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A Special Meeting of the Town Board was held at the Community Center on Wednesday, October 30th, 2013 with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella and Daniel Cochran, Councilman. Walter E. Chandler, Councilman was absent. Also present was Town Counsel Mark Schachner and approximately 85 residents.

At 7:05 PM a public hearing was opened for Proposed Local Law #2-2013 – Skidmore College Planned Unit Development District. Clerk presented proof of legal publication. Supervisor Rowland reviewed the ground rules as to how the hearing will be conducted. He stated that the applicant will have 5 to 10 minutes to outline the proposal in the beginning due to the fact that many things have changed since the Board first saw the plan.

Town Counsel Schachner stated that he has been the Town Legal Counsel for 20+ years. He disclosed that he had a very distant connection with Skidmore College. Usually every other year or so he teaches a class in the Environmental Studies program called Environmental Legal Issues, which he created. His title when he teaches is Adjunct Lecturer. Town Counsel Schachner stated that he was not currently teaching at the College nor was he scheduled for the next 3 years. He added that he had nothing to do with the solar proposal and was not aware of the project prior to the application being submitted. He has never discussed the application with anyone connected with Skidmore. Most importantly, he has no personal or professional incentive for this application to be approved or denied. In addition, he has no say what-so-ever as to whether the application should be approved or denied. His roll is simply to provide legal advice and legal guidance to the Town Board and makes no recommendations regarding approval or denial.

Supervisor Rowland stated that recently someone sent out a mailing to residents regarding the project which requested that people call the Town Hall and voice their opinion. He noted that the Town received 1 email expressing opposition to the project, as well as 4 calls in favor and 8 calls against.

Supervisor Rowland presented the information that he had in his file to date regarding this project. There were minutes from Planning Board meetings, the proposal and changes to the proposal, review from the Saratoga County Planning Board, Environmental Committee review and all the other documents that he has received to date. There has been a lengthy review of the proposal by the Planning Board as well as several other agencies. The Planning Board has recommended that the PUD Application be approved. The Planning Board completed the SEQRA (State Environmental Quality Review) and a Negative Declaration was made, finding no significant environmental impacts. Saratoga County Planning Board has also reviewed the application and has found that there is no County impact with this project. Town Counsel Schachner stated that he received a fax late this afternoon from Attorney Daniel Tuczinski which he did not believe that the Town Board had received as of this time. He submitted the letter to be part of the record. Town Board members will be provided with a copy.

Supervisor Rowland asked the applicant, Skidmore College, to give a brief overview of the project. Attorney Stephanie Ferradino and David Carr, Engineer were present. Ms. Ferradino stated that this was the 17th meeting that they have attended regarding the project. She stated that the legislation as now drafted has changed many times as they have responded to the Planning Board and public comments. The Definition and Use portion of the legislation provides the authority for the new use, solar, on the site. It also provides specific restrictions on the other two current uses which they did not have before. The restrictions limit the number of times that the outside community groups can use the fields and restrictions against polo matches that would have a greater impact on the neighbors. The solar array is limited to the 8 acres being proposed and cannot be expanded in the future. Once the array is installed, the property can only be used for the existing uses that are already on the site, the

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solar array and agricultural uses. Ms. Ferradino stated that there will be two bonds in place. The first will be in the amount of \$25,000. This will be to ensure that the vegetation screening the array is sufficient and thriving. If any of this has to be used to replace or add screening, that amount will have to be replaced. The bond must remain in place over the life of the array which is 20 years. There will also be a decommissioning bond and decommissioning plan. The plan will include all the steps that will have to be taken at the site in order to dismantle the solar array and return the site to its current state. Ms. Ferradino stated that the noise level has been limited to less than 55 decibels at the nearest residential receptor which would be the adjacent home owned by Mr. Mina. Constraints are being put in place for any special use permits for any special events. The proposed legislation is more stringent than the current Town Mass Gathering Permit and would not allow more than 100 people on the site. Ms. Ferradino added that there was also going to be a Development Agreement with the Town which will allow the Town share in the benefits of the solar project over the 20 year period. Ms. Ferradino mentioned that a lot of information has been circulated stating that the area was predominantly residential and agricultural. Three of the five adjacent uses to the 120 acre site are actually commercial, Prestwick Chase Adult Care Facility, Commercial Horse Breeding Facility and the Saratoga Polo Facility that hosts the Polo matches as well as does off season catering. Of the 187 acres adjacent to the property, 22 acres are residential and the remaining are commercial. The MDR2 Zone allows for such things as academic institutions, colleges, campgrounds, hospitals, kennels and large subdivisions. The second issue was that the grant was awarded based on a location at the Skidmore Campus and not the Denton Road site. Ms. Ferradino stated that the original grant application contemplated the location on the campus and off site at the Equestrian Facility, however the grant was not site specific. The agreement with NYSERDA allows the college to change the location within 2 months after the grant was awarded, which was done. This was done because studies found that the locations originally proposed were not viable locations. The August 1st submission to the Town Board and Planning Board contained a letter from NYSERDA which stated specifically that the award was for a solar project that utilizes a National Grid meter which is located on Denton Road in the Town of Greenfield. Ms. Ferradino stated that this was not a commercial venture where Skidmore College was making a profit by selling energy. All of the energy generated at the site will be utilized to offset Skidmore's electric bill. It will amount to approximately 12% of the college electrical usage. Residents have stated that they will receive no benefit from this project. Ms. Ferradino stated that the benefits from the solar array will be shared with the Town and there will be a Development Agreement required by the PUD Legislation. There will be an initial lump sum payment to the Town as well as annual payments over the life of the solar array, which is a 20 year period. Upon installation almost \$25,000. in annual revenue will be realized from the existing tax payments from the properties together with a \$15,000. annual payment from the specific site. The Environmental impact of the project has been studied both by the Town Environmental Committee and through the Planning Board review. They have looked at the effect on air, water, sound, visual, glare, impact on Putnam Brook, etc. They required Skidmore College to conduct studies on traffic, visual impact, wetlands analysis, thermal studies, sound methodology and reflectivity. Army Corp of Engineers and DEC have been to the site and have walked the wetlands. Planning Board members have traveled to other solar arrays and reported discussions with neighbors regarding impacts and stated that the neighbors they had discussions with did not have any negative impacts. Board members stated that there was no glare, no noise and no changes in property values, per the neighbors. Ms. Ferradino stated that as far as the time frame was concerned they believed that the time frame from NYSERDA was mid November. They requested and were given an extension from NYSERDA to obtain all necessary permits by mid December and the solar modular delivered to the site by December

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30th. The system must be live in April 2014. Supervisor Rowland advised that the applicant was out of time. Dave Carr displayed a plan of the proposed project in case anyone needed it for reference.

Paul Bouchard, 166 Denton Road - Mr. Bouchard stated that he had 50 solar panels at his home. The panels provide half a years' worth of electricity for his home. When the Town was working on the last Comprehensive Plan, he asked that the Industrial Zone be expanded which did not happen. The Town has a very small footprint when it comes to industry. This project would have been much more appropriate there rather than next to a horse farm or retirement community. It is a project that has merit but is disruptive to the general area.

Sean Crotty, 58 Wilton Road - Mr. Crotty stated that he and his wife, who works at Skidmore, purchase land on Plank Road about 4 years ago and is looking to build a passive solar home. In the meantime, they have purchased a home on Wilton Road. He was a pilot in the Air Force for 15 years and currently travels to the Middle East for World Airways carrying troupes back and forth. He stated that he was here because he made a promise. He watched with 400 troupes as they loaded 10 caskets onto the plane to bring back. He realized no matter what the government was saying, the only reason the troupes were there was because of the oil. He promised them if he could do anything personally to help the next generation see that it was not the way we want to spend the next 4 or 5 generations, fighting wars for dwindling fossil fuels, he would. He understood the hesitancy of the community to accept this large solar farm. When you turn your lights on, approximately 35% of the energy coming through the lines are coming from 6 nuclear plants. The plants produce tons of plutonium each year. The plutonium has a 24,000 year life. Approximately 40% of the energy comes from natural gas which means fracking issues. He asked if we really wanted to continue fighting wars overseas for fossil fuel, fracking in the Southern Tier for natural gas and continuing to produce radio active material that will be around for 24,000 years versus putting up a viewshed fence around some solar panels. He felt that everybody had to take a close look at that. He suggested that as we go through this process in your own mind, either approving or disapproving of this project, understand what you are doing for tomorrow. Mr. Crotty asked the Board as they looked at the Comprehensive Plans moving forward that they try to look at all renewable energies across all districts in a systematic way so that the community can tell you what it wants as it moves forward.

Andrew Gilchrist, Attorney, Albany - Mr. Gilchrist stated that he came before the Board on August 8th and requested adoption of a moratorium which would give the Town time to carefully review appropriate zoning regulations and descriptions for solar facilities, as had been done with wind facilities. The request was not to oppose these types of facilities. The Board declined to consider a moratorium at that time and did not believe that it would be fair because the application was already under review. He provided the Board with a copy of the actual grant agreement with NYSERDA. He stated that the project has been characterized as a Skidmore project. He added that it was proposed to be located on Skidmore property, however it was not a Skidmore project or grant. The grant was actually between NYSERDA and Dynamic Solar and it was a for profit venture. Mr. Gilchrist stated that the original application did indicate that the location was proposed to be for the campus and identified the project site as 815 North Broadway. There was no reference to Denton Road. The site installation information in the grant also identified the project site as 815 North Broadway. He added that this agreement was dated March 15th, 2013 and signed by Dynamic Solar on April 9th, 2013. He questioned why the Town did not know about this project and why an application was not made until May. He asked the Board to consider why the application is being characterized as a Skidmore project when it is not. He added that it was not the intention of his clients to attack Skidmore, rather to properly review the application. This is an application by a for-profit company. Mr. Gilchrist stated that in this type of

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situation it is routine for the actual company to come in and present the project, which was not done in this case. If a company, whether it be Dynamic Energy or anyone else, were to come before the Board and request a zone change through a PUD to allow the installation of a for-profit utility in the middle of a residential district, he felt that the Board would take a hard look at even referring it to the Planning Board. The energy is going to the grid and Skidmore will be receiving an economic benefit through their utility bill. He wanted to make this information part of the record so that everybody understood that the money was going to Dynamic Energy from the State and not to Skidmore.

Butch Duffney, Brigham Road - Mr. Duffney stated that he did not wish to speak at this time.

Bob Hyndman, 164 Denton Road - Mr. Hyndman stated that he has come to a lot of meetings over the years and one of the things that bothers him the most is the adversarial nature as a resident seeking input and asking for input from the community boards and leaders. He felt that the residents were scrambling to represent themselves. He was concerned about tax revenue. The Town Boards' have done a very good job to try and keep the taxes level the past couple of years. There have been modest increases in Highway and with the Fire District. It was his understanding that this year there may be a combined increase of as much as 40 cents per thousand. This is a large increase. This proposed project is going to work counter to providing revenue. Mr. Hyndman stated that he heard that there is some sort of an agreement however he has not seen anything in writing. He believed that there was going to be some sort of monetary amount paid to the Town for Parks and Recreation. He questioned how that would affect his tax bill. He does not use the recreation program in Town and stated that this type of agreement would not share the burden with everyone. When the Comprehensive Plan was developed this section of Town was designated to have the most dense development because of the possibility of sewer and water. The increased residential development would provide an increase in the tax base and help to reduce taxes rather than have a tax free industrial utility come in. Mr. Hyndman stated that they have already talked to a property tax attorney and the neighborhood is going to get evaluated. They are not going to be paying the taxes that they are paying now. They are already paying an appreciated tax rate because of the area they live in, an extra 40% on the approved lot assessment. He stated that they were not against development and they were all for sustainability. This project is for the benefit of Skidmore only.

Gary Simon, 257 Brigham Road - Mr. Simon stated that he does not know the people who live along Denton Road and has no real stake in the project whether it goes through or not. As a resident who lives in a rural area and loves the Town of Greenfield he knows that if someone were to come in a want to put this next to his property he would not like it. He wanted to stand up and support the people who would be effected by the project and hoped that others would do the same thing if it were to happen to him.

Alan VonStetina, 25 Locust Grove Road - Mr. VonStetina stated that he does not live on Denton Road however he lives nearby. The last few speakers have pretty much said the kinds of things that he would agree with. He would not want that kind of development right next door to him.

Mark Millspaugh, Sterling Engineering - Mr. Millspaugh stated that he was an Environmental Engineer and he had been retained by a couple of the property owners on Denton Road. They reviewed the application materials, in particular the Environmental Assessment Form, to get a basic understanding of the environmental setting and how the project fits in. He attended several of the Planning Board meetings and one thing that was clear is that many of the residents on Denton Road were very concerned about existing traffic. With events at the Polo Field or Skidmore ballfield, the parking on-site as it presently exists is not adequate and the spectators are forced to park out on the

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road. This was discussed at length at the last Planning Board meeting that he was at and the Attorney for the Board suggested that this project, as well as other proximate projects that are being considered by the Board for PUD's, undertake a coordinated traffic study and that the Town should obtain an expert to review those studies. Mr. Millspaugh stated that the applicant had mentioned that some stipulations were made at this point in the process. He was not sure if they were adequate and added that he has not seen any information as to whether a traffic study was done. The Site Plan was not clear as to where extended parking was going to be located and what capacity would be provided. He added that it was important to know in terms of traffic patterns on the site and how that traffic will ingress and egress onto Denton Road. He noted that when you expand parking you expand stormwater runoff and the stormwater plan will have to address the increased runoff. Mr. Millspaugh stated that there was a lot of discussion regarding consistency with the Comprehensive Plan. The most recent Plan deals with wind power however it does not deal with solar power. There are no minimum standards and things to be considered in terms of citing the facilities. This project was different than the other commercial activities that are in this zone. The solar farm is a non-residential commercial venture in a residential zone. Mr. Millspaugh stated that wetlands were discussed at length. The applicant has done delineations with the benefit of some interaction between New York State DEC and the US Army Corp of Engineers but yet the applicant has not provided a jurisdictional determination that the Army Corp agrees with the determination and that the project does not require any wetlands permits. The applicant provided a study regarding the temperature of stormwater discharges which consisted of a garden hose running on a single solar panel and they measured the temperature increase which was significant. The study has not been made into a site specific evaluation to show what 8 acres of solar panels would result in. There are provisions in Environmental Conservation Law that state that discharges for these types of facilities cannot exceed 70°. The applicant's study shows that what discharges off the solar panel in their study was almost 80°.

Karen Kellogg, Lake Desolation - Ms. Kellogg stated that she was a long time property owner in Town. She disclosed that she works at Skidmore and teaches a comprehensive energy course there. She stated that when it comes to energy extraction the social and environmental impacts are quite profound and far reaching. Every day you hear in the news something about the climate change water, air and soil pollution, as well as public health issues where they talk about mercury contamination, etc. You can argue about the details of each of these items but it is undeniable that the collective impact on the current energy strategies is quite significant. She felt that the time has come to think about different approaches to energy production. Ms. Kellogg stated that as a long time property owner of Greenfield and a Skidmore employee she loves both communities deeply. She believes that Skidmore tries very hard to be a good neighbor and a good community player to Greenfield. She has personally been involved in lots of partnerships where student groups have partnered with the Friends of the Kayaderosso for stream clean up; bio-monitoring projects, public history projects, etc. She sees this project as one of those partnerships. It is an educational initiative which was born from the need and desire to show the students and community a different way to move forward with a clean energy future. As Mr. Crotty stated earlier, she has seen the impacts overseas as well, in Africa and other regions of the world. She feels that the impacts are felt locally as well, through climate change and mercury contamination from coal fired power plants.

Thomas Stock, 46 Lincoln Mountain Road - Mr. Stock stated that he built his home here in Greenfield 8 years ago. The nearest power pole was 1 mile away. Rather than extend National Grid all the way to them they decided to install solar panels and a battery bank in the basement. They do not purchase any power. They enjoy all the same features and conveniences that everyone else has, but they make their own power. He asked why everyone wasn't doing this? Mr. Stock stated that the solar

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array was probably not going to be owned by Skidmore because there are several companies that own these to sell back. They develop a system whereby they put in the panels. They own them and they give Skidmore part of the profits. Everyone is in this for the same thing, to bring sustainable power to us. As far as the groundwater temperature, perhaps that ground itself could have already been at over 80° when they started doing measurements. He asked that the Board read everything that comes to them and look it over carefully. He hoped that the Board would pass this project and that the Board could review the Comprehensive Plan and Zoning so that more solar projects like this can be brought into the community, just as you have done with wind projects. Mr. Stock stated that we are not going to have oil forever and we have to start thinking to the future. He felt that solar and wind energy made right here in our own backyard was the way to do it. He suggested in the future when someone comes and wants to build a home and it doesn't include solar panels, the question should be asked why not.

John Jayko, 126 Denton Road - Mr. Jayko stated that everybody knows what the project is and the pros and cons. He added that nobody was really against solar or alternative energy. For him this was all about having to live and look at this every day. He did feel that you could hide 8 acres of glass. If the project is approved, he can either stand and look at it every day or sell his property. There is going to be solar glare. There is a project in New Hampshire that is tarped because the airport next door could not operate due to the glare. Town zoning regulates outdoor stoves, the number of lights on the exterior of a house, etc. This project will affect the quality of life for the neighbors. He did not know what the answer was, but he did not want to live next to it. No one knows what the health hazards are. He has lived on that the road for 30 years when the road was still a dirt road. He asked the Board to look into this project and understand what it was going to do to this neighborhood.

Wendy Stein, 9 Larkspur Court - Ms. Stein stated that she was a proponent of solar power however she was against this project for several reasons. She felt that there were a number of irregularities by State agencies and regulatory bodies in approving this project funding. She has asked the Inspector General's Office and the State Comptroller's Office to look into these irregularities. Ms. Stein stated that a solar power plant only runs about 11% of the time. The other 89% of the time you have to keep running on nuclear, fossil and gas power plants. Solar and wind power are great if you put them on your house and use them on site. That is what this project was supposed to do according to the Governor's Office. It specifically said that the funding was for on-site use and not for direct sale to utilities. This project and 2 others were funded anyway. At least 18 million dollars of taxpayer money is going to be used for these environmental benefits and she felt that money could be much better spent. It could be used for energy efficiency measures that would actually reduce greenhouse gas emission. Energy experts say that until they solve the intermittency problem with wind and solar energy, we should be very careful about deploying them. Ms. Stein stated that the final reason that she is against this is because it really is a utility. It is regulated by the Federal government, Dept. of Energy and under the Federal Energy Regulatory Commission. It should have been treated like a utility by New York State but due to some odd discrepancies in the law it is not being treated like one. If it were, it would not be in the hands of local Town government to approve the siting of a utility or the spending of this kind of taxpayer money on a utility. It would be in the hands of the Public Service Commission.

Rick Schwartzbeck, 236 Plank Road - Mr. Schwartzbeck stated that he was not in the high rent district and that he lived up on top of the mountain. He was not sure that this was the answer, however something has to be done. The State of New York and several surrounding states are suing everyone out West over acid rain. This has been going on for years. There is an initiative to try to work out something with solar power and wind energy. He agreed that there are bugs in the system. He believed that this project could be at least a teaching tool. Mr. Schwartzbeck stated that it may be for profit however it was going into a college campus. The students will be learning from this project,

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studying it and hopefully learning to be environmental engineers down the line. Maybe this could help to get us out of being dependent upon foreign oil, get away from having to do hydro fracking in New York State and help to be able to sustain clean energy and a reduction of the carbon footprint for his children and grandchildren.

Mike Hall, Skidmore – Mr. Hall stated that he has been involved in this solar project since the beginning. Skidmore developed this project as part of a comprehensive sustainable energy program aimed at reducing the use of fossil fuels and reducing the carbon footprint of the college. This project will produce approximately 2.6 kilowatts of solar power or about 12% of their usage. That would be enough to power about 260 homes. Skidmore is not going to sell the energy to third parties but will reduce the amount of electricity that needs to be generated by fossil fuel equipment and therefore will receive credit on their bill for any amount generated by this solar technology. The solar generated power will result in a reduction of almost 1,900 metric tons of CO₂ admissions per year which is the equivalent of removing 393 cars from the road. Every kilowatt hour generated from this project will reduce the production from some polluting fossil fuel power plant. Mr. Hall stated that over the past five months or so, Skidmore has listened to comments from the Greenfield community and members of the Planning Board and has proposed many measures to mitigate their concerns. The array will be tucked away in the northeast corner of the 120 acre parcel. It will be 800 feet from the nearest roadway and 1000 or more feet from the nearest home. The panels are approximately 5' 6" tall and will be surrounded by a 6' high cedar fence on the two visible sides. There will be several layers of landscaping to blend into the site. The array will make no noise and there will be no visible reflection. There will be no additional water runoff and it will not alter the water temperature or impact the wetlands. In addition, this will require no Town services and will not create any additional traffic. He felt that this was another exceptional partnering opportunity between Skidmore and the Town of Greenfield.

Daniel Tuczinski, Attorney, Albany – Mr. Tuczinski stated that when people come into a community they look at the Zoning law and make judgments and decision. People have purchased property and built homes in this residential/agricultural area. Nowhere in the Town Comprehensive Plan or Zoning Code does it say that someone can come into the community and put in a project the size of 8 football fields. He stated that Skidmore's name has been bantered about with this project and Dynamic Energy Solutions has barely been mentioned. He requested the Chairman of the Planning Board to ask information about this project to determine who was profiting from it and how it was being developed. Mr. Tuczinski stated that one of the Planning Board members has stated that this was an agricultural project. He disagreed and stated that it was not an agricultural project but the equivalent of a utility. He added that they now know that the money has been awarded to a for-profit company. He stated that this is a grant that is going to a private company and the grant comes from public funding. It is being used to develop a site in Town that is on a tax exempt piece of property. The developer may make millions of dollars and nothing will be provided to this community. Mr. Tuczinski felt that if this was NYSEG or National Grid and they proposed to put a utility in the middle of a residential area, no one in the community would support it. That is exactly what is happening here but because people have a high regard for Skidmore this project has been blurred and made into something that it is not. He stated that this was a commercial project that was being put right in the residents' back yards. There is a reason behind Zoning and that is so that people can rely upon Zoning to put projects where they belong. In the correspondence that he has submitted to the Board, he has included references to the Town Zoning Law and the PUD Legislation. The PUD legislation talks about building lots and common properties blended together much like the Prestwick Chase project. It does not include agricultural, solar panels, baseball fields, polo fields and no common areas. He did not feel that this project fits

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within the legislation. Mr. Tuczinski stated that he would ask the Board to ask Skidmore and Dynamic Energy to make their files available so that they can figure out what this project is about. If it truly is a for-profit project that is riding the coat tails of Skidmore College into this community it should be voted down.

Ruby Grande, 8 Pine Robin Road – Ms. Grande stated that she has been listening to both sides and was not sure which side she would sit on. She asked that if this is a Skidmore project there be the possibility that Skidmore would reciprocate by giving the Town a scholarship for students in the Town of Greenfield who meet specific academic and financial criteria. She stated that she does work at Skidmore and has also taught religion courses here in the Town of Greenfield. For many students who live here the thought of going to Skidmore is only a dream.

Brian Susko, 62 Locust Grove Road - Mr. Susko stated that the company that he works for has solar arrays on their property and they also sell solar panels. They started out with about 75 people and are down to 5. He has heard a lot of higher readings this evening, however he went out and checked the readings on their solar array today and on a 50,000 watt array the average for the year was 8,500 watts. He compared the numbers being heard this evening to the MSRP on a car and that they were not true. He mentioned that snow on the panels greatly reduces the amount of energy produced. Mr. Susko stated that as far as glare was concerned, there absolutely was glare. When the glare hits the snow it sends an over voltage to the solar panel causing hot spots in the panel and they burn out. They have to go out every day and check their panels. With this array being out of the way he did not believe that anyone was going to be out monitoring it on a regular basis. Mr. Susko stated that he heard that there was going to be a bond in place for the removal of the array but questioned who would be monitoring that. Mr. Susko mentioned that they have had two fires at their array. He explained that the panels produce power that goes into a inverter and sends the power out to the grid. If you shut the grid off, the solar panels stop producing to the inverter. On the load side of the inverter there is still a substantial amount of DC voltage. He asked if anyone was paying for the fire department to be trained on solar panels in case there is a fire so that they knew what to do. Mr. Susko stated that he heard a statement earlier that there were electrical issues at the stable and the array could not be installed on that site. He was not sure if that meant that there was an issue with Skidmore's system or the power company. If it was Skidmore's system that was inadequate, he questioned why they would not upgrade the system if they were going to save all this money.

Tom Mina, 120 Denton Road - Mr. Mina presented the Board with a petition with 204 signatures against the project. Approximately 160 were Greenfield residents and the rest were from outside the Town. Mr. Mina stated that he could not believe some of things that he has heard coming from Skidmore. If they are so intent on energy and want to show their students their sustainability, why are they not putting the panels on their campus in front of the Music Center where they have about 15 acres. He added that it was because they did not want to look at the panels. Mr. Mina stated that one of the questions on the Environmental Assessment Form asks if there could be alternate locations. The Planning Board allowed Skidmore to say that they tried to go other places but that they could not because it was not feasible or they had other plans for the property. He added that he heard that Skidmore had imminent plans for the property behind the stables and questioned if the Town knows what those plans were for behind there and if so they should share it with the public. Mr. Mina stated that if this project had been proposed to be located behind the stables there would not have been anyone in opposition and they would have been installed already. Mr. Mina stated that Skidmore had 550 acres of land in the Town and questioned why they chose to put this project on this site on Denton Road. Mr. Mina noted that as far as the earlier comment regarding his horse farm, it was not a commercial farm. He does not board any horses and they are no horses on that property but his own.

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He personally believed that the Planning Board made some serious mistakes in reviewing this project. The Chairperson has said that it does not fit with the Comprehensive Plan.

Susan Celia, 21 Braim Road - Ms. Celia stated that she was a teacher for almost 20 years and knows that students need to see things in front of them to learn. Skidmore just built beautiful new housing which is all glass and metal. She questioned why the solar panels were not placed on those roofs. The kids could have learned from it and it could have been considered sustainable. Ms. Celia stated that she spent time reviewing Chapter 51 of the Town Zoning Law on Farming. There were regulations on the number of chickens, etc. There are also regulations in the Code regarding target shooting and wind farms, but nothing about solar. She stated that it was the general purpose and intent of this law to maintain and preserve the rural traditions and character of this Town. That is why she pays her taxes, to enjoy the traditions that Greenfield has to offer.

Peter Goutos, 168 Denton Road – Mr. Goutos stated that he was an environmental engineer. He stated that he as worked with the LA Group, Ms. Ferradino’s law firms and many others involved in this project and they are very sound professionals. As a neighbor, he lives next to Mr. Bouchard who spoke earlier this evening and he supported the installation of solar panels on his home. He moved them a little bit so that he is unable to see them and he has no problem with them. Mr. Goutos stated that he was good friends with the 2 neighbors who would be most affected, Mr. Jayko and Mr. Mina, and felt that as a neighbor he needed to support them. He stated that the 30 hours of meetings that were mentioned does not even come close to the amount of hours that has gone into this application by qualified people on both sides, but they missed the mark. He felt that SEQRA should have been implemented in a more comprehensive manner. He saw the Planning Board struggle on a nightly basis. The consultant’s rallied to meet every aspect of what they were asked to do, which went on for several meetings and they still did not get all the answers. People were still asking questions, which is unfortunate. In his opinion, from an environmental standpoint, all the information is not there.

John Streit, 903 Locust Grove Road - Mr. Streit pointed out on the plan where the project was being proposed. Several people have stated that one of their biggest objections was to the glare and visual effect which was the first objective that he had in mind. The panels are designed to absorb the sun in order to make electricity. If they reflect the sun it would not be a very efficient and effective way. The manufacturer of the arrays stated that they are 98% effective. There is a 6’ fence proposed which is about 1’ higher than the panels themselves. The land does slope up slightly, however in addition to the fence there will also be plantings to shield the view. A \$25,000. bond will be posted to ensure that if the trees are felt to be insufficient by anybody additional plantings can be done. Mr. Streit added that Skidmore presented a visual field which helped them all understand this because he would have objected the same way as Mr. Mina has if he felt that it was something that he was going to have to stare at. It was almost impossible to see the panels themselves. He noted that in the recent flyer that was sent out there was an array of panels from somewhere else shown. Those were views from the air. He believed that the view from the road for this project has been mitigated. Mr. Streit stated that one of the neighbors stated earlier this evening that he didn’t care how high fence was or how many trees there were going to be. He explained that he cared very much how high the fence was going to be and how many trees were going to be there because he felt that the rights of the neighbors should be strongly protected and that the mitigation that was presented was adequate. He also heard mention about traffic. There was a traffic study ordered and completed by an independent engineering firm. It showed that there was very little impact. There will be a technician in a pickup truck driving in and out of the proposed roadway to inspect the panels 4 or 5 times per year. Mr. Streit mentioned that at the same time there is a proposal for the addition of 300 new residential units to be added to Prestwick Chase which would mean an additional 500 people. Mr. Streit stated that he was on the Comprehensive

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Plan Committee when it was revised a few years ago. He apologized for not thinking of solar arrays at the time. Mr. Streit stated that the Planning Board has given a lot of consideration to this project. Each and every detail that was brought up as a complaint was looked at very carefully. He had no idea how any of the members were going to vote because there was no discussion amongst themselves and he did not decide how he was going to vote until all the information was in and in his mind it was a good program. Mr. Mina questioned if a Planning Board member had the right to speak. Mr. Streit stated that he was speaking as a private citizen and Town resident and that he did not represent the Planning Board. Supervisor Rowland explained that Mr. Streit was a long time member of the Planning Board, as well as Town resident, and he had the right to speak as does any resident of the Town.

Marie Lawrence, 22 Braim Road - Ms. Lawrence stated that when you buy a piece of property you look very carefully how it is zoned around you. You do not have the right to complain if you buy a house that is in the industrial zone. However, you have every right to complain if you buy a house that is zoned Moderate Density Residential and then an industrial unit is put in that area. The neighbors who live next to this project will be able to see this from their 2nd story windows. A 6' high fence will not cover that. Nobody wants this in their backyard and it was not fair to them.

Kathy Paton, 2 Country Squire Court – Ms. Paton stated that she was here to support her neighbors on Denton Road. The funding from this project is coming from taxpayer money and the taxpayers should have the right to decide where the money is going to. She did not think that the money should be going to a company from Pennsylvania. The residents from New York State should be the ones who benefit from the funding and saving money, not the corporations.

Thomas Paton, 2 Country Squire Court - Mr. Paton was also here in support of his neighbors, even though they are actually a few miles away. Mr. Paton stated that he travels all over with his 3 teenage boys who play ice hockey. This past year, when they were in Massachusetts, they went to Patriot's Stadium. The stadium was closed, however they were able to step up onto a mall area and look over the 8' fence to see the field. He did not feel that a 6' cedar fence was going to hide 8 football fields. He added that the proposed array is only going to provide 12% of the energy to Skidmore. They are saying that they have a partnership with the Town of Greenfield, however he has lived here almost 20 years and has not seen anything as a partnership from Skidmore. Mr. Paton stated that if you go on google maps and look at the property behind the riding stable you will see that all the construction debris from the removal of the old housing in order to make room for the new housing that was recently built has been dumped behind the riding stable. Mr. Paton added that in the Spring time when the students are moving out and you drive down Bloomfield Road there are mattresses and furniture piled all along the road. He did not think that Skidmore was being a good neighbor to the Town of Greenfield.

James Lee, 295 South Greenfield Road – Mr. Lee stated that he does not live near the proposed solar array however he has lived in the area his entire life and loves the rural nature of the Town. Mr. Lee stated that he was a former member of the Planning Board. He has heard a lot of discussion about the Planning Board process and he can tell you first hand that the members are all volunteers and they work very hard to come to the right decision for the entire Town. He loves the rural nature of the Town. Obviously, the neighbors are enjoying the green space right now and they are saying please do not let a solar array come and spoil their view, which he could understand. A lot of times he has to remind himself that you have to be careful what you wish for. If the solar array is not approved there are a number of different options under the current Zoning that Skidmore would have in respect to development of that land that could be much more unsightly, cause more traffic, etc. He added that was hypothetical, however back in 2005 Polo actually obtained approval to build a resort on the adjacent property. On a 43 acre parcel, they were approved for a 14,000 square foot banquet

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center/ meeting space, a restaurant/lounge with sky boxes overlooking the polo fields, a 60,000 square foot lodge with meeting space, a spa, indoor and outdoor pool, fitness center and 5 residential buildings each with 12 units. He felt that the alternative to having a solar array next door could potentially be much worse. He added that he respected the work that the Planning Board and Environmental Committee members do and they are all volunteers trying to do what they feel is best for all of Greenfield.

Jill Cunningham, 525 Locust Grove Road – Ms. Cunningham stated that she has a small horse farm and was avid horsewoman. She travels Denton Road every day. She works for a relator and is an equine property specialist. She knows that if these panels go in there it will depreciate the value of these horse farms. The three farms owned by Mr. Jayko, Mr. Mina and Mr. McNeary are worth about 7 million dollars. This will have an impact on the rest of this County. Greenfield has green fields and it should stay that way. Agricultural should stay agricultural. She asked that the Town talk with Cooperative Extension and Cornell University because this is going to have a huge effect on breed mares and their cycling system. It is also going to have a tremendous effect on the beautiful bird population in the area. When she came in to ask for a Special Use Variance to have alpaca's, the Board wanted an Environmental Engineer to study the effects from their feces. Ms. Cunningham felt that the Town was totally wrong and that this was an agricultural community not industrial.

Tom Elphick, 39 Malloy Road – Mr. Elphick stated that he has been involved in renewable for the past 12 years primarily working on community scale projects. His wife grew up here and went off to college and they have come back to Greenfield because of its roots and the rural nature. His son loves the outdoors and one of the things that he really wanted to do was to go fishing. New York State has heavy metal fish advisories. Children and pregnant women are advised not to eat fish because they are being poisoned because of the electricity being generated from coal fired plants and other non-renewable sources. Mr. Elphick felt that this was the type of project that we all should be proud of and welcome into our community. He added that we consume a lot of energy. Our men and women are sent out around the world to protect those interests and he does not see anything wrong with generating electricity at home. He believed that this project was a great idea. He stated that he was an expert in the field and has listened to a lot of misinformation about this project. He believed that this was just coming down to not in my back yard. He hoped that the Planning Board and Town Board would review the information that has been presented and make a decision based on that information and look to the future.

Fred McNeary, 254 Daniels Road – Mr. McNeary stated that he was the developer of Prestwick Chase. He stated that he had a traffic study done at the request of the Planning Board. They also requested that a traffic study be done for the Skidmore project. The residents did not have concerns about the 4 trucks coming to check the panels. They had concerns about the other uses, such as the baseball games, where the students park on both sides of the road along with the tour buses that cannot access the parking area. Mr. McNeary added that he also expressed concern regarding the polo fields that are part of this PUD and how they have been being used. They are being used on weekends for other tournaments for other sporting events not related to polo. In addition, when there is too much traffic at the site of the Polo PUD, the overflow parking ends up on the Skidmore property and creates a very hazardous condition. He did not hear anybody here this evening that said that they were against solar. It was more of planning issues such as traffic mitigation, stormwater, etc. Mr. McNeary added that all the extra events and programs that cause the issues are normally held on weekends when there is no code enforcement in the Town. There is no police service and no one to call. This creates a very unsafe situation that needs to be addressed and he felt that it has been somewhat missed. He stated that he had his traffic study completed in a timely fashion so that it would not hold up the

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Skidmore project since it was explained to him that the matter was going to be worked out between the two projects.

Butch Duffney, Brigham Road - Mr. Duffney stated that he was also a Planning Board member. He stated that he was a third generation resident of the Town. During the course of review, he tried to cover everything that he could. When neighbors asked questioned he made sure they were addressed by the applicant. He has walked the property and has visited 2 solar array facilities. Mr. Duffney stated that he was not a professional and that he worked construction all his life but he could not see where there was any glare coming from the panels. As far as the temperature of the water runoff, he felt that there was more hot water coming off of asphalt roofs and paved driveways and roads than from the panels. He understands the neighbors concern regarding the visual impact and he recommended that evergreens be planted rather than hard wood trees so there was year round screening. He reviewed the information that was put in front of him and made what he felt was the best decision for the Town. It will be up to the Town Board to make a final decision and to determine the tax implications.

Albert Lawrence, 131 South Greenfield Road - Mr. Lawrence stated that he was a Planning Board Attorney in Westchester County. He felt that this was a utility plant. Solar panels on your home is a great idea. He would like to have them but found them to be too expensive and not efficient enough. Mr. Lawrence did not believe in the wind energy concept. He stated that he has driven by wind mills many times when they are not even moving. What is being proposed is an industrial plant and it will provide no benefit to the community. He did not think the project makes any sense for the community. He stated that he did like the idea of scholarships for kids in Greenfield.

Jack Lynch, 6 Middle Grove Road - Generally he is supportive of solar panels. However, he felt that the proposed project should be placed in an industrial setting and taxed accordingly. He added that if the Town thinks that the site is right and makes the required zone change, then the applicant should have to pay the full share of taxes.

Kevin Templin, Locust Grove Road - Mr. Templin felt that solar panels were a wonderful idea. He stated that the invertors are not quiet, they hum. He believes in solar power and believes it is a good idea but to put up that many in a residential area is a question in his mind. He did not think that a 6' fence was going to block the visual impact. Mr. Templin stated that his mother taught at Skidmore. He knows that they own a lot of land and there should be another area to put in the array where it will not upset people. He added that there is a fair amount of heat from the runoff. He felt that they should look to get a further extension of the grant to allow for time to make sure that this is the right place and fully review the project.

The applicants' engineer, Dave Carr, pointed out where the array would be located on the plan. The red dots on the plan represent areas where the Planning Board, in discussions with the neighbors, felt were important points to look at the visual impact of the solar array. A visual impact analysis was completed. You take photographs at each location and then build digital terrain model with the site topography. They actually put fencing out in the field and by computer filled in the rest of the fencing at both locations. They show the visual impact both with and without visual screening. Kinsella, C. asked what level the pictures were taken at. D. Carr stated that they were taken at ground level and at between 15' & 18' to be comparable to a second story window. He pointed out what the view would be from Denton Road and stated that the array would be approximately 800' from the road. The elevation of the closest array would be approximately 4' higher than the elevation at Denton Road. Kinsella, C. asked if the visual showed the depth of the property. D. Carr stated that it shows the impact for the whole distance, approximately 900' into the property.

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Members of the public questioned why the applicant was able to have more time to speak when other individuals were not able to do so. Town Counsel Schachner stated that the Board clearly can and in his opinion should ask questions of anybody that they would like more information from. Board members in agreement that they would continue their discussions and ask further questions at the regular meeting.

Mr. Mina felt that the skyline looked the same and could not see how they were taken from 8 and 15 feet. He asked where the pictures were taken from. D. Carr stated that they were taken from a ladder that was on the corner of the property line. Mr. Mina stated that in order to be neighborly the applicant moved the service road away from his property line. The second proposal that was submitted moved the road back to the edge of the property line. He questioned why they changed the location. He added that this was not really that big of an issue for him as far as the visual impact, however it seemed like Skidmore was just trying to punish him since he was the opponent.

Supervisor Rowland stated that the Board will meet and discuss this at a future meeting. He thanked the public for coming to the hearing this evening. The Board received a lot of information here this evening.

Mr. Gilchrist asked if the Board was going to adjourn the public hearing or if they were closing the hearing. Board members in agreement that they would close the hearing. They were in agreement that they would receive written comments up until 3 PM on November 12th.

On motion of Pemrick, C. and seconded by Cochran, C., the public hearing was closed with all Board members present in favor.

Town Clerk