

The Work Session of the Town of Dickinson Town Board was called to order by Supervisor Michael A. Marinaccio at 5:30 PM on Monday, February 5, 2024 at the Town Hall, 531 Old Front Street, Binghamton, New York.

The members of the Town Board present were:

**Michael A. Marinaccio, Supervisor
Stephen M. Gardner, Councilperson
Sharon M. Exley, Councilperson
Danny F. Morabito, Councilperson
Thomas J. Burns, Councilperson**

Also attending:

**Attorney Keegan Coughlin Esq.
Wendi Evans, Deputy Town Clerk**

Also in attendance:

**Public Works Commissioner Joel Kie, Code Enforcement Officer
Kyle Doyle, Town Engineer Ron Lake, 11 guests**

CHAIR

**Supervisor's Report
February 5, 2024
Town Board Work Session**

1. I would like to give everyone a quick description as to how we got to this point in dealing with solar projects in our town.
Several years ago, a solar project went through the process of site review with our planning board, and it was approved. This project, which has not started yet, is located just above the cemetery off of lower Glenwood.
Shortly after that, a second solar project, located off of Glenwood RD., had applied with the planning board and was months into the site plan review. During this time, at least two other solar companies wanted to apply, all off of Glenwood Rd. and near our residential neighborhoods.
At this point the town board needed time to review our current town laws regarding the development of solar projects and we created a 1 year or moratorium which remains in place as of today.
We created a solar project committee which consisted of residents, code officer, member of the planning board and they had the attorney and engineer advise them if they had any questions during their review. This committee came up with a few recommendations for the town board. The town board spent a lot of time reviewing the recommendations and came to an agreement on the course of action we are taking and that is why we are here today conducting this public hearing.
2. I will mention this next week as well, but I want to inform all town employees and officials to take extreme care in reviewing emails and text messages. There

has been a great deal of potential scamming occurring both here with our operations as well as in other municipalities. If you do not know who is calling, don't answer your phone, let it go to voice mail and block the caller. The same goes for emails. Do not click on any links from an unknown sender. If the email looks like it is from one of our officials, check the email address, you may find that it is not from the person you know. This has happened to me a few times as well as receiving dozens of scam calls.

ATTORNEY

5:30 PM: PUBLIC HEARING ON "A LOCAL LAW CREATING THE SOLAR ENERGY SYSTEMS OVERLAY DISTRICT."

Supervisor Marinaccio opened the Public Hearings at 5:30 PM noting 11 members of the public present.

**TOWN OF DICKINSON
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Dickinson at Town Hall, 531 Old Front Street, Binghamton, NY on February 5, 2024 at 5:30 p.m., or as soon thereafter as the matter may be heard, regarding a local law entitled "A LOCAL LAW CREATING THE SOLAR ENERGY SYSTEMS OVERLAY DISTRICT."

TAKE FURTHER NOTICE that the environmental significance, if any, of the proposed local law will be reviewed by said Town Board incident to and as a part of said public hearing.

Interested persons shall be entitled to be heard upon said proposed local law. Communications in writing in relation thereto may be filed with the Town Board prior to the public hearing. Persons with disabilities who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned to request such assistance.

Dated: January 17, 2024

Wendi Evans, Town Clerk

6:03 PM: PUBLIC HEARING ON “A LOCAL LAW REPEALING AND REPLACING CHAPTER 460 OF THE TOWN CODE ENTITLED “SOLAR ENERGY SYSTEMS.”

**TOWN OF DICKINSON
NOTICE OF PUBLIC HEARING**

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TAKE FURTHER NOTICE that the environmental significance, if any, of the proposed local law will be reviewed by said Town Board incident to and as a part of said public hearing.

Interested persons shall be entitled to be heard upon said proposed local law. Communications in writing in relation thereto may be filed with the Town Board prior to the public hearing. Persons with disabilities who require assistance in attending said public hearing, or in furnishing comments and suggestions, should contact the undersigned to request such assistance.

Dated: January 17, 2024

Wendi Evans, Town Clerk

DISCUSSION

- Attorney Coughlin gave a summary of the local law creating the solar energy systems overlay district and a summary of the local law repealing and replacing chapter 460 of the town code entitled “Solar Energy Systems.”
- **SUMMARY** -Local Law Solar Energy Systems overlay district – intent is to protect the existing landscaping neighborhood of the town in particular the Glenwood Rd. area as well as other areas of the town by allowing solar facilities in the overlay district but limiting the density of those projects. They would have to be .75 miles away from each other and not cover more than 5% of the overall land within the 1-mile radius.
- **SUMMARY** – Local Law Solar Energy Systems Repeal and Replacement – to bring it up to more modern protection to items that were important to the town board and the solar committee that would make sense for responsible development for a solar facility. Examples are improved landscaping, setback requirements to make things slightly more restrictive but really less impactful on the neighboring residents and in and of the neighborhood itself.
- **Overlay meaning** – when an overlay zone is applied to a piece of property it does not change the underlying zoning district, but it applies additional zoning capabilities. It creates the ability for residents or developers to apply to have an additional zoning category placed on top of a property.

February 5, 2024 Work Session

- A resident commented on his concern regarding some people being affected and some not. He commented that the town should profit from it in some way, and it should benefit the whole community. Needs to be a balance. Attorney Coughlin explained that the boards' objective was placing some of the distance requirements and setback distances from the road was to help minimize the negative impact on the community.
- Supervisor Marinaccio commented that one of the purposes of doing this is to really protect the neighborhood and the Glenwood Rd. was going to be adversely affected but it was becoming where we would have had 4 or 5 solar projects within a mile from each other and that's what concerned us as a board. We don't have hundreds and hundreds of acreages of opened land. This will protect our residents. Town Of Dickinson is 90-95% residential. The overlay will accomplish the concerns & limits. This is the policy choice that the board made in piecing this together that choosing to value the character of the neighborhood and the residential community and character of the Glenwood Rd. residential area and balancing that with the benefit of solar projects.
- Maps were displayed for the residents to observe exactly where the overlays would be located. There can be 2 solar projects allowed but no more than that. The projects will have to pay taxes.
- Supervisor Marinaccio commented that himself and the town board's main goal is to protect everyone, be fair whether it's a solar company, or a battery storage project, or a gas station. We want to be fair, but we also want to make sure we are protecting the residents. We spent an enormous amount of time and energy working on this. The town board had many, many meetings with our attorney, with the planning board, solar committee, trying to be fair and transparent as possible to everyone.

Public Hearings were closed at 6:19 PM.

PUBLIC WORKS

No comments heard.

ZONING

No comments heard.

CODE

No comments heard.

On motion by Supervisor Marinaccio, the work session was adjourned on a motion from Councilperson Morabito and seconded by Councilperson Burns at 6:25 PM.

February 5, 2024 Work Session

Respectfully submitted,

Wendi Evans
Deputy Town Clerk