

**TOWN OF GREENFIELD**

**PLANNING BOARD**

**June 25, 2013**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak at 7:01 p.m. On roll call, the following members are present: Tonya Yasenchak, Nathan Duffney, Michael Gyarmathy, Andrew McKnight, Thomas Siragusa, John Streit, and Stan Weeks. John Bokus, Alternate, is absent. Charlie Baker, Town Engineer, is present.

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**MINUTES – June 11, 2013**

MOTION: B. Duffney

SECOND: T. Siragusa

RESOLVED, that the Planning Board waives the reading of and approves the minutes of June 11, 2013, as submitted.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Weeks, Yasenchak

Noes: None

Abstain: Streit

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**PLANNING BOARD CASES**

**ERIC LAROCHE – Special Use Permit**

Coy Road

Eric LaRoche and Marianne LaRoche are present. M. LaRoche states that E. LaRoche is looking for a transfer of the Special Use Permit that was granted to Dick Chandler and then transferred to Jason Miller. E. LaRoche has purchased the property in full from J. Miller and he would like to continue to use the property as a contractor's storage yard. T. Yasenchak states that the Board has copies of the approval for D. Chandler, 11/27/2007, and it was transferred to J. Miller, 10/12/10, and the public hearing was waived at that time. T. Siragusa asks if there will be any changes to the use. M. LaRoche states that there will not be except for improvements. T. Yasenchak reviews that this is a transfer of a special use permit. A special use permit does have a requirement for a public hearing; however, there is nothing in the code requiring a public hearing if we are transferring one. T. Siragusa states that in this particular case it is just a continuing use, it was transferred before, there was no public hearing, we don't know of any complaints so he would not believe that we need a public hearing. The Board agrees with waiving a public hearing. T. Yasenchak states that it is an existing use and the applicant plans to continue the use.

**RESOLUTION – Eric LaRoche, Special Use Permit**

MOTION: T. Siragusa

SECOND: A. McKnight

RESOLVED, that the Planning Board waives a public hearing and grants a transfer of a Special Use Permit to Eric LaRoche for property located at 324/328 Coy Road, TM#149.-2-2.11, for continuation of the existing use.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak

Noes: None

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**AXEL SONDHOFF – Site Plan Review**

Daniels Road

Axel Sondhoff and Will Orthwein are present. T. Yasenchak recuses herself. W. Orthwein explains that when they were previously before the Board they were asked to have the wetlands delineated. This was done in the spring and they have provided a copy along with a letter from DEC stating that there is no requirement for permitting. The goal is to subdivide this property into two separate parcels and they were seeking a general opinion from the Board as to whether or not a veterinary hospital would be a permissible use. This is in the MDR2 and the zoning does allow this along with public and private stables. They wanted the Board's input before they invest in infrastructure or doing further research into this project. The wetlands map indicates that they can develop the project without impact on the wetland. Dr. Sondhoff's original site plan did not involve any impact on the wetlands whatsoever. A. Sondhoff states that the previous concern of the Board was for the delineation. He hopes that they are satisfying that with the new information and that they can move on. He states that he was asked to submit a new site plan, which he has not been able to accomplish at this point. He has been in touch with his architect and designer. He states that their biggest concern was to satisfy the Board's concern as to the wetlands. W. Orthwein states that once they subdivide this property they are aware that any site plan that A. Sondhoff puts forward will be subject to a site plan review. J. Streit states that there are two jurisdictions that govern wetlands. DEC is the more stringent and they have recused themselves from this and suggested that there might be ACOE wetlands. He suggests that the applicants submit their information to the ACOE for a letter. Then they can present a site plan to the Code Enforcement Officer who will review it for compliance with the code, then the Board will review it. W. Orthwein states that the initial concern was is there developable area on the parcels. He asks if they can get an approval for subdivision at this point and then the site plan would be later. J. Streit states that the Board could look at them simultaneously. W. Orthwein questions that if he does the subdivision first, he does not have to declare a purpose for it. It could be two residential lots. C. Baker suggests doing the subdivision first. The applicant needs to present a plan to the Board showing a 2-lot subdivision, meeting all the criteria in the Code and then if he chooses to sell one of the lots to Dr. Sondhoff, then he could proceed with a separate site plan application. W. Orthwein states that if Dr. Sondhoff did not end up purchasing this, he could still move forward with another potential plan. R Rowland questions that the applicant submitted a subdivision application. W. Orthwein states that they did not; they wanted to make sure that the Board was in favor. He thinks they may have gotten ahead of themselves. A. Sondhoff asks if he perceives this correctly that they have satisfied the Board's concern. T. Siragusa states that if the DEC suggested checking with ACOE, the applicant should do that and get a letter from ACOE.

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**DAVE EVANS – Subdivision Amendment**

Plank Road

Dave Evans is present. A. McKnight recuses himself. D. Evans explains that National Grid wants to install overhead lines on Plank Road and within his subdivision. T. Yasenchak asks if it is in one location or several different locations. D. Evans presents a copy of a plan from National Grid. T. Yasenchak asks if this is a conceptual drawing that was done for Niagara Mohawk. D. Evans states that National Grid did this in preparation for easements but it was never conveyed and they have since abandoned this plan. T. Yasenchak asks if it is overhead in pretty much all the locations of the dotted lines. T. Siragusa asks if there is anything underground, are they saying with the new plans that they will not put anything underground. D. Evans states that they are only addressing the portions along Plank Road at the present time. The rest of the concern is his at this time. T. Yasenchak asks if we have a letter. She states that we all understand, we all know that property pretty well as far as the streams, the wetlands, the rock outcroppings, the steep slopes, etc. She understands the reasoning but asks if D. Evans has a letter from National Grid. D. Evans states that he went to the Public Service Commission to see if he could get them to assist him. He has a letter from them dated April 19, 2013. T. Yasenchak questions that D. Evans has a letter from National Grid saying that they refuse to do so. D. Evans states that he does not have anything with him. T. Yasenchak asks if he has

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applied for it yet. D. Evans states that he has an official refusal, he does not have it with him. T. Siragusa states that he does not know what to ask. He thinks that what we are saying is that we need to have power along Plank Road, underground. National Grid is saying that they cannot do it or refuse to do it, as D. Evans stated, but we don't have a letter from them. D. Evans states that National Grid cancelled his application and they are currently reviewing his neighbors' application, also on Plank Road. T. Siragusa asks why they cancelled his application. D. Evans states that he has been working for a year on this. After a year they can wipe their records clean and the application is not there now. B. Duffney asks if he now has to start from scratch again with the application. S. Weeks questions that this was going to be at the utilities cost if they put the line underground. D. Evans states that originally they had stated that they would give him options; they would look at it both ways. Soon thereafter they said that overhead was not an option, they would only go underground. He said that he would pay for all of the underground and they told him, no, they wanted to go overhead. S. Weeks states that there must be something in writing that the Board can see. J. Streit states not just a refusal, but the reasons for refusing. D. Evans states that initially they stated that there was a problem with Bucket Pond and 2 stream crossings at that location. He states that he argued for another route, part of it going by Bucket Pond, using existing lines that are run back in the woods. National Grid would like to move those back lines up to Plank Road. Sean Crotty, 374 Plank Road, explains that he also put in a request. National Grid will not build a line for future use. They need to see a site plan, that one has applied for a building permit, put a driveway in, some type of improvement on a lot before they build a line, because they don't want the line up uncharged. When he put in his request, the utility came up with the plan that was overhead to his property at 374 Plank. They are not a subdivision so they do not have to go underground, which obviously saves a tremendous amount of money. Initially the line would cross back and forth across Plank, which did not make a lot of sense to him so he approached D. Evans and said that while he was going through his plan (S. Crotty) that it seemed to him that they should open up discussion on what D. Evans longer term options are so there were not lines going back and forth across Plank. The latest from National Grid, from last week, was to allow the ROW easement to go up on the north side of Plank, around the corner so it would only have to cross the road twice. Once at the lower end from where it comes off the pole on the Alpern property and then again at the upper end to his property (Crotty). If they go with the original plan from National Grid, they are going to have it cross the road 4 times and possible a 5<sup>th</sup> to give electric power back over to one of D. Evans lots. S. Crotty states that what they are trying to do is not complicate the situation. He has put off his building for probably another 3 or 4 months and D. Evans was trying to sell an additional lot right across the street. He states that National Grid accepted the plan to go up on that side of the road. He states that the overhead line is actually approved for his property, but whether he is first or the lot gets sold or S. Watson starts first. Grid does not want to be building two designs. They don't want to be forced underground which they have already discussed at length with Walt Barss. W. Barss does not want underground anywhere up near that road because they could end up with blasting. He states that the overhead line along Plank is already pretty much pre-approved. T. Yasenchak states that we are talking about two different things – utilities within the right-of-way vs. the utilities on D. Evans' property. Just as D. Evans presented this letter from PSC, they are right that the Town of Greenfield code does not apply to Niagara Mohawk facilities along Plank Road, that is within the easement, the public right-of-way along the road. The utilities on the subdivision will be on private property, which will go up private driveways and then possibly branch off to other private properties. She does not feel that she has enough information to make that decision, because we don't really have a plan, we don't know how the applicant is branching off. D. Evans states that in terms of the refusal, he is basing his application for a waiver on Town Code 90-26, which allows for a waiver based on extraordinary cost. T. Yasenchak states that the Planning Board is allowed to grant a waiver when they have information that they believe to be complete. She asks if this is the proper site plan for how they are going to run the overhead lines, up someone's driveway across a second piece of property to a third piece of property. Then will there be a utility easement across that property to the third property. She states that those are things that the Board needs to see complete on the map and the size of the easement and exactly where it is going to be. D. Evans states that the lines are the center lines of the easements and you can see which properties they are on, going up shared driveways. T. Yasenchak states that she would like to see his map with those on there, a map that shows the easements. D. Evans states that this is the easement map that is proposed. T. Yasenchak states that it does not give the details of the

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easements. If the applicant is going to claim extraordinary circumstances based on cost, she would like to see what the cost is for the overhead lines. D. Evans states that the cost is in his letter. T. Yasenachak states that the cost for the underground lines is in his letter but she does not see a difference between the two. He does not give the cost of the overhead lines, what is the cost of the poles, where are they going to be placed on the site, etc. Does National Grid have to have any transformers up there, if they are servicing 5 poles off of one line down an easement, someone's driveway, what is happening off of those lines? D. Evans states that he has been able to get some prices over the phone, but they refuse to give him prices for the overhead. They apparently don't give out those prices. He states that he does not believe he has prices in an official form. J. Streit states that there are two issues. The line running along Plank Road and that which goes into the subdivision. National Grid will not give prices for those until parcels are developed and have site plans, is that correct? D. Evans states that he has been working 4 or 5 years on this. The last time they refused they referred to this as all speculation. J. Streit states that we have some evidence that W. Barss does not want it underground along Plank. S. Crotty states that the question here is on lot 1 which is on Plank. There won't be any additional lines to lot 1 because that line is pulled in the subdivision, they will be able to pull the power off the same primary line that he is going to have. Grid states that they are not going to build two different designs. He states that you have to understand that if S. Watson comes in before S. Crotty does, that the Board will be ok with allowing him to use that primary overhead line even though he is technically in the subdivision, but there won't be any additional lines off of Plank Road's ROW. That line goes right passed his property. S. Watson is not here tonight and S. Crotty states that he, S. Watson, wants to make sure that he has utilities to the property before buying it. M. Gyarmathy states that there will have to be a pole on the subdivision side of the road for them to go from, whether it is primary or secondary. He thinks that what D. Evans is talking about is a totally different thing. D. Evans is talking about the lines that are constructed within his subdivision. M. Gyarmathy states that from his experience, Niagara Mohawk usually wants to see a driveway or something so they can come out and physically see it and plot where they are going. J. Streit questions if the lot has been sold. S. Crotty states that it has not been sold because he is afraid he will have to go underground. J. Streit states that then this waiver would allow the sale to go through. S. Crotty states that he thinks so. If that is just for the primary that Grid already has the ROW for, then that would be allowed and that should be enough for him. M. Gyarmathy states that then he does not see that the buyer has an issue because it is on the right-of-way. The only thing that concerns the Planning Board are the lines within the subdivision, not the lines on the right-of-way. M. Gyarmathy states that he thinks that D. Evans needs to provide the Planning Board with some type of proof that this is a hardship with two estimates from Niagara Mohawk – one from an underground point of view and one from an overhead point of view. T. Siragusa states that he is only going to get that if he puts in a driveway or something. M. Gyarmathy states usually, they want to see something, they want to physically walk on it and see where they are going. T. Yasenachak states that the PSC letter suggests that D. Evans seek the assistance of a professional engineer. She states that most civil engineers who do site planning do have an idea of general construction costs and they would be able to help him. D. Evans states that in 2009 they were going to charge \$1,400 per pole; \$500 per guyed line; \$10.47 for the line. He states that if the Board will accept that information, he can do an estimate for the cost. They also give 500-foot credit for overhead and 100-foot credit for underground. T. Yasenachak states that we need to have that documented and in such a way that the Board can look at the differences. She states that when the applicant is asking for a waiver based on extraordinary and unnecessary hardship but when you are looking at only one side, it is very hard to compare. D. Evans states that he is asking the Board to look at his need for 900' to 1000' per residence compared to a normal distance for a line of 50' to 100'. T. Yasenachak states that the Board is looking at the difference in what underground vs. overhead would be on his particular property, not anyone else because D. Evans subdivision has these lengths because that is the way the applicant subdivided it. The Board wants to see the difference between overhead and underground. D. Evans asks for the word extraordinary to be defined. T. Yasenachak states that it would be extraordinary vs. what it would cost D. Evans on this particular piece of property with these particular issues. T. Siragusa states that he would feel more comfortable if it was coming from an expert, not necessarily just looking it up because there might be variables. D. Evans has referenced different sections, but that might not necessarily be how you calculate it because maybe there is a difference over a certain amount of feet, etc. D. Evans states that in his application a year ago he asked for information and was not

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given any. C. Baker states that he thinks that M. Gyarmathy summarized it very well and that is typically the process. He agrees that we are talking about two separate issues – the line along Plank Road and the lines within the subdivision. He states that back when D. Evans subdivided this property, he created the long driveways and we talked about all the advantages and disadvantages of subdividing that property. He states that he understands D. Evans concerns as far as costs go, but D. Evans needs to demonstrate to this Board how extraordinary those costs are before they can issue a waiver for that type of a thing. He states that it was D. Evans decision to subdivide this property in this way. D. Evans states that he is not complaining about that. If he is going to go overhead over the road, it doesn't make sense to require individual landowners to go underground. C. Baker states that the road is a separate issue. The road is an existing right-of-way. D. Evans' property is private and a development. D. Evans states that the intent of asking people to go underground is for aesthetic purposes. If these lines are away from the public road, which they are, then he is suggesting that underground isn't necessary, aside from the issue of cost. He states that this is why he went to the Public Service Commission. He didn't ask the PSC to go overhead; he was asking them to allow him to go underground. He states that he wants one standard. T. Yasenchak states that the Town's standard is in the code and reads from that code. D. Evans asks why that does not include Plank Road. T. Yasenchak reiterates it is a public right-of-way and we are not talking about that. We are talking about the lines that go up through the subdivision on a driveway and then through to other lots. These are two totally separate things. Whatever National Grid wants to do in that right-of-way, they have the ability to do that. What D. Evans does on his property, the utility easements he wants to do up the driveways is what we are talking about. D. Evans states that his surveyor says that his subdivision extends to the center of Plank Road. He would like one standard for the whole thing. T. Yasenchak states that we are not addressing that because the utility has the ability to do what they want to do in the public right-of-way. The subdivision is what the applicant is doing to get utilities to the rest of the lots. If they were all coming down and getting it off of Plank Road, we wouldn't have this discussion. The discussion is that you have 1000-feet of utility easement up someone's driveway that you are feeding 5 houses from. That is what we want to see the difference in. D. Evans states that he believes what is being said is that the Board is not opposed to it going overhead along Plank Road. T. Yasenchak states that that is not within our purview. B. Duffney states that in looking at the map, was the power supposed to go underground along Plank Road. D. Evans states that without the subdivision it wasn't required, it was not addressed. Now the standards have changed. B. Duffney states that his question is that D. Evans talked about W. Barss not wanting to have underground cables next to the Town road; he indicates the section on the map. He believes that all up along Plank Road, running to the neighbors, would be all overhead and where D. Evans would have to go underground is off the poles up into the subdivisions. Along Plank Road would be all overhead, National Grid. B. Duffney indicates an area where it would all be taken care of by National Grid overhead and where D. Evans would have to tie into for the subdivision underground, unless he shows the Board that it is a hardship. D. Evans states that then to summarize, the Board is not addressing the issues along Plank Road. B. Duffney states that he believes that 345 Plank Road, which is one of D. Evans lots in the subdivision, that lot looks like it could draw off of the power pole like any other lot that draws right off the main lines. T. Yasenchak agrees. D. Evans asks overhead or underground. B. Duffney states that it would come right off of the main line and go right into the home because there might not be a long driveway for that lot. D. Evans states that it would depend on where they put the house. D. Evans asks how far back it can go before it has to go underground. B. Duffney states that he cannot answer that. T. Yasenchak states that we need to see better plans to make this decision. D. Evans questions that he should come back with a better plan, signed by an engineer. He asks if a signature is all the Board needs. T. Yasenchak states that it is hard to say until we see it. An engineer could sign something, but if it does not show the right information, the Board cannot make an informed decision. If an engineer were to sign D. Evans letter, but if it only says underground and doesn't give us anything to compare with above ground, then it does not give the Board enough information. We need information as to what the difference between the two costs will be, as well as how D. Evans plans to run those lines up, poles, etc. She states that we need to have something signed from a credible source saying that these are the current prices. D. Evans questions that the Board will accept it from an engineer. T. Yasenchak states that if he finds a civil engineer who will be able to give us an estimate and a correct plan so that we know what we are looking at, the Board may have at that point better information so that we can make a more informed

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decision. D. Evans states that if the prices are only \$50,000 difference, should he say that that is not enough. T. Yasenchak states that she does not know. T. Siragusa questions that since W. Barss had an opinion regarding the road, not just because it is newly constructed, but because there is ledge there, would he or someone be able to give some other type of difficulty opinion, however subjective, make a recommendation from someone in the Town knowing this property, knowing the ledge, knowing the grade, etc. J. Streit states meaning something defining the hardship by something other than financial. D. Evans states that there are various stream crossings there. He states that G. McKenna was going to recommend to the Board that they accept and approve this. T. Yasenchak states that it is the Board's decision. G. McKenna states what he recommends as the Code Enforcement Official. The regulations state that to rule on a waiver the Board does need specific information in order to make that informed decision. Anything that the applicant can get to the Board to show that there is an extraordinary and unnecessary hardship that is being caused. We need an unbiased opinion from a professional that says that in their opinion, in their experience, this is why you should go in this direction.

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**JOSEPH VAN GELDER – Site Plan Review**

Ballou Road

Joseph Van Gelder and Gary Robinson, PE, are present. G. Robinson explains that the applicant would like to build a home and garage in the KROD zone and is required to have a site plan review. A public hearing is opened at 7:53 p.m. There being no public comments, this public hearing is closed at 7:54 p.m.

G. Robinson explains that they have corrected the location of the barn on the site plan. Lighting was discussed at the last meeting and they have indicated that there will be one light at each of the doors and at the overhead doors on the lower level of the house. G. Robinson reiterates that the house cannot be seen from Ballou Road or anywhere else in the KROD. A catalog page is included in the submission. At the last meeting a pole light was discussed, that will remain at the main entrance and it will be on a sensor. The other lights are on/off switches. G. Robinson states that the architect had not shown the solar panels that are being proposed. Information has now been provided on these along with an elevation drawing. He explains the topo and that this will also not be able to be seen. Samples of the colors that J. Van Gelder would like to use have also been included. Topo was added to the site plan. Question was raised at the last meeting regarding amount of disturbance. The areas where the buildings are to be constructed are clear and the driveways were existing. There is only about 20,000 feet of disturbance, about ½ acre. A. McKnight states that since the house is on the highest elevation and the trees are what keeps it hidden from view, he asks if there is any intention on cutting trees to enlarge the yard. G. Robinson states that the applicant has no intention to take down any trees. T. Siragusa states that he appreciates the applicant coming in with everything that was asked for. He thinks it is a really nice project. S. Weeks commends the applicant for a good job. B. Duffney states that he has no issues; no issues with the lighting as there are no other homes around there. He states that the colors and everything else that was asked for have been provided. C. Baker asks what the applicant intends to do with the existing house. G. Robinson states that J. Van Gelder has stated that he may live in it part time while he is building, he may renovate it after that some day down the road. J. Streit asks if this is the Everett Howe house. G. Robinson states that it is. J. Streit states that it is a great house and it should not be torn down.

**RESOLUTION – J. Van Gelder, SEQRA**

MOTION: S. Weeks

SECOND: J. Streit

RESOLVED, that the Planning Board completes Part II of the Short Form SEQRA. All questions are answered “no” and the second box is checked, indicating that this will not result in any significant negative environmental impacts for the Site Plan Review for property located at 420 Ballou Road, TM#110.-1-22.

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VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak  
Noes: None

**RESOLUTION – J. Van Gelder, Site Plan Review**

MOTION: B. Duffney

SECOND: J. Streit

RESOLVED, that the Planning Board grants Site Plan Review approval to Joseph Van Gelder for property located in the KROD zone at 420 Ballou Road, TM#110.-1-22, as presented.

VOTE: Ayes: Duffney, Gyarmathy, McKnight, Siragusa, Streit, Weeks, Yasenchak  
Noes: None

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**SKIDMORE COLLEGE – PUD – Referral**

Denton Road

Stephanie Ferradino, attorney; Mike Hall, Skidmore College; Dave Carr and Rob Fraser, LA Group; and David Deutsch, Dynamic Solar are present. T. Yasenchak asks S. Ferradino to give a summary of the project. S. Ferradino states that they have submitted the requested information in three submissions to the Board: the first draft of the PUD language the day after the last meeting, which she had at the meeting but had neglected to make a change to it, that correction was made and delivered to the Town; the second submission consisted of what the panels look like, what an array looks like, a rendering of the inverter enclosure, a report on the amount of energy generated during the various months, a memo on the remote net metering and a map of the adjacent land uses; the third submission came on the night that they met with the Environmental Commission and this was revised PUD legislation which reflected some additional changes requested by T. Mina, one of the neighbors. S. Ferradino states that they did meet with the Environmental Commission and some of the members are here tonight. She states that they were happy to have the opportunity to present this to them and it was nice to have some curiosity about the project. She states that they have been continuing to address the neighbors' concerns and have met with the neighbors. She states that they have gone out and photographed the properties. She reviews the things that they have done to address the neighbor's concerns. They shifted the entire project from the west side to the east side of the property, and that was at a substantial cost to the College. They preferred the site to the west but realized that it impacted the neighbors. Shifting that caused them to have to create a new access road to the site instead of using the existing one and they decided to relocate the inverter from the west side to the east side of the array itself. They are going to bury it 2-feet. The inverter is about 8-feet tall and they are going to excavate 2-feet into the ground, which will allow them to keep it consistent with the 6-foot height of the stockade fence. They also now have to modify the existing Polo fields because the array would not fit in the area. There are some additional costs to clear some of the vegetation. They plan to install cedar fencing on the two sides that are visible, add additional landscaping, enclosing the inverter with a structure in order to control the sound and they have agreed not to expand the array in the future. In the last week or so, T. Mina met with M. Hall from Skidmore and some additional modifications were made to the PUD legislation that they had proposed in order to remove some of the proposed uses that T. Mina thought would be more impactful on the property. Those uses include food concessions, having maintenance or equipment facility, bathrooms and not providing on site water infrastructure. S. Ferradino states that with regard to the PUD standards that were raised by the Chair at the last meeting, she thought that she would highlight the eight standards and how this project complies, as these are things that the Planning Board needs to address in order to make their recommendation to the Town Board. The first is whether this project conforms with the Comprehensive Plan objectives. She states that they do so on numerous fronts. The Comprehensive plan encourages development to be on the border with Saratoga Springs and that is certainly where this property is located. She states that it actually encourages industrial development in the vicinity of the project. It also seeks environmentally friendly uses and they feel that they are certainly compatible with that. It asks for quiet impact on the land and the surrounding property. She states that they have tried to be thoughtful about

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addressing the concerns that have been raised by the neighbors and seeking solutions to those concerns so that the impact to them is negligible. She reads a quote from the Comprehensive Plan, "Seeking modern amenities and ... technology existing side-by-side with the majestic and wild features." She states that they are certainly doing that by using an innovative, new technology in order to provide cleaner energy sources side-by-side with an area that is primarily open space. She states that this is much less of an impactful use than the MDR2 District allows. The second criteria is whether this meets the objective of Section 105-129 A of the Code where it talks about innovative development. It encourages open space, preservation of land and recreational uses. Here the solar array will use 8 out of 120 acres, which leaves 112 acres for open and recreational uses on this site. The trees and water resources are preserved wherever possible and position of the array will not impact the wetlands. Whether they will be using the land use efficiently. Is there an economical network of utilities? She states that they have two gravel roadways entering the property. The third is does it comply with the general requirements of Section 105-129 B. A minimum of 15 acres is required for a PUD. Are the permitted uses set forth in the legislation – they are. Is this in a location where you can meet the objectives of the PUD section – yes. Is there greater density than is usually permitted in a zoning district because of efficient land use. S. Ferradino states that they do not have greater density than would be allowed in the MDR2 district. She states that she is not sure that anyone wants them to be more dense there and she certainly thinks that the neighbors are happy that the application is not for a subdivision or one of the various other uses that are allowed in this district as it is currently zoned. The last criteria is that the owner has filed the application and that has been done. The fourth criteria is that the uses are not detrimental to the natural characteristics of the site or the adjacent land uses. She states that they have addressed all of the impacts to the property. All of them are minimal and they have discussed them and D. Carr will take the Board through some of the visual analysis that the Board had asked for. The requirement for each phase having necessary parking, landscaping and utilities. She states that they do. Is the proposal conceptually sound, it meets the local needs for local space, etc. She states that they meet that criteria. Are there adequate services and utilities for this site – they believe that there are. And the last criteria is whether traffic would have an adverse impact on the existing transportation network and they do not believe that the occasional visits to the solar array together with the use of the existing fields will have a significant impact. S. Ferradino states that David Deutsch, Dynamic Solar, is present to address the neighbor's concerns regarding the electro magnetic field. D. Deutsch states that quite simply solar fields like this, they do not believe pose any danger at all on the electro magnetic field topic. There is a very limited amount of electro magnetic field coming out of the solar array itself. At 3-feet away from any one of the panels it is about the equivalent of a can opener. More of the electro magnetic field comes from the inverter and if you are outside of 150-feet from the inverter you are at about the equivalent of a vacuum cleaner. The inverter is 1200' from the corner of T. Mina's property line. He provides a copy of a study done by the Massachusetts Department of Energy Resources. They actually studied 3 solar arrays of various sizes. D. Carr states that at the last meeting he provided photos that they had taken from ground level. He reviews those locations. The Board asked that they take a look from a two-story perspective. They were originally going to take a shot from T. Mina's second story window but they found that the view from his house is blocked by his pool house and there is another structure in the way. What they did was take a 12' ladder and one of the guys from their office who is 6' tall, climbed to the second to the top rung and they figure he was about 15' off the ground. They took more photos from 3 locations – one from T. Mina's fence line, in sort of a direct line from J. Jayco's house across the street. Using auto cad, they loaded the entire array. He states that they feel that once you get to the second level, you are not just looking at the fence. Beyond the fence, from some locations, you are going to see the array. He refers to the survey and the topo rises about 6-feet in elevation from front to back over 900-feet. There is also a ridgeline that runs through the area and everything to the east of the ridgeline falls away. He states that, as he anticipated, the largest impact is from the road because you are looking across the 900-feet, you are looking across the longest distance and it raises 6-feet. However, it is the easiest to screen because it is only 400-feet wide. D. Carr states that they are going to make copies of the photos for the town records. You cannot see the array in the back and it becomes more prevalent in the front. He states that the view that is the most interesting is the one from Denton Road. This is from a 15' height, and obviously you cannot build a house on Denton Road, but as S. Ferradino mentioned, the land across the street, and one of the additional pieces of information provided were surrounding land

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uses and zones. The south side of Denton Road is the City of Saratoga Springs and it is zoned Rural Residential 1, which is very similar to the Town of Greenfield's MDR2 in a lot of ways. He states that in his opinion, given the right of way and the front yard setbacks in that zone are 60-feet, the closest house has to be 100-feet beyond this location. He states that, as they thought, you can see more of the array here because for one, the panels are facing you and two, it's the longest distance from front to back. From that distance, 800-feet, it looks like just a dark mass because you cannot really pick out the actual panels. They "planted" twenty 15-foot evergreen trees along the road and you are beginning to get considerable screening. When they get to about 25-feet, from that view it is screened entirely. Those are the views that they thought would be a second-story location, or 15-feet off the ground. He states that it is important to mention that when they did ground level model, they had not loaded the array into CAD yet. D. Carr states that his belief is that you will see, from the ground level without this vegetation, some of the array. This is going to be worse case at 15' off the ground and you are a little higher than the elevation 1700-feet away. They believe that is what the Board asked them to look at, they feel that it is negligible because from the side view you can see more but you are farther away so it is obviously much smaller.

A public hearing is opened at 8:32 p.m. Fred McNeary, Daniels Road and Prestwick Chase, states that he has sat through every presentation that Skidmore has done, he has met with M. Hall in the past and he states that he is not opposed to development at all and that is why he is before the Planning Board on another project. He feels that anything can be accomplished with the right engineering and he has some concerns about the contiguous PUD's. Some could say that it is cluster zoning. He has some concerns for some environmental issues that he has identified on his project that also relate to the Skidmore project. He states that when this was first proposed to the Town Board, he believes that R. Fraser did the presentation. F. McNeary asked if there were any wetlands on the site and the response was no. He states that they have a signoff from DEC on the 100-foot setbacks for the DEC wetlands but it doesn't mention anything about the ACOE. He used the Skidmore map and took some photos. Number 1 was taken from the Skidmore property going back towards Prestwick Chase. He had questioned in that meeting whether there were contiguous wetlands and he was told that there weren't. He states that he has identified ACOE on his property. He states that he took a picture recently after a rainstorm, number 1, which shows there is definitely some water flow. Number 2 is taken from the same location towards the baseball fields and across the corner of the solar array. That is the same sheet of water flowing through the property. Number 3 was taken in the front right next to T. Mina's fencing where there is a culvert. It is known wetlands. Number 4 is taken right behind the baseball field shooting back towards the solar array. F. McNeary states that the question he asked R. Fraser was if they had found wetlands because he knew that they were contiguous, it flows from his property straight across and fills the pond that Skidmore uses for irrigation for the baseball field. He states that he had gone back to some old pictures. Skidmore had been before the Planning Board previously on another matter and they had said that there weren't any ACOE wetlands, there were ACOE wetlands delineated. He had taken some pictures back then because he was going to challenge where the actual markings and flagging of the wetlands are. Those are pictures 5 and 6. He states that this all goes back to engineering whether or not it can be done. F. McNeary states that there was discussion about traffic and what would be generated. He states that he has a traffic engineering study by Clough Harbor for his project, from 1996, which states that there is the potential of some hazards due to the baseball field and the Skidmore kids traversing that road. Some of those issues might have possibly been addressed since the road was repaired. He would like to ask that since there was a traffic study and it did mention concerns, that another traffic study should probably be taken into consideration. He states that while the Board was going through Prestwick's SEQRA, it was noted that there is an archaeological issue with the area. He states that it is not an issue. There is a high potential for not historic, in this area, but pre-historic and it all relates to the Putnam Brook. He states that Prestwick did a Part 1 archaeological study and they didn't find anything, but it was noted that it is a highly sensitive area. He thinks that should be addressed. The last thing that he does have, back to the cluster zoning, he looks to the Board and also the Town Board to be forward thinking. This is the southern end of Greenfield, it is probably the highest, most prized area possibly for development. We are going to have water, sewer, natural gas – everything is there. Across the street, in the City of Saratoga Springs, that is one of the three largest vacant parcels of land in Saratoga that has not been developed yet. He would hope that the Board

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considers, not just spot zoning, but to look at the entire area and to figure where we are going to be in 5 years, 10 years, and 15 years. Is there a higher and better use for this entire area? He states that the Polo PUD is encroaching on the property boundary of Skidmore. He indicates that the southern entrance to Polo is actually overlapped onto the Skidmore property and you have a boundary dispute right up to the property line for the Polo project. In essence, if the Board grants a PUD you are granting a PUD on top of a PUD in the one area until they get the boundary dispute corrected. He states that he is sure that nothing is insurmountable, he wishes Skidmore luck and hopes that we can work through all of this. Tom Mina, Denton Road, states that he initially tried to meet with Mike Hall who was very generous with his time and he wanted to be an accommodating neighbor, but after doing a little research he would like to read some of his points. Typically solar panels are used in industrial parks, brown-fields, closed landfills, etc. since in those areas the impacts are minimized and have less aesthetic impact on neighborhoods. The research that he has done shows him that the installation always has significant pushback by the people who are close to it. He states that there have been complaints and proven by proceedings that property values have gone down. It appears to him that if this project is completed, and he appreciates all the aesthetic mitigation that is being done, it is going to depreciate his property and the surrounding properties. He states that if the Planning Board and the Town Board approve this, there should be some definite, strict ordinances. He has made significant improvements on his property and in fact, Cornell Extension is doing a tour of local farms and they want his farm on it on July 28<sup>th</sup>. He states that it is a boutique farm and he is very proud of it. He has nothing against Skidmore. He has not complained about anything - there are kids running around nude throwing Frisbees, Polo puts on big events and he cannot even tell the Board the things he finds when he walks his dog. He states that he does not complain. He was recently accused of calling the cops about the ball field. He states that that doesn't bother him at all. He had offered to paint a little shed that they had there, but they took it down. Skidmore owns 545 acres in Greenfield that they pay no taxes on and the assessed valuation of those properties is \$3,700,000. There are other places to put this. He does not understand the net metering, but there is a meter at Van Lennep, they could put it behind there. They have a meter at the Dake soccer field; they could put it there. There are no neighbors to complain. T. Mina states that he could use the argument that there is no benefit to the Town; there is no revenue to the Town even though Skidmore is bartering. They are bartering the energy. They are using 12% of it for the ball fields, that's fine. He had told M. Hall that maybe if Skidmore had come in with a proposal for 500 of these panels just to do the ball field, it might have been a little more palatable to the neighbors. The fact is that there are other areas where this could be placed. He knows that it would cost them to put this behind Van Lennep, it would cost them \$50,000 to \$70,000 to remove the trees, grade and clear, etc. If that came to fruition, not that he is a big shot, but to show his good will he would help mitigate that cost. T. Mina states that his main concern is the noise levels. They are being mitigated by the shed and it is not going to happen at night. He did some research on that as well. There are noise ordinances all over the country. He states that if you look at Centinela, California, there is a noise situation, which although it increases at night by 5 decibels - anything that happens at night you hear it because it is quiet. He states that he can hear single conversations at the ball fields. It doesn't bother him, they are only there during the day - you live with it. Ambient noise level is not going to go away. What is the recourse that the Town has if he comes in a year from now and has a complaint? There are regulations around the country, independent monitoring of these noise levels and he thinks that the Board should explore that a little. He gives the example of an acquaintance who had some type of automatic system installed at a gas station. It didn't work, the contractor took off and it is still sitting there. There are 26 of these solar fields that have declared bankruptcy. He asks what happens then. He knows that S. Ferradino had stated that they would put up a bond for complete reclamation and restoration of the area. That that has to be an issue. If the Town approves this they have to understand that there has to be penalty legislation in there for monitoring. The applicant has stated that they only have to maintain the array once or twice a year, but from what T. Mina reads it is a lot more than that, he has read that monthly maintenance is required on some panels. He states that if Skidmore wanted to be friendly neighbors, and he is the one most affected by all of this and he never complains, this is a little bit of a reach and it does nothing for the Town. There is no benefit to us. If they wanted to do a pilot program. It should be done somewhere else. Sustainable Saratoga is presenting a program and he is sure that Skidmore might be able to do this out at the Weibel Avenue site. Skidmore is actually just bartering the energy. It is not going to their campus.

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They are selling the energy back to the Grid and the Grid gives them credit. He states that he does not know that that could be considered for profit, but that is bartering. That is some form of income and it is at Greenfield's expense. If you look at studies, the North East is the absolute worst place to have solar panels. The question is, would Skidmore do this without the \$2-million grant. They are very, very cost inefficient. He states that for one house like the gentleman proposed earlier, that is fine, it is direct. For this area of the country, they are not efficient at all. T. Mina states that if they moved it somewhere else the Board would be happier, the three adjoining neighbors would be happier. The name of this Town is Greenfield – green. T. Mina says they are going to sweep all of this off, make us mad, put down concrete pads, the water table is 2-feet there. They told him they could put a pig farm there, they could do a lot of things. T. Mina states that maybe he would rather have a pig farm than solar panels, maybe. The fact is that you can't threaten him or try to intimidate him by saying you could do something worse. If they put homes back there at least Greenfield will get revenue. He thinks that it is a little presumptuous for Skidmore, he understands their point, he understands their position and they are really nice people, but this is not the right spot for this. John Jayco, Denton Road, he states that he would probably be more impacted than Tom Mina because his house sits on a knoll. He states that 15-feet does not reach the bottom of his first floor. He is probably 30-feet over the 15-feet. No amount of fencing, trees thirty years from now may screen it. It is going to change and they are going to be looking right at it. There will be a glare. He is sure that they will try to mitigate things. In essence, it is going to change the neighborhood. This is a residential, farm neighborhood and this will change the nature of the area. He does not think it is warranted. Will Orthwein, Bloomfield Road, states that he is the next closest neighbor to T. Mina and J. Jayco. Skidmore has been a great neighbor; they have always been forward and easy to work with. He states that he has concerns about this project. His main focus, and he does not know if the Board has ever had an opportunity to really have a look at the Putnam Brook area, but it is a really pristine piece of woods. He questions that when they showed the DEC setbacks that they drew the 100-feet from the creek line or the edge of the DEC wetlands. There is a deep ravine and there is a lot of wetland vegetation in there. He points out that there are probably 6 cars buried along the edge of the woods and it looks like they were pushed into the ravine. They have been there for a very long time, they are very old cars. He supports this project in theory. He agrees with T. Mina that the scope seems a little large for the area. He does not know why the metering would be an issue behind the Van Lennep. There is a wooded area and Skidmore has several hundred acres back there that are screened. He also wonders about this spot because as he understands it, solar panels are more effective if they have an eastern exposure. This is lined by a series of very tall hardwood trees on the eastern side and he is not sure, but maybe this is the only site that works on this particular parcel. It does not seem that this is the most efficient site. Dan Tuczynski, attorney for Tom Mina, states that his client had asked him to look at this and make some observations from a land use perspective. The first thing that struck him is that this is not a small project. If you think about the size, these 7000 solar panels, approximately 8 football fields in size. He read the transcript of the last meeting and noticed that a couple of Board members had said that they would like to see what this looks like, because he is not sure that you can truly visualize this. He states that he has been doing land use for years, that when they come into communities, the first thing they check is your zoning. This is ostensibly a residential, agricultural area. There is no way this type of project would be permitted by zoning. He would respectfully suggest that a PUD is not the appropriate way to do this because when you look at your own law, it talks about building sites and common properties. There are no building sites here. This is ostensibly a heavy commercial use, which is being shoehorned into a residential area. People do rely on zoning laws. He states that he thinks that everyone in this room is a big supporter of Skidmore, but even good institutions can make bad decisions. He would respectfully suggest that this is a bad decision to put this huge solar farm in this area that is basically residential and agricultural. He would respectfully disagree with S. Ferradino, that it does not conform to the Comprehensive Plan. There is nothing in the Town law that says that you can do this in this type of area. The Board has to make findings and has to make those considerations as they involve the criteria. He states that the other issue that the applicant hasn't addressed is the uses proposed will not be detrimental to the natural characteristics of this site or the adjacent land uses. There is no evidence really except for a couple of minor visual assessments, of what this is going to do to the surrounding area. He states that it is not just T. Mina's house, it is those tracks and blocks of land that surround this project. What is the impact going to be across the street if someone wants to put a development

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in and market those projects? He would respectfully suggest that there has not been a visual impact assessment, which would look at all angles. The Board can also require additional studies and reports that are necessary to make a determination, because the Planning Board has to refer this back to the Town Board with a recommendation. One of the recommendations is how does this fit in the community, how do the neighbors feel about it, what impact is there to the neighbors. The Planning Board is also the lead agency under SEQRA so the Board has to make a determination as to whether there is the potential for significant environmental impacts. He would suggest to the Planning Board that there is a plethora of issues here. He would suggest that all these issues would require an Environmental Impact Statement. He is troubled about the wetland issue. He states that it is in very close proximity to the Putnam Brook, he is not sure that this is not in the DEC buffer because the maps that have been submitted, one shows what the array is going to look like without showing the buffer; another map shows the buffer without the array. He states that it is not clear if there has been a wetland delineation from the NY State standpoint. There absolutely has not been from the Federal standpoint. That is very significant because he understands that this is a protected trout stream. You are going to have storm water pouring off this site, which presumably may be heated, and work its way down into the stream. That is a topic for another study. Another thing that he finds troubling in looking at the EAF is that the ground water is only 2' below the site. D. Tuczynski states that solar fields are a relatively young technology. Everyone supports green technology. People are beginning to realize that there is technology involved that can create problems. There are generators, inverters, etc. Some of these things use hazardous materials that can leach out into the ground water. If these are federally protected wetlands, this cannot be put here. One of the issues that he raised is what about alternatives. He understands that S. Ferradino has submitted a memo talking about it not necessarily working. He respectfully disagrees and states that S. Ferradino's office is involved in a law suit on behalf of a college against a utility company involving a similar issue that is pending before the Public Service Commission. He states that if you are going to put a project like this in a residential area, shouldn't you explore alternatives first. Shouldn't you come before the Board with letters from the PSC and utility companies saying that it is impossible to put this facility in other locations. The suggestions have been made that there may be other places that may be better suited than to put it here. A comment was made that this may be a culturally sensitive area, which is an issue that should be ruled out. One of the dangers of PUDs is what becomes the Swiss cheese of zoning. There are other PUDs in the area. Typically you would have a cumulative impact study. How will County Planning look at that? He states that the Planning Board has a lot of issues to consider before taking this to the next phase. Property value is an issue, people have invested in this community. It will be too late after the fact when someone says that they have lost their property values. Another issue is one of public safety. This is a major project. This is 8 football fields of solar arrays. He does think that having public hearings is good, acting on this project is pre-mature, and he does not think that the Board can make a determination on environmental significance because the Board does not have enough information. He does think that at some point it would be prudent to order an EIS. D. Tuczynski thanks the Board for their time and for listening to all the comments. He urges that the public hearing be continued and states that they will submit some more definitive comments. Vince Walsh, Greene Road and Environmental Commission, states that he does support Skidmore, they are a great asset to the community and he is a proponent of solar panels and anything that is green. He does want to echo the comments made here tonight regarding environmental concerns. We are having new power lines put in through Greenfield and our Town Supervisor has written a letter regarding vegetation management, although he is sure we never got any good answers to that. He states that they use chemicals year after year to keep that vegetation down for that now massive power line coming thru. His concerns are with the ground water being at 2', the Putnam Brook, the wetlands. He thinks that this is not a great place. He questions if Skidmore has looked into the feasibility of using the campus in Saratoga. It is a massive campus, he does not know how many acres are in Saratoga, but he questions if they can use the roofs. He questions what Greenfield will be getting out of this; we are getting the cost of that, environmentally. He feels that it would make more sense to impact the main campus first since that has already impacted the environment, although he is not familiar with the codes in Saratoga. He would like to see this succeed, but does not believe that this is the best site. He feels that the public hearing should be kept open to give people a little more time. Nancy Kmen, Plank Road and Environmental Commission, states that the applicant did a wonderful presentation, very professional and very good and now she has many questions.

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She agrees with V. Walsh's comment about using the buildings on campus; long SEQRA she assumes; ACOE input; and she asks if any of the Board members have been to the site and walked it. T. Yasenchak states that we cannot walk private property unless we have permission although she believes that some members have viewed the site from the road. N. Kmen states that it has been mentioned that the height of the panels are going to be somewhere around 5', she assumes that is the tallest part of it. She questions how low the lowest is off the ground and how will mowing take place and who will be doing that. Defoliant – if mowing does not work, will they be using a defoliant? Cable trays being on the ground - could someone explain that or are they supported by caddies and therefore, they are not on the ground. In the PUD language, essential services - what would that include? The parking area and lot - where would that be and for whom. Recreational facilities – would that be another baseball field or some other kind of recreational field. She states that we keep hearing about 'inverter' but in reading the material it refers to 'inverters', are there more than one? N. Kmen states that she feels that the Board needs to take more time. She knows that Skidmore has a timeframe, but that is not the Town's problem and we have to look out for ourselves. Eric Celia, Braim Road, states that this is the first time he has attended a meeting regarding this topic and he found it to be very informative. He wants to make an observation, this project has been going on for so long, there have been several meetings and discussions, it was pointed out by Mr. Mina's attorney that an EIS has not been demanded by the developer to answer all of these questions. He states that it really doesn't matter what site is used, there are so many unanswered questions related to the subject that an EIS would be required no matter where this was located, because no one wants it in their backyard. He thinks that it is only fair to the community, while the project sounds positive, green, etc., that the EIS requirement would be required first based on the nature of the project, regardless of its location. F. McNearly states that he did the calculations and did a little research. When you take the 6000-plus solar panels and multiply the length and width you end up with 4 acres of impervious surface. The little bit of research that he did, one of the byproducts of changing sunlight into electricity is heat and there are two types of heat – solar gain from the sunlight beating on the glass and then sunlight to electricity. This is up against and in close proximity to the Putnam Brook with 4 acres of impervious surface any water shed coming off of that could possibly, without being treated by some sort of storm water retention, run directly to the Putnam Brook and raise the ambient temperature, which is a classified trout stream. He feels that should be addressed in the engineering of this. Tom Mina states that at the June 11<sup>th</sup> meeting, someone asked if there were anymore of these around and the response was no. He states that there is one in Pownal, Vermont, the old racetrack. S. Weeks states that he was just there. T. Mina states that he was told that an old stable area was taken out. He does not know how many panels are there but he understands that it is not 6000. Susan Celia, Braim Road, states that they moved to Greenfield because it is green. They were told that the Comprehensive Plan, town wide, had just been completed and they were locating their home in the most desirable area in Greenfield because of its proximity to Saratoga. She states that they have some concerns with the Comprehensive Plan, the PUD and what is going on along the Daniels Road corridor in general. There being no further public comments, this public hearing is adjourned at 9:25 p.m.

A. McKnight states that the applicant raised the idea that there is an industrial development zone in the area. He states that 2 megawatts is an industrial development. He asks how the applicant would address the concerns of the public that this is near an industrial area but it is actually a residential area so we would be expanding the industrial area outside of what is otherwise zoned. S. Ferradino states that the whole purpose of the PUD is to expand the uses that are allowed within a zone and that is what they are proposing. She states that her comment was that it is consistent with what the Comprehensive Plan is speaking to, because they are talking about expansion in that area or additional commercial uses, industrial uses. T. Yasenchak states that in the Comprehensive Plan it talks about that there was really no need to increase our industrial manufacturing. She asks how they address that. Also in this area it is suggested not to expand existing commercial or in this area it is talking about more residential and Saratoga does not have an industrial in that location, neither do we in that corner. S. Ferradino states that her reference was to the part in the Comprehensive Plan where it talks about in the Locust Grove area. She states that she will get that specific language. T. Yasenchak states that this is not necessarily in the Locust Grove area, everything in

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Greenfield is around the corner but we are talking about a very different location. She asks if the applicant could address that, how does this fit. B. Duffney states that it was stated that there is no industrial, but  $\frac{3}{4}$  of a mile down the road is the biggest industry that Greenfield has, the Stewart's plant, so you can't say that it is not in the same general area. T. Siragusa states that that is not really what the Comprehensive Plan was. The Comprehensive Plan is not about what is, it is about what the future is and what T. Yasenchak is saying is that there is a statement in there that says that, to paraphrase, the Town is not interested in expanding the commercial and industrial footprint in Greenfield. It doesn't talk about reducing; it doesn't talk about having a precedent for what is there. S. Weeks states that he would add that when there was some indication that wind turbines might come into this Town, we had nothing whatsoever to address wind turbines and so we put together a special group to take a hard look at that. They went to a location where there were 195 of them operating, talked to the town, were able to get close up to see what was there, looked at what other people were doing in terms of wind turbines and the requirements, etc. To him, this is kind of a similar thing where we are talking about a large energy producing system. Similar to the wind turbines in a lot of way, a lot of people think that wind turbines are wonderful and beautiful to look at and a lot don't. He feels that we haven't taken a very hard look at this particular industrial application. M. Gyarmathy states that he agrees with S. Weeks. We did add wind turbines to our Zoning Code and we haven't had a chance to look at these solar arrays, so this is a learning process for all of us. A. McKnight states that one of the things addressed in the PUD is traffic and the design basis comment is that once a quarter someone will come in to clean the arrays, however, he would say that the other things that are brought up in the PUD include the use of the ball field and he would say that that would be actually the design basis on traffic that would need to be addressed since that is what the PUD delineates. As the public mentioned, according to the PUD, the applicant could make the entire fields out there into more ball fields and then we would be dealing with endless traffic. S. Ferradino states that if they were to modify the existing fields, they would be back to the Planning Board for site plan review and then at that time it would be appropriate to study the additional traffic. T. Yasenchak states that is really up to the Board. She states that she drives that road all the time going home and she hits a ball game and was amazed at the people parking on the side of the road and the buses trying to get out of the parking lot. They couldn't get out of the parking lot because of the traffic going in both directions. To be honest, her first thought was about the senior citizens that we have in our community up the street and what they would do. She states that if she were trying to get around people blocking the road, she has no idea how often that happens, maybe it was a one time thing because it was a tournament, but because that is something that occurs now on the site and there has been a traffic issue, she agrees with A. McKnight and thinks that it should be addressed at this point because it is operating at this time. J. Streit states that he sees two areas that came out that sort of dominated the conversation. One is, to address N. Kmen's concern; this is certainly a project that we would take at least one site walk, without question and he is sure that the Board could be given permission to do that. He states that two issues that were discussed were the Environmental Impact Study and the visual disturbance. He would ask that Skidmore provide an independently arrived at EIS to address those questions – the questions of the runoff, the distance from DEC flagged area, etc. As far as the site line disturbance and the glare, he thinks that is something that he trusts the purview of our Board to arrive at with a substantial site walk. He thinks we have the ability to judge that but not the environmental impact questions that were raised. He would add his voice to T. Yasenchak that Skidmore give us the information as to the frequency of the ball games that are attended at a higher frequency and if there is some way to mitigate the parking. M. Gyarmathy states that he would agree with J. Streit that we would absolutely have to require an EIS because the brook is so close and because of the high water table in that area. There are other concerns too, the heat generated by the panels, what is that going to do to the ground around it, is it going to disturb all the vegetation. We don't know what impacts it will have, as well as the traffic study too. He thinks that the applicant has to really define if they are going to add to the baseball fields, are they going to add to this array. He thinks it has to be really defined in that PUD. J. Streit states that this is strictly his opinion – he is one of the stronger voices for agriculture and keeping it in Greenfield. He was on the master plan committee and that is the one primary concern that the residents of Greenfield made. In his view, he views this as an agricultural utilization. Agriculture is using the sun's energy for growing things for human consumption and although this is not something that we can consume, edibly, taking the power of the sun and converting it to something that people can use, to him is a form of

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agriculture, in his opinion. T. Siragusa states that he thinks that enough work has not been done on looking at alternative locations. He knows that there was a significant effort early on where the location was changed, but not the property, so that shows an effort to look for alternatives based on a first conversation with T. Mina and it moved to the opposite side of that particular property. He states that opens the door for looking at more locations that include not this property and some creativity was expressed by some of the public comments today including on campus and roof tops, and what are those possibilities. He would like to be convinced that this is not necessarily the easy way. Easy and simple are pretty good sometimes, yet we have compounding issues here and he thinks for him the number one thing is the wetland area. Not just the photographs, fairly compelling, but right within the SEQRA statement saying that they are plus or minus 2-feet. That raises a flag, whether that comes up as a minor or major that is going to come up and that says to him, coupled with the community feelings, with the possible visual impacts, with the fact that this is residential and farming and this is an industrial fit, maybe not having machinery, but a different fit to this community, he would strongly encourage the Board as well as Skidmore to propose a good study for alternative locations for this project. D. Carr states that he could answer a question now if the Board would like. He understands what F. McNeary said but he believes that he is mistaken or R. Fraser was mistaken which would surprise him since he is a wetland biologist. In their application it is pretty clear as to the wetlands that exist on the site that were mapped and surveyed in 2005, ACOE wetlands and NYS DEC jurisdictional wetlands. In the interim, especially as W. Orthwein mentioned they are right up against the Putnam Brook, R. Fraser contacted Jed Hayden at NYS DEC and actually walked that line last week. J. Hayden said that he would provide a letter if needed and obviously now it is needed. D. Carr states that he confirmed the line, confirmed the buffer. They are outside 100-foot buffer. It is not a 100-foot buffer from the brook, it is the 100-foot buffer of the mapped wetlands – so it's the brook, then the wetland line and then another 100-feet. They are not putting a shovel within that 100-feet. This area has been confirmed. The ACOE wetlands, they did not map those in 2005, they are nowhere near them. F. McNeary is correct, there is a wetland coming through the area. D. Carr indicates the location on the plans. He states that the 2-feet to ground water is the average over the entire site. He states that the panels are not on concrete pads, they are posts driven into the ground. T. Siragusa asks what is the percentage of the 8 acres, how much becomes impervious. D. Carr states that in DEC's mind – zero. T. Siragusa asks in D. Carr's mind. D. Carr states zero. T. Siragusa states that it cannot be zero because there is a post in the ground. That does not make sense to him. He heard a statement that it is 4 acres out of the 8 acres, and that does not make sense to him unless there is a concrete pad. D. Carr states that he can get a number of posts, but he believes that it is negligible. He has contacted NYS DEC central office to ask what the requirements would be for storm water for a solar array. He sent them the SWPPP and C. Baker has this also. There is no requirement for post construction storm water control for a solar array. There is only post construction storm water control associated with the current facilities such as the gravel road and the inverter. T. Siragusa states that then it is not none. What is on the ground, just grass and do they have a response for N. Kmen's comment for how that grass is going to be maintained and how are they going to get a mower under the 2 ½. D. Carr states that they will mow and use a weed whacker. He states that the grass that they utilize is the same type that DOT uses along their right-of-way, it's a more slow-growing grass so they don't have to mow as often. T. Siragusa states that he agrees with a traffic study, there is not enough known, what the increase in recreational activities would be, there is already a traffic issue. Personally, there are a couple of proposals here, this is not the only application and for him, he would like to see what the overall impact is. He is not sure how to do that, but he thinks that there is an increase of proposals and activity in that particular area that may require more of a comprehensive traffic plan. He thinks that the Town would want to see more of a comprehensive traffic plan for the future in that area. As to the alternative locations, he is also not really satisfied with the memo from the Public Safety Commission. It seems to him that this is remote net metering, if there was a power supply on the other property with an outlet for charging something, there would be power. He would like to see, not so much to see something from PSC so much as an overall look at other locations. S. Ferradino states that as a point of clarification, she keeps hearing talk about an expansion of the recreational use. Recreational use is included in the PUD because it is an existing use and not because they are intending to expand that. T. Siragusa states that there is no traffic study having to do with what exists there today and he wasn't sure if there was an expansion or not. He states that there were

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comments about parking on the street, other activities there, overflow parking, he thinks that that should be part of the traffic study and if there is future expansion or special events, then that would be included as well. S. Weeks agrees with what has been said so far. His biggest disappointment is that he did ask if there were other setups similar to this that we could see and he does not think that we got any response to that. That is disappointing because that is one of the key things that would be very helpful to us. He states that it just so happens that his wife is from Greenfield, Massachusetts and they go thru Pownal, Vermont to get there. There is a harness race track there that has been closed for a long time. They finally leveled all the horse barns and they have a huge solar array there. The outside gate was open so they drove in just to look around. One thing he noted right away is that the cable chases are not on the ground on those solar arrays. They are all suspended which looks a lot neater to him and he does not understand why that would not be done on any of these. He really does not like the idea of them being on the ground. He is disappointed that there is not something similar that we can look at because that would help the Board; it would help the public, etc. He is asking for that again. S. Ferradino states that they were relying on the solar provider to come up with some locations. They will see if there are additional ones for the Board. S. Weeks states that the major thing that he brought away from Pownal was that that was not in a residential area, that was in an area that seemed just about ideal for something like a large solar array. He states that he is coming back to what others have said about is there a better spot that we could put this. He is not saying that he thinks that it is offensive to look at a solar array, he didn't get that reaction in Pownal, he didn't get any glare, he did get quite a bit of information from that, but he does think that the applicant needs to take another look at another location. B. Duffney states that he keeps hearing about the visual impact. Something J. Streit said earlier about farms, when he was young this area was all dairy farms. Personally, he would like to see that. One thing that F. McNeary really hit on was that there could be 4 acres of impervious surface from the panels and this is pretty close to the brook. He states that it is a nice little trout stream. On a day like today where it is real warm and humid out, the panels warm up and then we get a lot of rain, it could run off into the brook, warm it up quite a bit and destroy the nice little trout stream. T. Yasenchak asks if there is someone who could address that. J. Streit states that that should be addressed in the environmental review. T. Yasenchak states that is part of the review. The EIS is actually the part 3. You go through the SEQRA and identify the potential impacts and then once you have identified those impacts then you ask the applicant to address those with the impact statement. That is part of the process; we can't do the EIS until we know what those impacts are. We need all this information first. B. Duffney states that if someone builds across the road on the Saratoga side, putting in a development, we in the Town of Greenfield have put in a right to farm law, which means that if someone moves in next to a farm it is pre-existing. The question about the inverter possibly leaking hazardous material, he states that as with a transformer on a power pole, they will blow up at times, the inverter could possibly blow up, so some type of secondary containment. D. Deutsch states that the inverter is an electrical piece of equipment. There is liquid used – no oil, etc. B. Duffney states that he has heard zoning amendment, land use, zone changes for the whole area in that we basically have three PUDs right in a row. We have two in front of us right now and maybe that the whole area does need a zoning change. He does agree with the rest of the Board that we should be able to take a site walk and listen to what the Environmental Commission has. C. Baker has drafted a letter with some comments. If the Board decides to move forward with this he has made the suggestion that a bond should be in place to cover the cost of reclamation as well as the fencing, and erosion and sediment control measures. Possibly a number in there to cover some additional buffering in the future if this is built and then there are areas identified as needing additional screening. He states that the second issue, part of the storm water management controls that they are providing is a riparian buffer and that should be shown in detail on the site plan, along with bearings, distances, a written deed description identifying the area as a protected area, etc. T. Yasenchak asks what the finish of the panels is. There is not glare off the actual panels, but the rest of the framework, what is the coloring. It appears to be white in some pictures, in some pictures it looks more metallic. D. Deutsch states that it is a metal frame although he is not sure exactly what color metal, silver or black. Glare is really not an issue the reflective light is about 2% off the panels themselves. T. Yasenchak states that it is important to note that if you look at a regular galvanized chain link fence vs. a black fence, there is a different visual impact because of color so she would like to know what color the frame will be. She states that this is a PUD and they have listed out the different uses as far as recreational. They did mention Polo and Polo related

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activities. At the last meeting they mentioned that it is polo practice, but then she heard from T. Mina that there have been other events that have occurred there so it is not necessarily just practice. She didn't realize that they are having other events. She would like to know what those events are, how often they are, and again about the traffic, how the traffic is impacted by those events because it is part of the PUD. Even though they are not doing anything with that right now, because it exists she would like to know that it exists correctly. The EIS is going to be forth coming as we proceed. Whether or not we require the applicant to do that will be part of SEQRA and will be part of the Board's discussion as we continue to go through with this. The heat and the brook have been mentioned. S. Weeks questions that he noted that the applicant is giving up the restrooms and it seems like if there are a lot of people there for a baseball activity, what does that mean? S. Ferradino states porta potties. S. Weeks questions that their feeling was that that was going to be more visually appealing than a structure. S. Ferradino states that they would prefer a structure; they were requested to strike the restroom facilities by a neighbor who felt that there would be an impact. She states that she believes there are existing porta potties at the site. B. Duffney states that F. McNeary had brought up the boundary line question between Skidmore and Polo. If there is an issue there, could it be resolved. S. Ferradino states that she will look into that. T. Siragusa asks if someone could comment on J. Jayco saying that he is about 30-feet higher than the highest view shed at 15-feet. D. Carr states that the property is higher. If J. Jayco allows them on to his property they could do something. He does not know exactly how high it is, they don't have topo or an elevation for his house, but it does sit on a rise. A. McKnight states that he is unsatisfied with the explanation that the design basis traffic is one person a month but it specifically permits within the PUD that there will be polo and polo related activities. He is not satisfied that that is not included in the PUD. S. Ferradino states that is how it is related to the solar panels. It did not have to do with the other uses. T. Yasenchak would like to see the porta potties on the site plan somewhere and would like to know how long they are going to be there. As part of the PUD maybe there could be more information about them. T. Yasenchak asks if the Board feels that they need more information before deeming the application complete. J. Streit states that he would like the bathroom facilities to be readdressed. He would like Skidmore to provide an architectural rendering of a tasteful architecturally constructed bathroom, a suggested site along with proof of what the visual impact would be to all concerned. T. Yasenchak reviews that the Board has asked for: a traffic study, which is not just a small letter, it is a little more detailed; information regarding the runoff into the stream, which is more significant when dealing with storm water runoff so that we can properly address the SEQRA when we get to that. S. Weeks states that he does not believe this is complete and that we have 35 days to make a decision after it is complete. He does not think that we have enough information at this point. Board consensus is to wait for the additional information before deeming the application complete. T. Yasenchak states that deeming the application complete is stating that we have enough information to make an informed decision. She states that we can also discuss a site walk. She states that it has to be public but the public does not have to be allowed on to the property, but it is a public meeting. When the Board does go out to the site, because we will have a quorum if most of the Board is present, they do not discuss the project. It is not a time for the applicant to tell the Board more about the project or even to point things out, it is only a time for the Board, as individuals, to walk it and get an individual perspective of the property and the project. M. Gyarmathy asks if the area is staked out. S. Ferradino states that they can make accommodations. She thanks the Board and the neighbors for their time to identify whatever issues they need to study and they look forward to continuing to work with the Board. T. Yasenchak states that we have adjourned the public hearing, that means that the Board has the ability to reopen it when it is felt that we have additional information that addresses the public comments. The information, once it is presented, will be available at the Town Hall.

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T. Yasenchak states that we have received information regarding the Planning and Zoning Summer School. This will be sent to the Board members.

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Site Walk is discussed and set for July 2, 2013 at 5:30 p.m. The Board will meet at the entrance closest to T. Mina's property. R. Rowland will confirm and e-mail the Board.

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The meeting is adjourned at 10:10 p.m., all members in favor.

Respectfully submitted,

Rosamaria Rowland  
Secretary