*****PRELIMINARY DRAFT *****

MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT ZONING BOARD OF APPEALS/PLANNING BOARD WAS HELD AT THE ELLICOTT ADMINISTRATION BUILDING, 215 SOUTH WORK ST., FALCONER, NY 14733, ON OCTOBER 15, 2026, AT 5:30 P.M.

PRESENT: Dan Evans, Ken Lyon, Paul Volpe, Pat Martonis, Valerie Pierce, and Code Enforcement Officer Brandon Shelters

ABSENT: Attorney Marilyn Fiore-Lehman and Secretary Kendra Newman

Chairman Dan Evans opened the meeting at 5:30 PM and led in the Pledge of Allegiance.

Motion made by Pat Martonis, seconded by Paul Volpe, to approve the minutes of the September 17, 2026, meeting.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Evans opened the public hearing for Dustin Griffin, 2892 Bentley Ave, Jamestown, NY, for an area variance for a second accessory building. Said premises are described on the Town of Ellicott tax maps as Section 369.07 Block 1 Lot 26.

Pat Martonis swore in Dustin Griffin.

Dustin Griffin stated:

- Would like to have an additional shed – 12 ft x 24 ft (prebuilt and on skids).
- Existing pole barn on property already.
- Will not be near property lines.
- No electric (no utilities).
- For personal use only – cold storage.
- Will be to the left of existing garage.
- No other buildings behind fence.
- Natural wood color – may paint to match house at a later time.
- Roof will match the garage.

Paul Volpe made a motion, seconded by Valerie Pierce, to approve the area variance for Dustin Griffin, 2892 Bentley Ave, Jamestown, NY, for an accessory building measuring 12 ft x 24 ft with no utilities. All setbacks will be met and it will be for personal use only. Said premises are described on the Town of Ellicott tax maps as Section 369.07 Block 1 Lot 26.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Evans opened the public hearing for Solar Liberty, 2807 Clifton Ave, Jamestown, NY, for a site plan review for a solar farm. Said premises are described on the Town of Ellicott tax maps as Section 370.09 Block 1 Lot 16.

Hiroshi Kawamura and Carter Powell (senior project manager) from Solar Liberty stated:

- Partnership with Jamestown BPU.
- Install commercial solar system.
- Lot is 8.1 acres – solar system will be 5.96 acres total.
- 2.5 acres for the service area (fenced in area).
- System capacity will be 2,100,160 kilowatts DC.
- 1,500,000-watt AC capacity of system.
- Amount of solar will be 1,144 of the 640-watt modules and 2,400 of the 750-watt modules.
- Drawing shows where equipment will be on the property.
- Access road will be from east point to west side.
- Proposed vegetation on the south area.
- Will be gated off – one primary access point.
- Solar panel life is 25 to 35 years – can last significantly longer.
- Working with BPU to develop project, permit it and install it.
- BPU will do maintenance.

Chairman Evans swore in anyone in attendance who was going to speak.

Joe Dominick, neighbor, stated:

- There are water drainage problems in area.
- Large pipe from expressway to Fluvanna backs up during storms.
- Concerned about water management.

Mr. Powell (Solar Liberty) stated:

- Not planning to do much deforestation.
- Brush hog lot before install.
- Limited vegetation growth.
- Not introducing anything to increase drainage issues.

Karlie Blodien, neighbor, stated:

- Lives in house adjacent to project location.
- Concerned with deforestation.
- Will any trees be cut down.
- All kinds of animals in this area.
- Animals will have no where to go if trees cut down.

Mr. Powell (Solar Liberty) stated:

- Minimal tree clearing required.
- Not uncommon to survey trees on the sites.
- Only disturbances will be driveway and excavation (very limited).

Lucy Studd, neighbor, asked how close will it be to I-86 and inquired about a required distance from highway.

Mr. Powell (Solar Liberty) advised that all setbacks will be met and other solar farms are near highways without issues.

The Board discussed with the neighbors that the land is owned by the BPU and Solar Liberty was contracted by the BPU for the project.

Tammi Blodien, neighbor, asked if neighbors will get any discounts on their electric bills because of the solar panels. She will have to look at the panels.

Ellen Ditonto and Amanda D'Aurora, from the BPU, stated:

- Will arrange a meeting with General Manager to allow neighbors to express all concerns.
- Power will go straight back to the grid.
- Major distribution line already exists.

Neighbors asked about attracting lightening. They were advised that the site will be equipped with substantial grounding features that dissipate any lightening strikes.

James Fava, neighbor, asked about humming noise from solar panels.

The Blodiens (neighbors) asked about trees on their property being affected or if their homeowner's insurance will go up. They also inquired about having open fires near the solar panels.

Mr. Powell (Solar Liberty) advised them no trees on their property would be cut down. He advised the Blodiens they can continue to have open fires near the panels.

Mr. Dominick (neighbor) stated he is mainly concerned with storm management plan. There are only two drains on Clifton Avenue and they are both toward the bottom of the road.

The Board advised the neighbors that any issues with drainage and the road would need to be addressed by the City of Jamestown.

Mr. Powell (Solar Liberty) stated that the vegetation would be cut down to install the panels, but there will be regrowth once the installation is done. They are not altering the subsurface. The fence being installed is an agricultural fence (wood posts with a green mesh fence) and will be 8 ft tall. Most of the vegetation and trees will be left alone. Additional screening will be done for the neighbors on the southeast side due to closeness.

The Board asked the BPU why this site was chosen.

Ellen Ditonto (BPU) stated the land was purchased in 2024 because of the location. The property is located within the BPU electric territory. Electricity goes into the grid and helps balance the load. They are adding to their electric capacity. This will allow the BPU to provide customers with a rate that is fair and equitable.

Mr. Powell (Solar Liberty) stated:

- Reducing the size of the array will reduce the ability to help BPU with energy cost.
- Want to maximize space available to get most energy.
- Only traffic will be during construction phase.
- Maintenance is once a month visit to site.
- 15 flatbed trucks will bring in racking and modules.
- Concrete truck to install pads for transformers and excavators to clear land and install access road.
- Trucks will be staged at a different location and unloaded in stages.
- During electric installation 10-15 guys on location.
- Decommissioning of solar panels price will be worked out with BPU.
- Solar is absorbing from the sun.
- Can provides animals with protection from sun.
- Protections in place to prevent issues with solar – very safe.

Amanda Ditonto (BPU) stated the Board the BPU is very into reusing and recycling. If the panels start to decline, more panels can be added. Hope to continue to get power from the site. Metals (solar panels) will be recycled at the end of their lifetime.

James Marucci, neighbor and business owner, stated:

- Parcel was grandfathers' property – lives across the street.
- Other parcels in the area are on BPU electric and could be used (Shults and Baker).
- Small ditch in front of his house.
- Road is very uneven.
- Narrowness of road is a concern.

Pat Martonis (Zoning Board Member) summarized the project. Parcel is 8.1 acres with 5.96 acres covered with solar system with 2.5 acres for surface. The proposed capacity at this point is 1,144 of the 640-watt modules and 2,400 of the 750-watt modules. BPU purchased the property in 2024. There is a proposed access point from the east point to the west side on the north side of the array. There will be a fence and also the neighbors would like a vegetation fence. Drainage is a problem on the road. The size of the road is narrow and traffic generated is an issue. The proposed solar panels are 25 to 35 years. The neighbors are concerned about glare, what animals will be affected and noise. There will be several construction vehicles and where they will be parked is an issue. The Town is concerned about decommissioning. The BPU is responsible for maintaining property. Property was chosen because of closeness to grid. It also should be noted that there are two towns involved. The property is in the Town of Ellicott and City of Jamestown. The neighbors are also concerned about what the project will do to their property values.

The Board advised the neighbors that once the site plan is approved no changes can be made unless the changes are brought before the Board again.

Mr. Powell (Solar Liberty) addressed the question of an inverter on site. There will be six inverters on site. The inverters will be near the turn around on access road. There is a 1.5 AC max output to grid. He also advised that local contractors will be used for the project if possible. It is possible to start installation during the winter. Some of the best electrical production days are in January. Arrays in New York have good solar production during the winter. The transformers on site are environmentally harmless. Typically, maintenance of the site includes yearly or sometimes twice-yearly inspections of the solar components and clean up of the site.

The Board discussed the need for a SEQR to be completed due to environmental concerns. A SWPPP also needs to be completed for the Board (will include topographic map). Drainage issues also need to be addressed. The City Arborist will be brought into look at the trees on the property and issue a report on the trees being cut down.

Valerie Pierce made a motion, seconded by Paul Volpe, to table the site plan review for Solar Liberty, 2807 Clifton Ave, Jamestown, NY, pending receipt of the reports listed above. Said premises are described on the Town of Ellicott tax maps as Section 370.09 Block 1 Lot 16.

Tabled. Ayes – 5 Noes – 0 Absent – 0

Motion made by Ken Lyon, seconded by Paul Volpe, to adjourn the meeting at 7:24 PM.

Carried. Ayes – 5 Noes – 0 Absent – 0

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Kendra Newman, Secretary