

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Dale Warner, Town Planner
Melissa Deffer, Clerk
Terresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Michael Santulli, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

RECEIVED

Town of Duanesburg
Planning Board Minutes
December 16th, 2021
Final Copy

MAR 07 2022

TOWN OF DUANESBURG
TOWN CLERK

MEMBERS PRESENT: Jeffery Schmitt Chairman, Michael Harris Vice Chairman, Elizabeth Novak-VIA zoom, Joshua Houghton, Michael Santulli, Matthew Hoffman, Michael Walpole, Planning Board Attorney Terresa Bakner, Town Planer Dale Warner and Clerk Melissa Deffer.

INTRODUCTION: Chairman Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting. Schmitt asked for the board to introduce themselves to the public: Jeff Schmitt- Chairman, Elizabeth Novak- Planning Board Member, Terresa Bakner- Legal Counsel for the Planning Board, Mike Walpole- Planning Board Member, Matt Hoffman- Planning Board Member, Josh Houghton- Planning Board Member, Mike Santulli- Planning Board Member, Mike Harris- Vice Chairperson, Dale Warner- Town Planner and Melissa Deffer-Planning Board Clerk.

OPEN FORUM:

Schmitt/Hoffman made a motion to open the open forum at 7:03 pm.

Schmitt yes, Hoffman yes, Walpole yes, Houghton yes, Santulli yes, Harris yes, Novak yes.

Approved.

Lynne Bruning located at 13388 Duanesburg Rd (**Please see attachment**)
Board Counsel stated that no new solar project applications have been submitted to the Planning Board and any solar projects subject to 94C would go first to the State Offices of Renewable Energy Siting rather than to the Town.

Patrick Wren located at 9866 Western Turnpike wanted to update the board that nothing has changed at the Wishy Wash car wash and since the last meeting a truck was parked overnight twice that they have noticed.

Town Planner explained that he has gone up to the property to talk to Spiro about the drainage issues and putting a gate up. The original gates are on back order, Spiro is going to order a smaller size gate to use until the bigger gate can be delivered. The Signs are up, and the music was told to Spiro that was an issue and he agreed to turn the sound down. Town Attorney talked to the applicant's attorney Donald Zee and shared with him all the concerns that the Board has

brought up and they are aware of the issues and the only option at this point is to come back before the Planning Board to have the project reviewed again. Heidi Chilton located at 9848 Western Turnpike is still concerned with the amount of water on the back of her property that was never there before.

Schmitt/Santulli made a motion to close the open forum at 7:20 pm.

Schmitt yes, Santulli yes, Harris yes, Novak yes, Hoffman yes, Walpole yes, Houghton yes.
Approved.

PUBLIC HEARINGS:

#21-03 Sisson, Joe and Debbie: SBL#52.00-1-41, (R-2) located at Braman Corners Rd is seeking a 3 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Schmitt/Hoffman made a motion to open the public hearing for the **#21-03 Sisson, Joe and Debbie** application.

Schmitt yes, Hoffman yes, Walpole yes, Houghton yes, Santulli yes, Harris yes, Novak yes.
Approved.

Mr. Sisson gave his presentation to the public.

No Public Comment Was Made.

Schmitt/Novak made a motion to close the public hearing for the **#21-03 Sisson, Joe and Debbie** application.

Schmitt yes, Novak yes, Harris yes, Santulli yes, Houghton yes, Walpole yes, Hoffman yes.
Approved.

Novak/Walpole made a motion to reaffirm the preliminary SEQRA findings of a negative impact declaration for the **#21-03 Sisson, Joe and Debbie** application.

Novak yes, Walpole yes, Houghton yes, Santulli yes, Harris yes, Schmitt yes, Hoffman yes.
Approved.

Harris/Houghton made a motion to approve the 3 lot major subdivision for application of **#21-03 Sisson, Joe and Debbie** with a condition of a DOT driveway permit be obtained.

Harris yes, Houghton yes, Santulli yes, Novak yes, Schmitt yes, Hoffman yes, Walpole yes.
Approved.

NEW BUSINESS:

#21-21 Serth, Joseph: SBL# 35.05-1-19.2, (R-1) located at 8496 Mariaville Rd is seeking a Special Use Permit for use for an event venue under Local Law #1 2021 of the Town of Duanesburg Zoning Ordinance. Mr. Serth explained that he recently rebuilt a preexisting 150-year-old barn and would like to use it for commercial weddings, Graduation parties, and other events. Joe does not plan on making any physical changes to the property. Currently on the property there are 7 asphalt parking spots and 2 gravel parking spots for anyone who needs handicap accessibility. Joe does not plan to have porta johns for bathrooms, he is going to open the apartment up for bathroom facilities. For the next meeting the Board would like to have the following:

1. A traffic study
2. Site plan

3. A revised copy of the FEAF with the changes to the total acreage, Page 5 C and D are a yes, top of page 10, check yes, there is a daycare down the road.
4. Obtain any permits needed from the department of health, Schenectady County planning and DPW.
5. A sign off from the local fire departments chief for driveway
6. Neighbor signoff stating Mr. Serth can use the driveway for emergency services if needed.

Santulli/Harris made a motion to table the #21-21 Serth, Joseph application until January 20th, 2022, meeting.

Santulli yes, Harris yes, Houghton yes, Walpole yes, Hoffman yes, Schmitt yes, Novak yes.
Approved.

#21-16 Kirker, Richard: SBL#65.00-1-31.131, (R-2) located at 696 Gage Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Project Manager John Hitchcock, Jr from ABD Engineers, LLP represent Mr. Richard Kirker. John explained that Mr. Kirker is purposing a 2-lot subdivision. Lot one to the North of the property will be 10.7 acre. Lot 2 will be 5.61 acres. Last meeting the Board asked for an agreement and a turn around on the drawings. John explained he forwarded on the agreement to their lawyers and put a turn around on the drawings. The Board would like for the next meeting the following:

1. A copy of the easement for the driveways
2. The Variance approval

Novak/Santulli made a motion to declare the preliminary SEQRA determination for the #21-16 Kirker, Richard application. **(Please See Attachment)**

Novak yes, Santulli yes, Harris yes, Schmitt yes, Hoffman yes, Walpole yes, Houghton yes.
Approved.

Houghton/Walpole made a motion to set a public hearing on January 20th, 2022, for the application of #21-16 Kirker, Richard.

Houghton yes, Walpole yes, Hoffman yes, Schmitt yes, Novak yes, Harris yes, Santulli yes.
Approved.

#21-18 Armstrong, Glenn: SBL#44.00-1-12, (R-2) located at 2663 Duanesburg Churches Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. David Bogardus from the Northeast Land Survey & Land Development Consultants, P.C. representing the Armstrong estate. At the November meeting the Board asked for Mr. Romeo to provide a title search of the reservoir which showed the Village of Delanson owns the whole reservoir and the property line goes around the body of water. Mr. Bogardus also included the fire and school district on the new map.

Harris/Santulli made a motion that the proposed action is a type 2 action under SEQRA and that Planning board determines that the proposed action neither creates nor increases any significant planning issues with respect to the existing or potential future use of any involved parcels, that only one additional lot will be created as a result of the proposed action. The Planning Board declares the proposed action to be further exempt from any further subdivision review pursuant

to this article and refers the application to the Code Enforcement Officer to complete administration of the same.

Harris yes, Santulli yes, Houghton yes, Walpole yes, Hoffman yes, Schmitt yes, Novak yes.
Approved.

#21-14 Tazin, Sergei: SBL# 52.00-1-20.12, (R-2) located at State Route 30 is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Mrs. Tazin explained that she and her husband would like to subdivide the land because the neighbor John Orlop would like to buy the land surrounding his property. Irina reached out to Mr. Orlop and he has decided to keep the land two separate parcels. The Town Planner has received a sign off from SHPO.

Harris/Santulli made a motion to table the **#21-14 Tazin, Sergei** application until January 20th, 2022, meeting.

Harris yes, Santulli yes, Houghton yes, Walpole yes, Hoffman yes, Schmitt yes, Novak yes.
Approved.

OLD BUSINESS:

#21-13 Obour, Jules: SBL# 74.00-2-9, (R-2) located at 13998 Duanesburg Rd is seeking a Special Use Permit for use of motor vehicle sales under Local Law #6 2017 of the Town of Duanesburg Zoning Ordinance Section 8.4(18). Attorney Gerald Dwyer is representing Mr. Obour. Jules does not want to do repairs to any vehicles, he will only be selling 1-2 cars will be on the property at a given time. If there is any work that needs to be done, he will outsource it because Mr. Jules does not want to do repairs. Mr. Dwyer has revised the EAF as requested by the Board, Board Member Walpole stated when he did a drive by of the property there was more than 2 vehicles already on the site along with a couple skid steers. For the next meeting the board would like the following:

1. Town Code Enforcement to go to the site and do an inspection of the property and note all his findings.
2. Board counsel to draw a resolution for the applicant

Harris/Walpole made a motion to table the **#21-13 Obour, Jules** application until January 20th, 2022, meeting.

Harris yes, Walpole yes, Houghton yes, Santulli yes, Novak yes, Schmitt yes, Hoffman yes.
Approved.

The amendment of application **#19-12 Murray, Richard/Eden Renewables:** SBL#74.00-2-5, (R-2) located at 13590 Duanesburg Rd is seeking an amendment to an existing special use permit under local law #1-2016 of the solar energy facilities law and section 14.6.2.5 of the Town of Duanesburg Zoning Ordinance.

Bill Pederson a representative from AMP introduced himself and explained that since the November meeting AMP has had a perc test done and the findings were not what they expected. The SWPPP will be revised and resubmitted as there will be a small change made to the infiltration trenches, they will most likely be swales. Before they can be sure the swales will work, they must run the calculations to see if they will work. A revised document will be sent to

Prime AE as soon as AMP can. The Town is still waiting for Paul Rogers to send in the escrow for the annual training for the fire protection. For the next meeting the Board would like to have:

1. Paul Rogers proposal for the training- Chairman Schmitt agreed to reach out to Paul
2. The revised SWPPP

Schmitt/Harris made a motion to table the amendment of application **#19-12 Murray, Richard/Eden Renewables** until January 20th, 2022, meeting.

Schmitt yes, Harris yes, Santulli yes, Houghton yes, Walpole yes, Hoffman yes, Novak yes.
Approved.

SKETCH PLAN REVIEW:

None

OTHER:

Chairman Schmitt would like to recommend that the Town Attorney write a letter to Spiro Kagas and his attorney Donald Zee outlining the Planning Boards concerns with the implementation of the approved plans. Also, the screening does not comply with the requirements of 13.2.4.

Schmitt/Hoffman made a motion to have a letter sent to Mr. Kagas asking him to come to the January 20th, 2022, Planning Board meeting with the intentions of amending his current Special Use Permit.

Schmitt yes, Hoffman yes, Walpole yes, Houghton yes, Santulli yes, Harris yes, Novak yes.
Approved.

MINUTES APPROVAL:

Harris/Santulli made the motion to approve November 18th, 2021, Planning Board minutes with no corrections but would like the clerk to start bulleting what the applicant needs for the next meeting.

Harris yes, Santulli yes, Houghton yes, Walpole yes, Hoffman yes, Schmitt yes, Novak yes.
Approved.

ADJOURNMENT:

Walpole/Houghton made the motion to adjourn at 8:50 pm.

Walpole yes, Houghton yes, Santulli yes, Harris yes, Novak yes, Schmitt yes, Hoffman yes.
Approved.

Melissa Deffer

From: lynne bruning <lynnebruning@gmail.com>
Sent: Thursday, December 16, 2021 7:14 PM
To: Melissa Deffer
Subject: December 16 2021 Planning Board privilege of the floor

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include my comments in the planning board meeting minutes as posted on the Town website.

Please confirm receipt of this email to lynnebruning@gmail.com

At the November planning board meeting Mr. Wren presented a slideshow of color images concerning Possible contaminants at the retention pond for the car wash. The draft meeting minutes included black and white images that were essentially illegible and did not convey any of Mr Wrens information. I submitted a letter requesting that the draft minutes include color images. Within 24 hours the minutes were re-posted with color images. It's important that the minutes accurately convey with the residents, developers and members say and present at the meeting. The more transparent and accountable the town is when reviewing planning projects the better those projects will be for the entire town.

NYCERDAs website indicates that there is an application for a 94C state mandated 20MWac solar project on Humphreys Road. Has the developer approach the planning board? When might the residents expect the developer to provide a public information session?

Thank you for your time and consideration.

Respectfully,

Lynne Bruning
720-272-0956
lynnebruning@gmail.com

PO Box 160
Quaker Street, NY 12141

Town Board
Planning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Transmitted via email jhowe@duanesburg.net, mdeffer@duanesburg.net

December 16, 2021

RE: 2021 Application the Oak Hill Solar southern Project boundary is 800 feet north of Duanesburg Road. In 2019 it was 1,500 feet another of Duanesburg Road. The Project is significantly changed its foot print.

Dear Supervisor Tidball and Chairman Schmitt,

The November 19, 2021 Full Environmental Assessment Form Part 3 included in the December 16, 2021 Planning Board Meeting Agenda was posted to the town website on December 15, 2021.

Paragraph one states that the Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC (the "Project") is approximately "800 feet from Duanesburg Road, Route 7".

The 2019 Application includes a letter from EDP to the Board dated March 11, 2019. The "Plans" section item number 6 states that the project is 1,500 ft north of Route 7 and 1,600 ft from the nearest neighboring home. Exhibit A

The 2021 Amended Application reflects that the Project is 700 feet closer to Duanesburg Road than as presented to the Board and residents in 2019. It appears that the 2021 Project will span the entire 2,000 feet western property line of Biggs's parcel tax id 74.00-3-18 from north to south. This is not what was presented to the town, board, residents or taxpayers in the 2019 marketing renderings, visual impact analysis and 2019 site plan sheets 1 through 11. Exhibit B

It appears that the November 12, 2021 construction plans Revision E and the 2021 visual analysis may also be misleading and misrepresent the Project's southern boundary and fence line.

Additionally, the March 11, 2019 letter erroneously states that the Project is 1,600 feet from the nearest home. According to the November 19, 2021 FEAF Part 3 placing the Project just 800 feet

north of Duanesburg Road the Project's 14.5 feet tall solar array may be 600 feet directly west of the Biggs home, which is the most south west structure on parcel tax id 74.00-3-18.

The 2021 Project appears to be significantly different from what was reviewed and approved at the September 19, 2019 planning board meeting. The fenced area foot print is significantly increased in size and is now more than 8,200 linear feet. The Project site does not provide any existing evergreen screening along the entire 2,000 feet long eastern property line shared with the Biggs. The approved June 2021 Visual Maintenance Agreement to provide evergreen screening along 1,600 feet eastern property line north to south appears not to be filed with the Schenectady County Clerk as required. Screening along 1,600 feet appears to be inadequate to protect the Biggs, and any future property owner, use, enjoyment and future development of the property from the towering array and noisy electrical equipment.

Since 2019 the Applicant has presented a site plan and renderings that showed their Project's proposed boundary and southern fence line to be approximately 1,500 feet north of Duanesburg Road. The September 19, 2019 site plan sheets 1 through 11 as well as the Project's November 12, 2021 construction drawings sheets 1 through 29 reflect that the Project's southern fence line to be in-line with Biggs' pond. Exhibit C.

The Schenectady County SIMS website reflects the 2021 Application distance of 800 feet from Duanesburg Road (Route 7) to the north along the Project's eastern property line. This location is essentially the intersection point of Biggs' southern parcel tax id 74.00-3-16.3, Biggs northern parcel tax id 74.00-3-18, and Oak Hill Solar 2, LLC parcel tax id 74.00-2-5.1. This point is approximately 585 feet from Biggs home which is the most south western structure on parcel tax id 74.00-3-18. Exhibit D.

There are two different sets of "November 12, 2021 Revision E" uploaded to Amp drop box. Biggs and Bruning requested that the Applicant provide GPS coordinates for the Project's fence corner posts. Both sets of construction drawings provide two numbers near each corner fence post. These numbers do not appear to match any GPS coordinates. In November I submitted a detailed letter concerning these number and requested clarification of GPS coordinates. I was not provided a response or any additional information.

It is likely that the Project's location, height and noise and lack of evergreen screening 600 feet west of the Biggs' second story windows will likely diminish the property's value.

Furthermore, in July and August 2021 the Applicant indicated that an additional 9 acres of forest would need to be removed. The Applicant was informed of the town solar law which restricts clear cutting to 20,000 square feet. The October 2021 SWPPP indicated 4 acres to be clear cut. During the public hearings in July, August and September 2019 neighbors raised concerns that the Applicant clear cut acres upon acres of forest while SEQRA was in effect in 2018 and 2019. A satellite image from October 2018 to June 2019 appears to show acres of forest removed and possible storm water damage. Exhibit E

During review of the Amendment in 2021 neighbors raised concerns of the likelihood that the Applicant may remove more mature growth forest. This should not be permitted.

Amps 2021 Amendment is significantly different in foot print size and scope than what was presented by Eden in 2019. Oak Hill Solar's impact upon the Biggs' residence is significant. It appears that the Applicant misrepresented their Project to the Board and has mislead the town and residents. There appears to be a pattern of errors, omissions and misrepresentations. When the Applicant is given the opportunity to correct the drawings and respectfully engage with the neighbors they continue to mislead and misrepresent their Project. I request that the Board deny the entire Project and request the Applicant to resubmit the Project so that the paperwork is accurate and transparent.

Kicking the can down the road allows the errors, omissions to snowball and may present more costly remedies for the town and taxpayers in years to come.

Thank you for your time and consideration.

Lynne Bruning

Susan Biggs

720-272-0956

lynnebruning@gmail.com

Enc: Exhibits A through E



**ENVIRONMENTAL DESIGN
PARTNERSHIP, LLP.**

Shaping the physical environment

900 Route 146 Clifton Park, NY 12065
(P) 518.371.7621 (F) 518.371.9540 edpllp.com

March 11, 2019

Mr. Phillip Sexton
Planning Board Chairman

Town of Duanesburg
Planning and Zoning Office
5853 Western Turnpike
Duanesburg, NY 12056

Regarding: Eden Renewables
Oak Hill Solar Projects 1&2
Duanesburg Road

Dear Mr. Sexton:

We are in receipt of a review letter by Mr. Doug Cole of PrimeAE for the referenced project, dated September 11, 2018 and offer the following comments and additional submittal documents.

FEAF

1. In the submitted FEAF, there are several questions that are unanswered....
An updated FEAF has been provided and is enclosed.
2. In item E.1.b., there is no acreage listed for wetlands on the land uses and cover types for the project site.
The Applicant will complete a full wetland delineation as the weather permits in the spring. If wetlands are determined to be present any disturbance will be fully permitted with the Army Corp of Engineers.

Plans

1. The wetlands that are mentioned in the FEAF are not shown on the conceptual site plan. Therefore, it cannot be determined if the solar arrays and access road on the site have been situated to avoid wetland disturbance. We recommend that a new site plan be submitted showing the wetland locations and any wetland mitigation that will need to be completed.
As noted above, the Applicant will complete a full wetland delineation as the weather permits in the spring. If wetlands are determined to be present any disturbance will be fully permitted with the Army Corp of Engineers.
2. The Site Plan shows that the electrical and control equipment is enclosed within a chain link fence. However, the height of the fence is not shown on the drawing. Confirmation that the proposed fence is six feet tall, as required by the Solar Law, will be needed.
The Applicant is proposing the use of a livestock style fence with a height of 6 ft as shown on the updated Site Plan. Additionally, the use of a livestock style fence has been requested by neighboring land owner.
3. Details of the proposed warning signs need to be provided, as well as showing the proposed locations on the Site Plan.
Proposed locations of warning signs have been shown on the Site Plan. Applicant is in the

process of obtaining details for the signs, once they are received, they will be added to the plans.

4. The proposed gravel access road is shown on the Site Plan; however, the width is not labeled. The design of the access road should be confirmed with the design engineer to meet the minimum requirements for firefighting equipment and the width stated on the plans.

The Applicant is proposing a 12 ft wide access road as noted on the updated Site Plan.

5. The height of the solar panels cannot be determined since a detail was not submitted. We suggest that a solar panel detail be submitted to ensure that they are less than the 20 ft maximum height permitted. The solar panels are proposed at a height of 7.75 ft; a detail as been provided within the updated Site Plan.

6. We suggest that a visual impact plan be submitted to ensure that the minimum twenty-five-foot perimeter buffer, consisting of natural and undisturbed vegetation, will be provided around all mechanical equipment and solar panels as required by the Solar Law.

The solar array is proposed to be installed nearly 1,500 ft north of Route 7 and 1,600 ft from the nearest neighboring home with substantial existing vegetation existing between the field and nearest visual receptors.

7. The completed Oak Hill Solar 1 project is stated to cover 45.71 acres of the 97.24 acre parcel, which equates to approximately 47% lot coverage. This is below the allowable 60% lot coverage.

The Oak Hill Solar 1 project will cover 32.2 acres and the parcel size will be 87.4 acres or 36.8 % lot coverage.

8. The completed Oak Hill Solar 2 project is stated to cover 45.63 acres of the 87.18 acre parcel, which equates to approximately 52.4% lot coverage. This is below the allowable 60% lot coverage.

The Oak Hill Solar 2 project will cover 33 acres and the parcel size will be 105.2 acres or 31.4 % lot coverage.

9. The required 100' setback line is shown on the plans from the neighboring residential parcels with Tax ID's 74.00-3-16.121 and 74.00-3-18 and no construction is shown in this area. However, the setback around the neighboring residential parcel with Tax ID 74.00-2-6 is only shown to be 40 ft. As required by the Solar Law, this setback needs to be increased to 100 ft.

The setback has been increased to 100 ft on the revised Site Plan.

10. The plans do not show the inverter locations on the site. We suggest that these locations be shown on resubmitted plans and that a Project Narrative be submitted which states the decibel level expected from this equipment and the distance it will be from neighboring residences.

The inverter locations have been shown on the revised Site Plan. Information from the proposed transformer equipment supplier indicates anticipated peak NEMA TR-1 noise levels of 62 db. Based on propose equipment layout for the solar fields we anticipate that the transformers will be situated 140 feet or more from any property line. Given the operational noise level of 62 db and separation distance to the property line, transformer noise levels will be attenuated to approximately 19 db at 140 feet. Typical background noise for "quiet rural areas" is reported as 30 db; the proposed transformers will have no discernable impact on noise levels at the property line.

SWPPP

1. A SWPPP was not provided for review. Since the applicant has stated in FEAF Item D.1.b.b. that 115+/- acres are planned to be disturbed, a full SWPPP is triggered since the area disturbed is greater than 1 acre. We would suggest that the applicant provide a full SWPPP for review.
While the project footprint covers on the order of 65 acres, the actual acreage considered disturbed pursuant to NYSDEC Stormwater guidance is 0.96 acres. The FEAF has been updated to reflect this acreage and because disturbance is under 1.0 acres, a SWPPP is not required.

Decommissioning Plan

1. A written Decommissioning Plan has been submitted which details the proposed removal of solar energy system components at site restoration. A drawing of the proposed decommissioning work should be provided so that a future contractor will know what is required to properly remove equipment and restore the property to its predevelopment condition. This would be especially important if the Town must utilize the decommissioning fund to complete the work.
Upon review of this comment and conversations between Eden and the Town Engineer it has been determined that a drawing is not necessary if decommissioning work has been explained effectively in the Decommissioning Plan. Furthermore, it has been determined the activities performed on site in the Decommissioning process would be difficult to effectively portray on in a drawing set.
2. An itemized breakdown of decommissioning costs, including estimated salvage value, should also be provided so that we can review and verify these costs. A decommissioning fund will also need to be provided with either a surety bond or an irrevocable standby Letter of Credit.
An itemized breakdown of decommissioning costs as well as a surety bond form has been provided in the Decommissioning Plan.

The application has been revised to include a site plan, a two (2) lot Minor Subdivision and a lot line adjustment of the existing parcel that allows both the Oak Hill solar 1 and Oak Hill solar 2 project to proceed in conformance with the allowable lot coverage. In support of the revised application, enclosed please find the following information, prepared on behalf of Eden Renewables, for a two (2) 5 MW photovoltaic solar array located on Duanesburg Road.

- 2 full size and 10 reductions of the proposed plan sheets including
 - Lot Line Adjustment Plan
 - Minor Subdivision Plan
 - Site Plan
- 12 copies of revised subdivision application
- 12 copies of revised Site / Sketch Development Plan Application
- 12 copies of a revised Full Environmental Assessment Form
- 12 copies of a decommissioning plan

Mr. Phillip Sexton
March 11, 2019

ENVIRONMENTAL DESIGN PARTNERSHIP, LLP.
Shaping the physical environment

Please do not hesitate to contact our office if you have any questions or require additional information.

Sincerely,

Travis J. Mitchell, P.E.
Environmental Design Partnership

cc: Giovanni Maruca, Applicant (via email)



**EDEN
RENEWABLES**

EDUCATIONAL BENEFITS

We organise trips to the solar farm so children from local schools can learn about science, technology and energy generation.



SECURITY

Traditional rural fencing and discreet CCTV cameras will be used around the perimeter of the site to maintain security.



WILDFLOWER MEADOWS

The land around and beneath the solar panels will be sown with native wildflowers and grasses to support habitats for bees and other pollinators.



EXISTING TREES

The site is surrounded by mature trees and forestry, which screens it effectively from public view as well as providing important wildlife habitats.



BEEHIVES

Beehives on the solar farm will provide pollination services to support local farmers and agriculture.



BIRD AND BAT BOXES

These will be located around the perimeter of the site to encourage bats to roost and birds to nest.



Biggs Pond
Omitted



SHEEP GRAZING

The land around the solar panels will be maintained where economically feasible by sheep grazing in autumn, after the meadows have seeded, to keep land in food production.

Biggs House Omitted



Biggs Driveway
is 800 feet

SOLAR PANELS

The panel arrays are single axis trackers and will generate enough clean power for the equivalent of over 1,225 homes

OAK HILL SOLAR FARMS NEW YORK



Exhibit B 2019 Application for Oak Hill Solar Special Use Permit

PROPOSED COMMUNITY SOLAR FARMS AT OAK HILL FARM



DESIGN

- The land will continue in agricultural use, with sheep grazing between the panels.
- Panels cover 30% of the total site area, but only 5% is disturbed by the actual footprint.
- The site is bounded on all sides by existing woodland, bushes and hedges, which screens it effectively. New hedges will be planted to further enhance the screening.
- The land is average agricultural value and is currently farmed with a mix of crops and hay. We are developing a Landscape and Ecological Management Plan, which will substantially improve the ecology over the lifetime of the park.
- The existing field boundary woodland and grassland habitats will be retained and protected. They will be complemented by sowing an appropriate native grass and wildflower mix around the panels improving the biodiversity potential of the land and creating a pollinator-friendly habitat for birds, bees and butterflies.

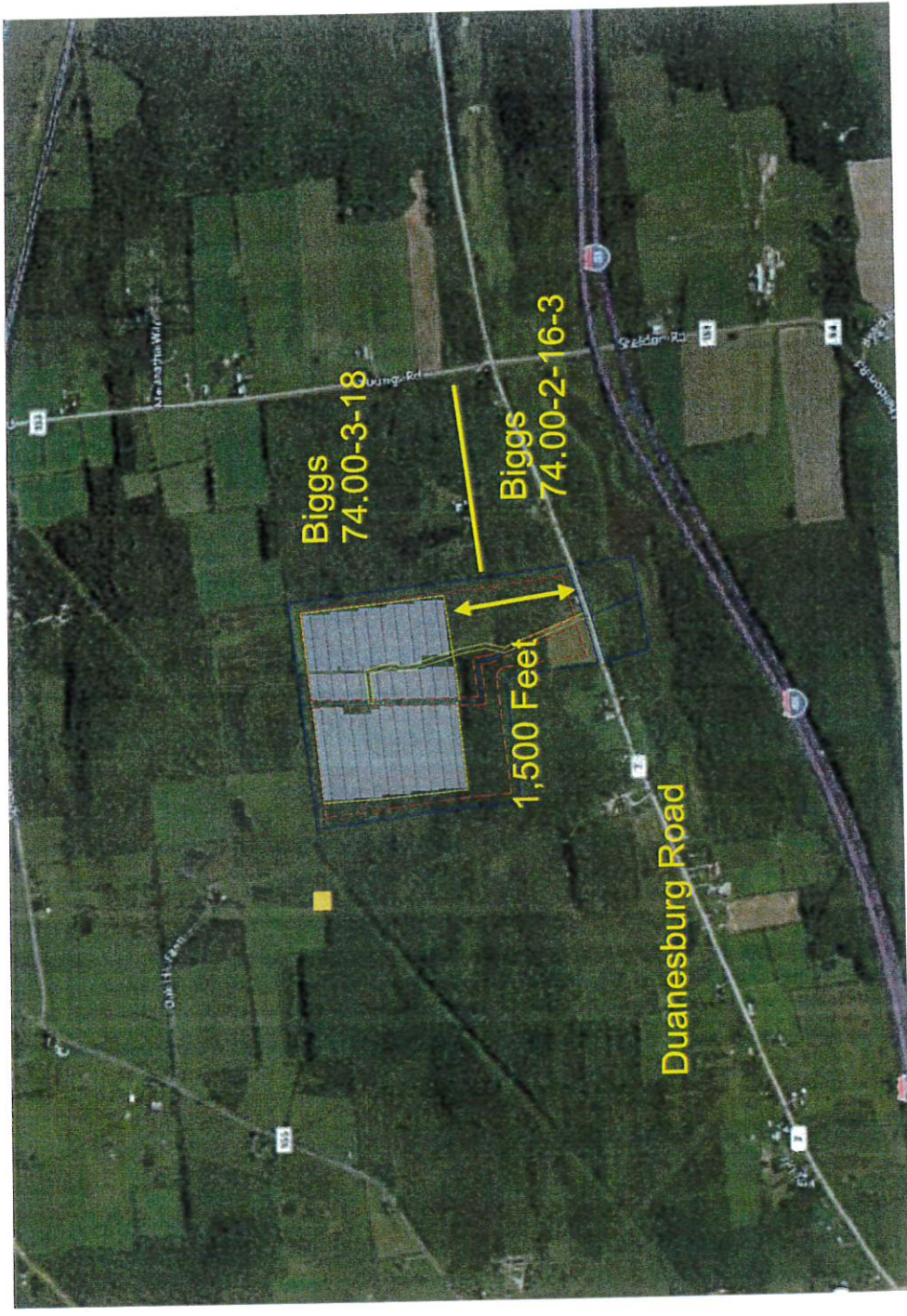
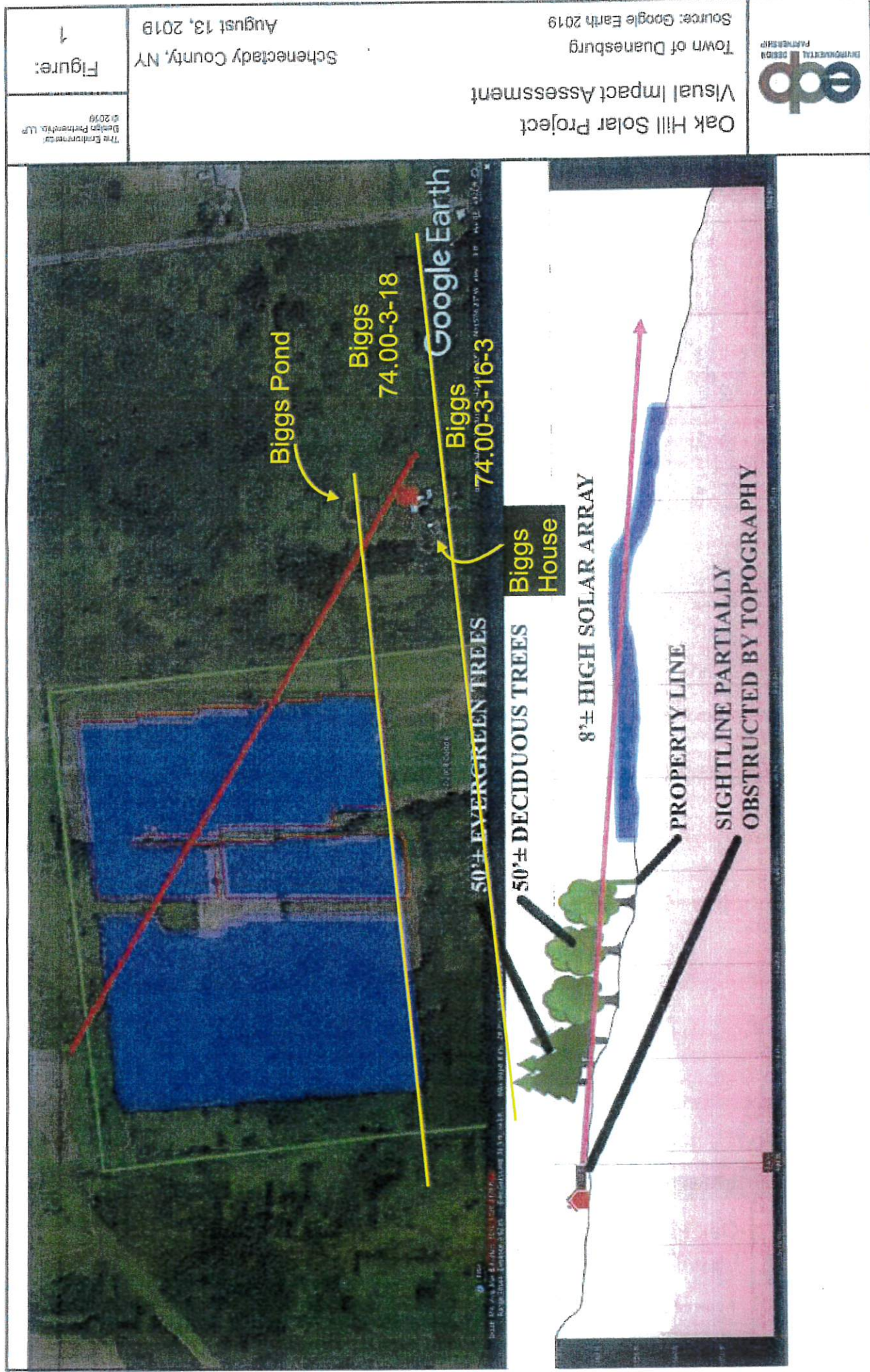


Exhibit B 2019 Application for Oak Hill Solar Special Use Permit



Biggs parcel 74.00-3-16-3

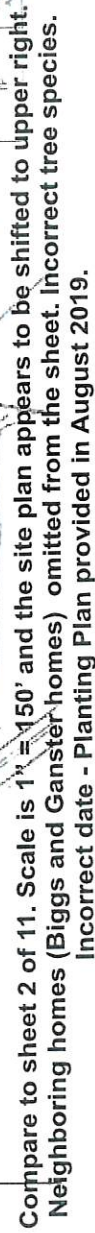


Exhibit C
2019 Applicant measurements to Projects southern boundary

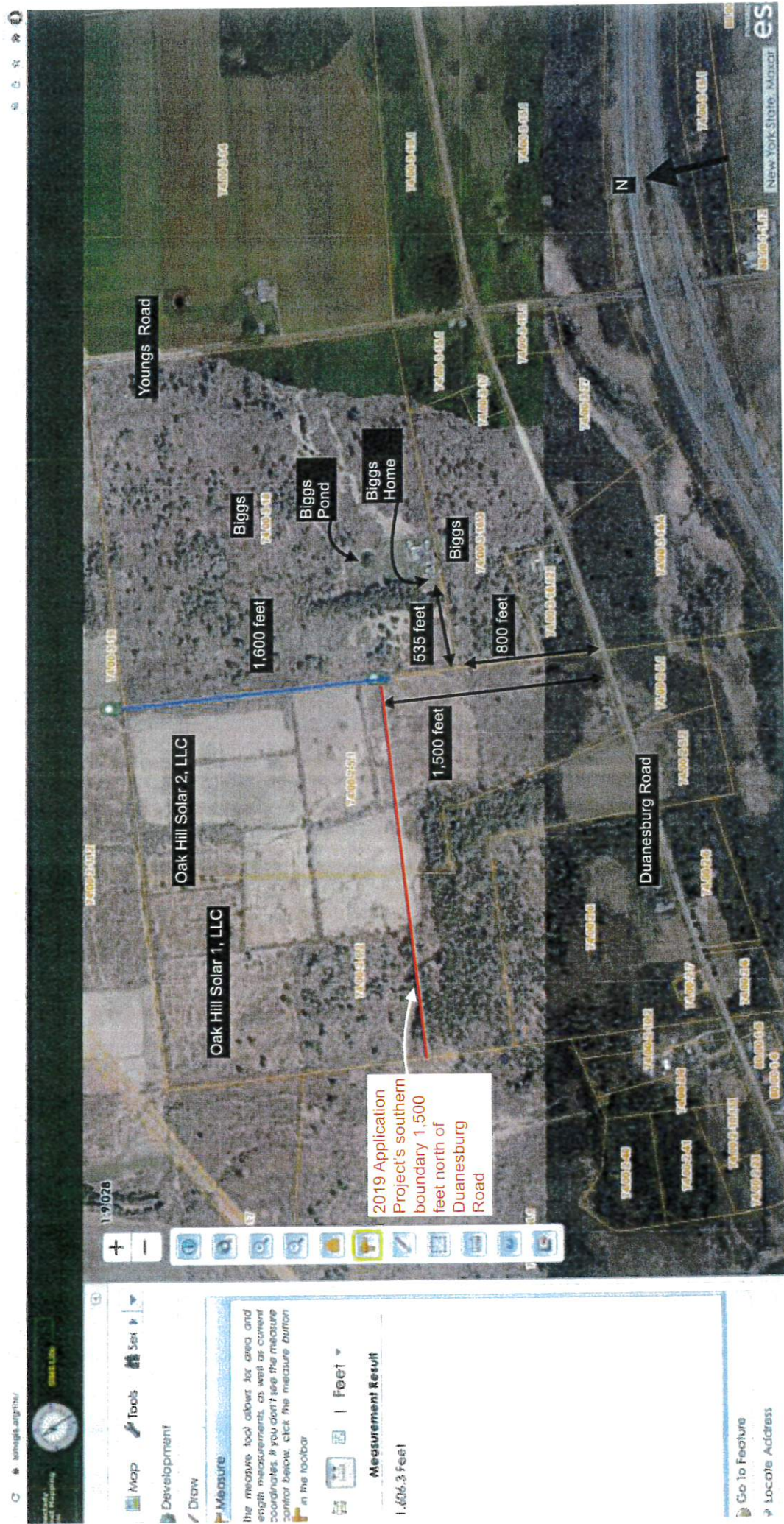


Exhibit D: 2021 Application
Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC according to FEAF
Part 3 dated November 19, 2021 found in the December 16, 2021
Planning Board Agenda

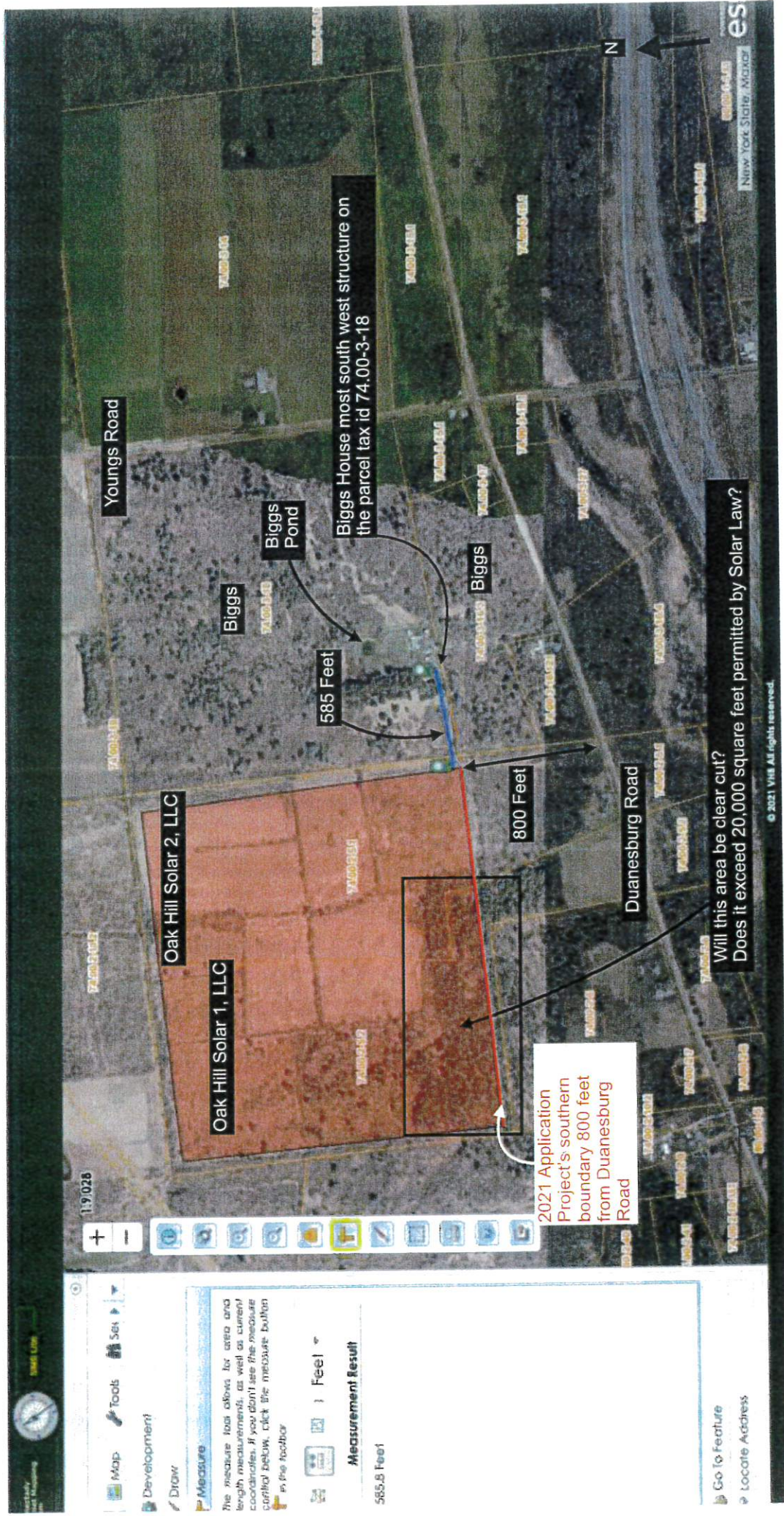


Exhibit E



Short Environmental Assessment Form **Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town of Duanesburg Planning Board has completed an environment assessment of the proposed minor subdivision consisting of two lots. Lot #1 consisting of 10.7 acres with 43.46' road frontage (variance required) and Lot #2 consisting of 5.61 acres with 60' road frontage. The proposed subdivision is consistent with the Town Comprehensive Plan and compliant with the Zoning Ordinance for the R-2 Agricultural Residential Zoning District. There is anticipated construction of single family dwellings on each lot. The proposed action will have little or no effect on the existing character of the community with no aesthetic impacts anticipated. The proposed action will not have an impact on the environmental characteristics that would cause the establishment of a Critical Environmental Area. The proposed action will have little or no impact or any adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action will have little or no impact on energy usage. Any construction will require a well to be drilled and a permit from Schenectady County Health Department for a Septic System. The Parcels are not listed on the National Register of Historic Places and have no known archaeological sites. The subdivision is not within a 100 year flood plain or remediation site. The proposed action should not increase any potential erosion or flooding, future construction will have limited disturbance, include appropriate stormwater controls. NYSDEC has records of rare, threatened and endangered species, primarily the Northern Long Eared Bats have been identified. Any tree removal activities must occur between October 31st and March 31st. If these dates can not be accommodated, an on-site assessment by the DEC staff will be required. The proposed action should not create a hazard to environmental resources or human health.

Therefore, based on this information, the Planning Board has determined that the proposed Minor Subdivision will not have any significant adverse impacts on the environment and a Negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Duanesburg Planning Board

 Name of Lead Agency

Jeffrey Schmitt

 Print or Type Name of Responsible Officer in Lead Agency

 Signature of Responsible Officer in Lead Agency

 Date

 Chairman

 Title of Responsible Officer

 Signature of Preparer (if different from Responsible Officer)

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OCT 27 2021



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