

**TOWN OF LINCOLN**  
**6886 Tuttle Road Canastota, NY 13032**  
**Town Board Special Meeting**

Thursday, May 25,2023

***Call to Order:*** 7:10pm

***Pledge of Allegiance***

***Attendance:*** Supervisor Melissa During, Deputy Supervisor Doug Holdridge, Jayne Black, Peggy LeClair, and Doug Fusillo.

***Others in Attendance:*** Jon Black, Darrin Ball, Adam Rowells, Ed Mills, Beth Hogan, Mark Hogan, Paul Hogan, Mat Spendley, Amanda Spendley, Attorney Johnathan Karp and an unknown resident.

***Executive Session***

***Resolution 66-2023:*** Motion to Enter in Executive Session to consult with Attorney Johnathan Karp at 7:12pm made by Jayne, 2<sup>nd</sup> by Peggy LeClair, carried unanimously.

***Resolution 67-2023:*** Motion to Exit Executive Session at 7:32pm made by Doug Holdridge, 2<sup>nd</sup> by Jayne Black, carried unanimously.

**Public Hearing 7:32pm for Local Law 2-2023 Town of Lincoln Temporary Solar Moratorium.**

***Resolution 68-2023:*** Motion to Open Public Hearing at 7:32pm made by Doug Fusillo, 2<sup>nd</sup> by Peggy LeClair, carried unanimously.

Resident Edward Mills, Ray Road, stated that he was in favor of a 1-year Solar Moratorium he believes that building and using prime farmland for solar is not favorable. He also was wondering about decommissioning of the solar project and if the farm land would be useable afterwards. He states he is in favor of Solar but would like to see it in better locations than prime farmland. He feels that Solar Moratorium is a smart move for the Town of Lincoln.

Residents Elizabeth and Mark Hogan agree with Edward Mills and protecting the farmland in the prime farmland in the Town of Lincoln no matter where it is important.

Adam Rowells with Saturn Power is in agreeance with the 1-Year Solar Moratorium. He has been working with the Town of Lincoln and the Weisbrod farm to create his Solar farm since 2019 and is in hope that the Town of Lincoln considers the Department of Conservations regulations for setbacks for wetlands. He stated that it is very difficult to find any other land owners with enough land to create a community solar project. Doug Holdridge asked about changing the pedestals of the solar panels to allow for farming underneath it and if it was possible. Adam Rowells stated

that it could be done. Doug Fusillo asked if the solar companies by land vs lease. Adam Rowells stated that it is easier for them to lease the land vs buying with having the cost of the project. Most leases are 20 years with the opportunity to extend the contract by 4 or 5 years. He stated that this is because they are unsure of what the Solar world will be like in the next 20 years. An unknown resident asked about decommissioning and if there are any projects that have expired off that would be an example of what the farmland would be like afterwards. Adam Rowells stated that to his knowledge no projects have expired off yet so there is no data to go off from. Mark Hogan asked what if the project was sold to a different company and what would the contract be like for decommissioning. Adam responded with if it was to sell than the next company would be purchasing the whole contract decommissioning included.

Darrin Ball is not in favor of another Solar Moratorium. He feels that the residents are not aware of the prior Solar and Wind Moratorium that took place in 2019 for 1 year. He stated that the Town did nothing more after that one year. 2 years later the Town of Lincoln passed a solar law and nothing for wind. He stated that he has read the Solar Law and it makes no mention of the Ag Protection Plan. He feels that the Town of Lincoln law we currently have in place is to restrictive for Solar companies to come in. He also referenced the Town of Lincolns Zoning do not make sense on where solar could be installed. He feels that the Town of Lincoln has what they need to make changes to the current law as needed vs shutting down all Solar Projects while the board re-creates a new Solar Law. He also references the Town of Manlius decided against a 6-month moratorium and stated Town of Lincoln is not the only town having this issue. He also brought a study done by Cornell. He also stated that this is going to hurt him and other residents that may be offered a Solar contract because it is on a first come first serve basis. Adam Rowells stated that he is in favor of the moratorium because he feels it is his only chance to be able to get granted the Special Use permit, he needs for the Weisbrod Solar Project. NYSERTA make recommendations for Solar development and current recommendations that are already in our current law. Peggy LeClair stated that it could be up to 1-year or it could be less. Darrin feels that the Town is making him loose out on an opportunity for Solar on his property because it is a financial impact for him. Doug Fusillo mentioned that enacting the 1-year Solar Moratorium is to look out for all residents not just the residents that are going to financially gain from Solar on their property. Mat Spendley also mentioned that either way all grants and fund come from the tax payers regardless. Residents mentioned putting his Solar Project on the landfill.

**Resolution 69-2023:** Motion to Close the Public Hearing for Local Law 2-2023 Town of Lincoln Temporary Solar Moratorium at 8:29pm made by Doug Holdridge, 2<sup>nd</sup> by Jayne Black, carried unanimously.

**Resolution 70-2023: WHEREAS,** the Town of Lincoln has received applications for new commercial solar operations and solar utility substations within the Town; and

**WHEREAS,** the Town currently has a comprehensive Town Solar Policy and applicable Code provisions to help guide the Town when determining proper land use considerations associated with the request; and

**WHEREAS**, a commercial solar applicant has alleged to the Town that certain provisions of its Code may be unenforceable and moreover effectively prevent the siting of commercial solar arrays within the Town; and

**WHEREAS**, while not conceding to or agreeing with the validity of said allegations, the Town of Lincoln recognizes the need to study the matter further and to undertake a review of the Town's Solar Policy and Codes as a whole to determine whether a revision or replacement of the same is necessary;

**NOW, THEREFORE, BE IT RESOLVED**, that the proposed Local Law Number 2 of the Year 2023, also known as the Town of Lincoln Temporary Solar Moratorium, which imposes a one (1) year moratorium on the application, consideration, and/or approval of commercial solar array installations and/or commercial solar utility substations, is hereby adopted. This moratorium applies to pending applications but not to permitted existing uses nor to residential solar installations.

Motion to approve the 1-year Temporary Solar Moratorium made by Peggy LeClair, 2<sup>nd</sup> by Jayne Black, carried unanimously.

**Resolution 71-2023:** Move the adoption of a resolution declaring that the proposed Local Law Number 2 of the Year 2023, also known as The Town of Lincoln Temporary Solar Moratorium, is an unlisted action for the purposes of SEQR compliance. The proposed action will not have a negative impact on the environment, involves no permitting authority outside of the Town, and does not require the preparation of a Draft Environmental Impact Statement.

Motion to approve SEQR for Local Law 2-2023 made by Peggy LeClair, 2<sup>nd</sup> by Doug Holdridge, carried unanimously.

**Resolution 72-2023:** Motion to adjourn at 8:33pm made by Doug Fusillo, 2<sup>nd</sup> by Peggy LeClair, carried unanimously.