

**Zoning Board of Appeals
Town of Randolph
Meeting Minutes**

Date:1/20/2026

Time Called to Order: 6:00

Purpose of meeting: Consider a special use permit for NED-New Energy Solar to construct a commercial Solar Project at unnamed address, parcel number 79.004-1-13, located south of property number 2533 Sarver Rd.

Tax parcel: Parcel Number: 79.004-1-13

Members present: (Cross out if absent or not part of the hearing)

Paul Steward, Chairman Alyssa Lundsten
Tim Nagle Jason Beaver Danny Senn

Others present: David Messinger, Tom Congdon, Rod Brown, Renee Posey, Judith Towers, Christine Lippencott, Robert Spinler, Gloria Yochum, John Hale, Kevin Finch, Jim Palmer

Action Taken:

Referred to County Planning Board

Approved, subject to meeting all applicable regulations, as determined by Zoning Code Enforcement Officer.

Article 13 Section 13.5 Criteria for Granting Special Use Permits has been considered and the Board finds that applicable standards set forth therein have been met.

Article 14 Section 14.1 Variances has been considered and the Board finds that applicable standards set forth therein have been met.

Denied.

Other Action.

Passed resolution modifying SEQRA review approach for separate Solar Project Applications. Randolph Zoning Board of Appeals will serve as lead agency for Sarver A only at this time and will not be combining Sarver B in this SEQRA process. See Attached Resolution. Moved by Alyssa and seconded by Dan that we pass resolution. Carried unanimously.

Notes on hearing:

1. Moved by Jason and seconded by Dan that we approve minutes from previous meeting as emailed. Carried unanimously.
2. Explained that due to inclement weather representatives from NED and Wendel Engineering would not be able to attend. Please note that I received information from NED at approximately 4:30 today but it was after my last check of email before the meeting so this information was not available for me to convey to the board or community members in attendance.
3. Distributed copies of minutes of previous meeting to those in attendance. Explained this is an ongoing public comment and that the only official action that will be conducted by board at this meeting would be amendment of our lead agency to SEQRA to include only Sarver A at this time.
4. Read the minutes of the previous meeting to see if anyone needed clarity or additions to what was documented in minutes.

5. Questions brought up at meeting to be researched before next meeting with a date that is undetermined at this time but possibly late February...
 - a. After removal and decommissioning of a solar field is agricultural of viability of the land still OK? Michigan has laws that do not allow root crops to be grown afterwards. Are there any residual hazardous wastes left behind?
 - b. Is it possible to get the MSDS for the panels and inverters and everything used at site?
 - c. Possible environmental species of concern
 - i. White faced bats in area
 - ii. Native trout stream
 - iii. Bald Eagle nest
 - iv. Amphibians
 - v. Part of Conewango creek watershed that flows through Randolph?
 - d. Lot needs to get its own legal physical street address**
 - e. How is the bond determined for decommissioning? Who determines the amount?
 - f. In the decommissioning process what gets removed? Is anything left behind? Who inspects this?
 - g. Is there any electromagnetic interference for phones, TV, appliances? Service is poor there already.
 - h. If there is a disaster like tornado, microburst who is responsible for panel glass cleanup?
 - i. Will panels cause changes in micro-climate? Heat dispersion and winds?
 - j. Who will be preparing the site and installing equipment? Will local labor be involved or is it all out of town/state?
 - k. Did you look into the gravel pit as an alternative site? Much better suited as it is out of view and if is on reclaimed land it would not have as big of an environmental impact. Contact Steve Russo of JMI
 - l. See attached letter prepared by Rod Brown's daughter with his/her concerns and address issues.
6. Passed resolution for lead agency determination for Sarver A only.
7. Moved by Jason and seconded by Dan that we adjourn. Motion carried

Special considerations:

Notes on meeting additional to hearing:

Time hearing was adjourned: 7:26

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Recorded By: Paul Steward

Crystal L. Almeter
8480 Kruse Road Machias, NY 14101

Town of Randolph
72 Main Street
Randolph, NY 14772

Re:
Proposed Solar Farm, Sarver Road, Town of Randolph
SBL No. 79.004-1-13

To Whom It May Concern:

I am writing to strongly object to the proposed Solar Farm by New Energy Solar 1 located on Sarver Road, Town of Randolph, NY owned by Dennis Adams bearing SBL No. 79.004-1-13. Please see my comments, questions and concerns below:

1. Visual Impact & Unsuitable Location:

The location of this solar farm sits between two residential homes where the panels would be visible by both residents, as well as several surrounding residential owners. The solar farm would significantly degrade the visual character of the area. The residents of Sarver Road chose to live in this location due to its quiet, natural surroundings and rural beauty. Pursuant to the Town of Randolph's Zoning Ordinance, solar shall be located in a manner that minimizes significant negative impact on the historical and cultural aspects of the community which shall be done in coordination with the New York State Office of Parks, Recreation and Historic Preservation. Please note the location of the proposed solar farm is in close proximity to New York State land as well as Camp Timber Crest operated by Girl Scouts of Western New York. *Has the negative impacts report been conducted, and if so, where is the report for public review?*

2. Noise Pollution:

Solar farms are not silent due to the constant hum of inverters and transformers that can be further magnified by wind and atmospheric conditions. This intrusive noise will impact nearby residents and local wildlife, who will have their natural behavior patterns disrupted.

3. Nature and Wildlife Destruction:

Approving this development would contribute to destruction for nature and wildlife. The area is abundant with deer, bear, fish and streams which should be left untouched and untainted by commercial developers. Pursuant to the Town of Randolph's Zoning Ordinance, solar shall be located in a manner that minimizes significant negative impact on animal species, bird and bat species, including those that may be listed by the U.S. Fish & Wildlife Service as threatened or endangered.

4. Battery Energy Storage Systems (BESS) Risk:

The inclusion of a battery energy storage system (BESS) poses a serious safety concern. These systems carry a known risk of fire and explosion, and should not be located close to residential areas where there is a potential impact on homes, wildlife, and emergency response capabilities.

5. Property Values:

Pursuant to the Town of Randolph's Zoning Ordinance, the applicant shall provide a property value analysis prepared by a NYS licensed appraiser providing potential impacts of the project on values of property in the Town of Randolph. In addition, the Real Property Value Protection Plan indicates it shall assure the Town of Randolph that there will be no loss in real property value within one mile and provide assurance to non-participating real property owners that they have protection from real property value losses. *Has this been done and if so, where are the reports posted for public review?*

6. Setback Agreements:

Pursuant to the Town of Randolph's Zoning Ordinance, a minimum of 300 feet from any property line is required. *Are there survey maps available of the site to show the distance from the 2 adjacent residential property owners, and if so, where are the surveys posted for public review?*

7. Better Alternatives Exist:

Solar energy should be prioritized on rooftops and brownfield sites **not productive farmland**. The USDA no longer supports solar projects on productive farmland as the destruction of farm and prime soil takes away the future for the next generation of farmers. Subsidized solar projects make farmland less accessible and more expensive for farmers. We should not sacrifice our countryside when less destructive options are available. **Furthermore, and foremost, NO solar farm should be built where the adjacent and surrounding property owners strongly oppose and object to the project!**

This development is a short-sighted attack on our landscape, our wildlife and farmland. It profits the few (perhaps only 1) at the expense of the many, and well-being of the residents of Sarver Road and surrounding roads. Please accept my letter as voice and vote NO for the proposed project.

Sincerely,

Crystal L. Almeter

(Town of Randolph land owner)

/ca