

OFFICE OF THE PLANNING BOARD
Town of Schaghticoke

January 8, 2020

PUBLIC HEARING

7:30 P.M. **Tyler Fane Subdivision (Tax Map #61-1-20.12, -20.112, -20.116).** Mark Danskin, L.S. appeared to present the application of Tyler Fane for a proposed subdivision located in a Residential district off NYS Route 40, north of Irish Road. The proposal is to subdivide 6.36 acres from the Kent Mark Fane parcel, 2.36 acres from the Pat Casale parcel and 1.11 acres from the Donald Fane parcel and to combine those parcels into a single building lot of approximately 9.38 acres with a 50 foot wide paved easement. All involved landowners have consented to the proposal. Mr. Danskin stated that the proposed sloped subdivision is located in a Residential zoning district, is mainly wooded and will provide "good use of the land". There were no public comments. The public hearing was closed at 7:34 p.m.

7:34 P.M. **Stillwater Renewables – Viall Solar Farm (Tax Map # 22-1-7.1).** Dallas Manson, Business Development Representative for Nexamp, Inc., appeared to present a proposal for a solar farm located in an RA zoning district on Stillwater Bridge Road across from the Schaghticoke Fairgrounds. She addressed the Board and public and stated that Nexamp Solar (though she spends most time in NY) is Boston-based and was developed by veterans. The business currently specializes in solar energy. She explained the difference between the creation of solar energy for utilitarian (the energy is sold to commercial establishments) and community solar (the energy created is made available for the local community's use). The Viall Solar Farm is proposed as a community solar project and is planned to be a 5 megawatt facility. Ms. Manson noted that the five megawatt facility is the largest the company currently builds. The owners, Cliff and Gary Viall, plan to subdivide the 140 acre parcel prior to the development of the property. The residual land will be rented for agricultural use. Ms. Manson added that the facility is maintained approximately two to three times a year, but otherwise operates with remote off-site operation.

PUBLIC COMMENTS

A town resident asked if there were any advantages to the presence of the facility for the local community. Ms. Manson replied that it is the intention of Nexamp to hire from the community for the construction of the solar farm and the electrical work. Following

the construction of the facility, she added, only the electricians would continue to be employed on an as-needed basis.

Brian Neary, 145 Bracken Rd., asked if Nexamp would reach out to consult with local fire and emergency responders.

Ms. Manson stated that, typically, both fire and emergency responders are consulted with regard to protection for the facility and nearby neighborhoods.

Mike Capituola asked if private funds were expected to be used for the project development, whether there would be direct access to the site, and whether the access drive to the proposal would be paved. Mr. Capituola also requested the size of the parcel designated for the solar farm, the size of the utility building and the size of the individual panels. He also asked if the project would be visible to the neighbors.

Ms. Manson stated that the project would be fully financed with private funds, that direct access to the site is planned and that the access would not be paved, but the road would be made of permeable material to reduce water run-off. The 3' wide X 5' high panels will occupy approximately 14 acres. Ms. Manson added that she was unsure of the building footprint size and that the neighbors would not be affected visually by the project.

Alex Von Fricken, 87 Bracken Road, expressed concern with regard to the loss of construction jobs following the completion of the project. Dallas Manson explained that, as with other construction positions, the employment commonly terminates and there simply is no need for additional construction work post-completion.

With no further comments, Chairman Alessandrini stated that the period for written public comment would be held open until the next Planning Board meeting on February 5, 2020. The hearing closed at 7:49 pm.

Herrington Solar Farms (Tax Map#41.-1-96). Deputy Town Attorney, Kristin Pratt, recused herself, as Eden Renewables is a client of Young Sommer, LLC. Peter Barber, Attorney, was present to represent the Board and the Town. Giovanni Maruce, of Eden Renewables, appeared to present the proposal for a community solar farm to be located on a 120 acre parcel in an RA district at 33 Bracken Road, northwest of the intersection of Bracken Road and NYS Route 40. Owen Speulstra, project engineer, with Environmental Design Partnership and Jennifer Galavotti, project co-ordinator, were present. The solar farm, owned by Phil and Ken Herrington, is proposed to occupy 32-35 acres and will be located 1,000' off the road. Mr. Maruce exhibited a survey of the project and stated that the solar farm will help mediate the cost of electricity for the community by providing approximately 1,250 homes with 11 million kilowatts of electricity. He noted that the solar panels will rotate on a hydraulic motor, to follow the sun and that for maximum production of energy, battery storage will be used. There will be two hundred thousand solar panels with 15' to 20' between the arrays. The land will be seeded for biodiversity, providing for butterflies and the bee population. Sheep may graze the property during the summer months; the panels will provide shelter

from the elements. Mr. Maruce explained that access to the site is planned to be located off Bracken Road and that views of the project will be limited from Bracken Road and NYS Route 40 due to the proposed planting of a natural mix of deciduous and evergreen trees and shrubs. He added that since the arrays are only 8' high, screening is not problematic. He added that, as part of a visual study, balloons were positioned at heights of eight and twelve feet to determine the location for the most effective screening.

PUBLIC COMMENTS

A Bracken Road resident (who did not identify himself) stated that he moved to Bracken Road to avoid development and solar farms. He added that he frequently receives solicitation from solar companies.

Mr. Maruce noted that screening can be adjusted to protect the residents' views. In addition, Mr. Maruce stated that a presentation concerning this project took place at the Town Hall on June 18th and that it was not well attended.

Brian Neary, identifying himself as a licensed real estate broker, stated that the Town of Halfmoon, a former farming community, coined the phrase "solar town USA". He suggested that the Town of Schaghticoke should reduce the carbon footprint and locate solar farms, not on virgin farmland, but "ruined land", such as mines and landfills.

James Czub, Verbeck Ave., stated that he developed a solar farm in his backyard. He added that he is a farmer who produces both corn and soy. He cited financial pressure for survival of the farm and his lack of desire for more housing development as reasons for the creation of his community solar farm. He added that, as a result of the solar project, the land is currently in better shape. Mr. Czub extended an invitation to the public to tour his solar park which is located on Verbeck Avenue. He emphasized that solar park projects enable farmers to continue to farm the land. In addition, he remarked that his only visual concern was the unsightly poles located on the roadside.

Jeff White asked if the parcel to be used for solar purposes was fifty acres.

Mr. Maruce replied that the acreage to be used for the solar farm would be approximately 35 acres. The residual acreage is planned to remain in agricultural use. The access road is proposed to be constructed with permeable soil, cables will be situated underground with 4-5 30' high transmission poles located above ground.

Blane Neary, a Melrose volunteer fireman, stated that the proposal would be located "in his backyard". Mr. Neary also stated that he is concerned about fire protection, as only 5 firefighters are on call at the Melrose Firehouse during the average day. Mr. Neary wanted to make certain that a plan was in place in advance for emergencies on the site.

Chairman Alessandrini explained that as part of the application process a review of fire protection and a decommission plan would be considered by the Board.

Giovanni Maruce added that the panels are composed of silicon and that temperatures of 400 degrees need to be reached to create a fire risk. He added that the transformers and batteries are at greater risk for fire. Mr. Maruce explained that the batteries are held within an insulated, compartmentalized box to reduce the chance of fire. This insular structure also eases the process of decommissioning.

A resident asked if there would be any glare from the panels.

Mr. Maruce stated that glare is expected to be minimal, as the panels move throughout the daytime hours.

Lettie Saheim, Hansen Road, wanted to know the time period for the solar panel viability.

Mr. Maruce stated that life expectancy for panels is approximately 40 years. He added that a bond would be held and assigned, (although salvagers would deconstruct the solar materials for no charge), for the decommissioning process. He noted that the solar park materials are 99% recyclable.

Nancy O'Donnell, Hansen Road, asked if the Town had a plan in place, or a moratorium, to limit the number of gravel mines and solar farms. She stated that she had read that the heat emanating from the panels negatively affects the wings of birds.

Chairman Alessandrini advised Ms. O'Donnell to reach out to the Town Board with regard to possible limitations on the number of mines and solar farms within the Town of Schaghticoke.

Giovanni Maruse said that negative effects to bird wings does not occur in the Northeast climate, but does apply to the South.

A few of the residents expressed concerns with regard to negative impact upon property values and the inability to market their property due to the proximity of a solar farm.

A resident added that the negative impact on her property would be far greater than the minimal savings on her electrical bill.

One resident requested an aerial view of the property prior to the establishment of the solar park and an aerial view of the simulated proposal on the parcel. Mr. Maruce agreed to prepare both views; however, he stated that the maps may not be contextually valuable, since the public will not frequently fly over the property in a helicopter.

Giovanni Maruce concluded by stating that he is happy to meet with residents and to visit their homes to discuss their visual concerns in order to mitigate concerns and to reach a satisfying solution.

Mr. Alessandrini explained the application process for Special Use Permit and Site Plan Review. The hearing was closed at 9 p.m.

Written comments may be submitted to the Board until the next meeting, Wednesday, February 5, 2020.

REGULAR MEETING

9:05 P.M. Members present were: Chairman Frank Alessandrini, Dan Clow, Brian Davidson, Elizabeth Hale, and Scott Wiley. Wayne Akin and Robert Weir were absent. The minutes from the December 4, 2019 meeting were reviewed. Scott Wiley made a motion to approve the minutes as submitted. Dan Clow seconded.

Ayes: Alessandrini, Clow, Davidson, Wiley

Nays: None

Abstention: Hale

Tyler Fane Subdivision (Tax Map #61-1-20.12, -20.112, -20.116). Mark Danskin, L.S. appeared to present the application of Tyler Fane for a proposed subdivision located in a Residential district off NYS Route 40, north of Irish Road. The applicant, Tyler Fane, was present. The proposal is to subdivide 6.36 acres from the Kent Mark Fane parcel, 2.36 acres from the Pat Casale parcel and 1.11 acres from the Donald Fane parcel to combine those parcels into a single building lot of approximately 9.38 acres with a 50 foot wide paved easement. The Board's remaining concern involved the potential for a driveway to access the newly created parcel. Dan Clow shared the relevant portions for the NYS Fire Code related to driveways for the applicant to review. Mr. Danskin stated that they had walked the property and determined that an additional driveway could be created, should the need arise in the future.

The application fee was determined to be \$255.-- for one subdivision and three subdivision waivers.

Scott Wiley made a motion to issue negative declaration under SEQRA. Elizabeth Hale seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays None

Dan Clow made a motion to grant preliminary subdivision approval. Brian Davidson seconded.

Ayes: Alessandrini, Akin, Clow, Davidson, Hale

Nays None

Chairman Alessandrini reminded Mr. Danskin and the applicant that if RCHD approval is not received within 6 months, a request for an extension for approval of the project will be required.

Kardas Farm. No one appeared. A complete application has not yet been submitted.

Herrington Solar Farms (Tax Map#41.-1-96). Giovanni Maruce, of Eden Renewables, exited the meeting room to speak with residents interested in the proposal for a

community solar farm to be located on a 120 acre parcel in an RA district at 33 Bracken Road, northwest of the intersection of Bracken Road and NYS Route 40. Owen Speulstra, project engineer with Environmental Design Partnership, and Jennifer Galavotti, project co-ordinator, were present. The solar farm, owned by Phil and Ken Herrington, is proposed to occupy 32-35 acres and will be located 1,000' off the road. Mr. Speulstra indicated that the National Grid poles, considered an eyesore by the public, may be eliminated and replaced with rectangular boxes which, like poles, serve as a means for the transmission of energy to the grid. Though the boxes are large, they are visually less obtrusive than the vertical poles. Mr. Speulstra will contact National Grid with regard to this matter. In addition, Mr. Speulstra stated that a decommissioning plan, improved visualizations and screening plans of the project will be submitted to the Board.

Michael Bianchino, engineer with Lansing Engineering, was present to represent the Board. Mr. Bianchino recommended that a review of visual impact be addressed at the next meeting. Mr. Bianchino plans to assemble a number of other issues to be discussed at the next meeting.

Chairman Alessandrini stated that SEQRA review would take place at the February meeting.

Chairman Alessandrini received and circulated the response from DEC with regard to its interest in the application involving the Herrington Solar LLC/Eden Renewables. The correspondence indicates that DEC has no objection the Planning Board assuming lead agency status for this Type I action.

Since no response was received from other involved agencies with regard to lead agency status, Scott Wiley made a motion that the Planning Board assume the status of lead agency with regard to the Herrington Solar Farm. Dan Clow seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Stillwater Renewables - Viall Solar Farm (Tax Map # 22-1-7.1). Dallas Manson, Business Development Representative for Nexamp, Inc., appeared to present a proposal for a solar farm located in an RA district on Stillwater Bridge Road across from the Schaghticoke Fairgrounds. In addition to her earlier presentation to the public and Board, she stated that there will be an adjustment to a swale to enable the applicant, Gary Viall, to cross over the waterway and access the property.

Mr. Alessandrini stated that SEQRA would be addressed at the February meeting.

Atty. Pratt stated that she would provide a sample decommissioning agreement to Dallas Manson for review. The Town's engineering consultant also noted that comments on the project would be provided within the next few weeks.

Given a lack of response from other potentially involved agencies, Brian Davidson made a motion for the Planning Board to assume the status of lead agency for Stillwater Renewables. Scott Wiley seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

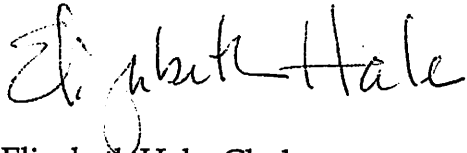
Brian Davidson made a motion to adjourn the meeting at 9:25 p.m. Dan Clow seconded.

Ayes: Alessandrini, Clow, Davidson, Hale, Wiley

Nays: None

Respectfully,

date: February 5, 2020

A handwritten signature in cursive script that reads "Elizabeth Hale". The signature is written in dark ink and is positioned above the printed name and title.

Elizabeth Hale, Clerk

Planning Board, Town of Schaghticoke