

Meeting notes of the June 14 Planning Board

IN Attendance: Dereck Gardner, Zach Leonard, Mark Prescott, Rob Lobdell, Alex Haley

Meeting opened at 7:40

Mark motion to accept meeting notes

Derrick seconded

Mark motion to open public hearing

Zach seconded

Haley introduced project

Rubin – reviewed existing parcel, and road landmarks. Property spans Millbrook. Former Rutland railroad line. Collect solar energy on site, convert from dc and put into public utility. After site review, property excellent for solar collection. Delineated wet lands, will avoid wetlands and stream. Nothing proposed on the west side of the distribution line. Uses existing driveway. 20ft wide gravel roadway. Utility poles are at the rear of the project. Must provide right of way to utility company to service their poles also allows emergency vehicles etc. to get into area. One solar array but three separate pods due to terrain. Most everything underground until reaches 5 poles. No grading, no cut or fill. Engineered gravel roadway to replicate existing road. Some exiting vegetation. Some landscaping on south eastern portion of property.

Mr. Sicley – what is the proximity to my house.

Rubin – the setback is approximately 100ft from house

Mr. Sicley – what is the height of the plantings.

Haley – approximately 4 feet

Mr. Sicley – second array is on an upslope

Haley – end goal is 6 ft

Mr. Sicley- what about the glare off the panels. No matter what you plant will still be able to see the panels

Haley – they will perform a visual analysis

Rubin – reviewed what type of visual analysis will be done

Public comment – no matter what you plant will destroy their view. Has anyone done review of how these affect property values?

Haley – no official widely answers on the effect on property values

Public comment – would rather have the pesticides.

Haley – if there was ever a need to control invasives then they will evaluate what would be needed

Public comment – poles span across the brook?

Rubin/Haley – yes 200 ft span across brook

Larry – with caterpillars, etc. if there is a cost to replace who foots the bill

Haley – the solar project would pay

Public – don't want anyone spraying anything toxic

Haley – has no control over what NYSEG does around their poles

Public comment – what is going to happen to all the other fields around town if this gets approved

Haley -20 ft of plantings from border of Sicley property

Public comment – wants to raise a family – stated a lot of concerns have been raised. How tall is one panel

Haley -10ft

Public comment – what is the pitch on panels?

Mark-5%

Haley-naturally shielded from heading north

Public comment – what does this do to your health wise? You don't know

Haley -there are many people who live with solar.

Rubin – there are many and some actually are sitting on public water systems

Hunt – hat is the life expectancy

Haley – 25 to 30 years

Sicley -where does the power go? Does the town get paid for this?

Haley – reviewed discount available

Mark – reviewed PILOT program

Larry – do they get dirty -how are they cleaned

Rubin – goes into the distribution system

Public comment – the only ones benefiting are the ones who own the property

Public comment – windmills there would be nice

Larry – tell me about the subscriptions to the solar community. Many are sold out and at what price

Haley- there can only be so many subscribing to get the maximum output. There would be priority to Stephentown residents. 500 households max.

Public comment – leasing property for 25 years

Haley – we are buying property

Public comment – so you could potentially sell the property down the road?

Haley – in the unlikely event there is a bankruptcy, the bank would take over, there is also a decommissioning bond that town holds

Larry – is surety bond collect interest?

Chris – in the event it happens, town will collect on the surety bond and property would be restored to how it was.

Haley – in talks with DEC due to fishing access.

Hunt – purchase is contingent on approval?

Public comment – any lighting on project

Rubin – one small motion light. Nothing large

Hunt – fencing?

Rubin – chain link fence or Agri fence?

Owen -any slats that can go in fencing?>

Rubin – no, more robust plantings

Hunt – over time they get brittle sand don't hold up to time

Rubin – no berm, would rather do double density trees, they tend to die quicker due to roots not being in water table.

Billie H. -trees vs. shrubs? Trees may be better that would be 20 – 30 ft high? Maybe view scape shouldn't be preserved?

Haley – there is a draft from a NYS licensed landscaper who consulting on project

Haley – all panels are supposed to have anti-glare coating

Chris – will you submit a landscaper proposal

Public comment – in the winter people go off the road and may hit the panels

Sicley – what happens after the 25 years

Haley – depends on several factors – either continue or remove and return property back to farm land

Hunt – how is the town protected in 25 years.

Mark – that is what the decommissioning bond is for. Things are always evolving

Sicley – is there anyone they can talk with to see what their health is?

Rubin – are you looking for testimonials?

Sicley – how close is the first panel

Haley – 150 ft radius from houses

Sicley – had a chance to buy the property

Mark – reviewed Mr. Sicley’s daughter email. Only question not already addressed was batteries and there are no batteries in this project.

Sicley – asked that his daughter’s letter be in the official minutes.

Secretary – yes, they are part of the official minutes

Hunt – did you ever consider levelling the property?

Haley – solar projects typically do as little change in property as possible

Hunt – not going to remove stumps?

Haley – they aren’t removing the stumps just in the hedge row

Public comment – arborist but like the idea of the plantings Mark Prescott proposed.

Haley – how far set back would you prefer?

Hunt – purchasing the entire parcel?

Haley – purchasing east of the creek

Derrick – minor sub division

Henry – conflicting ownership

Haley – Zwack maintaining the property west side of the creek ‘

Rubin – will review with Owen lot by adjustment

Sicley – what was the purchase price of the property

Mark – not relevant to this public hearing

Hunt – option to purchase upon approval?

Public comment – mostly underground. Do you think it would ever go above ground?

Haley – no reason to believe

Derick – any other comments

Zach – motion to close; public hearing

Alex – seconded motion

All in favor

public hearing closed at 8:45pm

Engineering still under consideration

Oak stone holdings- looking for an advisory opinion regarding use variance

Craig – read town law regarding advisor opinion

Matt Bond – engineer – seeking a use variance – look for recommendation

Craig – please detail proposed use

Matt – land slopes significantly, wooded on eastern portion and along route 22 corridor. Additional plantings planned. Plan on cutting into bank and setting building into slope.

Paul – indoor operation breaking down catalytic converters. Completely mechanical. Average of 25 small trucks per week. No noise. Building not really visual

Robert – anything for exhaust

Paul – no toxic materials

Mark – mufflers – just get scraped

Matt – commercial property ends on border of property. Comp plan does show extending the commercial zone

Bev – am a neighbor, why not mentioned in public hearing.

Craig – this is not a public hearing on this matter – that will come on June 28th. This is just for an advisory opinion.

Bev – this is not commercially zoned, next to a historic cemetery and a historic barn was torn down

Robert – how many employees

Paul – 2 or three employees

Mark – where do the convertors come from

Paul – large junk yards, scrappers

Zach – motion to recommend approval

Robert – second

All in favor – recommendation made

Chris – moving back to Long Road for next steps

Derrick – notice out two weeks ago. Still looking at engineer

Chris – lead agency coordination notices already sent, SEQRA determination of significance, 239 M to county, visual simulation. If impact significant? Put together a visual simulation. Have project reviewed by engineer. Still in works to get an engineer. Theoretically, could make a neg declaration then issue positive approval. If positive declaration become a longer process. Because we cannot make a decision 30 days from public hearing. Will applicant consent to an additional 30 days due to lack of information. Haley – agreed to 30-day extension.

Owen – subdivision changes things, needs further review

Derrick – will look into MJ and a few others

Haley – if negative impact can final approval be at same time

Chris – anything else?

Haley – in competition for NY Serta monies

Next meeting tentatively for July 19th at 7pm. Will advise once secretary checks with Town clerk

Rubin – they will work with engineer to facilitate

Craig – West Road Solar point, ZBA seeking lead agency status

Derrick can there be a moratorium on these applications

Chris – town can place one until local law

Craig – vote on ZBA being lead agency

Derrick – all in favor of ZBA being lead agency

Mark – motion to adjourn

Robert – seconded

All in favor. Meeting adjourned at 9:30pm

Meeting Notes reviewed and accepted on: July 19, 2022

First Motion to accept: Zach Leonard

Second Motion to accept: Alex Haley

All in favor

Motion carried

Email from Linda Sicley:

Planning Board, Stephentown, NY

Derrick Gardner, Chairman

Comments for Public Hearing June 14, 2022

I have recently become aware of the proposed solar facility on Route 22 in Stephentown that will surround my husband's parent's property on two sides. I understand that there will be a public hearing tonight regarding this.

I have attached some information below that should be reviewed prior to approval of any facility being allowed, including a model solar law which may be of interest.

Some of the concerns that need to be addressed are:

What are the setbacks from the neighboring property line? What requirements are there for minimizing visual impacts on neighboring properties? These may include landscaping around the facility.

Is there a height limit on the panels?

What is being done with regard to the issue of glare from the panels negatively impacting local residents and drivers on Route 22?

Solar panels and the batteries used for storage are highly toxic requiring hazmat disposal. What steps will be in place to ensure that there will be no leakage into the ground, air or water of these toxic, carcinogenic materials?

Has there been any discussion of the noise impact of the solar facility on close neighbors?

What is the decommissioning plan for the facility? Will a bond be required to ensure that funds will be available in the event of the developer abandoning the facility? What provisions will be made to hold any future owner liable for guarantees that the original developer makes?

There have been studies that show that property values are decreased due to solar facilities. What is the guarantee to non-participating property owners to protect the value of their property including requiring the developer to reimburse for any devaluation due to the project?

Will the developer be required to pay 100% value in taxes or is there a PILOT being discussed? If a PILOT, what is that expected to be?

Solar panels and storage batteries are highly dangerous in the event of fire. Is the fire department trained how to handle such fires? I have been told by our local fire chief that in the event of a fire involving solar panels or batteries they simply control the situation to prevent the fire spreading. Have these issues been considered?

Many communities restrict solar facilities on prime farmland due to the degradation of the soil under the panels. Solar panels have been shown to increase temperatures. Solar facilities, like industrial wind facilities, have serious negative impacts on wildlife, birds and insects. Will these issues be addressed?

I am submitting these comments/concerns to the Stephentown Planning Board to be included in the minutes/record of the Public Hearing being held June 14, 2022 at 7:30pm.

Thank you for your consideration.

Linda S. Sicley

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