buffer

**VIEW 1:  
SIMULATION VIEW**

Photo Location Distance From Arrays	Visibility
+/- 530 ft	Limited visibility due to proposed vegetative buffer and existing agriculture

\*Artists rendering for presentation purposes only  
Proposed tree plantings represented at 5 -10 year estimated age



**VIEW 2:  
EXISTING CONDITION**



**VIEW 2:  
SIMULATION VIEW**

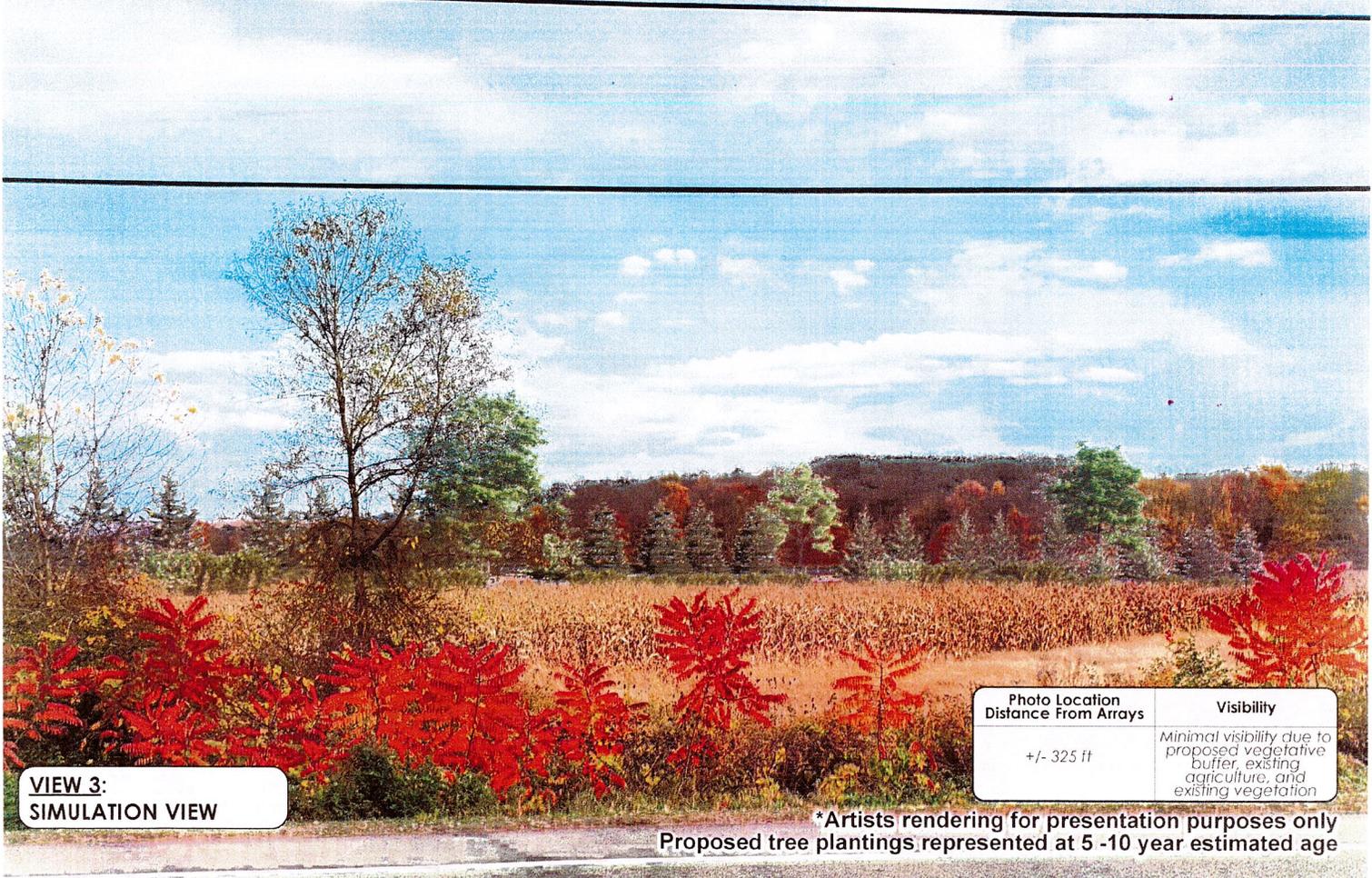
Project site located  
behind proposed  
vegetative buffer

Photo Location Distance From Arrays	Visibility
+/- 400 ft	Minimal visibility due to proposed vegetative buffer, existing agriculture, and existing vegetation

**\*Artists rendering for presentation purposes only  
Proposed tree plantings represented at 5 -10 year estimated age**



**VIEW 3:  
EXISTING CONDITION**



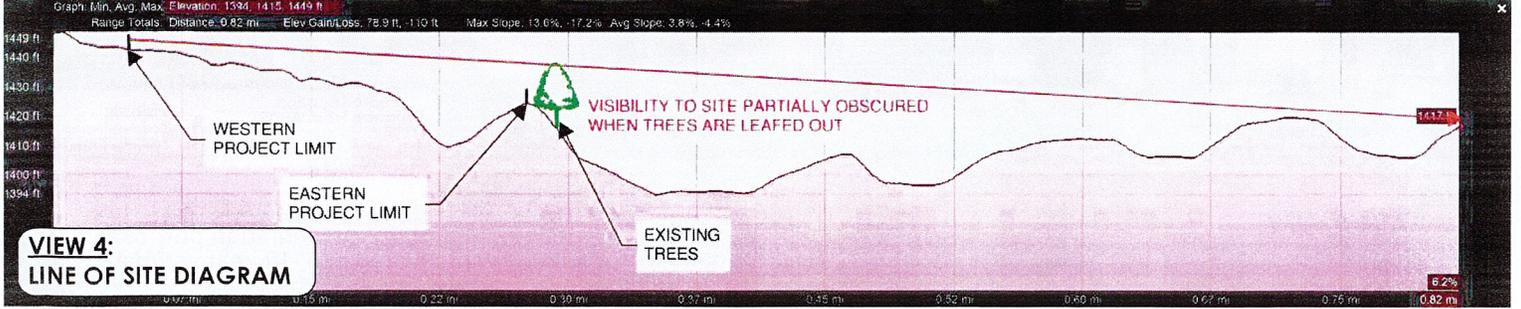
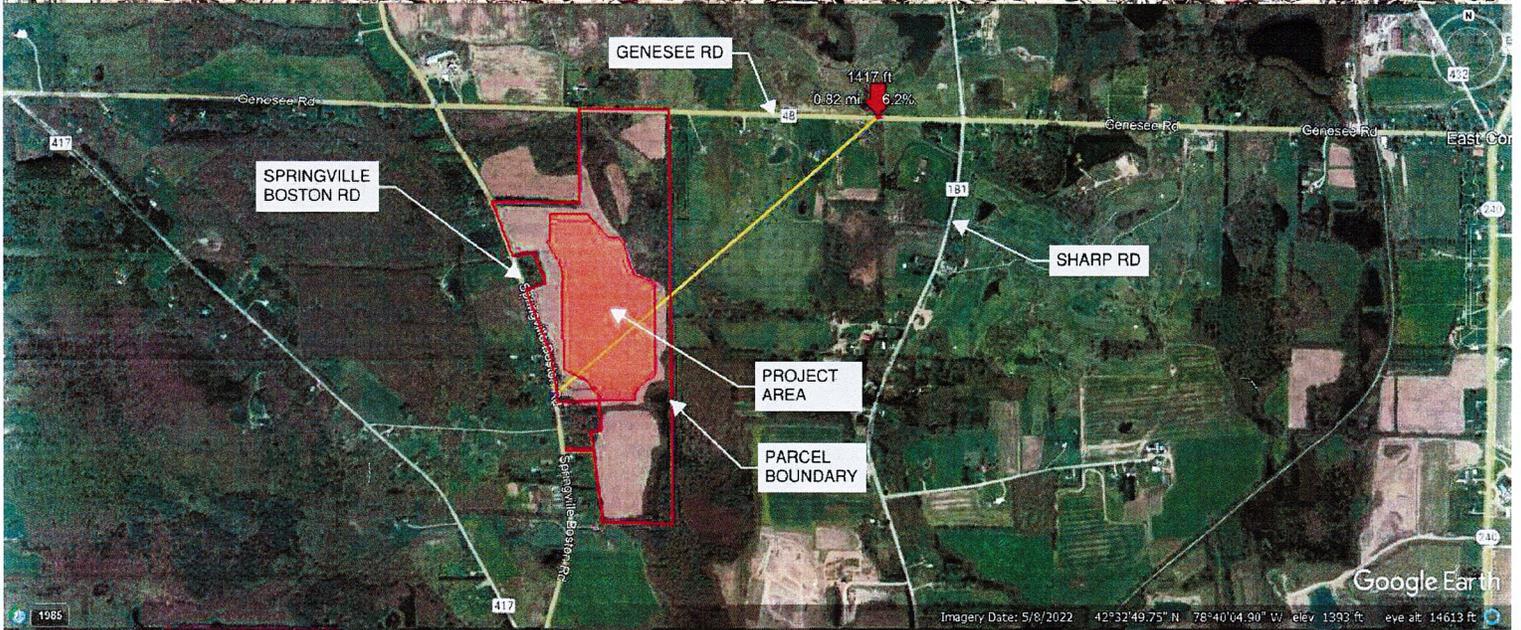
**VIEW 3:  
SIMULATION VIEW**

Photo Location Distance From Arrays	Visibility
+/- 325 ft	Minimal visibility due to proposed vegetative buffer, existing agriculture, and existing vegetation

\*Artists rendering for presentation purposes only  
Proposed tree plantings represented at 5 -10 year estimated age



**VIEW 4:  
EXISTING CONDITION**



**VIEW 4:  
LINE OF SITE DIAGRAM**



**VIEW 5:  
EXISTING CONDITION**



**VIEW 5:  
SIMULATION VIEW**

Photo Location Distance From Arrays	Visibility
+/- 300 ft	Partial visibility due to proposed vegetative buffer and existing agriculture

**\*Artists rendering for presentation purposes only  
Proposed tree plantings represented at 5-10 year estimated age**



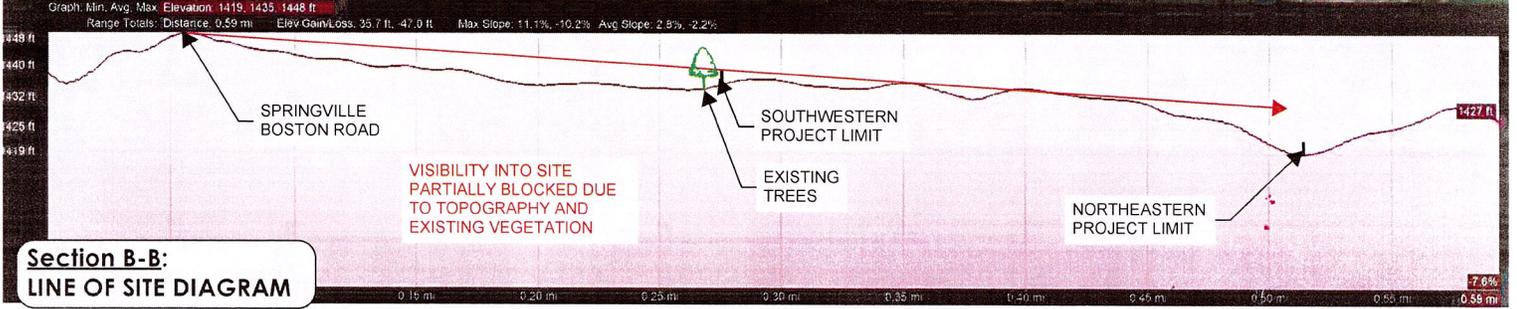
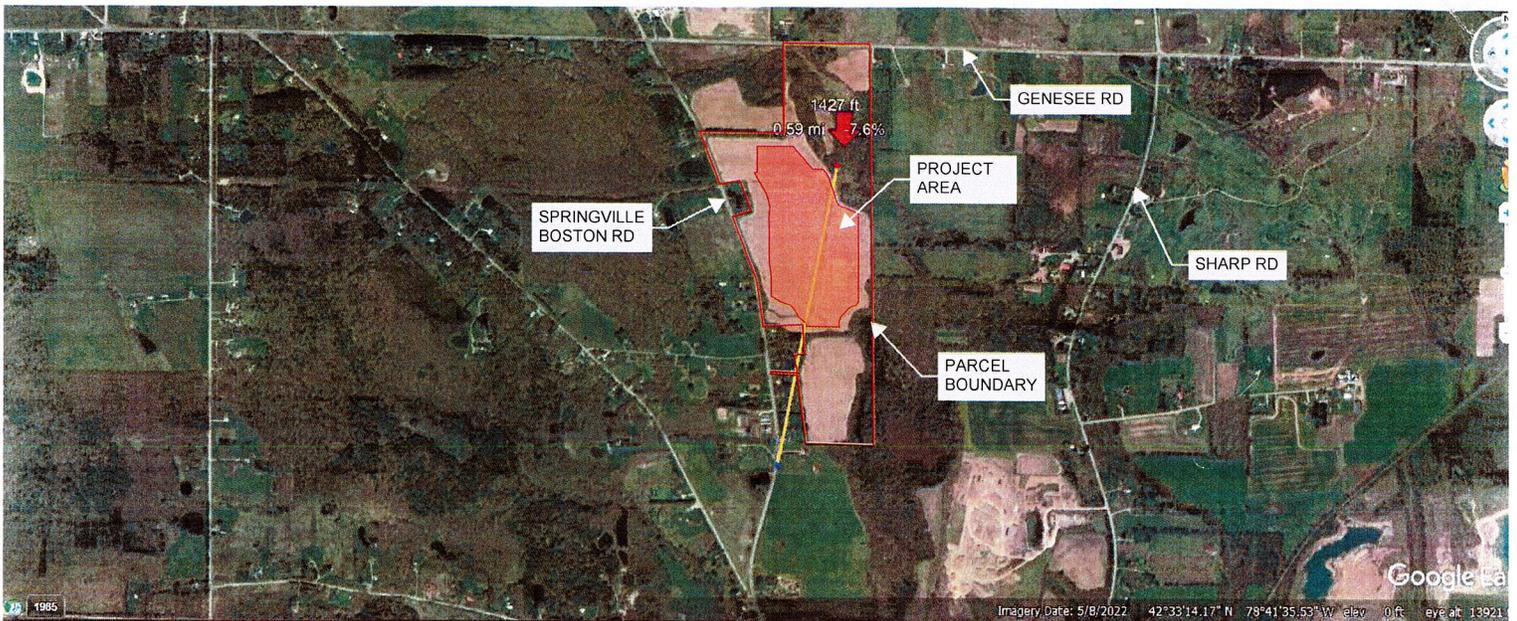
**VIEW 6:  
EXISTING CONDITION**



**VIEW 6:  
SIMULATION VIEW**

Photo Location Distance From Arrays	Visibility
+/- 300 ft	Partial visibility due to proposed vegetative buffer and existing agriculture

**\*Artists rendering, for presentation purposes only  
Proposed tree plantings represented at 5-10 year estimated age**



**Section B-B:  
LINE OF SITE DIAGRAM**

# MEETING ATTENDANCE SIGN-IN

Meeting Date: June 13, 2024

Committee/Board: Town Board

Please PRINT your name clearly to assure the correct spelling in the minutes of this meeting

1. Sara Woodell

2. Sara Tolsma

3. PATRICK TOLSMG

4. Mersha & John Deding

5. Mary Ann White

6. CLAYTON WHITE

7. JUNE STAVICKA

8. Brenda Hanson

9. Gracy Mangel

10. Ryan Leggio

11. MARK & JULIE ZYBERT

12. Dary McEwan

13. Ben Kirkpatrick

14. Gary Kirkpatrick

15. Kim Congrove

16. John

17. Adam Tillinghast

18. John Watson

19. Michelle Brady

20. John Keen III

21. \_\_\_\_\_

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_

26. \_\_\_\_\_

27. \_\_\_\_\_

28. \_\_\_\_\_

29. \_\_\_\_\_

30. \_\_\_\_\_

# MEETING ATTENDANCE SIGN-IN

Meeting Date: June 13, 2024

Committee/Board: Town Board

Please PRINT your name clearly to assure the correct spelling in the minutes of this meeting

1. Samantha Parker-Fann

2. James Taravella

3. Bruce Lusk

4. Scott BENKELMAN

5. Rich Hane

6. Jim Tomello

7. Bob Foster

8. Don Kelle

9. Joe Edwards

10. JIM KREZMIEN

11. CALEB HENNING

12. Tim Koffke Tim Koffke

13. Mary Suplicki

14. Kevin Suplicki

15. Danley Forstee

16. Al Ray

17. Walter Ho

18. g/k

19. Bill Wray

20. Staff

21. John Caputo

22. \_\_\_\_\_

23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_

26. \_\_\_\_\_

27. \_\_\_\_\_

28. \_\_\_\_\_

29. \_\_\_\_\_

30. \_\_\_\_\_

# MEETING ATTENDANCE SIGN-IN

Meeting Date: June 13, 2024

Committee/Board: Town Board

Please PRINT your name clearly to assure the correct spelling in the minutes of this meeting

1. DAIR Griffey

16. \_\_\_\_\_

2. Lisa Rood

17. \_\_\_\_\_

3. Laura Colligan

18. \_\_\_\_\_

4. Wayne Luther

19. \_\_\_\_\_

5. KEVIN WOLFF

20. \_\_\_\_\_

6. LINDA KRAWCZYK

21. \_\_\_\_\_

7. Matt Fering

22. \_\_\_\_\_

8. Amber Adanti

23. \_\_\_\_\_

9. MEAGAN KREMEN

24. \_\_\_\_\_

10. \_\_\_\_\_

25. \_\_\_\_\_

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12. \_\_\_\_\_

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15. \_\_\_\_\_

30. \_\_\_\_\_

To: Members of the Town Board, Town of Concord.  
From: Kenneth Gross(owner of 12077 Springville Boston Rd, East Concord)  
Date: June 8, 2024

I'm writing in reference to the Public Hearing scheduled for 6PM June 13<sup>th</sup> that will focus on a request for a Special Use Permit for a Solar Project on Springville Boston Rd. Unfortunately, I will not be able to attend the meeting owing to a prior travel commitment. I believe I own property immediately adjacent to the proposed site of the solar field. I would like to offer some commentary on the project.

While I am reluctant to interfere with a longtime good neighbor's effort to maximize the value, in their view, of their land in a legal way that does not interfere with my own, I would like to raise some points for clarification. I think it likely that many of these points will be raised by others, but I will list them anyway.

Firstly, I would hope that serious consideration will be accorded to addressing whether there is any potential for contamination of the underlying aquifer. Even if minor, this would have disastrous effects for any parties affected.

Secondly, how will future costs be assessed for ensuring remediation of the land when and if the solar field is de-activated(or not completed)? With the current embracement of wind turbines and solar fields, all of which have finite lifetimes, I have visions of a 'Salvador Dali-esque' landscape of broken windmills and broken solar panels littering good farm land. One need only look at the flour and steel mills on the Buffalo waterfront to see how proper remediation can be avoided.

Finally, given all the concerns about climate change and fading aquifers in the vast agricultural centers of the Great Plains and Central Valley of California, the loss of good arable land near major population centers seems questionable. Much of the land has already been converted to shopping malls and suburban tract housing.

I would add that I am somewhat disappointed that a member of a longtime farming family would be embracing this effort, particularly, while representing the general population of Concord, even if recused on the issue.

I will be happy to expand upon any points at a time more mutually convenient.

Date: June 10, 2024  
Subject: Disapproval of Proposed Solar Project  
To: Town Board of Concord

My name is Meagan Krzemien. My daughters and I live at 12145 Springville Boston Rd here in Springville. Our property borders the field where the proposed Solar Project would be going. Today as I am sitting in my back yard enjoying my view, I really thought about how the proposed solar project would affect myself and my family. As I sit here and take in the only real peacefulness and serenity left in today's chaotic world, I noted the following on how this solar project would:

- Obstruct my spectacular view of animals and nature.
  - These panels being installed will take away the views I have from my back yard which are part of the reason I purchased my house just a few short months ago. They are willing to put trees in to block my view of the solar panels but then that in fact would take away from the views I currently have.
- Take away free range of wildlife.
  - All the animals living in the current area will be forced to vacate any home that they may have in the field. It will take away any plants that may help our ecosystem flourish, such as food for animals or plants that help regulate nature.
- Wasteful use of farmland.
  - There is always a need for land for farming. The land that would be used for the solar farm purpose would not likely be utilized as farmland again because of the long-term effects from the chemicals leaching into the soil.
  - The panels also only have a life span of 25-30 years, after that there has yet to be a proper way to dispose of these panels which then leaves them to deteriorate in these fields. Leaving them unkept from stormy weather such as hail, wind, snow, debris damage, animal damage and other miscellaneous disasters.
  - It would also take away farmland used indirectly for human food consumption.
  - Animals too feed off these fields and help keep varmints away, if they were taken away it would lead to increased pests near homes.
- Decrease property value.
  - Many people move to the country for peacefulness, serenity and the views – well at least that's why I did. I didn't think when I bought the house, a few short months later they would be threatening to put in a Solar Farm behind it. I figured over time my house would gain value, not lose it- due to health hazards, an unsightly view and numerous other things I may now have to worry about.

Solar panels cause health hazards to humans and wildlife.

- Solar panels cause reflections.
  - Birds catch these reflections and then fly into them thinking it may be water. The light also attracts bugs which in turn also attract birds and they can collide with the structures as they try to catch them. You will find around many solar farms many deceased birds.
- The chemical makeup of the panels is a real danger!
  - Most of the makeup in these self-proclaimed “clean energy” structures are harbored full of toxic chemicals including- Cadmium compounds, silicon tetrachloride, hexafluoroethane, lead and zinc. I know those names don’t mean much but look them up and you will understand the disturbing and incredibly harmful and life-threatening effects they can have on someone living near and around them. Most are colorless, odorless gases that you wouldn’t even know you’re breathing in until it’s too late. Causing irritation to the lungs, coughing, shortness of breath, digestive issues, neurological disorders, reproductive issues, kidney damage. Pregnant women can experience miscarriage, still birth, premature birth, and low birth weight. All this and I haven’t even touched on many other health concerns that might arise. All these chemicals may be leaching into soil and into the well systems which everyone on the road uses daily.
- UV Radiation
  - The panels attract ultraviolet rays, which being so close to homes cause a multitude of problems. Some of the problems you face with UV Radiation are skin cancer, cataracts, other eye damaging issues, and immune suppression.
  - The solar farms attract heat. The homes near these solar farms have additional heat coming from the UV’s being absorbed.
  - People and or animals may be hypersensitive to electromagnetic waves and may not be allowed near these farms (this may also lead to a decrease in property value and or interest based on buyers with these concerns)
- Solar Farm Equipment
  - The panels themselves may not emit radiation- but the equipment does. This is a health risk to both humans and animals.
  - Children are especially susceptible to solar farm exposure during their growth stages. There are at least 13 children in proximity to this project. Solar is linked to anemia and behavioral issues at a minimum.

In closing there is currently no emergency response training regarding solar farm fires for the East Concord and Springville fire departments. East Concord has been informed through OSHA training to standby the fire and call the phone number of the energy company.

Respectfully Submitted,

Meagan Krzemien