

## January 29, 2024 Public Hearing

The regular meeting of the Town of Hartland, County of Niagara, State of New York, was held on the above date at the Town Hall, 8942 Ridge Road, Gasport convening at 7:00 p.m.

Members present:

Supervisor: Margaret M. Zaepfel

Councilman: Joseph Reed

David Huntington  
(absent)

Sean Walp

Elizabeth Neadow

Attorney: Michael Dowd

Attended by: Sign in sheet attached

Supervisor Zaepfel called the meeting to order with all present standing for the pledge to the flag.

Councilman Walp delivers opening prayer

### **Public Hearing 1-2024**

**A Local Law Entitled “Solar Energy Systems and Battery Energy Storage Systems  
Moratorium Law of the Town of Hartland”**

**Date/Time: January 29, 2024- 7:00 PM**

**Town Hall: 8942 Ridge Road, Gasport NY 14067**

**Notice of said hearing was duly published in the Lockport Union Sun & Journal.**

**Hearing was called to order by Supervisor Zaepfel.**

**Supervisor Zaepfel –**“ This hearing will be on Local Law No. 1 of the year 2024 imposing a temporary town wide moratorium on the approval and installation of large-scale solar energy systems, utility scale energy systems and battery energy storage systems for the Town of Hartland New York. We are asking the landowners who have signed leases to reconsider before resigning while we investigate the data that has been collected over the last 10 years. The benefits and true cost to the community and leaseholders must be addressed before any project

application should be considered. The lack of data in the past has made these types of projects seem desirable, when in fact the contrary may be true. Our goal is to actively research the entire issue, share with the public our findings, so any decisions on the town's future will be made collectively. So now I open the floor for anyone who has any comments, please state your name, come forward and address the board.”

### **Privilege of the Floor for Public Comments:**

**John Fuzak :**“Ladies and gentlemen and the town council, my name is John Fuzak, I am a labor leader with the Lighting and Labor International Union of North America. I’m representing members who are residents of Hartland and bordering towns. I come before you to address an important issue that is currently affecting the community. As many of you know, there was a proposed solar moratorium known as Local Law 1-2024 that is being considered by the town council, as a labor leader and working closely with the members that are residents who will be impacted by this moratorium. I want to make it clear that I do not support it, but I also want to make it clear, I am not against solar development. In fact, I fully support responsible solar developers who follow area standards and create local jobs. However, the issue at hand is not about solar development, it's about the lack of transparency and communication from the town leaders. A moratorium by its very definition is a temporary pause or delay, but in this case it is a complete disregard for the voices of residents who will be impacted by it. By implementing a moratorium, the town leaders are essentially shutting our members (that are residents) out of the decision-making process. This is not working through something, this is ignoring it. I can see firsthand the positive impact that responsible solar development can have on a community, but in order for this to happen there needs to be open and honest communication between the town leaders and the residents. We need to work together to find a solution that benefits everyone. By implementing a moratorium, the town leaders are not only hindering the progress of responsible solar development, but they are also disregarding the voices of the very people they are elected to represent. In conclusion, I would like to reiterate that I am in full support for responsible solar development and the benefits it brings to the community. But I also believe that transparency and communication are key in making any decisions that will impact the town now or in the future. Let us work together towards a brighter and more sustainable future in Hartland, New York. Thank you for your time.”

**Bruce Fry: 9774 Ridge Road-** “I don’t have any problem with people doing stuff on their land, but 20 years down the road when this thing dies, who's going to be responsible for the cleanup and who's going to pay for it? I do know that a bunch of tires got dumped down there at the Hartland swamps a few years ago and someone had to pay for those things to get taken out of there. The old original landowner died and nobody paid the taxes and it went back to the state. That is my question: who's going to pay for this mess when it’s time to clean up? That’s all I have to say.

**Karen Walp:** “This is a letter that is written to Governor Hochul ‘We, the people of Hartland New York, would like to share our voice concerning our States renewable energy program. In the Town of Hartland, we are very concerned about New York State Executive Law Section 94-c. This law violates Article IX of the State Constitution in that it strips Home Rule from Local

Government and places an unfair burden on small towns like ours. We live in an agricultural rural town and the people are adamant that their town stays that way. This desire is outlined in our laws and Comprehensive Plan. In our town the renewable energy contractor, owned by a foreign entity, plans to erect a large Industrial Solar Power Project on over 2000 acres of our prime farmland, bordering state wetlands and within miles of one of the world's largest sources of freshwater, Lake Ontario. The project will checkerboard across our entire town destroying its pristine rural nature. This will drive people out of our town and out of New York State.

We understand that all Americans need to do their part and address the energy needs of our country. Our decisions pertaining to our energy needs must be made with extreme caution using common sense and research. Our energy sources must be reliable, affordable, sustainable and environmentally responsible. The affordability alone, once subsidies expire, could have catastrophic results affecting the most vulnerable, the elderly, handicapped, poor and dependent sectors of our population. The frenzy to site and implement Industrial Solar Power Projects and the associated Battery Storage Systems has been caused by a massive flood of taxpayer funded dollars. Unfortunately, the scientific data of the harmful effects have been ignored or suppressed. The Battery Storage Units have proven to be environmentally unsafe and a threat to human life with their propensity to self-ignition fires which can generate large amounts of toxic and combustible gases. We also now know that the prime farmland that we need to feed our people will be lost forever; the land will be left a brownfield for future generations. Our property values will decrease. Wildlife will be displaced or eradicated. Our community will be left with a myriad of other problems for generations to come.

Due to the impending crisis of our community, we would like to extend an invitation to you to visit us to discuss our rights as the people of Hartland.' Thank you."

**Jeremy Verratti:** "Hi, my name is Jeremy Verratti, we own Verratti farms just over in Royalton, I am not a resident of this town. I'm not here at these meetings very often, I want to congratulate Peggy and others for your election. Generally, though with elections there's a lot of things that happen soon after elections, but unfortunately or fortunately generally you get a little better than half the vote and that's about what happened here, I think it was maybe 55% to 45% whatever, to kick the old out and you guys are now here. And again, as I congratulate you, I hope that you feel the weight of these decisions as you move forward. These are important decisions with a lot at stake. As far as that goes, the most important thing to me is property rights. Generally, as we pursued agriculture and other things, it's up to the property owner, within reason to do what they can on their own property. As we move forward here it is a little bit ironic to me that there is so much discussion toxicity amongst other items when so many folks have these same panels on their roofs and in their yards and there seems to be no problem with that. But then when we put them on agricultural ground or open ground, there seems to be a different set of rules, I don't understand that. I'll furthermore state, I've heard this a lot on the subject of 'what are people going to eat, if solar panels are put in'. Two points just to that before I'm done, one is roughly there's about 90 million acres of corn in our country. Roughly a third goes to livestock, a third goes to human consumption and a third goes to ethanol. We have long been as farmers, specifically crop farmers, myself and others in the area in the energy sector. We are

already producing, many of us are selling corn into the ethanol plant in Medina. It doesn't necessarily mean it's going to end up in ethanol, they have a lot of great products that come out of that plant. We are already long in the energy sector and if you compare ethanol production off an acre of corn to an acre of solar panels the efficiency is not even close, the panels win out. Lastly, I saw a number a couple weeks ago, this is what I am pushing towards, is just to attempt to combine agriculture with solar. A lot of folks are doing it already with sheep, it's called agrivoltaics. It can help bee populations in the area, but also what I like to do is see it be done alongside beef cattle, if that can happen, I know there are folks that are doing it. Just so you're aware, when you get in to that and look at whether folks like solar or not, when you combine it with animal production or some form of agriculture, it's generally better than 80% of folks like the idea of that. It's when solar is on its own that they tend to struggle more. I know you have big decisions to make, just to be clear I would be against this moratorium, the former Supervisor took his time and did a great deal of research on this, along with the former town board and I would encourage you to not put a moratorium in. Thank you."

**Inaudible name (Proud Union Laborer)-** "I strongly advocate for the Ridgeview Solar project coming to this town. EDF is a responsible developer. I fully support this project. I also believe the town moratorium is unfair. It's time for us to take a bold step forward, towards the future. The Ridgeview Solar project is the perfect opportunity. Thank you for your attendance and for following the facts, the future's bright so you got to wear your shades. I also believe that again any landowner should have the right to pick and choose what they want to do with their land. That's what America was based on, deciding what you want to do on your home front. I leave it at that, thank you."

**Ray Sullivan 7984 Ridge Road -** "Been doing this for the last 4 years, I'd say 90% of it's been bull. EDF came here 4 years ago promising if we didn't want it they would leave. They pulled article 94 on us. I believe we've been lied to for the last 4 years and we do need to get to the bottom of the home values, what it will do to the land, the heat wave which we were told before no bigger than a parking lot. I'm pretty sure this is the only parking lot we have. Is right here? Maybe Snell's gas station, is there any more pavement around here that anyone knows about? I think we just need to get to the truth and then find out what goes on because I think we've been lied to right off the bat. I mean I'm really for it and I think we need to have a moratorium and get our Hartland constitution back when we had no industrial solar."

**David Synder-** "You've heard me before and I'm a former councilman. I'm not here to represent the good, the bad and the ugly. I'm here to represent every taxpayer in the town of Hartland. Since I pay taxes and everyone else in here I think pays taxes. I have done some work, and basically, I went ahead and have Article 94c which I'm going to give you, and I want everybody, everybody in this room to read 94c. Why do I want you to read 94c? Because it states exactly what will happen, first of all a moratorium on small solar is fine. The town of Lockport did it, the town of Niagara did it, but there is no large moratorium for large solar and I'll tell you why. Because the permit from whichever company comes whether it's here in the town of Hartland or any place in New York state, goes to OPES 94c, at that time they will make decisions like they did in the town Cambria. In the town of Cambria, they found that the only problem they had in

the town of Cambria, after they had on a law firm spent nearly \$99,000.00, to prove that the only problem they had was 124 acres in a IDA which I imagine probably (inaudible 16:00) is trying to get a waiver for now. But this project has been approved, the state approves the project, not the town of Hartland, not the county, not IDA's , nobody approves these projects but it goes back to 94c. I didn't bring it with me and I apologize, I did read the brief that the appellate court made the decision after they took 151 points that the town of Cambria brought against 94c. It was decided in November of this last year in 2023, and basically what it states is the only thing that they found wrong was 124 acres, not home rule, not farmland, nothing, 151 things that the town of Cambria spent \$99,000.00, they spent the money good, I just don't want you to do it. There's no reason in the world to do it when another towns already done it, and I'll leave you at that. Thank you."

**Kevin Campbell- Development Manager for Ridgeview Solar EDF Renewables:** Good Evening Supervisor Zaepfel, town board members and Hartland residents. Like many in your community I want to live in an area with good schools for my kids and good roads to drive on. Since the beginning of Ridgeview Solar in 2019 we've been open to creating relationships and exchanging ideas and information with the community and hearing your interest. Three things brought us to Hartland. First, the transmission lines that accommodate the energy we produce. Second, the open land provides the area to install the solar rays with minimal tree clearing and environmental disruption. Third, community support from the 50 families who participate in the project and others in the community who are not directly participating. Together these three synergies give us a real viable project in the town of Hartland. In our view, the moratorium is unnecessary. We do not plan to submit an application to the office of renewable energy siting this year in 2024, and the town board can update its laws without a moratorium, as did the former town board. Our team is available to meet with the town and residents to find common ground and work collaboratively to build, develop, operate and maintain a responsible solar project. We've done this in other communities, and we want to do it here too, because today and 10 years from now there can be tangible benefits for the entire community from Ridgeview Solar. More than 300 construction jobs will be created over 2 years during construction. Tens of millions of dollars in local spending, there will be 4 full time, well-paying jobs for the life of the project. These jobs can mean neighbors, or a family member can stay in the community and raise a family here at home. It means about \$2,000,000.00 annually for the town of Hartland, Royhart and Barker school districts, and Niagara County. It means more than \$2,000,000.00 annually for participating landowners. It means lower electricity bills and funding for local organizations and initiatives. Let's work together to secure funds to invest in schools and the community, keep roads well maintained and taxes low. Thank you for your time this evening.

**Terri Farina 7945 Ridge Road -** Solar technology what we have today, with what I understand, many of these solar panels will be coming from China. they will not be built here in the United States. What I also understand is that the headquarters for EDF is not a United States owned company. Where is the benefit to the United States, to the New York State taxpayers, to the local taxpayers in that respect. Say they come up with an estimate of \$10,000.00 to clean up one solar panel. Ok, they put \$10,000.00 away, well since the current President we have, we all know how the economy has gone, everything is doubled, tripled, quadruped how do we know the economy

is going to stay on the same course, or going to even out to slow down the 2% increase which would be wonderful. We don't know what tomorrow brings, economically. With that in mind, how do we know that the money they put aside is going to increase properly for when it comes time to dismantle. There's many other countries that are turning away from solar and wind because the technology that we are using today, they're finding out isn't all that great. Windmills are catching on fire, farmers are left with a 10 story concrete slab in their ground. Some of them depending on where they're located, the farmer is responsible for removing the windmill. Is it going to be up to the town? Is it going to be up to the landowner? The landowner that owns the land today, the landowner that owns the land 10 years from now? Questions we need answers to, for everybody. Many of us will not be here in 20 years. Many of us may be in Florida in 20 years. We have to choose for the next generation. The Native Americans have a saying 'don't look for the next generation, don't plan for the next generation. Plan for 7 generations from now', and this is what we need to look at. Now this battery storage, we all have lithium ion batteries in our pockets with our cell phones. We know the problems these lithium ion batteries are having with the electric cars now. Come to find out they don't start in the cold. I heard a report that California is the biggest lithium mining area. They are taking billions of gallons from the Colorado river. Every year we hear about the western states, the southern states that depend on the Colorado river for drinking water, for water for their crops, for their farms, for the community. If we're going to be taking all this drinking water for lithium mining, where is the benefit for the people? Next year, this year, seven generations down the road. We need concrete answers, and right now I don't see concrete answers from EDF, from New York State, from our federal government. We all remember the day when microwaves came out, they were monsters. VCR's, I am sure most of us remember those VCR's that were as big as microwaves are today. Now VCR's are extinct, DVD players now they are the size that fit in your pocket. Solar panels in other countries are getting smaller and smaller and more efficient without the chemicals that most of the big ones have today. They're finding out they're working better. I agree for the moratorium. We need more studies, we need to wait until the technology is proper. I'm for solar, you want solar on your roof. Fine, put it on your roof. I do not think solar belongs in our farm fields. I believe solar belongs in brownfields. Tonawanda Coke for example, you can't eat food off that ground. No one's going to be able to live on that ground. That's where the solar panels should be. We have brownfields locally in Niagara County, that's where the solar needs to be. Not in our farm fields, not when we don't know 100% if it will contaminate our land or not. Our local firefighters are told if the battery storage goes off let it burn. You got an electric car on the side of the road burning, let it burn. They do not have the equipment, our local fire companies don't have the equipment for this. Our hazmat teams locally are not equipped. I know this because I have a hazmat relative. Let technology increase, it's increasing trifold every couple of years. Ten, fifteen years down the road a solar panel may be the size of this podium. It'll be much smaller and I'm sure it will be much more efficient. I don't know how many solar panels are working right now. These foggy days, all the snow on it, we haven't had sun in days. I heard on the weather station one time the weather lady said that 'less than half of the year does Western New York get sun'. The technology isn't there, and we need to have a plan. Whether it's for the entire clean up, who's going to clean it up, who's going to be the company. Is EDF planning on being around 10-15 years from now or are they going to pack up and leave? Also,

what is going to stop New York State once these solar panels are in place, to say 'Hey, your land is producing energy, we're going to do eminent domain and take it from you.' I haven't heard or seen anything that the state will not do that. That's a concern. It's a concern, when we have this migrant situation and New York State is saying we're going to build housing on state land. How much more land are they going to take? Thank you."

**David Mongiello- Lockport-** "Something newly released, I do a lot of research on electronics, technology, solar panels. I'm from Lockport, we did try and challenge the solar in Lockport but I feel the politicians failed us. New article just out 'Trillions spent on Climate Change Based on Faulty Temperature Climate Data'. Everybody knows this is what they're basing climate change on. This is about money, it's not about rights. It is about rights but it's based about money. We have a hydroelectric plant in Niagara Falls that produces electricity 90% cheaper than solar does. Alright, how would you guys like to have free property tax? Because that's how much they overcharge you in your electricity right now in Niagara County. I was told by ex-county legislatures that we're supposed to have the lowest cost electricity in this county because of the deal they made with Robert Moses. That's why Arcade electricity is 75% cheaper than what we pay here, that means that if every household in Hartland got this deal on electricity you would have free property tax. This whole thing's a shame what's going on with solar. The only reason why it's being pushed it's being funded by the leftist, pushing the money towards the solar, saying it's good, when it's really not good. Because once this is gone, and these panels are outdated. It could be 10, 15, 20, 30, 40 years, it's going to double your electricity bill. Because this is how much solar panels cost. If solar was efficient, companies would be putting them in, but they're not. People have to wake up to this, and I think you guys are proposing a panel to investigate the facts on this. I mean people have to know that in the City of Lockport a bunch of batteries caught on fire in the school because the batteries were stacked too close to one another and they want to put in how many acres of these batteries in Hartland? When these things catch on fire cause that's large you realize the health impact to the area? There's a lot here, it needs to be investigated. I'm sorry, I don't live in this town but it's my opinion, I need to have everyone's concern. Everybody should really look into the high cost of electricity because Arcade, Batavia and Akron, 50%-70% cheaper electric bills, we really should be looking into that too, because what is the benefit for solar. Is it going to give us a better deal on electricity? What is it going to give us in the community? Yes, there's talk the about the ethanol, ethanol's a good thing. It was all government subsidies, whether or not it's making farmers more money. It's all about money and we need to look out for our lives, what's better for the community and research and investigate what's going on. My two cents, thank you for listening."

**Lisa Roeseler - 9320 Ridge Road-** "I think if I'm understanding correctly, tonight's meeting was about a moratorium and proposing that to the public. I applaud the fact that you are attempting to put the brakes on for a moment, and to get the pros and cons of both sides because you are proposing committees to help with people for and against solar. This isn't necessarily a bad thing that we have transparency, we put the brakes on, 6 month moratorium. Let's get other people involved, let's look at the facts, let's not get on the internet and say 'I found this, I found this'. Thank you for proposing the fact that we slow things down, we get voices from everybody on both sides and we do it in a meaningful transparent way. Thank you."

**Richard Herman- Chapman Road-** I've looked at what happened in California, they've got a lot of solar down there and they get more than twice as much solar energy from the sun than we do in Western New York. Any problems that you see in California with brown-outs, black-outs and huge electric bills is going to be what we're asking for if we get solar energy, industrial solar. I don't mind what farmers do on farming land doing farming but when what they do on their land impacts my electric bill then I want to get up there and talk about it. There's simple things that we should look at. One thing, like he mentioned we have green energy already from Niagara Falls. It's just 25-30 miles down the road. When they're talking about trying to bring green energy to us, we've had it for over 100 years. Then the storage facilities that they're talking about, it's already been mentioned when the lithium ion batteries catch fire, you don't put them out. You let them burn, and then they extinguish themselves because if you try to put them out yourself, you're just spreading, the water gets toxic, the air is toxic. You just let it go. I looked up what Kathy Hochul said about a couple fires down in I think Bliss, New York. She says 'they investigated and they didn't see any toxic problems'. Well, if you go to the local newspapers or the television stations and look at the history of what they explained happened during that fire. It was the fire department put a moratorium on anybody in their house, they couldn't get out of their house for 1 mile around this fire. That's how toxic this stuff is. When they tried to put the fire out, if you look at what the firemen were trying to do, they weren't really focusing their water on the fire, they were focusing it on this plume that was coming out of the burning lithium ion battery. The reason they were doing that was they were trying to break down the particulates and the chemicals that were in the air to keep it from going into the surrounding area. Then what that ended up doing was contaminating the groundwater. Any effort to put it out is a kind of a moot point, that just about covers what I think about solar energy."

**Shawn Florkowski- 4025 Hartland Road-** I'm here to voice my approval for a moratorium. I learned about the solar project as I got a letter in the mail that my property was being surveyed by the solar company. I really didn't know much about it before then, and then I found out that the solar project proposed on my property boundary is 7 times larger than the footprint of the new Bills stadium will be. Selfishly, I am not as concerned about some of your concerns, or your concerns as my concerns. I'm concerned about my property value. I'm concerned about Home Rule certainly, but also the legacy and opportunity of my young family. In America 45% of our wealth that we generate is from our property value. I don't come from a farming family, I wouldn't want to pretend that I know much about farming, but I know on my property I try to not impact my neighbor and I hope he doesn't impact me. What he does on his property I hope is considerate of me and I hold myself to the same as him. With 45% of my families wealth coming from our home value if Hartland Road along the powerlines is surrounded by solar there's going to be a decision by 50 landowners to devalue my property. I have read studies that say that's not an impact but ask yourself if your home was surrounded by solar fields would you buy that home? You wouldn't. I have young children that I had hoped that someday if I plant an apple tree they might pick an apple 20 years from now, my grandchildren might pick an apple 30 years from now if I'm lucky enough to have them. My children will move away if their surrounded by solar panels. My family will move away if they're surrounded by solar panels. While I agree with property rights and I wholeheartedly agree with property rights, your property rights stop at your property line. When they're having an impact on your neighbors it is evident when there is



an election and there is a mandate that says over 50% have said at least they don't agree with you and that should be taken into consideration. I feel like there's been a wild west expansion of solar not taking these things into consideration. I think that considering solar farming as agriculture is like considering a puppy mill that we can make dog bread, it's not the same thing. You're covering our land with plastic, Chinese solar panels and that should also be taken into consideration. I think that when we look at the footprint and impact on the community of Royalton and Hartland, EDF is going to cherry pick whoever they can down the powerline on each side. If you don't think it's coming to you, it is. If you don't think they are going to try to pit neighbor against neighbor, friend against friend. They will. They are going to dangle a couple extra thousand dollars and the next thing you know, your kids, your grandkids won't talk to their kids and their grandkids. What's happening in our community really does need to be revisited. It's obvious on what happened in November that there was at least a mandate to take a pause, to take these things into consideration and that we should be looking at what is possible. I thought it was a great analogy, I used to carry an iPod in my pocket, now my phone does all this. I used to have a home computer, but now my iPhone does all this. When we stamp 30-40 years of the best agricultural ground in New York for a 40 year plastic solar project and we fence it in, and we eliminate our critters from moving through. I think it really does need to be looked at and I appreciate the consideration for the moratorium."

**Jon Davis- 7992 Ridge Road** – "We've been coming here going on over 3 years now and there is still questions I don't have answers to like how many batteries and inverters will the Ridgeview Solar and storage site contain? The other question is where will they be located? Important to the property owners, important to fire control too. I also believe that the residents don't know where this land is being leased. Where there's potentially going to be eminent domain required to maybe take a property to finish the whole circuit up. I think EDF should notify all neighboring people and the town of what their plans are for properties around them. Another question I don't think has been dealt with is where would the firefighters get the water from to contain a battery fire? Thousands and thousands of gallons, we don't know where the batteries would be. You got one line going down the road underground otherwise you're going to have many trucks hauling water like the Chaumont battery fire that was a big one. That anybody can look up just google '3 Mile Bay Volunteer Company' there's videos on there of the fire, the smoke, the plume, the fire trucks, they fought it for 4 days around the clock. Upwards I believe of 13 fire companies and they didn't put it out, they just soaked it down. Another person brought up about New York State could take the property potentially through eminent domain. They did it for New York City water supply down the Hudson River. They've taken tens of thousands of acres, turned it into reservoirs, sent the water to New York City in big pipes in the ground. So it's happened, there's precedent. That's all I got to say."

**Carol Slack-** "This here is the largest ever in the U.S., 350 megawatt has never happened before. There's no proof it'll hurt own home values because it's never happened before. You can't prove something that's never happened. Create jobs, B.S. because okay, it will create 3,000 jobs building it, they bring in their own crew from out of state. We'll have four people local that will work at the solar farm, however how many are going to be out of work from the farm. How many are going to not be out plowing, spreading manure. How many people are going to lose

their jobs because of that. If you google it we are the third gloomiest city in the country. As you've seen the last couple weeks, we've had like no sun between fog so how are we going to produce any solar energy, if we don't produce solar energy nobody is getting paid. And if they guaranteed you payment, they're going to raise our rates to cover it. We're going to get the screwing in the long run. Water on lithium ion is toxic, the fire companies going to dump water on it, it's the worst thing that could happen. Do what you want with your land? We couldn't. My husband wanted to open a collision shop which is fine, all of our neighbors had to approve it. Fortunately, they did and we are very careful about being good neighbors. We don't have an option and I'm going to have solar next to me, behind me and across the road. I'll be surrounded by it and I have no opinion on it. I am not allowed to say, 'no that will ruin my house'. I can't say anything because 'let them do what they want.' We couldn't, why should they? Decommissioning, they take the panels out they leave the conduit, the wires. Anything that's broken say a hailstorm, one of these crazy people around here shoots out a panel here or there, all that glass is in the ground forever. All those wires, all that conduit that's there forever. It will deteriorate, common sense. No, it's not going to be left like it was before, it will never be like that again. If anyone has driven past Slayton Settlement and Day Road, that's only 45 acres. If you look how ugly it is, how badly it ruined the roads putting it in, the noise the that all the neighbors had to deal with. That's a fraction of what we're going to deal with. Behind my house there's a herd of at least 50 deer, 50 I can usually count. Where are they going to go? They're going to run in the road, wreck your car, our car insurance is going to go up. There's nothing good about this. We already did their little survey thing, we voted these fine people in. We have proved time and time again we do not want this solar industrial site in our town and I just wish EDF would just go away. Leave us be. We love it here, everybody loves Hartland. Don't ruin it. Thank you.

**Linda Ark- Root Road** – “ I am one that has signed up for solar. There's nobody across the road from me, there's nobody to the left of me, there's nobody to the right of me. My stepmother did pass away it was under the (Rarry)Trust, so anybody that wants to go to the county courthouse and find out ownership to post anything on your website that only has the regurgitation of the same people over and over and over again. It will in due time be under the name of Linda Ark, A-R-K. You can save yourself the trouble of going to the courthouse. It's my feeling that either it goes in or it doesn't go in. Either it happens or it doesn't happen. I won't claim to be an expert because I'm not. I'm not an expert on how the fires go, how their built, what their made of, where it comes from, how long it will last, how much sun it will take. I would think that there's at least sufficient enough sun for something otherwise all the ones that I see on people's houses would not be of any benefit. I think that probably they need to look into that a little bit more. I can't speak to anything else because I'm not an expert. What I've heard here tonight I don't think you need the moratorium to look into it further because it seems like you have all your experts right in this room. I know you think it's funny but that seems to be the truth. I wouldn't claim to know three quarters of what you guys seem to have a handle on. I am for the moratorium because I believe it should be fair. I think if that's what it takes to bring peace and decorum to our town and to lead people back to any sense of community. Absolutely that should happen. Also, because it's going to be a year before permit process anyway so no harm no foul. Look into it, find out. That's your job. That's what you were elected to do. I'm also not opposed to the new

people that are up here. I think everything should have change, I think that to have the same forever and ever is not a good thing. Fresh is good. That is on the record that I am for the moratorium but I am also for solar. What I'm not for is for this letter to be sent. I don't know if the lady that read it is the one that composed it, but when you say 'We the People of the town of Hartland' that includes me and I do not agree with the things in the content of this letter. I think that in all fairness, if this is going to be sent I think there should be an attached letter for the people that think differently. If you want fairness, which you've indicated you do. Which you've said, 'all the people need to be heard', this isn't all the people. This isn't me. "

### **Dispute between speaker and another resident**

Linda Ark continues "I did watch, I guess it was a YouTube video, I'm not quite sure. I really think there's enough dissection in our town. I really hope that sure, Mr. Mongiolo has the liberty to be in this arena but if we become a circus like the other platforms he has attended and we are a part of the people that wear clown noses. I think you know what I'm talking about. I really hope the town of Hartland doesn't stoop to that level. I really don't want to be known as a circus like the clip that I watched at the town of Lockport. That was childish. That's what I have to say, thank you."

**Tim Neadow- 2284 Johnson Creek Road-** "New York state, built a \$2 billion solar plant down in portions of that land they take eminent domain. They never even used it to build solar panels. They leased the land, they leased the building and everything else to somebody else. They took our tax dollars to build. We've had these fires on these batteries and solar panels. Four years ago, I asked when we were doing the meetings here at the firehall of the company that wants to build Ridgeview for the data on water contamination, ground contamination. I have yet to see any numbers ever. Now there's spending on fires and decomposition of solar panels. Where's the sample data? The DEC must have performed something, where is that at? Why is this all being hidden? That's why you put a moratorium in place, so you can receive this data, or to go find this data so that everybody is informed. That's all I got to say."

**Pauline Smith- Ridge Road-** I'm for the moratorium, like they're saying, get your information. we knew a couple that lived in Cambria, they moved. They were frightened, they moved, they sold their house because they didn't want to look at, as you were saying panels. They loved their house, they had to move. I remember we were here at a meeting a long time ago and a couple moved in on Checkered Tavern Road and they came here from Williamsville, Amherst, somewhere like that. They wanted to be out here, in the country, rural, and breathe fresh air. I keep thinking of this, and panels are not mother nature. I don't know about you guys, I feed my birds every year and I don't know what happened to our finches, they're gone. Animals cannot live with solar panels, nature cannot live with that stuff. I also want to say my daughter came up here and spoke and I'm very proud of her. Thank you very much."

**Jeanne Darsow- Ravenwood Farm -** "I have land on Johnson Creek Road, it has no address yet. It hasn't been farmed yet for a while. I also rent land on Hosmer Road in Appleton. I am totally unprepared for this because I have a farm, I work a regular job so I'm just going to do the best I can. I am against the moratorium, because I think everyone has had plenty of time to do

their own research on both sides of the issue. There is tons of evidence either way whether you're pro or con, it doesn't matter. Solar has actually given me a job since 2012. I helped build the Telsa plant in South Buffalo. We were making machines, they were supposed to make roofing panels for solar, like shingles. The technology changed so much that every couple of weeks we had to retool our machine. They never even started doing the panels because everything was going so fast. Those were shingles for your roof, same size as a regular shingle. That was one job I've had. When I found out that we were going to have the solar company come in, I talked to everyone at EDF about how I was so excited that I could finally do my sheep farming. I would have some support to farm my sheep. I'd have a way to have a job with solar and have sheep. Now to go back a few steps, before I was born my grandfather was an engineer. His plan was to have a farm completely run on solar in 1969. The technology has been in my family since then. There's good to solar, there's bad things in solar. I understand that. This letter is not all true and it's a lot of it true, a lot of it not true. The farmland that they're taking is not all number 1 farmland, they're starting at number 4. Whoever wanted to give up their number 4 farmland, the worst farmland you have. That's what we did on Hosmer Road, we gave up our worst hayfield. We will be making more money leasing our land to EDF than we would making hay because it's a wet area. Now once we put in the solar panels, put up fencing, in that fencing there's actually space. They measure out the sizes of animals like foxes and woodchucks and all small mammals, that there are pathways through that chain link fence with my sheep. The sheep will be in there grazing, they're lambing right now. I have two solar contracts now, one's in Niagara County, one's in Erie County. One of them is actually at Niagara University. I will be having my sheep solar grazing. A problem with farming sometimes, people don't like change. Farming is always changing, it's always developing. Everything's changing. I worked at Amazon for a while, I needed a job. I don't make any money at the farm. All I do is break myself down and get beat up by animals but that's ok because it's ok. I met a lot of really nice Muslim people, my neighbors don't really like these people, but if you sit down and talk to them, they're very good and very kind people. They can come and buy my sheep I don't have a problem. They need to buy sheep why should they drive 2 hours to Pennsylvania when they can drive 45 minutes to my place and get sheep from me, my friends and we all get along. I don't see how solar farming is a bad thing. I have studies that people have made millions of dollars off of 7 acres of solar. They use it as a tourist attraction. They have petting zoos, they have grow crop, they have brown crop, they have sheep and our sheep are half meat production, half fleece. We shear and fleece sheep. We send the wool out, it gets processed. My mother hand spins, with her hands, her actual hands, not a machine like most people do. She spins the wool with her hands and hand knits and crochets articles from these sheep that do solar work. They're all trained, they all live outside. When it gets dark and there's not any sun to absorb any light the solar panels go flat. Now my sheep have 20 acres of grazing to do while they're all protected by the solar panels. When the sun comes out, the solar panels go up and follow the sun. Now the sheep are out but because the solar panels are almost always on at angle, they always some sort of shade. You can grow a crop of alfalfa underneath the solar panel and it will grow better than a crop of alfalfa out in your field because it holds the water down, there's less evaporation of the water. You might need to get some specialized European haying equipment, because there's not a lot of room in between the rows. In New York no one owns thousands and thousands of acres. You own 50

acres, they make small farm machinery. Change up your farm machinery. Nobody likes change. You have to educate yourself, both sides. Not just I hate this, and I hate that. There's good and bad in everyone. I have Amish friends they raise sheep. I buy the sheep from them, they get money and then I get money and my friends get fed. All this farmland that they're taking away the farmland for free. I personally don't eat field corn, you make ethanol out of field corn. Some areas around here are crops. They are beans and tomatoes and cabbage but a lot of it is also ethanol. I'd rather not have ethanol in my gas, but that's just me and that really has nothing to do with this. I just, I think everybody needs to do their own research on both sides. Don't just go 'I don't want this'. My Mom lives in Cambria, my Mom had a problem with the solar project that was going to go up there, they don't have a problem with solar in general and they don't have a problem that it's on someone's personal land. They thought it was too much land of one persons. My mother understood that's their land and if they want farm solar, they can farm solar."

**Barbara Outten - Chapman Road- Protect Our Rural Communities- Family of McCollum Farms** - "I am pleased that newly elected town board of Hartland is listening to its constituent base and is pausing, to take time to analyze the Solar Energy Systems and Battery Energy Storage Systems. It is only right that our town representatives' goal is to preserve the health, welfare and safety and decades of investments of the residents and protect our community for future generations. There are many outstanding issues that need to be addressed before any project of this magnitude is going to take place. The town comprehensive plan, which is long overdue for review, does not even contain the verbiage for any "Green Energy" and there are many aspects that need to be decided by the town residents, Planning and Zoning approval, and Building Code requirements. I can only wonder why this was not done before to protect the future of our town and preserve its beauty for all the residents and not pander to a few individuals looking to make a buck at our whole communities expense. Many have jumped at the idea of a quick buck and neglected to follow the existing laws on the requirements and legal aspects that first need to be addressed. Home Rule and Local government are still the foundational principals that assure protection from tyrannical rule that we see almost daily being forced by Albany and their political agenda that does not take any consideration of the consent of the governed. EDF Renewables is the French government, they are not a French entity, they are a French company empowered by Albany's political agenda is trying to destroy our town, trample our God given right as American citizens. It is time we stand and fight for our community, Albany, EDF and a few greedy landowners do not have permission to roll over us like the rural idiots they presume us to be. On a side note, just step back and see as we have witnessed over the past 4 years, the deep divisions that have pitted neighbor against neighbor, even divided families on this issue. Stop and ask yourself, 'does this follow the principles and ethics of what our nation stand for?' This destructive force has been thrust on our community by EDF Renewables (and Albany) offering a portion of residents insanely large amounts of money, one of which is our own town councilman Joesph Reed. Joseph Reed and his family stand to gain over \$750,000.00. Verratti farms is going to get \$1 million a year. Just because you can make crazy money by throwing your neighbors under the bus, should you?"

**MOTION** by Councilman Walp, seconded by Councilwoman Neadow to close the Public Hearing.

Ayes: 4- Zaepfel, Neadow, Walp, Reed

Nays:0

Absent: Councilman Huntington

CARRIED

Supervisor Zaepfel opens regular board meeting.

RESOLUTION 28-2024

**MOTION** by Councilwoman Neadow, seconded by Councilman Walp to approve Local Law No. 1 of the year 2024 imposing a temporary town wide moratorium on the approval and installation of large-scale solar energy systems, utility scale energy systems and battery energy storage systems for the Town of Hartland New York.

Ayes: 3- Zaepfel, Neadow, Walp

Nays: 0

Recused: Councilman Reed/ Absent: Councilman Huntington

CARRIED.

NEW BUSINESS

**Supervisor Zaepfel** – “ What we would like to do, because of everything that has been going on, we want to actively recruit our townspeople to serve on various committees. During our campaign it became evident that our townspeople felt their voice was not being heard by their local government. In response to that message, we will be forming committees whose recommendations to the board will be heard no matter what side you are on. If you are interested in serving please highlight your name on the sign in sheet and you will be contacted. We would like a committee to address small business growth in our town, renewable energy research and different types of community outreach. The list is in the back, please if you are interested in having your voice heard and communicating with everybody, and we will be listening to these committees on advisory capacity.

**MOTION** by Councilwoman Neadow, seconded by Councilman Walp that since there is no further business to come before the board, the meeting be adjourned at 7:10 p.m.

Ayes: 4- Zaepfel, Neadow, Walp, Reed

Nays: 0

CARRIED

The next meeting date will be Thursday February 8, 2024 at 7:00 pm at the

Hartland Town Hall @ 8942 Ridge Road, Gasport New York 14067

Respectfully submitted,

A handwritten signature in cursive script that reads "Caitlin Clark". The signature is written in black ink and is positioned above the printed name.

Caitlin Clark  
Town Clerk