

TOWN OF KIRKWOOD PUBLIC HEARING

September 6, 2022

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2022 entitled "A Local Law Entitled Solar Energy Systems" was held on September 6, 2022 at 6 PM at the Joseph A. Griffin Town Hall with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham
Councilman William Diffendorf, Jr.
Councilwoman Katie Legg
Councilwoman Sandy Wasson
Councilman Robert Weingartner

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
William Tozer, Deputy Commissioner of Public Works
Marchie Diffendorf, Planning Board Chairman

Supervisor Grubham opened the meeting to the public at 6 PM asking each person that planned on speaking to give their name and address.

The first to speak to the Board was Robert Hamm of 30 Trim Street. Mr. Hamm noted he agreed with most of the proposed Solar Law, but had a couple concerns/questions. He first asked what affect solar would have on property values, and if it has been looked into. Mr. McKertich responded that individual property values have not been analyzed, the Assessor may have some thoughts on it. Supervisor Grubham will contact the Assessor and find out if there is any impact on property value. Mr. Hamm questioned the change in fence regulations. Supervisor Grubham explained that the fencing regulations were changed from six feet in height to eight feet, with no barbed wire requirements. Landscaping with trees that start out at least eight feet in height will be required and must be maintained. Supervisor Grubham then answered yes to Mr. Hamm's question asking if there will be any additional training for the Fire Departments and Code Enforcement Officer. Lastly, Mr. Hamm asked how solar will benefit the Town. Supervisor Grubham explained that there will be tax benefits and possibly down the road if larger solar farms were built the Town may benefit from electricity to the power grid.

Larry Holt of 36 Trim Street presented his thoughts to the Board, not asking for answers, just giving them something to think about and hoping to cast doubt on why the solar farm on Trim Street should not move forward. His statement included comments such as, the residents of Trim Street and Johnson Road will not benefit from this solar field, with Go Green being the narrative of this country the only green will be going into the pocket of the landlord or solar company, what affect will it have on property values, for years the land has been farmland on the tax roll and a source of hay for farmers, will it become tax exempt as a solar field, and will solar fields and windmills deplete farmland. Examples were given of how losing agricultural land and farmland will hurt the community. Mr. Holt asked the Board to use common sense and good judgement, also adding he respects the Board and thanked them for their time.

Gay Canough of ETM Solar Works, 300 North Street, Endicott, New York, stated the proposed solar law is similar to many other solar laws around the state. ETM deals mainly with smaller projects that serve residents or commercial buildings. Most of the larger solar companies are looking for land that is not prime farmland. That is a concern but not as bad as people think. Gay Canough ended by saying that she is in favor of this law.

Mike Nowak of 16 Woodhill Avenue explained he was at the meeting to talk about the smaller scale of solar energy. Mr. Nowak made several comments regarding issues he had with the law. Mr. Nowak continued by stating that he is not a fan of the Board trying to change what homeowners can or can't do to their property. While homeowners are trying to offset costs, adding trees and fencing eight feet tall would price people right out of any savings. Solar panels will not be any more of an eyesore than junk cars, dumpsters, strip clubs, and hotels. Supervisor Grubham explained the fencing and landscaping is to protect neighbors from having to see the solar panels and this type of information is needed when creating a new law. Mr. Nowak noted that the solar panels may be appealing to him but not others, it's really to each his own. People are trying to save money not make things bad for the neighborhood. He thanked the Board for listening.

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Tom Milligan of 63 Barlow Road described the old solar law as confusing and hard to understand, and the new law is broken down into sections (residential and commercial) and it makes sense. It's a lot simpler to see where each individual project fits and what needs to be done to make the project legal. Tom Milligan explained the difference between residential and non-commercial use (not selling electricity) and commercial use (solar farms – selling electricity). The new law is infinitely better and it is appreciated. Tom Milligan thanked the Board.

Supervisor Grubham thanked everyone and closed the hearing at 6:15 PM.

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk