

TOWN OF GREENFIELD
Planning Board

January 11, 2022

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: Tonya Yasenchak, Charlie Dake, Butch Duffney, Steve Licciardi, Robert Roeckle, Nick Querques, and Joe Sabanos. Charlie Baker Town Engineer is present. Mike Waldron, Zoning Administrator/Code Enforcement Officer is present.

Minutes will be reviewed at the next meeting.

US Light & Energy Case #
TM# 163.-2-90 & 91

370 Middle Grove Road
Site Plan Review

Zach Lissard, Mike Fingar, and Chris Koneg are present. C. Koneg reviews their November 19, 2021 submission. They reviewed the line of site profiles from 13 different locations and put on some photo renderings. They provided renderings from the Kaydeross Overlay Ridge District from 9 different locations from a drone. They updated the SWPPP. They provided a new SEQRA. They also provided a noise study. They provided a real estate analysis. All of which the Board requested. C. Koneg reviews the solar panels via projector. They chose 13 locations and not 31. They used a drone to get above the tree line and the view from the road. He states that it gives a sense of what can be seen from areas. The profiles are in a larger form. C. Baker states that he lined out his comments and concerns in his letter. R. Roeckle asks for clarification of the SWPPP. C. Baker states that the first SWPPP report in December requires a NYS general N.O.I. which is covered under the requirements for solar projects of this scale. DEC came out with a memorandum of projects to be followed that has 5 criteria. 2 of the items he questions. One of the questions he has is due to the slope of the site. DEC requires some type of level spreaders. The second question he has is the letter of the N.O.I. has to go to DEC for a 60 day review. T. Yasenchak asks how are the level spreader installed. C. Baker states there are guidelines and DEC has adopted Maryland's guidelines and he will look at it further once they get their plan. B. Duffney states during logging they use spreaders wherever there are slopes. The higher the slopes the more spreaders are used. C. Koneg states the maps that were submitted with the green and yellow on them show the slopes. The level spreader is 2' wide by 5'. The trench is gravel and in the road. They just need to get the balance right. They will do whatever is appropriate. They will narrow in on what is the best solution. T. Yasenchak states that she doesn't know how of much disturbance there will be and she is not sure if she agrees. She asks how they plan on revegetate. C. Koneg states that it is in the SWPPP. Z. Lissard states they will be reseeding post construction. . Koneg states what is already there is already there is helpful. T. Yasenchak asks why the

green and yellow map does not have the level spreaders shown on it. C. Knoeg states it identifies the slope. Z. Lissard states the overall average is 5.3 degrees. T. Yasenchak asks if the SWPPP needs to be altered. C. Koneg states the SWPPP is using the average is using the average slope. C. Baker states if it helps moving forward they will have to provide a cross sections showing the profile of the land. N. Querques states he would like to see an updated real estate report. He would like to see more effort done on the report. Genevieve Trigg (attorney for the applicant) states that there is no impartial evidence of this and it is not feasible. Technically the Board can't ask for that. N. Querques states it is his opinion. Z. Lissard states that they have looked into it and there aren't any studies out there they have looked into it. B. Duffney states that he will ask some realtors. T. Yasenchak states any of the Board members have the right to do any review that they feel they need to do. T. Yasenchak opens the public hearing at 7:37 p.m. and states that this is the 4th time opening a public hearing. Fred Brown of La Rue Road states he is the forgotten one he lives down on the proposed solar farm. He states that he will go blind looking in the direction of the solar farm because the owner of the property removed every tree on the property line. Ben Cottrell of Middle Grove Road states that they have done minimal effort to hide the solar panels. This will be an eye sore. Kevin Joyce of Hyspot Road states that 15 years ago he was in front of the Board for KROD Overlay District and feels that the property values of the homes even his because he can see the property from his home will decline. Katherine Gerich of Middle Grove Road states that the water runoff is her concern. They currently have had a water issue and the water coming into their house and the property value as well. They are planning on selling in a few years. B. Duffney states that when the other big solar project was in front of the Board he did a lot of investigating and it as not popular in NY at the time the closest place was Vermont and the home in the vicinity of the solar projects didn't depict anything of that nature. Sam Gertich of Middle Grove Road states that there can't be any disturbance in the Federal wetlands even if they are level spreaders. Nothing can be developed in Federal wetlands. He asks how that would work. There are a lot of springs and a lot of water run off there is times he can't mow his lawn until July due to all of the water. He is asking the Board to look into this. B. Duffney asks S. Gertich where his property located is. S. Gertich states he will see the solar every day from his property. Jay Ellsworth, Barney Road, states this will look horrible. From the top of Hi Trek Drive you can see Vermont and if the Board approves the solar that is all they will see from there. There are plenty of things that Mr. Eichorst can do with this property, besides community solar. He asks what is the plan for the fire department to get to the panels and who is going to pay for that if there is a fire there? T. Yasenchak states they provided a demolition plan and they would have to bring it back to the natural states. Virginia Jones, Middle Grove Road, states that the solar fields she has seen were tucked away and not amongst homes. Linda Noels, Lake Desolation Road, states that she lives half way up Lake Desolation Road she can't see it from her house, but she does drive past the site 5 times a week and this is a main road from Route 9N to their hamlet and she feels that it does not belong there. John Munter Jr, Sodeman Road, asks the Board if they have reviewed the report that they have submitted. T. Yasenchak states the Board has received it. J. Munter states that they have representatives from Studio A and their attorney present. Jeff Anthony, landscape architecture, he will speak on visual impacts and Stephanie Bitter, of Bartlett, Pontiff, Stewart, & Rhodes, will speak on SEQRA. J. Anthony states the methodology of the Adirondack Park relates to travelers, residents, vegetation, and the duration of the site. He state that vision is impacted. He asks how affective are is their color? The noise will be affected. There wasn't a driving public study done. They will see the electric on the east, there is no vegetation there. 5 poles are 40'-50' high and they is no vegetation to

cover after 30' and it will be exposed. He states that evergreens grown 1' per year. It will take 30 years to cover the solar panels. This will expose the entire solar farm. He sympathizes with the resident. If this is approved it will have a high visual impact, it will have an industrialize impact, the land use will be incompatible, and it will impact the traveling public and residents all will be disturbed. Stephanie Bitter states this use is only present in this district with a Special Use Permit under 105-54 and three are 17 standards that need to be met, however 9 are not met. She states that the proposal is not compliant and the development is not in harmony. A proposal of this magnitude is not compliant. If this project is approved it will jeopardize the values of the properties around the project and this should be investigated, these are rural residents. Industrial use has not protection for these properties. Green space and agriculture lands are environmental. The Board needs to protect the properties, because if this is approved they won't be protected. This project is moderate to high impacts when reviewing SEQRA. Jim Wimmet, Middle Grove Road, asks everyone in this room that is opposed to this project please raise your hand. 40 residents raise their hands. Genevieve Trigg, attorney for the applicant, states community opposition cannot impact the Boards decision on this project. The applicant has been in front of this Board for 8 months and feels that they should be allowed to move forward. They believe that they have addressed all the Board's concerns with planting all of the trees and fencing. When driving by citizens will not see this project and it will not be any harm to the public. J. Wimett, Middle Grove Road, states that in his opinion is that the people that drive by will have an impact. Michelle Wagner, Middle Grove Road, states again this is a rural road and she thanks the Board for reviewing all of the details. John Foster, Middle Grove Road, maybe the Board should look at the sales around the parcel in question that have been for sale that have not sold and he questions if their properties have decreased in value. Karen Foster, Middle Grove Road, states that she is a realtor and she feels no one will buy property near the site. Michelle, Middle Grove Road, states that when she looks at what is being proposed and feels for the residents. John Munter Sr. commends the Planning Board for contributing their time on this matter. He states that he knows this project is one of the most important projects and it will totally impact the Town and Middle Grove. He asks how it proposed project will impact their future. Mike Munter, Visual impacts does impact. APA holds the facets. Everyone in the community will be impacted. The drone didn't see the industrial and the man made metal that will be seen. It doesn't belong there and should not be approved. C. Koneg states they submitted a memo that stated no significant change and reviews it and encourages the Board to review it. T. Yasenchak states that the Board adjourned the public hearing. Once the Board closes the public hearing the clock starts to make a decision on this project. If the Board closes the public hearing and they receive any new information they can reopen the public hearing. G. Trigg states 62 days to make a decision. The public hearing has been open for 9 months and she respectfully closes the public hearing. T. Yasenchak asks the Board how they feel about closing the public hearing. R. Roeckle states that he would love to close the public hearing. They can make valuation at the next meeting. T. Yasenchak states they can start the SEQRA review. R. Roeckle states with that he suggests that the Board closes the public hearing. The Board agrees and T. Yasenchak closes the public hearing at 8:23 p.m. The Board reviews part 1 of SEQRA. T. Yasenchak states that the last submittal the Board was on November 19, 2021. There was 2 business days to be on the November 30, 2021 agenda. That would only give the Town Engineer 3-4 working days for him to review. The Board had only one meeting in December and the Board wants to do a good job for the community. She asks C. Baker if he has any questions or changes. C. Baker suggests the Town Board's approval of the removal bond and NYS DEC issue the

General Permit. C. Koneg states that they will coordinate with all the agencies. The Board reviews part 2 of SEQRA. C. Baker states that the drainage patterns won't change. T. Yasenchak states the Board left a couple of boxes open in SEQRA and she will talk to Town Council with options of 2 different motions and will continue this at the next meeting. B. Duffney asks if Town Council will be at the next meeting. T. Yasenchak states yes. This concludes discussion of this project.

Keenan, T. Case #
TM# 153.13-1-23

453 Maple Ave.
SPR

Theresa Keenan, Jessie Marque is present. J. Marque states that they now have parking spots and they moved the shed. She states that they submitted the septic renovation, photos and a letter from NYS DOT. She states that they spoke to DOT and looked at all the plans and they let them leave the driveway. They will have little waste and it will be a residential waste pick up. They added extended privacy fencing and added evergreens. R. Roeckle states that there must be a 10' buffer between the property lines. J. Marque states it is residential now. R. Roeckle states it needs to be 10' wide and he reads the Code. T. Yasenchak asks if they are getting a new shed. J. Marque states no they reconstructed the shed. T. Yasenchak states they will check with the Code Enforcement Officer. J. Marque states that it is less than 192 square feet so there was no need for a Building Permit. M. Waldron agrees. J. Sabanos asks because this is DOT compliant does the Board have to approve this. T. Yasenchak states no the Board does not. J. Sabanos asks if there is a requirement for waste. T. Yasenchak states no it is not required. C. Dake states that his concerns have been addressed. B. Duffney asks how many clients will be seen per day. T. Keenan states she sees 10 patients a day. She only sees one person at a time. She does not have any concerns with the traffic because DOT has been working with them. C. Baker states other than the minimum off 18' at least for the driveway and he is not sure this is something that the Board can give waiver. B. Duffney asks how long the driveway is. J. Marque states 180'-200'. R. Roeckle asks will there be a handicapped ramp? T. Yasenchak reads the code and asks M. Waldron if the applicant needs a Variance? After M. Waldron reviews this he states yes. T. Yasenchak states the Board can't approve until or if the Variance is granted. J. Marque states the neighbor's parking lot's water run on their driveway. T. Yasenchak states that the outstanding issue is this project needs an Area Variance.

355 Grange Road, LLC as 630
TM# 151.-2-58.1

355 Grange Road
ZBA Referral

Gerry McKenna is present. T. Yasenchak states that she received a memorandum from the ZBA requesting that the Planning Board take lead agency and review SEQRA. The ZBA does not review SEQRA. She reads the ZBA resolution. T. Yasenchak asks if there are wetlands on this parcel. G. McKenna states yes, it is Army Corp. of Engineers and it was delineated. They cut this project in half because their investor is not working with them anymore. T. Yasenchak asks how relief will be needed for this project. M. Waldron states 17.78 acres Area Variance. R. Roeckle states this project is 4 times the density this is too dense. T. Yasenchak states this project is 74% over what is required. The ZBA is asking the Planning Board to review SEQRA review for lead agency and an advisory opinion. R. Roeckle

states that it needs to be sent to DOH and DEC and he asks the secretary to cc the ZBA. T. Yasenchak states that the Board can review SEQRA. R. Roeckle states that he has a problem with that. G. McKenna states that he could put 4 homes on this property. R. Roeckle states with the ledge on there he would like to see that. He may need to put a road in there to get the frontage. G. McKenna states that he could be a road in and do a cluster subdivision. B. Duffney asks if there is visual ledge on this property. T. Yasenchak asks K. McMahon to send out for lead agency. N. Querques states it is too dense. He appreciates that he scaled down agrees with R. Roeckle. B. Duffney states it is dense even though it is cut in half. Even with the mobile home park next door it is still too dense for this project. G. McKenna states he thinks this is ridiculous because in this district the lot size is 1.5 acres. J. Sabanos states he appreciates that G. McKenna has scaled it down, but feels that the ZBA needs to make a determination on this not the Planning Board. S. Liccardi states that he has limited knowledge with the ZBA on this case. T. Yasenchak states that she can't understand why the ZBA can't make a determination on this case. The impact of the environmental SEQRA would help them answer the questions that they have. C. Baker states that he would like piggyback what R. Roeckle stated it is too dense. G. McKenna states that he could put a road in there. C. Baker states that is very expensive. R. Roeckle states if the variance is granted it will go with the property and something would need to be started within a year of the Variance if it is granted. T. Yasenchak states that she agrees with the Board that it is too dense and feels this isn't a hardship. She doesn't see where the soil conditions on the map are. 2 houses could fit there and she does not like shared driveways. The Board's advisory opinion is that this is too dense for the property. R. Roeckle states that it is too dense for the property. T. Yasenchak asks K. McMahon to write a letter that this project is too dense and file for lead agency.

Meeting adjourned 9:58. All members in favor.

Respectfully submitted by,

Kimberley McMahon
Planning Board
Executive Secretary