

PLANNING BOARD

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

PUBLIC HEARING

March 11, 2026

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 and stated we have the affidavit of posting by the Town Clerk, notice to property owners within 500 feet of the project, affidavit of publication in the Press & Sun Bulletin, Broome County Planning Department 239-m recommendations, and a SEQR Full E.A.F. has been filed.

Chairman Woolbaugh stated please keep the comments to new items only.

Scott Ferguson, 167 Foley Road, commented that they appreciate the Board opening this up for the public to state our concerns. They are concerned about Quilty Hill having a lot of trucks up and down the road constantly and the damage to the road and to the houses with that kind of traffic. He asked if someone's car gets damaged who pays for it? They haven't heard anything about the glare that might be on Haskins Road. They could have a loss of property value if suddenly every day they have sunshine and it is shining on their houses.

Mr. Ferguson explained he found a few articles that might be helpful, which he handed out to the board members and are included in the file. One talked about a large-scale solar farm in the Town of Union near the IBM Glen. He explained that after the trees were cut down and the site was cleared and the soil disturbed, it changed the drainage. They are now getting storm water down on the trails at the Glen. The project was stopped because of that. In our case we aren't talking about trails, we are talking about homes. They know from experience from past storms over the years that sediment comes off that hill and gets washed into the runoffs. The bridge at the end of the road has been washed out 3-4 times because the water comes off the hill and causes damage.

Mr. Ferguson explained another situation that is similar to what they have going on, just outside of Rochester with Horseshoe Solar Energy. They have shallow soil, on Foley Road and possibly on Quilty Hill Road and they all have shallow wells. With the project in Rochester, they were digging, putting on the power lines they hit an aquifer and the water from the aquifer came out of the ground and starting spilling onto the field, 50 to 100 gallons per minute. If we have a situation where their aquifer is ruptured, they could not just flood but they could lose their water. They don't have a backup source. The town has already said they won't provide city water. Mr. Ferguson showed the board members a jar filled with clear water that was taken two years ago from a hand dug well from the 1800s from the proposed site of the solar farm. He had gone up there in the midst of a drought and found the old well and looked down in it and the water was only 18 inches from the surface. The well is right on the edge or on top of where they are going to have solar panels. This is their aquifer, this is

how they get their well water, it comes off the hill and becomes their well water. If they put the solar panels in it could destroy their water. If it does they lose everything because they can't live in their homes anymore. He is asking for the same consideration to them that you gave to the rest of the town when deciding you can't put construction in an aquifer.

Martin Kennerup, Jr., 155 Foley Road, commented that thanks to Gina he spent 5 hours down here looking through everything and found a few things. Looking at the newest plans and their design, they have gone around the wetlands but there are things he noticed that needs to be brought to your attention. The first is the gravel road that is currently there going through the property. They say they are going to maintain that gravel road and build a new gravel road but if you go up there, the hill is so steep and there are three ditches to filter the water off to the right-hand side, the western part of the property. They have been there for 50 years. If you put a gravel road in there is no mention of putting ditches in underneath that gravel road. They are talking about storm runoff when a snowball starts at the top of the hill and gets bigger as you go down. There is a sharp corner there, if we don't have ditches there then the water is going to go straight and if the project passes it is going to go right into the solar panels and cause them damage.

Mr. Kennerup also reviewed the Full EAF, found some interesting things, and questioned the applicant's answers. Under D.2. Project Operations a. the question was marked no. That tells him if they are not going to dredge how do they remove stuff. On page 6 e. iii., he questioned their answer of Park Creek only when there are two other creeks that run on the east side and the west side of the property. On page 7 j. was answered no. On page 10 f. was answered no. Mr. Kennerup has lived there for 63 years and he can answer that question honestly, he knows there has been hazardous materials. On page 12, q. was answered no. Mr. Kennerup explained his family has history of hunting taking place on that property for over 100 years. People hunt there all the time. This past winter they had a very good season, took 6 bucks off the hill. While there are posting signs up they all know people don't look at posted signs. On page 12, o. was answered no. Mr. Kennerup explained they have on trail cams from hunters and also he has seen bald eagles up there. Bald eagles are an endangered species.

Susan Spalik, Foley Road, explained there was a scientific study that was done on the long-term effects of solar panels on the ground water and the land. The study was done and published about 6 months ago and it shows there are elevated levels of cambium, zinc, and lead. They went back to a site in Poland that was put into operation in 2012. They found that over time solar panels create microcracks and what happens at that point is depending on what the solar panels are made of most solar panels contain a compound cambium, which is a heavy metal. There is also lead from the solder from putting together the solar panels. All of that leached into the ground water. They are also testing a control site an area that did not have solar panels and found that there were no levels or very minor levels of those. The cambium rose to levels that exceed safe levels. Just because there is no actual physical damage they break down over time. All those years being exposed to sunlight is going to cause the microcracks and once you get the microcracks you are going to have problems.

Ms. Spalik explained that in terms of ground water runoff with one inch of rainwater over one acre of land produces about 2070 gallons of water. If you have woods there, if you have vegetation there, trees especially what happens is that between 5% and 20% is absorbed in the soil, in the trees and the vegetation. You get rid of that. If you put in a parking lot that covers that entire area you are going to get that 2070 gallons of runoff. If you put in solar panels, depending on what you have as the base of them you are going to get a lot more water runoff, 13,500 gallons more per acre. This project will be

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around 100 acres, so multiply that by 100. That is how much water you are going to have coming down.

Ms. Spalik presented a recent picture she took across the street in the park. The entire area in front of the post office is eroded down to the point that the guardrail is about ready to collapse. That was one inch of rain. Imagine the storm of 2006 with 7 inches of rain over 100 acres of land. How much water do you think is going to come down? In 2006 the town hall got flooded, Schneider's got flooded. In 2011, depending on the location between 7 and 12 inches of rain came down. The bridge got knocked off, the town flooded again and Schneider's got knocked out again. In 2018 Pope's Ravine with 3 to 4 inches of rain took out Pope's Ravine and cost the town over \$1,000,000.

Ms. Spalik asked what kind of retention pond are they putting in? Is there a bond in place for the restoration and removal after 20 years? What about the hazardous waste disposal because solar panels are considered hazardous waste? What about the impact to the town's water supply with the main well over by the golf course? If Park Creek floods it will have the contamination from the solar panels. What about noise monitoring? The solar panels create a low grade humming due to the inverters and transformers. A lot of places require they have a least a barrier of hedges and tall shrubs or a sound wall to absorb all the noise. Where are they going to connect? She doesn't know of any substation off Foley Road. They can't connect directly to the power lines. There has to be some sort of substation otherwise what is going to happen is there will be too much power going through and will disrupt the power supply to the rest of the town. If you approve this what kind of liability will the town take if the people along that road get flooded, lose their houses, and die.

Larry Holt, Trim Street, commented that the Town Board and his board are responsible for the residents of Kirkwood. When we started doing this solar stuff he brought up what you did with the Comprehensive Plan about 8 years ago. It was said at the time that 80% of the people of Kirkwood wanted solar. That is a lie. He was at all those meetings and he never heard anyone say they wanted solar. Mr. Holt asked how much has that saved on his energy since any solar showed up in Kirkwood? What does it do for the Town of Kirkwood, what does it do for the residents, nothing. If solar energy is so good why doesn't China use it. It is because they sell it to us. They use fossil fuel. They send their junk to us. He has asked what is the guarantee on the solar panel. He was told they last 25 years. That is not a guarantee. He never got an answer on that. Mr. Holt stated he respects the job you have to do and you are going to use good judgement but you have to think about the residents. It doesn't do anything for them and it doesn't do anything for the town.

Hearing no other comments, Chairman Woolbaugh closed the Public Hearing at 7:27 pm unless new information arises after we go through the Full EAF.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board