

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

Date:12/17/2025

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	Amber O'roge	Alyssa Lundsten
Tim Nagle	Jason Beaver	Danny Senn

Others present: David Messinger, Tom Congdon, Rod Brown, Renee Posey, Judith Towers, Kalia Lippencott, Christine Lippencott, Robert Finch, Robert Spindler, Jim Bodecker, Matt Dubois, Drew Reilly, Joel Seachrist

Action Taken:

Determined to be a Type II action with No SEQR determination of significance.

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. **Next public hearing will be held at 6:00 pm, Tuesday, January 20, 2026 in the Randolph Town Hall Court Room. Please post notice in Post Journal, Town Bulletin Board and the Sign in front of the Municipal Building**

Notes on hearing:

1. Moved by Tim and seconded by Dan that we approve minutes from previous meeting as emailed. Carried unanimously.
2. Moved by Tim and seconded by Dan that we open public hearing.
3. Jim Bodecker and Matt Dubois representing NED were introduced as well as Drew Reilly from Wendel Engineering and Joel Seachrist from Seachrist Law Offices. It was explained to group that Drew and Joel represent the town and are compensated from an escrow account paid for by NED to the Town of Randolph. Several initial questions were posed by those in attendance but were redirected until project was explained.
4. Jim Bodecker presented the proposed project as Sarver A and Sarver B. Due to changes in project B which will require more environmental studies which cannot be done until May of 2026, this hearing and special use permit and SEQR permitting will be for Sarver A only. Jim showed the group large images showing proposed location, size and appearance of the project from several views.

5. Several Questions and comments about opposition to the project were proposed and attempted to be answered by NED, Wendel Engineering, Seachrist Law Office and the ZBA. These are listed below- questions and answers.

- Questions ZBA would like answers for next meeting!

A. Robert Finch- What is the cost to the town? Concerns about Road damage!

Road is already being used by dozens of trucks a day carrying large loads of gravel. Bob thinks equipment will be substantially heavier than that and will definitely damage road. Drew explained a road condition survey pre and post construction can be conducted and a road use agreement can be one of the conditions imposed by the town making applicant liable for damages caused.

B. What becomes of the Access Road

Access Road must be maintained to allow Fire Department access to site in case there was ever an emergency. This would be condition of project.

- Can applicant and Wendel provide information on fire risk and instances and causes

C. Rod Brown complained that extensive tree marking and Drone work was being done on the opening day of deer season and it disrupted his hunting.

Applicant says that they had permission to be on there as per property owner.

D. Questions were raised as to how it would affect wildlife and hunting

Chairman Steward noted it will reduce area of deer habitat but it could help hunting in that it could channel deer around the fence. Trees would be removed but replacement fauna could benefit wildlife such as pollinators and small animals. Drew explained the fence could be elevated slightly (6") to allow small animals in and out.

- Can applicant and Wendel show specific examples of NATIVE species that would provide ground cover and benefits to pollinators and how it is maintained so it doesn't grow up into honey suckle and multiflora rose

E. Robert Spinler really wants to know if this site is the best choice. How much sun will it receive with large hill to south and how are you going to set panels on the thin soil with the extensive rocks and boulders that are present.

Applicant says most of the electricity is generated spring, summer and fall and assures it would be profitable. Drew explained company gets paid for electricity produced not just for installation like the agricultural solar water heating debacle. Applicant is unaware of soil substrate boulder issues that may cause problems.

- Can applicant look into the rock issue and how solar panels will be anchored if that is indeed and issue with this site.

F. Questions were raised about how water quality would be affected by solar panels and could breakage of panels cause contamination of ground water or runoff.

Drew explained new solar panels do not leach hazardous materials. They are predominately sand and metal. Some anti-glare applied films could cause issues but one of stipulations of use is that those products are not allowed to be used. Oil in inverters would be organic oils that are not pollutants.

- G. Residents state there is a Bald Eagle nest on site or very close. How can you build next to an eagle nest? Are there other protected species at the proposed site?

This is an issue that will be looked into on the SEQR process. There are regulations pertaining to building near nest sites and protection for endangered and threatened species.

- H. Residents state that noise and traffic to area will be unbearable.

Applicant acknowledges traffic will be increased during the building process which will take about six months and there will be heavy equipment noise in the site preparation and installation. Once installed, traffic will be very minimal, a few visits per month for inspection and maintenance. The inverter noise will be present at about 65 decibels at site once complete. That is about the level of human conversation being used in meeting room at present.

- Is access road maintained and plowed in winter time?

- I. How long will this solar farm be active and what happens when you are done producing electricity?

There is a 25-year lease with three five-year extensions. The solar panels do lose efficiency over time and will eventually be removed or replaced. At this time panels end up in landfills, but there is work being done to recycle materials. The applicant will have to supply a large bond to the town for assurance the area is reclaimed after it is no longer useable. This amount will be determined by town through guidance of Wendel Engineering and Seacrist Law.

- J. How does the Town of Randolph Benefit?

Randolph will receive financial benefits through fire district taxes and other possible benefits paid directly to the district (perhaps training and equipment) and through a PILOT agreement from which the County, Town, and School District would all benefit. The Town can also negotiate funds paid directly to the Town through a Host Community Agreement. This will be determined through negotiations with the Town and the Developer. It could result in a fairly large sum of money. There is also the benefit of renewable energy which could replace less environmentally friendly sources.

- K. Residents are concerned this will negatively affect their property values and they will get nothing for it. Will their taxes be reduced because of this?

Not sure if a definite answer was given about property value declines due to proximity of solar. It is highly unlikely their assessment would be reduced if it is assessed agriculturally as the project will not affect farm land value if it has agricultural assessment.

- Can Wendel look at any land value studies based on proximity to solar farms
- Can we get a specific view photograph of land from Rod Browns and Judy Towers residents as to what will be seen.

Special considerations:

Notes on meeting additional to hearing:

Time hearing was adjourned: 7:29

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Recorded By: Paul Steward