

PLANNING BOARD

**Town of Kirkwood
70 Crescent Drive
Kirkwood, NY 13795**

PUBLIC HEARING

July 9, 2025

CONTINUANCE OF THE PUBLIC HEARING ON THE SITE PLAN REVIEW AND SPECIAL USE PERMIT APPLICATION FOR CONSTRUCTION OF A 15MWAC SOLAR FARM AT PROPERTY LOCATED AT 149 QUILTY HILL ROAD (TM# 147.00-1-2.2 & 147.00-1-7.11) IN AGRICULTURAL/RURAL RESIDENCE ZONING DISTRICTS, AND PROPERTY LOCATED AT 165 FOLEY ROAD (TM# 147.00-2-11) IN RESIDENCE R AND AGRICULTURAL/RURAL RESIDENCE ZONING DISTRICTS IN THE TOWN OF KIRKWOOD, ON THE APPLICATION OF NORBUT SOLAR FARMS

Chairman Woolbaugh read the notice of public hearing.

Chairman Woolbaugh opened the public hearing to public participation at 7:14 p.m.

Andrew Sacco, representing Binghamton Gun Club, asked what is the setback from the panels to the property line, is there a standard setback from the property line? Will a glare study be required? Is this property tax exempt? Are they getting a tax exemption to build this solar farm? Ms. Middleton clarified they are not. What impact does this have on property taxes? How many mega watts is this solar farm? From his understanding, on average a solar farm produces 300 to 400 megawatts per acre, this is fifteen megawatts, they picked the least sunny location for a solar farm. They are concerned about the safety of the shooters.

Martin Kennerup, Jr., 155 Foley Road, stated we need common sense on this project. The residents on Foley Road and Quilty Hill Road are not on public water or sewer. If this project goes through the wells on Foley and Quilty Hill Roads will be damaged. Solar panels are only good for 10 years and then they must be buried on site at that property. If they are buried the ground water will be no good. From the storm last week both creeks between 155 and 145 Foley Road and between 155 and 165 Foley Road came up one foot in 15 minutes, with trees and grass up there. What will happen if everything is cleared off; you cannot build retention ponds that will hold all the water that comes down. If you let this go through you might as well buy us all out. The water coming down the 27-degree slope is going to get quicker and go into all their cellars. There are three people that will make money off this project, Norbut and the two landowners, who do not live in Kirkwood, all from out of town. Kirkwood will not make money off this.

Jessica Gervasi explained they had quite a bit of flood damage from last week. She works in engineering and has worked on solar projects herself. She asked if the Town has had time to review the SWPPP?

John Mastronardi explained they received the updated SWPPP and will be reviewing it. In their cursory review they deemed it complete, but they have not gone through a thorough review or made comments. He has not provided comments to the Board or the applicant yet. Ms. Gervasi asked if she could FOIL those comments when done and Ms. Middleton stated yes.

Ms. Gervasi asked what is the acreage they are clearing? What kind of retention ponds will be used? Their roads flood quite often. They will be building on wetlands. The DEC just changed their regulations, and they are taking jurisdiction, which will impact the design and stormwater plan. She is concerned about truck traffic, is there a road use agreement going to be put in place for this project to fix the roads or will our tax money go toward that? There are a lot of kids on our road and that is a blind turn, will there be an agreement for when they get any kind of deliveries? This is NY and we will get snow and ice; it will be slippery. She asked the Board if they wanted to see photos of what the road looks like when it does flood, and Chad Moran said to send them to him, and he will make sure the Board gets them.

Ken Crocker, 528 Colesville Road, commented he has been paying taxes for over 40 years. He owns just over forty-five acres and there are 1471.7 feet from his southern border that will be impacted by this solar farm. From the top of the hill to its border it is seven hundred feet, it drops two hundred feet in those seven hundred feet which is 28% grade. That is a drastic grade. There is no way you are going to put solar panels in there and prevent water from coming over to his property. If he wanted to build a house up there he does not want to look at a solar panel field. He should be able to have that right; they should not be able to encroach on his property that he has been paying 40 years for to put solar panels on. Is there going to be a decommissioning plan for this? A lot of these companies go bankrupt and leave it in the taxpayers' hands. The panels are expensive to get rid of. How many solar fields are there in western Broome County? It seems like we are a dumping ground in eastern Broome County. He spoke to DEC in Syracuse regarding stormwater prevention, who will get back to him regarding a 50-year, 100-year, and 500-year study. That is a lot of water. They are going to remove twenty-three acres of trees on his side of the hill, on the north slope. There is no way to stop the water from running over that 28-degree slope. This company must be confident about winning this special use permit, spending one million dollars on that property without getting approval. That is fishy. This company has had lots of fines on other projects so once they get the go ahead then everything is off the board, they just do what they want. He is against this.

Ms. Middleton read into the record a letter from Tim and Michelle Colgan and a letter from Chris Kibbler & K6 North, LLC and both are included in the file.

Scott Ferguson, 167 Foley Road, commented if you look at the map the solar panels are pointed directly at their property. He is not only concerned for them, but he is concerned for every person on their street. They must have water. It is not just that they are going to put in 42,000 panels and at least 42,000 holes above his house, it will stir up the sediment and the silt and will destroy their wells. When the solar panels deteriorate and leach into the ground how is he going to find out that it leached into his well? Is he going to find out when he is drinking his water one day and he passes out or his wife does? Is the town going to provide town water to their street and Quilty Hill Road so we do not have to worry about that or is Norbut going to put that in for us? Will there be some kind of guarantee that they will drill us a new well? They should put the money into a fund so if something goes wrong with the company or the wells we have a guarantee we can have water that was not our fault to be lost, it was their fault. He is very concerned about the water; they must have water.

Motion by Jason Maxian and seconded by Dan Wasson to continue the Public Hearing until the August 13, 2025 meeting.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board