

**TOWN OF GREENFIELD**  
**Planning Board**

**May 11, 2021**

**REGULAR MEETING**

A regular meeting of the Town of Greenfield Planning Board is called to order by Tonya Yasenchak, at 7:00 p.m. On roll call the following members are present: T. Yasenchak, Karla Conway, Charlie Dake, Butch Duffney, Mike Gyarmathy, Robert Roeckle, Nick Querques, and Joe Sabanos, alternate. Charlie Baker Town Engineer is present. . M. Waldron, Zoning Administrator/Code Enforcement Officer is present.

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**Minutes**

April 13, 2021

MOTION: C. Dake  
SECOND: R. Roeckle

RESOLVED, The Planning Board waives the reading of, and accepts the April 13, 2020 Minutes with minor corrections.

VOTE: Ayes: K, Conway,  
C. Dake, M. Gyarmathy, R. Roeckle, J. Sabanos  
Noes: None  
Abstain: T. Yasenchak  
Absent: B. Duffney and N. Querques

April 27, 2021

MOTION: K. Conway  
SECOND: T. Yasenchak

RESOLVED, The Planning Board waives the reading of, and accepts the April 13, 2020 Minutes with minor corrections.

VOTE: Ayes: K, Conway,  
C. Dake, M. Gyarmathy, R. Roeckle, J. Sabanos  
Noes: None  
Abstain: April 13, 2021

MOTION: C. Dake  
SECOND: R. Roeckle

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VOTE: Ayes: K, Conway, April 27, 2021

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C. Dake, M. Gyarmathy B. Duffney, R. Roeckle, J. Sabanos  
Noes: None  
Abstain: T. Yasenchak  
Absent: M. Gyarmathy and N. Querques

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**Peerless Groves, LLC Case # 648  
TM#**

**550 Locust Grove Road  
Major Subdivision**

Scott Miller from CLA Site, Bill Teeter, and Mike Scuola are present. T. Yasenchak recuses herself. R. Roeckle chairs this project. S. Miller states that they are proposing to subdivide 87.9 acres. 2 of the lots have existing homes on them. They are proposing 4 new homes. 2 of the new homes will be closer to Locust Grove Road and 2 will be set back and out of sight. The smallest lot will be 6 acres and the largest lot will be 41.2 acres. They are in the LDR Zoning District. The overall concept of this plan was to preserve the large Low Density to keep Greenfield Green that is common on this stretch of Greenfield. They are proposing large lots and spreading out the homes. They are showing development on lot 6. Lot 3 the home has been relocated slightly to the northwest to get away from the slope. Lots 2 and 4 they pulled in the rear setbacks quite a bit. 75' in this District is the Town's regulations. Lot 2 they are proposing a 75' setback. Lot 4 they are proposing a 275' setback. They are proposing a slight change to lot 1. The former lot 1a are now referred to as lots 5a and 5b. For the longer driveways they have added pull-offs every 300' for emergency vehicles. The reasoning for this is to keep the rural character. Every driveway has a 30'x30' emergency vehicle pull-offs. They hired Kurt Bedore from KB Engineering he has assessed the driveways from the road. They did receive a draft report from him this afternoon and will be getting that over to the Town as soon as they have reviewed it. In short his primary findings show the current proposed driveways will need to remove some vegetation which they anticipated. The primary vegetation removal will be on the bends (in the road). This will allow for better sight distance. The only other comment that he did have was Lot 4 driveway be moved 20' to the north. They certainly have room for that and have no issues doing it to have good sight distance with that vertical curve there. The vertical curve is to the south of the project. They completed a long form SEQRA and included that in their submission. They are hoping tonight to get a determination that the Board would take lead agency and hopefully set a public hearing scheduled. They feel that what is shown on the plan is sufficient and it is a fairly detailed plan. They are trying to get through the process as quick as possible. There is no wetland disturbance on the sight. All the wetlands are in the southeast or the northwest corner of the sight. They are not proposing any wetland delineation. They are not proposing a SWPPP for this project. Overall disturbance for this

project will be less than 5 acres and it is shown on the current plan. They are also under 25 % post construction when looking at the total sight acreage therefore it is not required by NYS to do a SWPPP. They will include erosion control plans for the project as required. They have 2 keyhole lots. Lots 3 and 6 are the keyhole lots. They would also like a determination from the Board tonight about the orientation. When they place homes in a subdivision at optimal locations and maintaining the rural character of the area. With the home in the back of the lots they will only see the homes of lots 2 and 4 on Locust Grove Road. The 2 in the back won't be visible. R. Roeckle asks C. Baker if he has everything he needs for this project. C. Baker states that the sight distance is the most critical issue with this project, but he has not received anything about this project yet. R. Roeckle states that the applicants stated they would be getting that to the Board within a couple of days. K. Conway states that the Board has a long standing history of not granting keyhole lots. This particular project has 2. That is her concern. C. Dake agrees with K. Conway and states that it makes him nervous it might end up being a 4 lot subdivision not a 6 lot subdivision. Was 5a going with 5b and is that to solve a problem of some sort. M. Scuola states no he is keeping the lot for himself he is an avid outdoor man. M. Gyarmathy agrees with K. Conway and C. Dake and states that the Town's Comprehensive Plan asks the Board to refrain from keyhole lots. Like C. Dake stated this subdivision may be a 4 lot subdivision not a 6 lot subdivision. He has an issue with keyhole lots. B. Duffney states to reiterate what the other Board members have stated they try to stay away from keyhole lots, but the applicants are not trying to stuff the lots on a small parcel. The sight distance is a problem. They might have to cut back some of the stone wall that is there. He is fine with whatever C. Baker is comfortable with. He is glad to see the pull-offs for the emergency vehicles. S. Miller states the driveways are 12' wide and an addition of 12' to make 24'. B. Duffney states the driveways should be 60' long. S. Miller states they are just over 60' long. B. Duffney states this is a safety issue this all came about when he met with the fire fighters they requested this so they don't need to have the fire trucks towed. That has happened in the past. It is a safety issue for the residents, and the fire fighters and everyone involved. S. Miller states that he understands the importance for the pull-offs. N. Querques states he agrees with the other Board members about the keyhole lots. On the wetland delineation it is good practice to have it done anyway because the maps are not always the same as the reality. He requests that it be done even though it looks to be clear of anything. It does not cost anything to have DEC come out and look at it and delineate it. J. Sabanos concurs with the Board members. R. Roeckle states that he has a question on the clearing on the road for sight distance. How will that be addressed on the lots? Will it be addressed in the deeds? Will the property owners be responsible for the clearing of the sight distance? He is curious how that will be addressed in the future. S. Miller states he understands and the applicant's just got the report today and will discuss it. B. Teeter states that they can remove the wall and can address in the deed. R. Roeckle states grading and the wall removed will be taken care upon approval. It is the future growth of the trees that could be an issue. Does the Board feel comfortable taking lead agency status and setting a public hearing or wait for additional information. C. Baker states that he would like to see it. The Board does not know the extent of it. M. Gyarmathy states that he feels they should wait for a public hearing. R. Roeckle states that they could still file for lead agency status. If the applicants could get that information to the Town Engineer and to the Board as quickly as possible. R. Roeckle asks if this project has gone to the County Planning Department. K. McMahon states yes, it is a County road. They will be meeting on May 20, 2021.

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**Grassi, J. Case # 647**  
**TM# 151.-2-57**

**Grange Road**  
**Major Subdivision**

J. Grassi states that it is good to see everybody; thank you all for letting us join you on the agenda. As you may recall, first Justin Grassi Attorney with John Steve's I'm also the, the applicant, and we're happy to say as for weeks ago or so we are now, the owners as well. Myself, my brothers are here today. As this board may recall, this was the plan, which we reviewed back in December and received conceptual approval of what at the time was a 15 lot subdivision, on a 62.9 acre parcel. This is Grange Road right here. And in December this board had some questions and comments, some of which pertains to the slopes here on the 15 lots, and then the requirement for the septic systems. We removed the different lots so we're now down to 14 lots. Otherwise, the project itself has remained the same. The other item that this board was specifically discussing back in December, was kind of unique elements, which is our shared driveway now unfortunately I think this the shared driveway entails three lots, the intent which isn't necessarily a legal criteria here but the intent is that my family, the brothers here and my parents would occupy these four lots here that's part of the reason we have a drive, but that's not really here there for this board, to decide what was important for this board is that all the frontage is for these three lots are still compliant. So, all the lots have all the frontage on this private driveway with the cull-d-sac and meet the code requirements. What this board suggested in December was what you wanted to see that we couldn't put traditional drives on these three lots as well, should an issue arise with this shared driveway. We did pick now I think on the last page, you have the driveway. Otherwise, service each house, independently. In addition, we submitted now with the preliminary. The proposed or draft fair access easement, and maintenance agreement, which would be being an attorney, also living in here I recognize that shared driveways can be difficult, especially in the future if you don't plan ahead. So we have done that already. So we have an easement proposed with language that would obviously need to be approved by the Town Council. So that's kind of an overview of what we chatted about in December, which brings us to today obviously still same project sites. What we now have is a 14 lot subdivision. In this instance we also suggested by this board that you wanted to see. We had a new feature of our previous subdivision; we wanted to see the 30 or so acres of green space that would remain to the west here. We do have 100 foot buffer from what is a New York a DEC wetland feature here. We didn't actually delineate the further western area that's actually right back up and should be solid ground again but not developing over there we did this entire area. In addition we donated the Army Corps of Engineers federal land. And finally we received your correspondence earlier today. My apologies, we were able to respond to it yet we are drafting the narrative for that one of the items that are probably suggested is that we want to confirm the locations of these things, reaches out so we have 14 lots range now from just over 1.5 acres, which is the, the minimum in this, what would be the highest density zoning district in the Town Greenfield, and now ranges up to just over 3.6 acres for a lots 14 and 10 are the two that have the larger walks. We started the shared driveway here. And then we have three four areas, one to the north of what would be what we're labeling and Grassi Lane here a long range road, and then an additional Storm water area behind lots six and seven. We propose a rural road feature that gets essentially to the top of the hill here, turning for traditional Road, where the pavement would go to the edge of the property with a pipe. We, in addition to the easement for the shared access drive; he also submitted a declaration of covenants and restrictions, which are fairly standard subdivision restrictions. Again, that would obviously be able to be reviewed by town council. That pretty much wraps up everything that's changed since December. Today's meeting what we were hoping for is similarly to the last half that this board would declare itself to lead agency, and that we could set a public hearing for next month on the preliminary plat approval here. And meantime, we did, unfortunately we depict some of the sight distances here, he had some comments and

questions which we're also creating preparing a narrative is what our engineer told us today so he's working on that. So we expect that to be responsive, as well. So with that, I'll open up to the board for any questions, T. Yasenchak ask who would like to go first like to go first. Well, before we open it up, C. Baker could you give a quick summary of maybe the highlights of your letter. Just because I know that some of the board members might also be questioning some of those things. T. Yasenchak states well yeah, I know that's kind of the highlight, yeah maybe highlights. C. Baker states it's a very good level of detail. There are some outstanding issues that need to be worked out. More details so on and so forth. Do you have a concern with the sight distances? They are showing 431 feet direction. There's got to be a significant amount of mitigation that's going to be required in order for them. And one of the things that Justin mentioned is I could ask for an engineer's narrative that will describe exactly what needs to be done. And in this particular case, I think, whatever mitigation is proposed. Since this is going to be a town road we're going to want to see that mitigation area deeded over to the town for future maintenance of the site. So that's pretty much the summary sight distance issue is recommending plans go to Justin Burwell the highway superintendent also the Fire Chief for verification of the wetlands just achieved the software for Parks and Recreation. One concern that I did I did point out on the grading plans, there's some pretty significant areas of the site, particularly along the road, existing roadway, where they're going to be rolling in a lot of trees, and we're going to be doing some significant grading on that slope. My concern is it's going to open that up to a pretty wide area, it is now my recommendation the Board may want to consider some types of vegetation to be planted. That would help with the erosion, we also help with visibility. Grading limit line. We're looking for some additional information related to that. It doesn't appear as though all of the disturbed areas are mine. Take a look at that review of all the deeds and covenants. Protection of the roadside ditches, particularly on the percent slope of the road coming in question the shared driveway was historically in favor. The rest are just pretty much outstanding stuff that we're going be looking for. T. Yasenchak states okay, thank you. Alright, so we went to the first round of questions, I noticed that you have the two storm water areas on either side of the road are coming in on Grange Road. Those two appear to be lots will be deeded to the town for maintenance, I believe the intent at this point is that the northerly portion would be deeded to the town, and they could also include any area of mitigating purposes. I believe this portion was intended to remain part of this parcel, but where that's 4.2 acres it says to be conveyed to town, and also referred to as a storm water easement or is it just the easement. I believe the intent is that this will easily be conveyed to the Town, if we were flexible on that remains, both acreage and frontage, even if this was needed. In fact, it's really up to the town whether or not they want these areas, storm water and they have to maintain it. J. Grassi states, from our perspective, I think we prefer to turn it over the town rather than keeping it for ourselves but we're having meetings and will discuss it. T. Yasenchak states and the other question I had is the large lot to the rear. East or West? There's no frontage. How is it accessed, and what's happening with it, who's going own it. J. Grassi states yes, thank you for reminding me. Okay and you brought this up a few times. Last time I wanted to clarify what the board's goal was with this area what we envisioned this area was it would be obviously non-buildable. It would be simply green space associated with for use by our family essentially owned by the LLC which currently owns the entire parcel. It was suggested by this board that what you wanted to see was one of these parcels and we hoped that it would essentially just go out of our investment and we are fine with that in fact what we discussed, which was, we would do it and we would probably have our parents own it, but, and that's what this feature is right here which is intended to actually go out to all of this, so this, lot here where my parents are intending to be with would own the entirety here, if

that's what the board wants to see if there's a way to meet the goal, the goal of this board in keeping this as non-buildable and whatever other purposes you have, by way of easement or otherwise, that we can simply keep it in any LLC, we prefer to do it that way, but I wanted to I wanted to revisit that because I know there was a, request that become part of one of these lots which we will absolutely do if that's what you want to do. But we wanted to, bring that back up. What is that little there a little strip of land in the trunk. That's what we were going to propose if there would be a strip of land here, you know 10 feet, five feet or something that would then go behind these lots and open up into all of them so this, this would be one odd looking parcel but, but it would be owned by one family. R. Roeckle states so there'd be no physical access to that property it's set by that narrow five to 10 foot wide strip of land along the backs of those property lines. J. Grassi states yes, in addition to the 10 feet from this lot. When your loss of fee is a little dashed line across the outside of this, that's intended to be another 10 foot easement again for use by the, owner of the LLC here, so that you can essentially have a walking trail or some sort of. R. Roeckle asks so the property would be owned, including that 10 foot strip by someone in the subdivision, and there would be an easement to all the people that live in subdivision to be able to walk on it. J. Grassi states right now it would be for the benefit of the LLC. The LLC right now has four members. So the discussion is, if we were inclined to allow additional owners to use the present and this acreage here, they would just become part of the LLC. It's essentially a, you know, there's, I try to avoid homeowners associations, a lot of the time because a no one wants to sit on board, they're difficult to form, there's generally problems. This is kind of a call a poor man's homeowners association where you have an LLC that can grant membership interests, they just pay for the taxes, and then they will be able to utilize the easement which has been granted to it. R. Roeckle states my only question on that would be how it meets zoning laws with those defined. If it is physically attached by one of the other lots that may or may not be a problem with that if that makes sense, J. Grassi states that makes sense I guess, if, there's a way to circumvent that, and I'm going to give you the secret for running venture on that. We don't. My understanding is that the frontage requirement is for a buildable lot. So, if we can create an end, literally put up on our plans, non-buildable lot breeding space, only if it can be that clear, then that's what our preference would be. T. Yasenchak states, so we tend not to because there's not like we're creating a lot of a lot yeah so, we tend not to create any less that are not buildable. Because what happens is, in 50 years down the road or at when some of you may not be here anymore and the LLC is just something on a paper that got handed down to kids who put it in a drawer. Someone says, I'm paying taxes on this, and let's build it, let's subdivide it out, we see that we see that all the time you definitely do we have a lot of non-conforming lots that someone gave to their kid that was access through their own property, farm got sold now they own property and we end up having these odd lots, so we tend not to subdivide or allow for any non-buildable lots, it would have to I, obviously this board can talk about it but we tend not to do that. Only, it's something that could be buildable and an access. M. Gyarmathy asks what, is it? J. Grassi states there's not standing water right so my understanding of wetlands, there can be the vegetation and certain amount of water within the soils themselves. So it's, you can avoid water and walk it and have a trail system through there. This is fairly new, I didn't actually have I believe a few members have been in there hunting. And like I said going back to the ownership. You know I have also seen you know in 30 years people forget what happened in the subdivision, and now they have access here and they may want to talk about something like this, I guess, if there's a way to clearly demonstrate that this is not buildable. You know, the first step there would be on the subdivision plans themselves if you require an amendment to this subdivision, you are able to use it, but we can also deed restrictions are necessary

or something like that, that might be something that we would be interested in as well. If your town does not endorse the restrictions, we can include the town as an ability to enforce it recognizing the count never really wants to. M. Gyarmathy states really creating a landlocked piece. T. Yasenchak states right. J. Grassi states so the easy ownership that makes more sense. R. Roeckle states those are my only questions. N. Querques states I don't have any questions just, you know that's a lot in the back we got to address that, maybe thinking about just adding it on, make those bigger lots in the back of the court is that potentially. J. Grassi states yes, we didn't think about that right, extending just having the lines back out. We consider that, the goals with, the acreage was that we wanted the 30 acres to be able to use ourselves and that is the only reason that we kept it as it is right now. N. Querques states just looking to avoid that down the way. If they handle that now we handle that now. J. Grassi states if we were builders, we probably would just see it that way. You know these lots of also be more attractive with more acreage. It's just, it was a family desire. B. Duffney states understand why you want opening that for yourselves as your own, tranquility and what's interesting, I understand. The way you got it laid out here is a lot of 12 Correct. Is that correct? J. Grassi states correct that is the. So yeah, it is a strange but it is. J. Grassi states it is technically would seem to meet all requirements. B. Duffney states yes, and it's attached to it so rather than this being what is in here just a small right so rather than this being to a little over two. J. Grassi states that it would be a little over 32 All right, so it'd be a 30 minute walk. B. Duffney states I don't know, maybe Charlie probably already dressed are coming down out of there the slope for the road. C. Baker is that something out of town as a spec for coming down out there so they'd have to go to town guidelines. J. Grassi states that is right. The first 100 feet is a maximum of 3% grade. The remainder of the maximum 8%. B. Duffney states that's all I got. J. Sabanos states the issue we talked about last time was shared driveway reports suggested that they would like to see, obviously a way for private deals to be built in the future. I don't see a resolution. I still see respect I see that you have your presence there. But I'm looking at. I'm looking at the console; I'm here to physically see that as being possible slope obviously on that one at the end of the driveway. Resolve is truly feasible. In the future, so we can we can say that the land there but that doesn't necessarily mean that it's impossible to drive. So, similar concerns. T. Yasenchak and M. Gyarmathy state they have the same question. C. Baker states there is actually a drawn out I saw it somewhere in the last page. J. Grassi states we actually have protected the slow performance. So these are these are the plans for the alternatives. You would have three coming in AE. J. Sabanos states he thinks that's what you said and you did the address it, my apologies. M. Gyarmathy states I have the same question and the only other thing I'd like you to know is the width of that shared driveway. J. Grassi states they are 30'. M. Gyarmathy states Okay, that's all I have. C. Dake states I just want to thank you for addressing the concerns that we have. I also first missed that, existed. It was concerned that they weren't but I actually thought after reading it. Thank you I don't have anything. So that looks like you've met us halfway and I appreciate that. K. Conway states that shared driveways are a bad idea and that is all I'm going to say. So you don't waste any of our limited creativity resources we all have just in black and white, things that I don't understand happen every day, but I don't see it, see myself I don't see myself ever really voting for something to create a non-buildable lot on this. So, however for you to get whatever the fine print is that's probably not going to be started. So if I'm understanding correctly you want to see if the part of the system was correct. I did not see myself voting on anything that couldn't consider the current plan to be looked at while we're connected to the trailer. I agree. It's a good idea to have. T. Yasenchak states alright so I have a question. The lots that are, I'm sorry, just looking at the little ones just because it's easier for me, but the last set are to the

north right as you come in that have the wetlands, what is the buildable area of those? Like some of them seem like they have the, wetlands, kind of, cut across, is J. Grassi asks 1, 2, 3, 4 T. Yasenchak states and three more specifically because the wetland goes right through them so like, obviously someone's only going to build in the front portion, how big is that building a lot. J. Grassi states your questions how long the bigger the global footprint essentially outside. I don't know if we have square footages for that. We do have a zoom in feature that was particularly hot, where the septic systems will be at the homes themselves. T. Yasenchak states I did see that and it seemed like some of their septic systems were like over the disturbance buffer or another army corps so you don't have that but they're really close to the wetland. So I think that septic systems still have to be away from wetlands. So, page three S5 one. And I don't know that off the top of my head. So C. Baker, do you know what's the, what like how far does it subject have to be from a wetland. C. Baker states 100 feet. T. Yasenchak states right, well that's the buffer, but like the same thing like septic's have a certain distance to be from like a property line, like from the septic system. And they just they say like, do they have. Does it make a difference between Army Corps to Army Corps. DEC has that differential in their law about if a DEC wetlands not an Army Corps wetland. C. Baker states right. T. Yasenchak states got you. Alright so that was one of my questions because it just seemed that some of those a lot was already like maybe one and a half acres because it was like 60 something and then it was cut in half. So even though technically they're nice. They just were half, so they just seemed relatively small but it's neither here nor there, I don't, I don't really mind about that. C. Baker states bear in mind that this does require DOH approval. T. Yasenchak states okay. That's all my questions. I do have a question which I think was brought up by C. Baker as well, easements in access to the Storm water areas, so you have some in the front but then you also have some on the back of those lots. So what those are storm water areas that need maintenance, from the town, then the town would have to have an easement shown on the plan to get back to those. J. Grassi states yes, I believe we, we do have a 30 foot utility easement. Right now, that would come off to the intended to be. T. Yasenchak states perfect. I'm also curious about sight distance on the new road so not sight distance. The road on to, you know, not, not safe distance for the new road but the driveways onto the new roads so have you done that, so that all of the driveways that you're showing someone could because of the, the slopes and everything. Someone is going to be hit like maybe a cul de sac someone's coming around and that they're so that I would just like, you know, going forward, that you could show that those work. Yes, because I don't think we've ever actually asked people that because we don't do that many larger subdivisions that have new roads, but I would assume that that if we use other subdivisions that are on a main road already and we asked for sight distance that those any driveways we're showing here, should have it, and C. Baker like should we be asking for that or for classifying local road doesn't have to first. C. Baker states typically within a subdivision, we do have. T. Yasesnchak states okay. All right. But, it will be a town road. C. Baker states yes, but it will not, there will not ever be a 45 mile an hour speed limit, R. Roeckle states so there's no posted speed limits for something generally not within the subdivision. Once the road is approved by the Town is accepted by the town, it becomes a town road town log lead indicates that it is a 55 mile an hour speed limit, until such time as town requests the speed limit reduction and that has to be approved in the state of New York. C. Baker states my 35 years plus experience I've never seen 55 to 70. R. Roeckle states, but it doesn't matter. T. Yasenchak states well, I guess, I would tend to say it. Well obviously I don't think it's ever going to be 55mph, but whether someone's driving 45, which would be a justifiable speed limit in there whether it's posted or not some typical way people do that. I guess I've never, I'm just asking because I don't think we've ever asked for that but yeah if we're



creating a driveway why I'm saying that because we have to share driveway where there's a lot of grading, that's happening. And someone's coming out of that driveway with all this grading happening to the road like someone's coming around the cull de sac, I don't know, like I'm just kind of throwing it out there for discussion that we've never asked but then I want to make sure that even those driveways are safe, I guess, for whatever discussion about that. I am personally, I don't agree with the shared driveway being part of the subdivision. I think it's good that you showed us that the driveways, can all meet it, I would feel more comfortable because we don't do shared driveways, even with small like three land subdivisions, we just don't approve them, that if the subdivision went through with those driveways with every, all those lots having their own driveways, and then you decide to do something on your own civilly, but that's not part of our approval, I feel more comfortable with that. And why I say that is because then we're not setting a precedent that we've allowed a shared driveway for three lots when we don't even do it for two. So, I feel hesitancy about the precedent that we would be setting, showing a shared driveway for three houses. I understand the why. But if we ask you to show that they can be there. Once you have the shared driveway, no one's ever going to put them in, there'll be a septic system back there and everything in everything else. I would feel more comfortable if going forward those driveways were part of it, and not the shared driveway. And if you happen to do that as a civil matter of giving an easement to somebody, which is possible, not part of a subdivision approval. That would be your business. J. Grassi states if I understand you correctly, it sounds as though there was no town prohibition necessarily on me actually creating a shared driveway once the subdivisions approved. T. Yasenchaak states I believe so. I would have maybe some investigation about that, but I just had a strong hesitation where, I mean, this board, even though the previous project was saying oh there's too many keyholes and here there's pretty much, these are all you know keyhole. So, are two key holes, but there's a shared driveway, I just don't feel comfortable with the precedent that setting, because those houses present to that driveway, so it becomes, what looks like a subdivision on a, private road, so I just don't feel comfortable with the precedent that that would set. If someone can't have a driveway going to that house, then I think if we show that on the subdivision plan, and someone builds it differently. M. Gyarmathy states could you do like something in your deed to allow you to go across those lots for your driveway and T. Yasenchak is right is, you know, we've had a lot of issues in the town with shared driveway so that's why we're trying to steer away from them all together. I don't know if this is the proper time to say this or not but I think that this board needs to have a workshop or something about these keyhole lots and these long driveways. I think we're going have this more and more. He does not know of this is the proper time to say this, but I think this Board needs to have a workshop about these keyhole lots and these long driveways. I think that we are going to have this more and more. T. Yasenchak states, but we are looking at this, in particular. J. Grassi states I understand you know, I think this is, it's an interesting conversation to have right now and that if, there's a scenario here that the town actually has no regulations that prevent me from doing the shared drive and there's no reason necessarily to pick the wrong path, traditional driveways or new build a shared as necessary as just a civil private matter which is fine with me. I submitted is a deeded easement for that purpose. So I have that in line ready. The only thing I will say, I will put out there for this board is, I guess. How do I phrase this? If there's no issue with me simply doing a short drive in the future and depicting the traditional now, we're good. The intent right now is the Department of Health has asked us to put wells to wells on these parcels, one of the lowest and one of the highest and my highest end is the lot. 14 is the southernmost lot which I wouldn't put there. If I can't get a shared access drive realistically while you're depicting long driveway, I wouldn't want to, I wouldn't want to open it. I'd like to

share a driveway, which I might, which means I would change, potentially the layout, before us as well. So if I can get some sort of soft feeling from the board as to the way lay out right now while we're getting it and C. Dake states that he think the they are giving it.. There's no requirement that your car has to go through what is called your driveway to get to your house. So, you have a backhoe and those are your driveways, yes and the person who has lot 12 happens to throw down some pavement in the background, same with 11 and 10. And that isn't the driveway for last 11 or 10. I don't see a problem with driving there so long as you still have the driveway that we approved that goes to the road. I believe. T. Yasenchak states I think we just would have to have some more discussion about that, you know maybe still have easement language in there but that wouldn't be the main driveway, approve, or avoid any precedents that are visible visually seen traditionally R. Roeckle states I think we could build those driveways, and the town approves those lots with the possibility of building those other driveways, but you're choosing to do it a different way to access the building. J. Grassi states otherwise the lines, obviously, there are simply zoning compliant right there is no variance needed they are reference keyhole lots technically they are not keyhole lots they are regular lots just thinks the Code Enforcement Officer has questions. M. Waldron states right, but that's where our code is weak, civil matters always come to the town first, and we have people writing letters and calling and saying well, like the ambulance won't come down a private road to my house because it's pipe broke, so it opens up a lot of other things that isn't just about maintenance or plowing but it opens up a potential of emergency services. The Highway Supervisor will be signing off on all the driveway permits. R. Roeckle states that lot 12 that is the only driveway there for that lot. J. Grassi states that you think potentially get a driveway permit and just extend it on their property. R. Roeckle states whatever gets approved by this Board will be approved by highway supervisor, and allowed to be provided for your foundation. J. Grassi states so we think potentially large while we get the driveway permit, and then we've just extended on our own accord prior to that I think you would still have to have deep deeded easements, in your own right, we would want that as a part of something that gets filed so that it's, it always goes with the land, but you wouldn't want that part as well, just that there's an easement, but not that is noted as the main driveway, so that the easement is given to those lots for access, but not that that would be the only approved driver. T. Yasenchak states you will need the easement noted on that driveway so that the easement is given to those lots for access that would be the only entrance for that driveway and we'd have to just we have to have some more discussion with M. Waldron just, but we have a private road with three houses and I understand that it is family it's, great and the, fact you have a lot of grading that you'd have to do to get that drive other driveways in, but it's three houses on a private road and we just don't do that. So I just feel personally I feel uncomfortable with that. R. Roeckle states unless you know something we don't. Property can be sold at some point. J. Grassi states I guess the, making sure that I have that maintenance agreement in place and that's going to be a deeded maintenance agreement. So there if some issues arise, would be enforced by those property owners themselves in a civil matters not part of a subdivision approval. T. Yasenchak states civil matters always come to the Town first. T. Yasenchak states from here, so I think if you work with M. Waldron to make sure that what you are proposing is something that, maybe have a little bit more discussion with him, and I don't know this isn't something we do all the time so we need to maybe talk to town attorney or something to that effect, as well. We don't do shared driveways for 2 lots I don't want to set a president showing a shared driveway for 3 lots. B. Duffney states shared driveway is your construction entrance for all three, homes. J. Grassi states yes. T. Yasenchak states we do have driveway requirements. We have driveway requirements and are made to a certain standard and

they're supposed to be noticed what signage for emergency services and so forth. So, you might have to do a little bit more investigating. Yes, that was my final question. And then that shared driveway is that is a lot of grading that you're doing right, at the entrance of that. J. Grassi states it is I mean it's, you know, there's some considerable grading throughout. I believe that that's your driveway, almost ends up being at the peak of where things start to neutralize and that we attempt to use the grade as much as we can. And it's the kind of a squiggle for that shared driveway. Anyone else has any questions right now. K. Conway states I'm going jump in. T. Yasenchak states sure. K. Conway states I do have a problem with it. By that, I have problem with trying to circumvent are the rules that we hold every single person to, including the current time against the applicant, before you. So trying to backdoor this then I have a problem with it J. Grassi states if I may you're the only your responses that are contrary to the prior outcome as I understand it but it's completely compliant lots right so this isn't, this isn't a scenario where, you know, I am back dooring or even a loophole necessarily I'm literally, I think that they're, you know, just a different accent. K. Conway states right. You still have the shared driveway it's an issue. T. Yasenchak states think we have a little bit more to do. J. Grassi states that he will share further with it. I will take a look at the code as well to see what kind of triggering issues. T. Yasenchak states or maybe what other Companies have done, you know, in situations like that but shared driveway, I don't think, and I felt very strongly that that would not be the only way to get in. B. Duffney states they have not approved

A lot of share draft was to over the past 10 years; people have had to really pull apart and began to comply with what we asked for. J. Grassi states I understand that we can ignore the fact that a shared driveway is ever going to happen in the future and because that's not necessary for anything I'm on our back. All right, so there is no there isn't there, there is no shared driveway on that plan so that would be okay. It's only the one shared driveway that has it's the shared driveway. T. Yasenchak states a while back, it wouldn't be okay with me now that we haven't really talked about that, everyone. Anyone else want to weigh in, you're talking about that larger lot, the plan. C. Dake the last page where they don't have to share driveway, that's what I was afraid of when I sit when I was saying that I was pleased that they came and met us that way. Since there's no shared driveway on that plan. T. Yasenchak states oh, I understand. So that's their option, but that's not the one that they're looking at technically, like they're not showing the those driveways, on the rest of the plan, correct, like you're going ahead with it showing that you can put a driveway in. But that's not the official driveway access to those. J. Grassi states stone driveways. C. Dake states there until for some sort of driveway there right now to be compliant right now, regardless of what they do, whether they extend to one of my 12. T. Yasenchak states right, that's what we were saying that maybe there's a way we just approve it with the driveways, and they also have some sort of easement that they can traverse each other's property but that that's not technically their official driveway. They technically do need to have access to a road. I don't know how that works, but the way it's showing its one driveway. So we need to figure, we need to figure that out of how that can happen, where you have the ability, but we're still creating lots that have driveway access. So, I think, well, and then also this is a county road. No, no, this is this is uh, okay so we and C. Baker did you mention in your letter, as far as like, do we have to reach out to any other agencies about lead agencies. C. Baker states DEC. T. Yasenchak states so we can send those letters out. We haven't done that yet. So that way we can ask for lead agency for those. I think that because there's some issues that our engineer has noted, I don't think that we're ready for a public hearing until we need those pretty much like the last project, or does everyone feel comfortable the same. The Board agrees. So if you can address the questions and issues that our town engineer has brought up, also have some more conversation with the town about a Code Enforcement about those driveways, and that would be good. One of the questions. Oh, here's another question that town engineer brought up his lighting. Did you have any, later. J. Grassi states I don't think there was. At this point, there was, I don't think it was any timeframe or streamlining, I think what another item I think with some signage and

we didn't attend I think just like every church has to have some signage in front that indicates that maybe some, some lighting, some lighting that sign, demonstrating where the entrance is but certainly we're antennas, as rural feeling that you can say no. T. Yasenchak states okay, and as far as nine assigned just be for their street that street sign are you looking at having like an actual sign to announce your development, it doesn't matter. J. Grassi states that he think they would like a sign announcing the development kind of something that's creative. Making a little more grand, but if you'd like to get put that kind of on the plan where we can. T. Yasenchak states yes, as far as you go forward that night. Okay. Does anyone else have any comments for the applicant? Do you have anything else for us? I think what we can do is get those details to the town engineer, Code Enforcement and come back the next meeting we'll be able to start moving forward. At that point we can discuss it more and possibly be able to at the next meeting scheduled, not for the next meeting. J. Grassi states for the plans to go to the highway and barbed wire choice. K. McMahon states you can bring them to the office when you submit them with that and we'll get them to J. Burwell and J. Davis.

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Harris, A. Case #649  
TM# 151.-4-13

270 Wing Road  
Site Plan Review

Aaren Harris, Scott Miller, and Paige Walter are present. I'm Scott Miller from CLA Site along with his co-worker Paige Walter. A. Harris is the applicant, just going to quickly go through the project and then if I could I would love to hand this over to Aaren, to go through her vision, and she's very excited about the project and I think it would be great for you guys to hear for tonight. The applicant is proposing to operate a unique farm based Outdoor Education Preschool nursery located at 270, when rope conversations with M. Waldron classified the project as educational news. The project is allowable in the zoning district, and MDR-1. And we're proposing the project in two phases. Phase one will be operating the preschool, out of the house. The kids will primarily be outside the house will only be used during inclement weather. Phase two will involve building the parking lot, her classroom, the yurt, and potential septic, if necessary. The project is within a conservation subdivision, and we are coordinating the Saratoga Plan P. Walter from our office will fill you in on that she got some feedback from today. So she has an update for you regarding that. Similar to the previously previous project that we presented to you guys, we know that sight distances, would be a concern. We also hired Kurt Bedore from BK Engineering and Consulting, and we received a report from him today, stating that this sight distance is added or slight distances from this entry are adequate for both directions, with some minor vegetation removal. And what we were hoping to get from the planning board is a determination from the board, educational use on the property. And we also would hope to get a determination from the planning board regarding the accessory structure yurt and the proposed uses of the project. We wanted to get your insight determination before moving the project forward. So with that said, I'd like to hand it over to A. Harris, she's going to give you a mention of the project. And after it's done we'll pass along, to P. Walter. A. Harris states I was a full time vegetable farmer here with my husband for 14 years. And it is a really special place. The whole of Wing Road as you know, the bulk of it right now is three active farms and we all are kind of coming buddy, buddy together and our kids are hanging out as well. And we are kind of like the last of vegetable growers in Greenfield I think there's no other vegetable farmers really in Greenfield. There's not that many of us left. And so as I was farming I had a CSA my very favorite part of having families come and pick up their vegetables was hanging out with the kids, and so I started to think, you know, they don't even know where their food comes from, it's ridiculous. I love

which is in farming so I ended up working in a field and went back to college at St Rose to get my Master's in early childhood, and I'm in NYS certified professional certified teacher and I work in the field with special education kids and regular education kids in licensed and unlicensed registered and unregistered programs and tried to find a way to basically found through like an outdoor Forest School type program on my farm in the NYS is very tricky. M. Waldron and I have gone through a little bit it's, it appeared at the beginning that there really was no classification for me. But then we kind of found this little clause or private nursery schools are allowable under educational uses, and my hope is that I would be able to operate and to build up some clout and make money and make a name for myself before jumping right into building a building, so that I would operate in, you know, out of my house for the first year where parents would drop off 10 students in the morning and 10 students in the afternoon for about two and a half hours. So the issue is that I can't get licensed as a daycare OCFS only licensed programs that are three hours and longer, and I do not happen, register the status of voluntary programs so it doesn't need to be registered. If I could, in the future be licensed I would try to advocate, and with the NYS that they acquire licensing reform programs, such as States like Washington have been running currently there's no licensing body for it, so it's kind of like the under three hours thing is, is you know is my loophole. I cannot have one student for longer than three hours and no one can stay for a double, so it can't, it's not like sneaky childcare. And so far, from what I've heard there is quite a need for it, because a lot of children that have been studying or parents who want their kids to be more outdoors during the pandemic, have expressed interest in doing something like this. So I'm hoping that there are enough students and parents that we think this is a cool idea, mixing early childhood with agriculture so it would be sort of like an agricultural immersion program where we'll be doing things around the farm every day. And then once per month you visit another farm in the county or area that specializes in things that I'm not familiar with so animals and cheese and mushrooms and things like that so it'd be sort of like growing little farmers instead of growing vegetables and mixing teaching and farming at the same time, four year olds are like my favorite but I'm thinking three to five, and before compulsory age. And, you know, hoping that we would have like a 9:00 to 11:30 and then a 12:30 to 3:00 group with an hour in between. For me to wrap up and warm up and eat lunch, and all of this, hopefully won't interfere too much with raising my own son, who is important to me as well. And at this point, we've been under easement with Saratoga Plan. So we have a lot of special rules to follow, and you always have to ask permission for anything that we do which they seem very, very supportive, but what they need to make sure is that this will never be a dwelling, so this cannot and will not ever be a dwelling, it can only have it will only have a single bathroom and things in it, and it can't be a mother in law's apartment down the line, it will always be an education center, to do a workshop something that's like an accessory to the main farmhouse, the land is 18.49 acres and can never be subdivided the load across the street, the same, a lot of customers, with the same. There's just a nice little chunk of land almost 40 acres across the road that will always be forever farm. And we are hoping that we would have a small parking area just to keep everyone safe. And then some pads that would, you know add assess the year, we're looking at two different locations. Location business plan A and plan B might be if I can tap into my current well and septic. Paige Walter states there are fewer schematics; we may look into, into that in the future just to save money. But this is what it will look like, and you know what we would, what we would hope to gain support for. I'm going to just lightly touch on some of the details on the last name please. Aaren mentioned this schematic plan. We are going to have to preserve the existing trees on site on the parking spaces which would be gravel and have been in the second phase of the project, we are proposing on using the existing curb cuts for the driveway and widening it to allow

for passing cars and for entrance and exit. We have had an engineer, look at the sight distances, and just like the Peerless Grove. We have to review that and then we'll share that with the Town. Although this early assessment is that both directions will meet the guidelines. Whichever layout is our final for the year in the parking lot. We want to follow Saratoga Plan's. Conservation environments, and keep all construction and disturbance within the building envelope. They have a 5% maximum impervious coverage, and we are staying below that, with the 1.58% impervious lot coverage, which only includes 15 acres of their 18.49 acre parcel. The parking spaces will be gravel, and that is well over the required parking, which is cited in Section 105 for table three, which requires three parking spaces per classroom. Our classroom here is going to be mostly the outdoors. In the event that some of the class periods, take place inside, we're counting the, the year has that room. As Eric also mentioned, we may be tying into the existing house septic, so we're willing to report on that, the septic will be reviewed by the town, but tie into the wealth will not be reviewed, will not need to be reviewed by the D O H, due to the number of students, which is under 25 students and the teacher, daily, so that is below the limit. And then, as we mentioned with Sarah to have a plan. We have continued discussion in coordination with Michael Horne who is waiting for our final plan in location for the structures to be set, but he feels comfortable with the amount of impervious coverage that we are proposing that the educational use pertaining to the farm and everything upgraded building. I will also note because there are children, we have proposed some fencing to separate parking for areas where there might be educational purposes, taking place, and all the fencing along roads, to make sure that when the children are getting picked up or dropped off that they're still safely kept and with that I will turn it over for questions. T. Yasenach states so, as far as on their zoning to ask our code enforcement, M. Waldron have you determined this, because you are the we look up to you for our interpretations that's not our board, that this is falls within that allowable use of education. M. Waldron states yes, our definitions are separate and defined regulations. The education will provide several academic and will be combined, however, are defined separately. Under Educational and so then we have that is allowed under site plan review. T. Yasenach states so; you intend to use the year and the building, depending on the weather. A. Harris states that is the building in phase one, it will be my farmhouse on, it will be a playgroup, the dining room and board room, children's things are stored, and I imagine that we will be outdoors everyday no matter the weather, but if there is ever like any hypothermic type whether it'll rain I unexpected turn to dangerous when things like that you will need a shelter from the house and not from a classroom but a shelter from the store for those days, and the rest of the program and be outdoors and the parents will be expected to provide students with a pretty hefty list of years to stay warm, similar to the Waldorf kindergarten. And then, we're hoping to operate only maybe a year out of the house, and then as a pilot program to see if this is right for my, my family and everything else and then to try to save some money to build yours. T. Yasenach states so, this might be another question for code enforcement so when we're looking at the building. How does that work, so usually we look at occupancy goes by square footage of a structure, and then that puts you into the relevant code for maybe the number of bathrooms that you need for the use and then that responds to how much parking we need like when we look at Site Plan and all those sorts of things. So, like how do we look at this, as far as what's happening in the building where that's just the temporary structure but that necessarily temporary misspoke that temporary structure but like that's where they might go in for shelter, how do we look at that as far as coding? M. Waldron states I will look into it. This is the first time, I was under the impression that the ert was the place for the inclement weather was really thinking about my ground. Part of the process in the classroom, if weather was bad. T. Yasenach states and that's also a

problem for you (the applicant) and your design professional to look at is Site Plan Review doesn't look at things like a Special Use Permit looks at well how many people, what are your things like that site plan is just looking at the site plan and how it's designed according to the use and parking and septic and all those different things that are listed out for site plan review.

M. Waldron states that's going to be your home, principal primary rather than just a classroom. T. Yasenchak states so there may be ways to look at it if it was a. A. Harris states so if it was being built as a daycare, per se and it was going to have a house, a certain number of children. It would be 35 square feet per child, and with a single bathroom per classroom. What the daycare regulations are for a building that is separate from home for the year, at least for that thing. But I do know that on, like for instance I, I'm almost positive I will probably need like a fire and set you know fire inspection things that I would have had if I was ready. If I was registered for I started licensed through OCFS, I would still like to do a practice anyway. I may need a certificate of occupancy I don't I'm not sure about that. But I certainly would call it Fire Chief, chief to get it, you know, fire safety inspection, things like that have two methods and he dress, similar to how it would be in my private license. Um, you know person from the state for OCFS coming in to look at my home for a daycare. So group family daycare is 10 is 10 students, maximum, and usually, those, those requirements. You would just have like a simple checklist that you would go over and someone would be helping you walk, you know, walk through that, but I don't really have the benefit of it no governing body, right. So then, you know like the forest program. T. Yasenchak states right so then look at that we can then look at is what the New York State Code says, and education is, you know, so there's, there may not be a difference, but we may not have a way to define that in our site plan review of saying okay only 10 kids like we have to maybe look at it as a whole. I don't know that, so maybe you can talk to design professionals about really focusing that in and also have Mike. Waldron, look at that. At the same time, she opens this up for questions.

R. Roeckle yes, has the urt been constructed, and will the bathroom and well with a septic system be there. A. Harris states they are thinking of having two entrances and exits to the urt. There, will be a bathroom located in the urt, as well as a sink to wash hands or maybe rinse out preparation, etc., the approximate location for proposed septic. If the urt is permitted to be set here, it will be. We'll be right next to the corner of vegetable garden. N. Querques states he does not have any questions at this time. B. Duffney asks what an urt is. T. Yasenchak states it is like a really big tent and they're usually made, out of sheep skin with a wood frame slab on grade10. B. Duffney states that's fine. This is the old Kemp farm. A. Harris states I have a lot of handwriting in all my walls I try to write all of this happens on every day like. B. Duffney states support any kind of farming, 110%, no matter what it is and to teach young people to do something with their hands rather than sit on a cell phone or tablet on video, he loves it. You know, if you get what you know, whatever is needed I think it'd be great thing.

N. Querques asks if A. Harris has a waitlist of students that are willing to kind of do right now. A. Harris states I do, I'm a little bit stuck, I kind of need to enroll in order to function, but I can't enroll and so I know that I can go forward times, I spent just enough money to be almost broke my lawyers and everything else and you know my website and stuff like that and then I'm just ready to push the button if I, can people are trying to send me checks already and I'm saying I can't accept checks, and I'm not, I'm not even I'm not real, I'm just a figment of my own image. I have a whole bunch of people that are super excited about it, and on, and I haven't ever really yet too much, just a little bit of, you know, talking about my journey and how to go about starting something like this. And then I just saw that you know Governor Cuomo put all this money to early childhood programs and I think I'm going to call him and see if I can get it, you know, try to figure out where people like me to fit in, you know, entering into

the business where a lot of that I can find, you know, 10 out of 10 other programs just like me in your feet that are fully functioning many of them are on and nature preserves and a couple of them are in cooperative programs. So the Cooperative Extension has like, like a test farm, and the kids are there, you know, a pre-school so a lot of times it's, it's a nonprofit model. So to go into it in a private model and kind of, it's like the border between daycare and going to school is it's tricky. I know I can't use the word school as my LLC name so we have to take LLC off the end of that is that is that is like asking the Commissioner of Education for, for consent. So that's the, and that's voluntary as well. So it's kind of interesting I just cannot incorporate with the name school, which I just found out. J. Sabanos asks will you have any employees, or anybody else helping you out. A. Harris states I will I'll have a single assistant, probably a bookkeeper and maybe someone that can help me do a little bit of on just in between stuff like setting up breaking down, stuff like that. J. Sabanos states you'll have somebody there with you at all times yeah I'm thinking, God forbid, somebody gets hurt. Yeah, there needs to be more than one. A. Harris states Oh yes, the ratio for this is for ages three to five. Well, it's different for just threes but it is a mixed age grouping, the ratio is one to eight. Okay, so I could never at any time be alone with more than eight. And in this case, you know, being in the field or being in the woods or being on a, little bit farther field than normal. We will definitely I do have full coverage which is great. All the time, but we will definitely not ever want to be alone. J. Sabanos asks how come you're supposed to be heated. At this point we're hoping to do radiant heat in the floor, and I have a really fantastic well, and so we're hoping that we can somehow another tap into the well no matter which location we choose right now the location that we are going with is, is only if we can tap into our existing septic system which would be just sort of like a huge break for me and also just a lot less impact on my land. We are also looking at maybe eventually solar. And I know just this single bathroom that will have an on-demand system not a tank thinks, like an inline; I do have to have heated water. T. Yasenchak states sorry, we're just going try to not get too many thank you so much, you know that you've, you've thought about this and I think it is a really good idea. We just have to work through all the nuts and bolts. M. Gyarmathy states I don't have any points and it's I think it's a great idea though and I wish you all the best. C. Dake states I also have no questions also think it's a good idea we'd like to disclose I am on the board for Saratoga Plan but I don't see any conflict I'm not involved with this project. K. Conway states it's going to be cover or not. A. Harris states yes with a metal roof for getting plans, or an architect. I needed to go through this hurdle first. K. Conway states sure. I think it is a great clever proposal. It's an original one. C. Baker states no, he was around a number of years ago when the original Conservation subdivision occurred. T. Yasenchak agrees, it's a wonderful project especially the conservation, children need to learn about farming and this is Springfield's and I think it goes back to the heritage and it really helps to keep what our master plan talks about keeping things screaming and being natural. They do have some work to do as far as, you know, talking to Mike, making sure that we get all the pieces that work together, and sometimes, and then we also look at. We know that that's what your limitation is right now as far as maybe the number of students. Again that's not part of a site plan review. So we look at education as education and then go down that line, some, and so we want you to succeed. We don't want you to put yourself in a corner so think about that as you go forward with your plans, but really you just need to work out all the other nuts and bolts. Do you have any other questions right now? A. Harris asks what would be my next my next step to get to public hearing. T. Yasenchak states I don't think we have enough information really to do a public hearing right now what do you all think. R. Roeckle states you're looking at the house first house versus the ert. T. Yasenchak states yes, I think it's the house versus the that as well as just really figuring out, technically



from all the different codes, what's the occupancy, how is that all being met. We might not need much better map but it might have to change depending on when you look at the occupancy or what do you have to do to get handicap accessibility into the building, that sort of that sort of thing. So, when all those things come together and we have specific numbers I think then you can come back and at that point we'll be able to set a public hearing.

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US Light & Energy Case #  
TM#

370 Middle Grove Road  
Site Plan Review

T. Yassenchak asks how many residence can come at a time. Can we can have 15 people including the applicants. M. Waldron states yes. So yes, if you come with a primary group of your own like people that you live with you don't have to sit spread apart you sit next to your spouse. They don't count as one person. It's just that you can sit together so we can have 15 People from the public, including the applicants. Couples don't count as one but you can sit close to each other. So when we're looking at occupancy we count the number of heads. When you look at separating distance wise, if you're here with a spouse, you can, or whoever you can sit close to each other. So technically we get one more person. We're going to do this twice. I'm just going to introduce this project. This is our last item on our agenda; it's US Light and Energy case number 648. This is located at 370 Grove Road this is for a Special Use Permit, and for Site Plan Review. So the way that our zoning code read, we have an applicant, they make an application and then they submit the vital information to us. This board does not set a public hearing until we feel that the applicant has given us enough information so that when the public hearing is noticed the public can come and look at an application. So we did that at our last meeting we had, and we reviewed this project we asked them to add some additional details to their plans we have not made any determinations we have not opened the SEQRA review process, we have simply looked at the application we have not even called it complete because it cannot be complete until we have had a public hearing and until we have done SEQRA, but we felt the applicant had enough information to be able to come to us, and present for a public hearing. So the way that we run our public hearings is we have the applicant present a short summary of the project, and then we open it up for public hearing, And we ask the members of public who would like to speak about this project to raise their hand and then note their name and I think we asked for their name, and their address for the record, when we have a public hearing we allow for three minutes for each person to speak, and that is something that is noted on our, on our agenda. We do allow the applicant presentation to be 15 minutes but we have asked the applicant to be brief because since this room is limited to the occupancy, well they will have to do it twice because we don't have anything at Town Hall that would allow us to have anybody watch this, or interact with us remotely in this type of situation. So, we are doing it twice. So, with that I'm going to let the applicant introduce themselves, their project and give a brief summary. All right, good evening everyone. My name is Mike Fingar, the US Light Energy, chief operating officer, for my company. I'm joined here tonight by Zach Bouchard who via phone, he couldn't be here with us in person but is listening in, and also joined by Chris Koenig the project engineers to start with a brief introduction about company project details. My company US Light Energy currently specializes in development sites for solar. For those of you that aren't familiar with community solar. It's been around since 2016, and it's a program that allows us to take energy produced on a single site like

this and distribute that energy to the community. This particular project is eligible for anybody with a National Grid account to participate in the project. So as long as you have a National Grid account, the energy produced from this site, could be provided in the terms of credit, your home. Community solar has been around the market, like I said, from 2016, but you might have seen recently mailings or sales material or joining a company, essentially allows us to take the energy here exported it to the grid that generates a credit. Credit is applied to homeowners. It's not limited to homeowners; it allows everybody to participate in the project, regardless if you own your home. If you're a renter or if you're a small business. And this complete project is 3.75 megawatts, and it will power roughly between three to 500 homes that play heavily on how much we can entertainment in such a way. That is an introduction to our company. Our first project, was develop and it he first projects come online in 2019 in Saratoga County, Clifton Park project is currently operating in search of the people around that area. We have another project from Lewis County, New York, that is currently operating and five more that are expected to turn on the next two months. With that I am going to turn it over to Chris Koenig. C. Koenig states this is a 3.75 megawatt ground mounted solar system. The site is on two parcels on the existing survey. For the purposes of parcel 90 versus to the west and parcel 91, which is a smaller parcel to the east, and combined they make up approximately 122 acres, part of the project, is also a lot line adjustment to consolidate the parcel into one shrub tree standards and instead of the tree stands rock central portion of the site. We did a full wetland delineation of the property, and wetlands to the north corner of parcel 90, but we're not interfering or working in any of the wetlands on the site. But nonetheless, the site slopes gradually down to the north, you'll see this area here, unless you can't see it from, where you're sitting, but there's quite a bit of topography, but that's, kind of the hillside with the dry pipe and you see the road, or the tree line looks and you can kind of see that the hillside, well, we're not proposing any activity at that level of elevation we're working more on the lower part of the site which is, largely flat. So that's the basics of the site here. The project is the site is in the MDR-1 Zone, Moderate Density Residential, and the solar tier three solar system is allowed by Special Use Permit in that zone. So we're not seeking relief from any zoning regulations to the Special Use Permit review, the solar array will be surrounded by a seven foot high chain link fence. The access will be off the south side of Middle Grove Road, and there'll be a 12' wide permeable gravel road with two turnarounds one right at the turn in. There are three turnarounds and then two at each pad that's supposed to have the electrical component. The point of interconnection for the system of the corridor at the northern end of parcel 90. Our connection at TM# 163.-2-90 to the grid system. We meet the setback required. So we're within 100 foot depth. And we also meet all the other zoning requirements that specified in code, design, including law coverage panel height, etc.

The panels will be at their maximum tilt will and will be approximately 12' of ground surface, they won't move, and they'll face south. This project will collect the closing screen too was a system that we prepared poses, three different types of Eastern Red Cedar, White Spruce, and Red Maple. The red maple is the most expensive provide texture and differentiation. On the road to break up the visibility of these trees, these two pieces the cedar and the white spruce are taking growth on strike to mature growth. And they do provide a theme for many types to the site, although I think the intent here is not necessarily create a formidable landscape hedge row buffer that's more than 100% of visibility there, and thereby entire view it's more to blend the system in with the landscape and impartial partially blocked with this system, so there's also still opportunity to see the view, up the hill and kind of take into the magnitude of that deal. Not completely locked in with the so called extreme alumno pro in two areas, and also on this corner. And then around this residence here, kind of filling in the gaps with the

existing vegetation and landscaping there, to the best attended. But that's what we want to cover right now, and I think we can dig into more detail when the residents have any questions. T. Yasenchak states thank you for mentioning that. The plans are and have been submitted. The way that public hearings works and it's not just this public hearing or our Town it for all municipalities. Maybe just move that over to the corner so everyone else can see. This is a time for residence to ask questions that we will record. But we, for the sake of time and also, we don't have any questions going back and forth so if someone has a question, you can state it, we record it we have discussion with the applicant as we continue to go through our review, but, it's not necessarily a time for a back and forth. Okay, so with that, let the applicant sit down. Did you have something that you wanted to show us with that, Z. Lissard states nothing to present. T. Yaaenchak states Okay, all right. It is 9:08. And we will open this public hearing. We have two letters that have been submitted, that have been asked to be read into the minutes. I'll read them, I will be reading them fast because just as with anything else. We have a limit on public comment of three minutes per, comment. So this first letter was received on May 11, 2021 and this is from Samuel Weed Jones, and Virginia Jones. And it says to whom it may concern his letter is to inform the board of our opposition to the application of US Light Energy for the property located at 370 Middle Grove Road to be used for purposes of constructing a solar panel field, being that we, Virginia and Samuel Jones reside at 391 Middle Grove Road and will have a direct line of view of the proposed site we feel it is imperative that our concerns be heard and taken into consideration as lifelong residents of the town of Greenfield and for the past seven years of this location, we have taken pride in the rural residential nature of our community and find the green in Greenfield with the utmost importance to our daily lives and that of our neighbors as well. It's been our understanding throughout our input that the Greenfield Town Planning Board has always acted with vigor and maintains that we have lived for 50 years or more that we have been part of this community. Having the 18 acre or more open field, open view field of solar panels and direct view from our front porches are bad for business in direct conflict with everything that we hold dear the destruction of the green fields and trees the diminished views of our porches, the loss of open space for wildlife the loss to property value of the surrounding properties have us questioning, where's the benefit of such an open viewable project. We will not even be looking at the solar panels directly we will be looking at them. It will be monstrosity but its tall frames. Okay, that hold the panels all enclosed in ghastly looking chain link fence with tree saplings placed to try to cover up the loss of value in the property Middle Grove Road is a main thoroughfare as traveled by many from outside of our community, what type of impression will this have on them, we suggest, it will not be favorable in this town will lose our neighbors and thus lose property and school tax income and further decreasing remaining property values. If this project is approved, we have concerns that go beyond the land itself

- 1. what safety measures will be in place to guarantee it there's no impact to our groundwater or air pollution,
- 2. Especially in case of damage to the panels or fire to Will there be, need, will there need to be specialized equipment and training for our local safety personnel. Whose cost will that are incurred.
- 3. who will be responsible for holding the bond, if the site is abandoned before the lease term has ended and what will be at the taxpayers' expense.
- 4. what guarantee do we have the funds needed for the decommissioning of the site will be available at the end of the term lease

- 5. what additional measures can be needed to diminish the loss of the property values berms, tall trees a small, smaller plan of construction 10 acres versus 20 acres, a different site location completely.

In conclusion, our opposition to the proposed construction zone solar panel field at 370 Middle Grove Road is not in opposition to solar energy in general or to our neighbor at this address, a solar panel field at a location that is not such a public viewable location may well be a very good idea. Also we welcome our neighbor to pursue other residential rural types of ventures such as having livestock grow and perhaps even subdividing the building of other homes if need be, or opposition is to the loss of quality in our daily lives. The loss of property value and our concerns for the health and safety of ourselves and our community. We thank you for your consideration and time. Also the continued vigilance that you as our playing board have in helping to maintain the quality of life we hold dear within our town Greenfield community,

Respectfully,  
Samuel and Virginia Jones.

We have another one, I'll save you, I will read it but I'm going to let some other people talk in between. So is there anyone here who would like to speak about this. Karen and Frank Lyons 362 Middle Grove Road, it will be in our backyard. I have prepared a letter to read, and we've met with about a dozen residents last night and came up with a list of 10 concerns, and that's that pollution, fire carcinogens, etcetera, etcetera. Yes. So instead of reading it, I'm just telling you the same thing. T. Yasenchak states if you do have something that you would like to present, we can put it in the file and it would be part of the record as well. Pam Mansell states she lives at 389 Middle Grove Road rather than creating narrow roads are directly across the street from our site. And our big concern is it's uphill. Straight uphill. So, you're putting up a six foot. It's not going to hide anything. We're going to be looking at, of this framework. And that's our view. Even if you put a 30' berm, it's straight up the hill. So, you're there's no way of hiding. So we're going from wonderful animals to looking at the back of these horrible solar panels. I am all for Mr. Eichorst to be able to do something with this property. I just feel this is terrible use of that, our main road everyone coming through from Routes 29 and 9 N and this is what we're going to look at every day. I don't know if I mentioned before, it's supposed to be a rural area and that's why we moved there and have lived there for years, and this will be taking away from us. And I believe that our property values will decrease, not many people will be out looking for a home, across from a solar farm. The other ones on Murray Road and Denton Road are not seen. There is no way possible to hide this from our view. Richard Mansell 389 Middle Grove Road his big concern is if anything will/could leak out of those panels onto the ground and get into the groundwater, any kind of update if they break or if they are, vandalism, or whatever, you know. T. Yasenchak states so typically we don't. I will allow one minute. So I totally try to stay away from this back and forth but I know that this is a concern is something that has been part of the, record but just if you could just briefly, state, or answer that question. Z. Lissard states they are silicon based modules so they're not the cadmium pipe that typically are associated with those chemicals, there are a sealed unit, and there really is nothing to leak out of those units. They're laminated with two layers of plastic, and then they have tempered glass over them, that glass is rated to withstand up to one inch falling hailing and 50 miles an hour at all, every operation I've never seen a field, destroyed from a hailstorm or natural event, not to

say that hasn't happened in other states on those, and as far as vandalism goes that is one of the reasons for that, that fence. Its seven feet tall and in this case that's a requirement for the electric code to make sure that they're not readily accessible, but it also helps to secure the facility from vandalism. Generally there is a camera on site that we'll use to monitor as well. If we were to see some activity somebody on our facility, generally we call upon the local police to respond. T. Yasenchak states there are no chemicals within the actual use, that even if they were broken, there's nothing to leak out of them. Z. Lissard states there's no, liquid or rotting skeletons. R. Mansell asks if the town will be reassess on this road because if they're going to lose value. Is the town prepared to do that? T. Yasenchak states I can't answer that and this board does have nothing to do with it. That would be the Assessor John Munter 515 Sodeman Road I'm not opposed to over field and difficult to get up and say something like this when you know th family that owns the property. And I have a good relationship with these people. And I'd like to continue that and I just feel that there is a place for solar, and the Planning Board where you're representing the total public. Many of them couldn't even be here tonight. You have the responsibility to look at whether this is a good location based on the immediate neighbors, and also the future of our community. And I think you have to just take this into serious consideration, because you do have a piece of property that has a very high incline from the road in the neighbors, and it's going to be very difficult to shield for the benefit of the neighbors, and the future of our community. Michelle Wagner 412 Middle Grove Road we do have to agree with our neighbors on this subject. And they detailed, different things that we agree upon, and we also have had a good working relationship with Mr. Eichorst because our property, exactly, next door, going up the hill that the neighbors about, we own the hill, where it's not clear cut where he's getting there. So our concerns are the same, the wildlife. We have a lot of wildlife in that property that our neighbors enjoy the wildlife, and I'm sure that he's driving through during the seasons, we also enjoy the wildlife, you know, in those fields. But we get a lot of it on our property as well. The fences, as well as these residences are saying, are because of the hill when you step out on my backyard. We see that directly. We see nice, forest, which is our property, and then we see, you know, green fields and another field that is kind of, I think, cut down they didn't do anything with it, it's kind of brown and that is what people can see it from the road. We just don't want to have an impact on, our home and our land. As far as our value we own, close to 40 acres outright, and we're concerned about that. Just in case, you know we do choose to move someday or relocate. His property has been in his family for generations for over 100 years, as well as a lot of the people here are spending generations of families, and we're looking to the future to, we I don't want to live next to a solar farm. We do have an artesian well on our property. This is a concern for us, you know, is it going to be built and affect our water which we did have tested down in Ballston Spa when we did have our house built there. Let me say that they were talking about, is that an oak tree or flowers are going to cover that hill, going up, especially where we live, where the people are going to be driving by and just the effect on the environment I'm very concerned about because we all love the wildlife and love the rural privacy that we have now. They said that they're putting cameras up, maybe in a little bit of invasion of our privacy on our property if they're going to be putting cameras up to maintain their facility. Well, we have hunters on that property, or looking to do some different things back there pick flowers, different things like that. How is that protecting, our privacy as well, if they're going to have cameras watching for vandalism and any, for any reason, that makes me very uncomfortable. I wouldn't move next door and automatically put up security, all the way around my property, and make sure nobody comes on and that's how I feel a little bit, invaded that. John Winhold 519 Sodeman Road has a personal question from a personal standpoint, it's hard to tell from the

picture, what the setbacks would be, and the continued visual buffering impact have a lot of glare associated with the panels. If I were standing at the top of my property line. So I don't know if those bigger photos that you can make to see the entire panels continue onward, at that photo. And that's from a community perspective. The only other large one that we have is in Greenfield down by Saratoga. Yes, so either way I would say the right designs of those I think were well executed in the sense that they're not easy to see, on the road they're tucked away with the greater health. There's just no hiding these and I think that'll be a real detriment to the long term, visual appeal on that road. It is basically for the people that are on that street. I certainly wish that people could monetize the property of housing or something else would be much more appealing for the long term, residents. I'll be six feet below but it's time to get to there so it's not going to help with anything visibility to all of us. To me it's with a bow and arrow it ought to be either local law so that things are, you're not looking at the back of these with burns in the front for people traveling through. And I don't think it's quite the right place for it really for aesthetics of the rural community. I've been here for 35 years now I bought an old house that needed fixing I picked it up. I don't want to see the value of my property go down. I decided to sell retire and move south there, I would still like to pass it down to my family. Now if this is allowed the value of my property will decrease. And the last one would be here the other. Note that you had to the pretty much my whole life 49 years. I went to Greenfield school myself. I moved away, for three years decided to move back to the area because I love it. This is Middle Grove Road, which is the entrance to a hamlet, called Middle Grove, and the look of any community across anywhere, you really respect the entrances, and the lay of the land, and why we all came here. I don't know how long, or how many of you have lived here. Maybe some of you have been here a whole life or maybe you've just moved here from somewhere else. But there are some distinct reasons why we choose to live in Greenfield, or Middle Grove, or Milton, to the agriculture, and what we like is the feel of the land, and the beauty of the land. And I'm not opposed to solar and renewable energy, I have young boys who hopefully will someday return to work and live here and want to respect the land, and they're turning young kids into renewable energy. And they've seen what has gone up around them, and even on Murray Road, and it's a little just coming to them to see some of the impact on the other side. And there's a time and a place for things and this is not the right place for this type of infrastructure. It's just too visible, and to impact people's lives and taking away from this gentleman's land. But even from a practical standpoint, the mountain doesn't even face the right direction to support solar properly. I appreciate you guys bringing in pictures of trees I think we all know what trees look like, how about a picture of the back of the panels, so that the people that have to look at those every day out of their window can see what the back of a solar panel looks like and what the conduit looks like and what the galvanized framing, looks like I can old buildings for a living. And I have to go in front of boards and appease communities. So a business that lives in that community can do the right thing and do the right thing for the community. So it has to be a marriage to understand what that is. In just approving a solar field because it's a solar field, and not taking into regard what that does to the impact of the individuals that have spent their lives, their pay taxes they're their whole lives, and done that because they have an appreciation for this land, and the community that they want to be in has to be considered. And don't be at a loss for words because it's a little bit emotional because this changes the environment. This is a gateway stringent about everybody coming in to every avenue of that city, and what's allowed or what is not allowed there because of the, the interpretation of those entering that. And then the most importantly, people that have devoted their lives to taking care of their homes and their families and everything there. And now we're going to put this on a beautiful piece of land. T. Ysenchak states if there isn't anyone else who'd

like to speak about this project then I am going to read this letter into the record, relatively quickly. This was received May 11, 2021 and this is from James, and Sandra Wilmette 400 Middle Grove Road. This is in regards to the application would like this letter read and incorporated into the minutes of public hearing conducted on May 11, 2021 application, we were unable to attend that public hearing because of medical reasons I would like our voices heard. My name is James Wilmette, and my wife, Sandra, would have lived at 400 Middle Grove Road TM# 163.- 2- 8 for 48 years, our properties in close proximity of the proposed location the entire 18.24 acres of solar panels are visible from our backyard. We do not want the town of Greenfield to approve the placement of solar panels at 370 Middle Grove Road for the following reasons.

- proposed solar system will dramatically reduce property values. I know, no one asked a realtor to find a piece of property in the town of Greenfield, where you can look at solar panels 24 hours a day seven days a week and they would be willing to pay top dollar for the property, just try to envision a 2000 foot long by 400 foot deep gray mass covering approximately 798,890, square feet of solar panels that would be installed to cover the 18.24 acres proposed in acres 208.71 feet by 208.71 feet or 43,560, square feet, times the 18.34 acres we're talking a massive structure at 12 foot high, the size of a one and a half storey house without a roof. Back in the topography of the land in question which rises as you leave Middle Grove Road and move forward towards move towards the back of the property where the solar panels will be located. that grading to the level surface of the land each row panels will be higher than the previous ones. The panels will be facing south when these massive ugly site that would become. There are no studies that have shown that 18.24 acre solar system will increase property values in fiscal analysis and impact statement should be done. Additionally, with a 25 year lease with possible extensions rule this does appreciate now will be lost forever. Those VISTAs in the natural environment. Currently, add value to our property, we moved to state here for that rural setting, we have maintained our property for over 48 years to preserve that value will now be lost the solar system is installed.
- the solar system violates the comprehensive plans vision of rural character the community, comprehensive plan is a policy guide that sets forth directions for the future of the community. As noted in the plan, the town of Greenfield unique upstate New York community, it provides a delightful mix of wildlife, plenty of open space and deeply wooded lots, it is possible to enjoy a pleasant rural lifestyle and compares comparable peace and privacy. The plant's solar system represents a pollution of the rural character of town. The township promote maintaining the rural character while mitigating the impact on members of the community.
- there's other vacant agricultural land that would be better suited for solar systems. The town has over 300 acres of designed agricultural land. I'm sure that somewhere there's a backup of farmland where solar panels can be installed. That is away from residents and sites for major thoroughfare and the general public. There's a reason that this would be the second level three solar system for the town of Greenfield, they have to be massive to be beneficial and is costly to hide their ugly presence from the public.
- a solar system should never be installed, close to him with a Middle Grove, and especially along secondary road lines with residences, Middle Grove Road is identified as a secondary road is the major transportation route used by hundreds of individuals daily that go through the Middle Grove Hamlet, placing a solar system, a 2000 foot strip of solar panels at 370 Middle Grove Road destroys the current rule Vista located along this busy transportation route tells visitors to

no growth at the town is more interested in destroying the landscape than maintaining its rural integrity. It sets a precedent, it says to all of the town residents or prospective residents look out anytime a solar system could be placed around your residence and destroy your best and property values. It says the solar panels are more important to town officials than the people that live there.

- residents families should not have to suffer while only one resident benefits. There are approximately 10 residents and families that are residences and families that are impacted in the direct view of the post solar system, it will become their VISTA force upon them for the next 25 years or more. Robert Eichorst gets a monthly stipend for the lease of his land for the next 25 years, the 10 residents, majority of which live at their current location average for more than 20 years of many exceeding 40 or 50 years get reduced property values and reduced quality of life. This is definitely not the American way or should not be or should it be Greenfield's way of saying thank you to those citizens.
- there would be no hardship or financial impact on Robert Eichorst the town, denied the solar system application for a Special Use Permit. Mr. Eichorst on 22 acres of rundown MDR one land with multiple points of egress. You can easily sell his land to a developer or a developer himself and reap the financial benefits. The development would likewise, replace the rule, this to currently enjoy but it would add additional residences that in essence would increase property values of everyone in close proximity raise their overall tax base and property taxes collected by the town. If development was created. Overall, be positive results for everyone involved rather than anyone suffering adverse effects from the proposed system. In closing, the planning board's responsibilities to represent the interests of the town and all of its citizens. This is only the second proposal or system to town section 105 Dash 134 The town code was instituted in 2016 to provide required regulations regarding the design approval installation, maintenance of all level three solar systems were out of six minutes though I gave three to each of the of them, we read each of them of their of the reasons they did also talk about grading, to have as many panels as, level surface. Every one of the board members, a copy of this letter. Also part of the public record.

Is there anyone else here who did not speak that would like to say something. All right, so we're not closing the public hearing. We're just going to slightly adjourn it to switch out residence (that were unable to social distance due to the pandemic) so that we can have additional people come in and have some more, discussion and for them to raise their comments or questions. So, like everything else that we do in the town of Greenfield all of this information is public record. All the plans, the letters and so forth is at the town for public records you can come and look at it, and future meetings are also noted on the website on our town agenda for people to stay informed. So thank you all. Z. Lissard states I'm happy to respond to whatever just want to let the Board know that. T. Yasenchak states I know and I understand that it's just that, as you probably know in any municipality, all we can really do to just notice it and then the board takes all those questions that have been raise, it can become a very drawn out process of question, and answering questions is one thing but then sometimes more. So that's why we do it this way. Thank you. Alright so if everyone can take your seats, quickly. Anyone else that's coming in can come in quickly. Alright, we thank you for your patience. This is because we are limited to the occupancy of this room, due to COVID regulations. We can only have a few people, I'm sorry we couldn't do any better. The town also doesn't have any larger venue, and we don't have the electronic capacity or tools to be able to broadcast them to another facility. At this time, so I apologize for that. So this is part two and this will be exactly like what we did for part one no one has missed out on anything



I promise, what we do for our public hearings is we have the applicant. Give a quick summary of their project. The plans have been on record at Town Hall for anyone to look at and they also will continue to be on town on record for anyone to look at. Once the US Light Energy has given their summary. Then I reopen because we had open and slightly adjourned. Public Hearing while people were coming and going, but I will reopen the public hearing, and then have it open to questions. If there's anyone in the public to speak at that time you can raise your hand, you'll be acknowledged, and then you can state your name and your address for the record and then state your comment or question. So, most municipalities and even our legal team say that we really this is just a time we hear comments and then we have further discussion on that. Once we hear the public comments, the Board may or may not close the public hearing. It may be something that we adjourn, if we feel that there's additional information that we require. So I'm at that point I'm going to turn it over to the applicant if you can just introduce yourself to those here, and, and give your summary. Good evening my name is Mike Fingar, the US Light Energy, chief operating officer, for my company. I'm joined here tonight by Zach Bouchard who via phone, he couldn't be here with us in person but is listening in, and also joined by Chris Koenig the project engineers to start with a brief introduction about company project details. My company. US Light Energy currently specializes in development sites for community solar. For those of you that aren't familiar with community solar. It's been around the since 2016, and it's a program that allows us to take energy produced on a single site like this and distribute that energy to the community. This particular project is eligible for anybody in National Grid to participate in the project. So as long as you have a National Grid account, the energy produced from this site, could be provided in the terms of credit, your home community solar has been around the market, like I said, from 2016, but you might have seen recently mailings or sales material or joining a company, essentially allows us to take the energy here exported to the grid that generates a credit. Credit is applied to homeowners. It's not limited to the homeowners, it allows everybody to participate in the project, regardless if you own your home, if you're a renter or if you're a small business. And this current project is 3.75 megawatts, and it will power roughly between three to 500 homes that play heavily on how much work that is entertained in such a way that introduction to our company. One thing I would like to add is that since 2016 was our first project came online, want to develop these first projects come online in 2019 in Saratoga County, Clifton Park project is currently operating in search of the people around that area. We have another project from Lewis County, New York, that is currently operating and five more that are expected to turn on the next two months. With that I am going to turn it over to Chris Koenig states 3.75 megawatt ground mounted solar system. The site is two parcels existing survey, two adjoining parcels. For the purposes of parcel 90 versus to the west and parcel 91, which is a smaller parcel to the east, and combined they make up approximately 122 acres, part of the project, is also a lot line adjustment to consolidate the parcel into one part of the site is largely open no hay field, and some shrub tree standards and instead of the tree stands rock central portion of the site. We did a full wetland delineation of the property, and wetlands to the north corner of parcel 90, but we're not interfering or working in any of the wetlands on the site. But nonetheless, we could look at the site for wetlands on the site slopes gradually down to the north, you'll see this area here, unless you can see it from, from where you're sitting, but there's quite a bit of topography, but that's, that's kind of the hillside with the dry pipe and you see the road, or the tree line looks and you can kind of see that the hillside, well, we're not proposing any activity at that level of elevation we're working more on the lower part of the site works, largely flat. So that's the basics of the site here. The project is the site is in the MDR-1 zone, Moderate Density Residential wind, and the solar tier three solar system is allowed by Special Use Permit in that zone. So we're not seeking relief from any zoning regulations to the Special Use Permit review, the solar array will be surrounded by a seven foot high chain link fence. The access will be off the south side of Middle Grove Road, and there'll be a 12' wide permeable gravel road with two turnarounds one right at the turn in. There are three turnarounds and then two at each pad that's supposed to have the electrical component. The point of interconnection for the system of the corridor at the northern end of parcel 90. Our 90 connection to the grid system. We meet the setback required. So we're within 100 foot depth. And we also meet all the other zoning requirements that specified in

code, design, including law coverage panel height, etc. The panels will be at their maximum tilt will be approximately 12' of ground surface, they won't move, and they'll face south. This project will collect the closing screen too was a system that we prepared poses, three different types of Eastern White Spruce and Red Maple. The red maple is the most expensive provide texture and differentiation. On the road to break up the visibility of these trees, these two pieces the cedar and the white spruce are taking growth on strike to mature growth. And they do provide a theme for many types of looking, to the site, although I think the intent here is not necessarily create a formidable landscape hedge row buffer that's more than 100% of visibility there, and thereby entire view it's more to blend the system in with the landscape and impartial partially blocked with this system, so there's also still opportunity to see the view, up the hill and kind of take into the magnitude of that deal. Not completely locked in with the so called extreme alumno pro in two areas, and also on this corner. And then around this residence here, kind of filling in the gaps with the existing landscaping there, to the best attended. But that's what we want to cover right now, and I think we can dig into more detail when the residents have any questions. Z. Lissard states I just want to state that these modules are silicone nothing will be leaking from them if they brake. T. Yasenchak states at this time we're going to reopen the public hearing at 9:53p.m. So anyone here who would like to speak, and make a public comment on this project. John Munter Jr. 500 Sodeman Road states you're not providing nearly enough information, as residents we are not able to analyze the impact for the view of the residents properly. You'd have to give us a plant view from the road, showing the elevation difference of the panels from the front, back, what the plants are going to look like with the little five foot trees will literally be, how they're going to obscure it and not even close. The board is going to get an article 78 if they approve this project, because you're not even close to experience that field. From my view, and other people's. It's not even close. But the amount of trees, the height of the trees, the lack of bones. I think you're probably close to a 20 foot elevation difference, from the front to back, the more. At the bottom elevation scare from seeing those pants. Right. So I don't think you have enough information to penalize under the SEQRA review that you have to do for it. We do review this and you determine that it's not going to have an impact based on SEQRA. I think that that's really, a disgrace to the community. My brother wants to hold characteristics of our rural town I live here, socio economic diversity exists in places like Middle Grove, Porter Corner, and Greenfield. It's a place where people can start a family and afford to drive home. You're just, you're taking away everything, all the reasons why we're here, and all the reasons that people have come and stay here. The reason why a guy like myself grew up here, wanted to come back. This is not the characteristic that we sort of told the county, for Saratoga County, Greenfield, Milton, Middle Grove want of this to be a part of this board approve this. I think you're setting precedent for the detriment of what would have been. It would be absolutely terrible thing to get the benefit of somebody that has no idea what it's like to live around here. So, I adamantly oppose it. I don't think you're even close to having enough information to honestly referees out what we're getting. T. Yasenchak states just so that everyone does understand this is a this is public hearing, we do have our public hearings before this board, even counts in application complete. So typically, an application is complete after we have received all the information. After we have done here, and then we do a public hearing, however this board just because we like to be more involved in our community, we do have our public hearings before we even do SEQRA, so that we can ask for additional information. We have not rendered this application complete we have not done SEQRA yet and we are not getting we haven't, we haven't even gotten to that point. So just so that everyone understands where we are in the process. That's where we are, we haven't rendered it complete. We haven't finished our discussions yet. We are just keep this this public hearing at this point so that the community is involved before someone spends a lot of money going through something so that we can have them change things and add things before we even start our secret review so we, we give the community and the applicants that benefit to have this discussion now so that's where we are in the process we're not voting tonight we're not we may not even be voting at the next meeting we don't know yet. We haven't deemed it complete. My name is Ben Cockrill and he lives at 288 Middle Grove Road. I think the first speaker kind of summed it up for me. When he said, we don't choose the site, we make it fit. Okay, they're just trying to take something that's an eyesore, and

they're going try to make it fit in that space. It doesn't belong there, my opinion. I drive down the road, three or four times a day. I work right there and build my house on Middle Grove Road. It's not the right place for this is other places I'm not against solar one single bit. One of the, one of the things I got from the quick talk that we just had was that the panel's got to be 12 foot high, but I'm standing here like that, that's eight foot right there. Okay, the top of my fingers, eight feet. That's going to be another four feet up from where my hand is right now. Okay, John just told you you're going to plant a tree that's five feet high. Put another four feet on top of that and that's what we're going to get. That's a beautiful field. When people drive down the road, they're driving into the town. They're not looking at the bottom of that hill, they're looking at the top, it's turkeys up here there's deer there's wildlife. The great scenic spot is that place for us. Marcy Markey 342 Middle Grove Road I've been a resident of that area. All my life and we recently relocated to reporting to about four years ago now. And one of the stipulations was we were looking we wanted to farm, wanted to leave our property. And I wanted to have something totally cool. That was part of this was it was the first place we booked for two years, my father had to make big choices. But I think choice was moving here, because it meant something to be in a place called MIDDLE GROVE GREENFIELD because it reminded me of where we came from, Cali. and I had horses and got to play with my brothers and sisters places we can do things in another places we can't.. With all my animals and all the things we have and, you know, it's just that and we love here. And one of the big things we love so much and it was like one of the big sell points was, you know, when we drove, I drove back and forth two times a day, and I'd ride my horse and deliver things that as crazy as it sounds, I love seeing the turkeys here, the things that really struck home to us to keep that country feel of things. I love going to the city to visit but I love coming home to Middle Grove Road because now that's my home I want to keep it that way. I want to be able to have my horses in a place, and family and children and people have come here, and it still it still represents what I feel very strongly about, although yes I understand there are going to be future things and it can do some good things I just don't feel like this is the place for it, or the time, or the what I want to look out when I go outside in the morning, or be worried about my animals because even though we have a fence that keeps things out. What if it doesn't, whether it's a dog, and chicken, a goat, or whatever, a deer? It's just lots of things, and what are the long term effects of these things, although we think are safer than other things, how do we really know that. And I just feel very strongly that's a beautiful field. It's a big representation of what we are in Greenfield and Middle Grove are and to take that away is really taking the integrity of what this place represents. Mrs. Hubbard asks if T. Yasenchak could read Mr. Wimette to them. T. Yasenchak states so it was read during the last portion/group of residence. Mrs. Hubbard asks if it can be read again. I actually can't because we do have a three minutes timeline for any comments but I gave that letter six minutes, one for each resident. So it was read into the record, it also every board member has received it, and it is part of the record. My name is Michael Drumm 365 Middle Grove Road. Which is directly across from the sight and have lived there for 18 years in Greenfield/Middle Grove and my whole life 60 years, the last 18 years in Middle Grove. My wife and I have worked hard and put lots money into our home. I probably know that property, more than anyone else. I stood out there this morning walking around my property they would need a berm 20' high. Because that entire field rises, as it goes to the south. These gentlemen said, I stood up at least 20 foot high to back, seeing things from my home, a seven foot fence, doesn't mean there's a five foot tree. I'm searching for directions and the only direction at my house that I won't have to see (the solar farm/panels) is to sit my backyard and look into the woods to the north. Every other window on my home every other part of my property is going be right there, glaring for the rest of my life I'm 60 years old. It's going be the rest of my life. I see no benefit for us, land owners. This is a heck of a thing that, the main way in the center of Town from the west. Everybody slows down and stops right there. We watch these people, slow down and look at the hill even more so since they put this forward people are going west towards Stewart's it is a starting line. That's like a starting line now that attracted, because they've had to slow down that, so the gateway to get back up to 60 miles an hour and that 40 mile an hour zone. Now you've got people going the other way. Everybody gawking at these fields. That's going to double or triple. I don't know how many pets we've lost. I'm concerned with this amplify, was

their environmental impact study done on this project. T. Yasenchak states that is part of any application process is going through an environmental assessment form that has been submitted. That is something that NYS DEC requires to be done. We have not reviewed it yet, because they have not felt we had enough information which is called a SEQRA form. We review that form. And that's why we have typically have a public hearing before we do that. So there's two different things. And so we don't have to go back and forth but because this is more informational about process I'll answer the question. So, environment, the applicant submits an environmental assessment form, that is something that New York State Department of Environmental Conservation has online, they fill out a portion of that, and then they submit that and then us as a board when we feel like we have enough information to review what's called a SEQRA form, we review that form or we answer questions that DEC has in that form, so we're the ones that review that. And we look at the plans we look at the information given to us to answer those questions. Once we go through those questions we can make a decision of whether or not there's a negative declaration of whether we feel that there will be impacts. No impacts or a positive declaration if we feel after that review, that there will be impacts. If we feel after that review that there's a positive Declaration on a SEQRA review, Then, an environmental impact statement is then prepared. So, we're not at that stage yet we haven't even reviewed the SEQRA form to date. M. Drumm states is this public can be involved with. T. Yasenchak states we have a public hearing open once we hear everyone at this public hearing, then we ask the board whether or not we feel that we should close the public hearing or whether we feel that we should keep it open. If we feel as a board that there will be additional information that will be requested of the applicants, then we typically just adjourn the public hearings, because we want the public to be able to comment on any new information that's been presented. So we're not at that point yet, we may feel that we need additional information required by the applicant we would adjourn the public hearing, because we want the public to be informed. M. Drumm states that you are limiting us. T. Yasenchak states it is not us, it is something that the Land Use Boards do the town has that, that requirement, and most other municipalities have that same three minutes as well. M. Drumm states so I've got a million other things I'd like to say but I can't think of anything right now but I have questions, many questions. I don't know where to get the answers from. I'm wondering what you people up there on this board where you get your of expertise from do you have training that you're done to render a decision on the solar project. Again, I've had many questions that make sense again, but I guess I'm not going to get answers here tonight. T. Yasenchak states if people have additional questions and comments during the public hearing, being open or even adjourned. We do accept letters that do get sent out to everyone on this board as part of the public record and part of our discussions as we continue to do our review. M. Drumm asks we can submit questions after tonight. T. Yasenchak states yes, you can. I guess that is all for tonight. T. Yasenchak states thank you sir. Joe Jagiello 304 Middle Grove Road he has not lived here all his life for four years now, but in that four years is didn't take my wife, and I too long to really get a feel for the area. We go frequently on weekends to take trash runs to pick up some trash bags to swap on the road, trying to keep it clean and tighty. In addition to all the other questions brought up we also have concerns like upkeep in this area. You know, we've had a great plan on how to go in and how we're going to lay it out in the beginning but I'm concerned about the upkeep of it as well . Obviously it's not going to get so overgrown the panels, but in addition to the panels in there. This could also be an eyesore. And with this project, I believe it opens up the floodgates to just have us as the shadows of Saratoga Springs. I believe it brings in all of the things that Saratoga Springs itself doesn't want to have in their town. And it just opens up the floodgates have all of the website we development. I believe that is just really puts it at our doorstep to be much easier for the future of this coming into our town. Jill Hubbard 399 Middle Grove Road and I do agree with everyone here will get my complaint is not going up against solar, but I think that this is the wrong place to put it, mainly because there's so many residential people around, so many houses. And I don't know about you, but I wouldn't want it in my backyard. Even 100 feet back there it is. And I live across the street from it, and to look at it. But I also think that it's wrong for our community because Greenfield has always been a place that gets promoted farms, promoted houses. We have a lot of developments that have come in in the last year that property could be served so

much better. I would love to see houses that would bring more population into Greenfield, in order to increase our tax space, and so many other things that more houses, more people can do in our community, and I thought that's the kind of community that I lived in. And this, I do not see as being, the right spot to put it. Now, in Greenfield, I do believe I read it or heard it someplace that there's a lot of farmland. There maybe acres of farmland, that is available in Greenfield, in places where it would not be visible. If it is County Highway 21 I don't think that this is the proper thing if it couldn't be in a place where it was not visible, and there were not home so. No, I think we're talking about no contamination, coming from these items. But what if something happens to them what if they get damaged. What if a fire starts and there's got to be toxins and chemicals and stuff that would be leak out. Do we know how to take care of this. Has the fire department had training on how to stop this kind of thing. You know, there are a lot of questions, but my main issue. I don't think it's the right place for the project. T. Yasenchak states all right, what does the Board feel. I think we have some more discussion and we do have a letter from the town engineer, about his, his review, and perhaps it would be requiring the applicant to provide more information as we continue our process, so I don't feel that it would be a good idea to close the public hearing, but to just to adjourn it right now and we can reopen it at such time where we don't have enough information. Okay, so with that we're going to adjourn the public hearing at 10:17. And also we will continue our discussion with the applicant right now relatively quickly, because it is getting a little bit late, if they haven't given us additional information from our last meeting, and that we do have a letter from our Town Engineer and Charlie Baker from Environmental Design Partnership I think he made a lot of really good comments in his letter. T. Yasenchak asks have you received a copy of that letter. Z. Lissard states yes. T. Yasenchak states okay, so I know that there wasn't enough time to respond to that probably right. Z. Lissard stats correct, and I appreciate the opportunity to submit the revised plan so some of those comments. T. Yasenchak states so also this letter will be part of the public record as well. I'm not going to read the whole, I'm not going read a letter but it is something that is on file, so, as far as continued discussion from now moving forward this board have any additional things that they would like to see the applicant include or change in the plan. Besides, what, even if you see something in the letter that was one of your hot buttons. N. Querques states he would like to talk about that more visualizations of the ranking and vegetative screening that we're proposing would be helpful for the board and for the view that they would actually have. T. Yasenchak states that we had to do some kind of cross sections, so that we can actually see what the difference of elevation is in that plane sectional view. And you did mention that you would be able to do some photorealistic renderings from various vantage points. Z. Lissard states I think I would like to take into consideration here all the comments here tonight and addressed them at this point. B. Duffney states I want to go through my notes on the resume, the high points of everything. And I'll have questions and research and my own different things and stuff like that. He states well, yes, it's just that, you heard from the residents, a little bit of research on my own. See what I come up with, but I will have more questions. T. Yasenchaks states that is in our prevue too. J. Sabanos states one of the concerns he has is the decommissioning of the panels. T. Yasechak states Joe, I don't know if you've seen the letter yet. And if people haven't you can look at that, that is something that Mr. Baker also mentioned is that he felt that the decommissioning plan that was presented was not adequate, and that's our intent is to respond to that as actually were to get that letter to make sure we post your comments and your comments, like so. M. Gyarmathy states you know, I agree with B. Duffney I need a little time to digest what the residents here tonight have said, and what I heard a lot of is about the visual impacts of this. And I believe that when we did Skidmore showed us. What do I want a photo realistic photo or realistic photo of the views that the residents would see. And so when I say that I mean, all of the adjoining residents to this parcel. The ones that are going to be severely impacted by this. I think they focused on that a lot, as well as the views of the cars that are be driving in and out of the hamlet. So, you know, that's, that's my main concern right now but like B. Duffney said, we all need some time to digest all this. So, I believe he got C. Baker response to your plan. And he can you have the visual things to do, figure out some homework to do. Thank you Z. Lissard states to our events will be available photography that we can think of some of those are private properties progress will be publicly

available. T. Yasechak states that you can also go and request from those homeowners to access their property I think that from what you could see from tonight I think that they would be open to you, with their permission, at a specific time going and taking a picture from their yard. I think that that would be appropriate. So, I encourage you to not just because I want to say that it's not just about taking Google Photos from the road, it could be going in standing exactly, even if you don't have permission, you can still go and stand on your side of the property line and take a photo from that side so, but I do encourage you to reach out. C. Dake states, we just got a big dose of that and I just want to take it in. K. Conway states her question from the beginning was what does the neighbors think and we just heard it. I would also like to just say we heard painstaking, from every single property owner. And the common denominator just briefly was getting my view. And I think with the technology that we have today, that you can take a photo of a computer. If you're staying at the road, considering the dramatic steep incline, and how far, how tall they are now and then, as they rise, here. And the additional height views. I would really, I would say, I have to have that. That's, that's, is an absolute must for me the residents deserve it. T. Yasechak states we also know that most of my board members also take conspicuous notes, and I think you did as well, of all things that happened, we did when we looked at Skidmore, we looked at that very tidy. I don't think, personally. Well I think you have homework, but some of the, the screening that you did I don't think it's quite adequate enough, it's not to the same caliber of what we approved for Skidmore, if you do some kind of visual analysis. But also, not just that I would like to see some sort of cross section, just to see how all those angles work together, say to the board also we haven't done this in a while but we have done site visits in the past we actually did one for Skidmore and when we walk in you're able to stand at the road. We're able to walk in, we ask the applicant to I think even do balloons at the corners at the height of what those panels would be. M. Drumm states that you can come to my house anytime. T. Yasechak states and so we could go and we stood out there and we could see visually what that height would be. I think that if the board would be amenable and if the applicant and, the property owner would be amenable, I think. All right, so, we can set up a time for. We can do that now or we can just have the secretary send out a note and we can all look at our schedules to see. In the past we've done things early on Saturday morning, because it was something that we could all do. We can do that now if we wanted to look at it or maybe not. So when would the applicant be able to look to do something like that. So staging your locations in the corners. Yes, I'd like to just confirm within a week or so. And yes, so that would be if you could do something maybe May 22, 2021 again that maybe not everyone on the board could be there but we do have. It's the 22nd or the 29th is the is Memorial Day weekend though so I don't think that we really want to be out then just also in our process. Right now we do not have the county referral, this is on a county road so the county has not met yet so we do not have our leader, agencies seek we don't have an agency yet, I think they meet on the 20th so they meet the County Planning Board, then they send us a letter stating that they defer to us, and they also state any of their comments or concerns, so we will get that back. We won't have that back. Our next meeting on Tuesday the 29th. So to Saturday for now is the May 22nd. We should coordinate. All right, so what we had them do before is, it was literally, I think it was helium balloons, wasn't it, or was it posts, whose remembers? M. Gyarmathy states he thinks both. T. Yasechak states I don't remember what they may have done both, so that we had a specific height at the corners, and so that we could see and probably, I think they did some of the perimeter, not the whole perimeter, but just so we could have an idea. So we can see how tall it was from the road location and consumed the panel, and then something that shows the height of the ones that are the different compounds, you know put stakes in the ground that would involves the size of the panels. B. Duffney states so if you could be something the same size, and it can be a mock-up of even wood. T. Yasechak states yes they did. If they could have something temporary so we can see the panels. If you could please confirm with the Building Department that works. How does everyone feel about doing a site visit on May 22, 2021 at 8:00 a.m. The Board agrees. Please confirm that with the Building Department and they will let us know that it has been confirmed. When we do a site visit we can't discuss any case amongst ourselves. Just so that the public knows when we do have a site meeting this is private property. So, what the board does when we do Site meetings we will

walk with an applicant onto the property with their permission, we do not talk about the project, amongst each other when, on that site, because this not in a public forum or a public meeting. We did not ask the applicant for additional information, it is just for us to gather information. So unless you have permission from the property owner to be on that property when we are at that site meeting. I'm sorry we can't invite the public to walk onto that private property with us. Obviously you can be there at your homes or you can be in the public right way, but we cannot have you come on to the unless you have permission from the private property. B. Duffney asks if they can have something the same size as the panels there. T. Yasenchak states yes, a mock-up of them, it doesn't have to be panels. So, we will be meeting there at 8:00 a.m. on May 22, 2021. Do you have any other questions for us. Z. Lissard ask just when is the next meeting. T. Yasenchak states so our next meeting is 25rd. We would need to have everything in our office one week before that, typically what we do. So, if you could get everything to the Planning Department a week before, then we would be able to have you on the agenda. We can talk amongst ourselves about attending the site visit. Z. Lissard states then we can have more discussion. T. Yasenchak states yes, we can. C. Baker states Tonya if I may, if they can provide us with photos of what the property will look like in 5, 8, and 10 years from now to show the maturity of the trees to show the progression of the growth and what the property will look like. T. Yasenchak states alright, so with that, we don't have anything else on our agenda tonight so we will close this meeting at 10:32p.m.

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The Board adjourns at 10:32 p.m. All members in favor.

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Respectfully submitted,

Kimberley McMahon  
Planning Board Administrative Assistant