

February 6, 2023

PINE PLAINS PLANNING BOARD SPECIAL MEETING MINUTES

Saturday January 21st, 2023

11:00 am

In Person and Live Streamed

IN PERSON ATTENDANCE: Michael Stabile, Chairman
Al Blackburn
Scott Cavey, Alternate
Ethan DiMaria
Dick Hermans
Helene Marsh, Alternate
Kate Osofsky
Steve Patterson
Vikki Soracco

ZOOM ATTENDANCE:

(Members attending via Zoom do not count towards the quorum or voting.)

ABSENT:

ALSO PRESENT: Warren Replansky, Town Attorney, in person
George Schmitt, Town Engineer, in person
Andrew Gordon, Carson-Power, in person
Eric Redding, Bergmann Associates
Members of the Public, in person

Chairman Stabile opened the meeting at 11:00 am with a quorum Present. Stabile thanked the public for their interest in the project.

Carson-Power Public Hearing: Andrew Gordon of Carson-Power started the meeting with a presentation regarding the proposed project.

Stabile then introduced the board and the town's attorney and engineer.

Stabile then gave a brief history of the solar law.

Stabile then asked Replansky to go over the SEQR process.

February 6, 2023

Stabile asked for a motion to open the public hearing, motion by Ososfsky, second by Patterson, all in favor, motion carried.

Replansky informed the public that the planning board and applicant would not be entering into a dialogue with the public and/or answering questions. Replansky said questions asked would be taken into account by the planning board and consultants and a response would be given to those deemed appropriate.

The first speaker was George Calcagnini, an attorney from Somers NY, representing Lori Ames who is the trustee of a trust that owns property at 501 Bean River Road. Calcagnini feels it should be a Type I Action under SEQR, which would require a DEIS. He then expressed other issues he feels the project would create, such as the visual eyesore the project would bring to the neighborhood and the steep slopes. He requested that the array be marked so the public could see where it would be.

The next speaker was Leanne Fremar of 381 Skunks Misery Road. Fremar expressed her concerns as her property is close to the project site. Fremar is also concerned about the wildlife as well as the heat and light pollution that would be created. She is also concerned about run off, impact to vegetation, and sight line.

The next speaker was Jaquie Elliott of 501 Bean River Road. Elliott expressed concern over being able to see the panels from her property and she would like to see what the project would look like.

The next speaker was Vardan Gattani of 504 Bean River Road. Gattani expressed concern over the lack of experience of Carson-Power as a developer as well as the business perspective for the community.

The next speaker was John F. Hart of 3813 Rt. 199. Hart is concerned with the amount of traffic that will be generated and with his property value. He is also concerned with electromagnetic radiation and the glare and heat on local wildlife.

The next speaker was Betty J. Peck of 10 Harrington Drive. Peck is concerned with the panels not being recyclable and what will happen to them when the project is decommissioned. She feels the project is being pushed faster than it should be.

February 6, 2023

The next speaker was Pavan Gattani of 504 Bean River Road. Gattani is concerned with the panels being made with toxic substances and being able to recycle them. He also thinks the town should look at alternate companies besides Carson-Power.

The next speaker was Robert J. Hamilton of 260 Tripp Road. He said he spoke to Gordon and thinks it may be a good thing, but he isn't sure and is still deciding his vote.

The next speaker was James Augustine of 104 Prospect Hill Road. He expressed concern over health risks that could be caused by the panels, noise pollution and habitat destruction, as well as property values. He feels it should be installed on a landscape that has already been altered, such as an abandoned supermarket.

The next speaker was Joan Redmond of 134 Johnny Cake Hollow Road. She is concerned about endangered and threatened species and wetlands. She thinks a biologist should walk the wetlands during the growing season.

The next speaker was Jane Waters of 24 Schultz Hill Road. She is also concerned with wetlands.

The next speaker was Cari Watkins-Bates of Scenic Hudson. They are for a responsibly sited solar field as a way to combat climate change.

The next speaker was Matthew Cichetti of 424 Prospect Hill Road. He expressed concern over the board setting a precedent for the future with a solar project this large. He also expressed concern over the environmental impact and thinks the project warrants and EIS to evaluate the wetlands and the endangered species. He wants the process to slow down. He also feels it would lead to a loss in tax revenue and not the million-dollar tax revenue as stated.

The next speaker was Michael DelRossi of 5 Lake Shore Drive of Ancram. He expressed concern over the decommission of the site in 30-40 years. His point was that we are going to want to continue having solar power so why would the project be decommissioned. He also expressed the panels losing their efficiency in 10-30 years and would they be replaced.

The next speaker was Jim Smith, who was speaking for John Forelle of Tripp Road. Forelle is concerned with the newness of the solar law and the new technology of solar panels, as well as

February 6, 2023

the inexperience of the applicant. He suggests the board set a moratorium on level tier 3 solar for now.

The next speaker was Jane Aire of 8108 Rt. 82. Aire said there are many issues with solar panels. She then read a list of 10 cons associated with solar power.

Stabile said he wanted to clear up a few things - one being that notice was sent to neighboring properties within 500 feet in December. In January an ag data statement was sent to neighboring farms. Notices were sent to the addresses that are listed with the county. Stabile said the board did a site visit and walked the entire perimeter of the parcel.

Stabile then asked Gordon to explain the REIT. Gordon said the company is Solar REIT and they invest in the property under solar panels. They will be the owner of the entire 171 acres. There is a third party, Nexamp, who is also working along side Carson-Power. Nexamp will be in charge of subscriber management.

Stabile asked Gordon if any batteries were involved. Gordon replied no.

Stabile asked Replansky to explain the lack of precedent settings. Replansky said traditionally in zoning there is no precedence and each project is considered on its own merit.

Stabile asked Schmitt to speak about the wetlands. Schmitt said he has reviewed the engineer plans that Bergmann & Associates has created. He said Bergmann did hire a third party that went out and checked for endangered and threatened animals, as well as the plants and wetlands, as per the DEC. They did not find any and there was a report submitted. Schmitt has not walked the site himself but will be doing so. Schmitt said the presence of a wetland doesn't halt the project - they will just need to use certain construction methods.

Stabile asked Gordon about beekeeping on the property. Gordon said he would be happy to speak to a beekeeper about this.

Stabile then opened it up to the board to ask questions.

DiMaria said originally Carson said they would not be planting trees, but now say they will be planting trees on the southeast corner to potentially buffer site lines. DiMaria said he would

February 6, 2023

like a list of the trees they plan on planting. DiMaria said he would also like to see a variety of trees.

Patterson brought up the concern with the toxicity of the panels and melting snow to the soil below. Gordon said he is not familiar with the toxicity of the panels, but he will get some materials to the board to review, but they are primarily made of silicon.

Stabile asked where they are sourced from. Gordon replied that almost all panel manufacturing is done in China or southeast Asian countries. Stabile asked if there was any effort to ensure that non slave trade would be working on them. Gordon replied yes and that he could provide more content on this.

Marsh said that as part of the application Gordon submitted a letter from CPY, which had the environmental due diligence summary, which refers to the field investigation done. Marsh would like the actual report submitted by the biologists who did the field assessment. Gordon replied absolutely.

Hermans asked if the purchase of the property was contingent on the project being approved. Gordon said it is not contingent but there is a purchase option in the structure of the contract. Hermans asked for an overlay of the corn fields that are on the site. Stabile said there is a letter from Ag & Markets in the record with an analysis of the soils. They also confirmed it is not subject to the mitigation fund payment.

Marsh said in the EAF it is checked that no pesticides will be used on site but in the operations and maintenance document with Nexamp it refers to potentially using herbicides for weed control, and could Gordon supply some clarification on that. Gordon replied the intent is not to use any herbicide so he will confirm with Nexamp.

Marsh would like a net calculation of the overall impact of the carbon emissions being saved using solar versus the carbon sequestration being taken away from the trees being taken down.

Stabile asked if they had their plan for the wood taken down yet and Gordon replied they are still working on it.

DiMaria said they should reconsider chipping on site due to the nitrogen imbalance.

February 6, 2023

DiMaria asked if they have changed their original egress from the Central Hudson entrance and Prospect Hill Ext. intersection. Gordon replied correct, they have moved it over to the west. Gordon said the road will be monitored during construction for safety. Stabile asked if they have heard anything back from the state. Redding replied they submitted everything to them and are waiting for their comments back.

Marsh asked about the decommissioning plan; if someone different is the property owner in the future or is it set for the life of the project. Gordon said the short answer is that they can not tell for this project today, but they are assuming a twenty-five-year project lifetime. It could depend on the owner in twenty-five years or if the state has accomplished its renewable energy goals.

Patterson asked if the panels would be replaced in ten years if the technology is better. Gordon said the panels are very expensive and it would have to be a dramatic increase in efficiency.

Marsh said the ag data statement from November 2022 states that each installation is 7.6 megawatts but the EAS has it as 5 megawatts per installation. Gordon said there are two ways to look at the megawatts. The state measures it by alternating current but the size is usually a bit larger for direct current. Marsh asked how many panels are involved. Redding replied it is 12,000 panels per system.

Leanne Fremar said it looks like the town would benefit a million dollars from this project over a twenty-year period and has the town thought of any other way to raise \$50,000 a year over the next twenty years to prevent this project. Stabile said they aren't going to enter into a dialogue but that the pilot program does not deal with the planning board - that will be a negotiation with the town board, the county, and the school district.

Vardan Galardis said he is concerned with how much consideration has really been given regarding the project and what is the best thing for the community. He would like the project to be more transparent and for there to be more of a dialogue.

Jack Meccariello of 394 Schultz Hill Road said he finds it hard to believe that nobody will be able to see this project since it is 24, 000 panels, etc. Meccariello manages Sugar Hill Farm and says this will be the most viewed area of the project since

February 6, 2023

their fence borders it. Meccariello is also concerned with the toxicity of the panels.

Stabile said the solar law requires nonreflecting panels.

Jim Smith then spoke as John Forelle again and said he is concerned where the 6- or 7-foot fence would be located. When will the conservation easement over the unused land be granted and to which conservancy. Which acres of forest will be clear cut. How will the applicant ascertain that the panels not be seen from any property or road be verified. Forelle is concerned with the inexperience of Carson Power. Forelle asked that the board not rush into this He would like to know how the project is being financed and what happens if Carson Power goes out of business. He think the decommissioning plan makes no sense.

Michael Goldman of 426 Tripp Road said he is concerned about being able to see the solar panels over the valley. He is also concerned with the cutting of the trees and thinks it should be monitored. He is also concerned with the planting of trees since it will take years for them to grow. He is concerned about the pilot program. Goldman would like it explained why the project needs to be next to a substation. Goldman would like to know if this project is approved what does that mean down the road with setting precedence.

Pavan Gattani said he wanted to let the board know he appreciates what they are doing for the community as a whole and there are no right or wrong decisions at this meeting. Gattani said 24,000 panels is a huge amount of panels. Gattani also thinks if the panels are coming from China there is no guarantee they will arrive in the time period the project specifies. Gattani wants to know if Carson is willing to use American made products. Gattani wants to know if a cost benefit analysis has ever done in terms of disposal of the panels. Gattani thinks the board should consider other technologies and companies.

Jane Waters said in terms of the bats has anyone marked how many shag bark hickory trees are on the property since they utilize this tree for nests. Waters was also concerned if Carson-Power was aware that Pine Plains has black bears and hopes the fence will be bear proofed.

Marsh asked what sort of fence would be used. Gordon said it will be an agricultural fence. Marsh asked if the migration of

February 6, 2023

animals through that fenced area had been considered. Redding replied there would be a gap at the bottom.

Eric Galliher of 387 Skunks Misery Road said he echoes his neighbors who are opposed to the project at face value as proposed today. He thinks there are a lot of valid concerns. He understands the need for renewable power projects but feels it is most effectively utilized at the user level, i.e. solar panels on an individual's roof. He is concerned that Carson Power will cease to exist if the incentives go away.

Stabile said the public hearing will remain open and continued at another time. Stabile asked for a motion, motion by Soracco, second by DiMaria, all in favor, motion carried.

Meeting adjourned.

Respectfully submitted by:

Tricia Devine

Michael Stabile