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**Update on Delaware River Solar Project from Ron Brand, March 11, 2019**

1 message

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Following is a clarification from Ron Brand to the Planning Board and Town staff from Ron Brand regarding the article in last week's *Daily Messenger* about the Delaware River Solar project.

Ron's clarification appears first. The *Daily Messenger* article appears second.

John

**From Ron Brand, March 11, 2019:**

Thanks for sharing the "news report." After reading the article, I want to set the record straight for the Planning Board members. The following is being provided to you, for your abstract on this project and to share with the Planning Board members, Lance Brabant, Peter Ingalsbe, Jamie Kincaid, Dan DelPriore and Jeff Graff.

If Ag & Mkts does complete their review and makes its' findings as part of the Notice Of Intent (NOI) and submits their report to the Town on or before the meeting on April 17th, then the Planning Board, at their meeting on April 17th, can determine if they have all the information requested previously for the Board to make the required Determination of Significance under SEQR. If this deadline is met, and they (the Planning Board) do find everything has been provided as previously requested, then the Board completes Parts 2 and 3 of the Full Environmental Assessment Form (FEAF) at the meeting on the 17th. Once complete, the forms (Parts 2 & 3) are to be accompanied by a Board resolution setting forth the criteria in Section 617 of SEQR which was used in making the Determination. The Part 3 Form should, as always, contain reference to the attached Planning Board Resolution for making the Determination. At this time, I do not know if all pieces of the puzzle will come together for the Determination of Significance to be made on the 17th.

In the interim, the Planning Board should be reviewing the environmental record, which includes a review of all documents submitted at various times by the applicant, the public and the adopted Planning Board meeting minutes. I can anticipate that some of the Board members may be asking you for research based upon their independent researches.

If all of these steps cannot be accomplished on the 17th, then the Board should continue the public hearing to a date in May when they anticipate having all of the documents necessary. Remember, once the Board determines a complete application, then it has 20 days to make the Determination of Significance.

The Board needs to keep in mind that the April 17th date was the best date anticipated for the State to have completed their NOI process. At this time, we still believe this date to be realistic, however, only time will tell. We may have more information as time gets closer. For example, today I learned from Linda Phillips at County

Planning that the next scheduled meeting for the Ontario County Agricultural Enhancement Board (AEB) will be April 2nd. Whether the AEB will be able to get their report back to the Commissioner of Ag & Markets, and then the Commissioner completes his findings in time for the April 17th Board meeting is unknown at this time.

Stay tuned.

Ron Brand

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**From the Canandaigua *Daily Messenger*, March 7, 2019:**

**Delaware River Solar has completed a major hurdle in the process in obtaining state funding, having completed and submitted its notice of intent application to New York State Agriculture and Markets.**

FARMINGTON — Proponents and opponents of the proposed solar project on Smith Farms in Farmington are preparing for the decisive April 17 meeting when a vote is anticipated.

The Town of Farmington is tentatively scheduled to discuss Delaware River Solar's requests for variances regarding its proposed 7-megawatt solar farm at the corner of Yellow Mills Road and Fox Road. At that meeting, a "yea or nay" vote is possible.

"We've been told by the town that at the April Planning Board public hearing to anticipate a vote," said Jim Falanga, who is among the opponents of the proposed solar farm. "We've been told before there's going to be a vote and then they've tabled it. We'll see how it goes."

Among the requested variances Delaware River Solar is requesting, the main one is that the internal distance between the solar arrays be permitted to be less than 180 feet from internal property lines. In essence, this would allow the project to be drawn in further from neighboring properties, including the road, because the project is spread over three parcels owned by the Smiths. Without these variances the project, proposed at this scale, would not be possible on the property.

Delaware River Solar completed a major step toward securing state funding, having finally completed its notice of intent to undertake an action within an agricultural district. The application is currently under review by the state Department of Agriculture and Markets, and a decision is to be issued within 45 days from Feb. 27. In a letter passed along to town officials by an Ag and Markets representative, the receipt of the letter does not constitute permission for the project to start.

Town officials stated that any vote should take place only after they have the appropriate time to review all information that comes back from the state.

Dan Compitello, project manager for Delaware River Solar, did not return a request for comment when asked for a project update.

Solar farm proposals are booming across western New York with Gov. Andrew Cuomo's clean energy initiative in play.

There is currently a proposed solar farm right off of Route 5 in Caledonia that is approximately 1,000 acres in size.

The proposed solar farm in Farmington would generate enough energy to power approximately 1,200 homes per year.

