

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

AUG 29 2022

TOWN OF DUANESBURG
TOWN CLERK

Town of Duanesburg
Planning Board Minutes
July 21st, 2022
Final Copy

MEMBERS PRESENT: Jeffery Schmitt- Chairperson, Michael Harris-Vice Chairperson, Joshua Houghton, Michael Santulli, Michael Walpole, Planning Board Attorney Terresa Bakner, Town Planer Dale Warner, and Clerk Melissa Deffer.

INTRODUCTION: Chairperson 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, Mike Santulli- Planning Board Member, Terresa Bakner- Legal Counsel for the Planning Board, Mike Walpole- Planning Board Member, Josh Houghton- Planning Board, Mike Harris- Vice Chairperson, Dale Warner- Town Planner, Melissa Deffer- Planning Board Clerk.

OPEN FORUM:

Schmitt/Houghton made a motion to open the open forum.

Schmitt yes, Houghton yes, Harris yes, Santulli yes, Walpole yes. **Approved.**

James Segreue located at 274 Batter St. (**Please See Attachment**)

Chairperson Schmitt explained that the open forum is strictly for items that are not on the agenda.

Jeffery Cohen located at 578 Spring Rd is extremely opposed to the Serth application as well for multiple reasons such as safety, traffic, noise, sanitary, parking, and quality of life.

Chairperson Schmitt explained that the Serth application is on the agenda for tonight's meeting, if there is anyone else who would like to speak to please keep it to items that will not be discussed later in the meeting.

Lynne Bruning located at 13388 Duanesburg Rd (**Please See Attachment**)

Schmitt/Harris made a motion to close the open forum.

Schmitt yes, Harris yes, Houghton yes, Walpole yes, Santulli yes. **Approved.**

PUBLIC HEARINGS:

None

NEW BUSINESS:

#22-09 Dunnsville Rod and Gun Club: SBL#68.00-1-14, (C-1) located at 3081 Western Turnpike is seeking a Lot line Adjustment under Local Law #2 of 2017 of the Town of Duanesburg Subdivision Ordinance. Rick Peterson is representing Dunnsville Rod and Gun Club. The Town of Duanesburg ZBA has Granted a 30ft road frontage variance to meet the requirements for a flag lot under section 3.5.93(B); section 14.5.2(B) of the Town of Duanesburg Zoning Ordinance. This is making the lot more conforming.

Harris/Houghton 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 no additional lots 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, Houghton yes, Walpole yes, Santulli yes, Schmitt yes. **Approved.**

#21-11 Breitenstein, Carl: SBL# 66.00-4-2.31, (R-1) located on the south side of Route 7 just west of the Duanesburg Fire Department and is seeking a major subdivision under section 13.5.2 of the Town of Duanesburg Zoning Ordinance. Lance Manus is representing Carl for this application. Carl owns 27 acres between Route 7 and I88. He is looking to develop the land into 10- 1 acre building lots. The R-1 zoning district does allow smaller more compact lots. The Board had asked at the last meeting to see a wetland delineation report, Full SWPPP, the drainage of I 88, and for Lance to touch base with DOT. Lance reached out to DOT and received a letter stating they have no issues with the 2 locations of the driveways with their site distances and did recommend applying for a permit. The access roads to the lots will be built to the Town Highway standards. Lance explained that when doing a delineation report for the wetlands it did show a little bit of the wetland touching the storm water pond, but it will not affect any of the residential lots. The 10 lots will hook into the sewer district 3 and will have a pump station and will be gravity fed.

For the next meeting the Board would like to see a Preliminary Plat.

#22-12 Clark, Todd: SBL#32.00-1.6.11, (R-2) located at 167 Mill Point Rd is seeking a Special Use Permit for a two-family dwelling under section 3.5.60; section 8.4(8) of the Town of Duanesburg Zoning Ordinance. Mr. Clark explained to the Board that he would like to put in a in-law apartment to take care of his mother-in-law. It will be 2 bedrooms with 1 and a half baths. A new septic tank will be put in and will be 120 ft away from the well. The new tank will tie the leach lines together from Todd's house to the in-law apartments. The Driveway to the Apartment will be off Bramans Corners Rd and a driveway permit was issued from the County.

Based on the discussion of the Planning Board the action is a Type II action pursuant to SEQRA and exempt from further review.

Santulli/Houghton made a motion to set a public hearing for the **#22-12 Clark, Todd** application to be held at the August 18th, 2022, meeting.

Santulli yes, Houghton yes, Harris yes, Schmitt yes, Walpole yes. **Approved.**

OLD BUSINESS:

#22-01 Valley Mobile Home Court, LLC: SBL#55.00-4-11.6, (C-2) located at 6204 Duanesburg Rd is seeking a Special Use Permit for 10 storage units under section 12.4(33) and a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Chris Longo from Empire Engineering is representing the owner Eric Dolan-applicant for Valley Mobile Home Court. Mr. Longo explained the project and how it is broken down into phases and another subdivision with respect to the barn and the house. The single-family house is still located on the property next to the barn. There is an offer on the property, so there was a subdivision application submitted to put the barn, house, and western most field on a separate parcel. The parcel is currently 103.76 acres, the proposed subdivision consists of lot 1 being 93.5 acres and lot 2 being 10.24 acres. Prime AE has been appointed as the TDE. Doug Cole from Prime AE's last comment letter to Chris Longo the comments were minor and now are down to the final test pits for the SWPPP, Lighting and landscaping, and clarified on the plans the Phasing 2,3, and 4 for the project. There are three ponds designed to take all the impervious from all 4 phases. Mr. Longo explained that Mr. Dolan knows that he must come back to the Planning Board to get approvals for the last 3 phases.

Board Member Santulli read into the recorder Part 2 of the EAF (**Please See Attachment**) **Houghton/Harris** made a motion do declare the Town of Duanesburg Planning Board lead agency in the SEQRA review process and no DEIS is required for the **#22-01 Valley Mobile Home Court, LLC** application and set a public hearing to be held at the August 18th, 2022, meeting.

Houghton yes, Harris yes, Schmitt yes, Santulli yes, Walpole yes. **Approved.**

#22-10 Kagas, Spiro: SBL# 53.00-1-29.21, (C-1) located at 9938 Western Turnpike is seeking an amendment to add an additional bay to the Ultimate Wishy Wash under section 14.6.2.5 of the Town of Duanesburg Zoning Ordinance. Also, seeking a site plan approval for accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance. He is also seeking approval for a food truck. Joe Bianchine, P.E from ABD Engineering is representing Spiro and his wife Alicia. Two TDE quotes came back. First one from Ingalls is \$2,500 and includes one meeting. The Second quote is from Prime AE for \$3,375 and includes 2 meetings. Chairperson Schmitt explained that previously the work that had been done to the parcel was not what was approved by the Board, the parking lot was constructed wrong, and the storm water runoff was diverted to the neighbor's property. A full SWPPP was submitted with a designed bioretention area in the southeast corner of the property that will drain back down the entrance driveway that you enter at. Higher flows such as 100-year flows will continue to flow to the east. Joe explained that they are draining the water to the natural pathway but with a lower flow rate than it was before the construction of the parking pad. The realistic plan is to go with the natural path with an interception ditch. A berm was installed with about 2 ft height with a 4 ft fence on top to total 6 ft in height to screen the parking area and once the trees fully grow you will not see the trailers. According to Joe DOT stated that they are aware of the DOT ditch that needs repair and will be going out to investigate the ditch. The applicant still plans on paving the back of the car wash and there is a change on the plans to the entrance road, it is not crush and run it is actual millings. Mr. Bianchine explained that he is a different engineer and he is going with the natural path of the water, the way it has always gone.

Schmitt/Santulli made a motion to appoint Prime AE as the Town Designated Engineer (TDE) review the Site Plan review and SWPPP for the **#22-10 Kagas, Spiro** application. Schmitt yes, Santulli yes, Walpole yes, Houghton yes, Harris yes. **Approved.**

Schmitt/Santulli made a motion to table the **#22-10 Kagas, Spiro** application until the August 18th, 2022, meeting. Schmitt yes, Santulli yes, Walpole yes, Houghton yes, Harris yes. **Approved.**

#22-11 Primax Properties, LLC c/o Bohler: SBL# 55.00-4-11.6, (C-2) located at Rt 7 are seeking a Special Use Permit under section 12.4(28) of the Town of Duanesburg Zoning Ordinance. Caryn Mlodzianowski with Bohler Engineering who representing Primax Properties, LLC was not in present at the meeting. Chairperson Schmitt explained that the town did receive Two TDE quotes came back. First one from Ingalls is \$2,600 and includes one meeting. The Second quote is from Prime AE for \$3,975 and includes 2 meetings.

Walpole/Santulli made a motion to appoint Ingalls as the Town Designated Engineer (TDE) review the Site Plan review and SWPPP for the **#22-11 Primax Properties, LLC c/o Bohler** application.

Walpole yes, Santulli yes, Schmitt yes, Harris yes, Houghton yes. **Approved.**

Harris/Santulli made a motion to table the **#22-11 Primax Properties, LLC c/o Bohler** application until the August 18th, 2022, meeting.

Harris yes, Santulli yes, Walpole yes, Houghton yes, Harris yes. **Approved.**

SKETCH PLAN REVIEW:

#22-13 Bennett, Trent: SBL# 66.00-3-4.1, (R-2) located at 1052 Gage is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Joe Bianchine, P.E from ABD Engineering is representing Trent Bennett the applicant. Joe explained that Trent just purchased this property a little bit about and its roughly 167 acres and he would like to split it into two parcels using the National Grid Power Line property as a property divider. 130 acres will be on the North side and build his plans are to build his house on it next to his cousins. A septic plan has been drawn up and submitted to the county. The remaining 30 acres currently has a house on it that is inhabitable and Trent plans to fix it up and sell the property.

Harris/Houghton 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. 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, Houghton yes, Walpole yes, Santulli yes, Schmitt yes. **Approved.**

Legal Counsel for the Planning Board recused herself from this application due to an attorney/client relationship with one of the Mr. Deforest on a subjected not related to the Town of Duanesburg.

#22-14 DeForest/Mayo: SBL#53.00-1-10.11, (R-2) located at 876 McGuire School Rd is seeking a Lot Line Adjustment under Local Law #2 of 2017 of the Town of Duanesburg Subdivision Ordinance. Mr. DeForest and Mr. Mayo were both present at the meeting. Mr. DeForest explained that he owns 91 acres on McGuire School Rd and would like to purchase about 30 acres of vacant land from his neighbor Mr. Mayo who owns roughly 88 acres.

Harris/Walpole made a motion that the Planning board determines the proposed action neither creates nor increases any significant planning issues with respect to the existing or potential future use of any involved parcels. 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, Walpole yes, Santulli yes, Schmitt yes, Houghton yes. **Approved.**

OTHER:

#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 started off thanking the Board for everything that they have brought up that needs to be corrected with his application but does not agree with as he feels some things are not factually correct on what the event law says and doesn't say. Mr. Serth stated that he has a lot of money wrapped into this project and he will follow Local Law #1 like he is supposed to do and if he fails to comply the permit can be revoked. At the last meeting Mr. Serth would like clarification on the noise level whether it is at the nearing residential receptor or the property line. According to the Local Law 1 of 2021 it is at the choice of the Planning Board. Board Member Josh Houghton explained to Mr. Serth that there are 5 sections in the Local Law that refer to parking and read each section to Joe.

1. Section 4.1.3.A.4
2. Section 4.2.1D
3. Section 4.2.1.G
4. Section 4.2.4.4
5. 4.2.1.0

Board Member Houghton continued with the issues that he has with the following list:

1. Parking- on the application there it states will only use non lake district to park.
2. Access- the second driveway will be blocked by parking and only goes halfway to the barn/ wedding venue
3. Tents- need to be shown on plan per section 4.2.1.K
4. Event Management Plan- Requirement Section 4.2.1.L
5. Plan for Barn- drawn by a Registered licensed design professional and must be submitted as part of the Special Use Permit application. Section 4.2.3.B
6. Barn Setbacks- C.O. and Building Permit with Date and setbacks at the time the C.O was given.
7. Noise- Sections 4.1.3.2, 4.2.1.I and 4.2.4.4

Board Members Harris, Santulli, Walpole, and Houghton explained that they would like to see a real Noise analyst because the one that was submitted was a table not done by a professional that was asked.

For the next meeting the Board would like to see from Mr. Serth the following:

1. Engineer Drawn and Stamped Site Plan showing sound receptors, access roads, screening, parking, sanitary structures, tent locations, barn location.
2. Sound Report (noise analysis)
3. Building Plans for assembly
4. Picture of the trees that will be taken down

Schmitt/Harris made a motion to table the **#21-21 Serth, Joseph** application until the August 18th, 2022, meeting.

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

Approved.

Residences who have shown up to speak about the Serth application are very upset because they were under the impression that they were going to be able to speak regarding this application. The Board explained that the public hearing was closed at the June 16th meeting. The advised the concerned residence to submit all their concerns to the Planning Board Clerk -Melissa Deffer in writing. Please know that all questions, comments and concerns do not go unnoticed,

MINUTES APPROVAL:

Harris/ Santulli made the motion to approve June 16th, 2022, Planning Board minutes with one minor corrections.

Harris yes, Santulli yes, Schmitt yes, Houghton yes, Walpole yes. **Approved.**

ADJOURNMENT:

Santulli/Walpole made the motion to adjourn at 10:06 pm.

Santulli yes, Walpole yes, Houghton yes, Harris yes, Schmitt yes. **Approved.**

PO Box 160
Quaker Street, NY 12141

Jeffery Schmitt, Chair
Planning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

June 16, 2022

Re: Public Comment June 16, 2022 Planning Board

Dear Jeffery Schmitt and the Planning Board,

Lynne Bruning 13388 Duanesburg Road, Delanson, NY 12053.

Please accept my Privilege of the Floor comments as read into the June 16, 2022 planning board meeting minutes. I request that my comments and supporting documents are included in the official minutes as published on the town website.

1. The approved Oak Hill Solar site plan sheets 1 through 30 dated March 28, 2022 drawing C2.00 Overall Site Plan revision J signed by the planning board chair on April 15, 2022 reflects that the access road is 10 feet width outside the fence and 14 feet wide inside the fence. See attached Figure 1. It appears that construction for the access road is 20 feet wide both inside and outside the fence. See attached drone image Figure 2. Additional information for the access road, including the geogrid detail, is found on drawing C5.00. See Figure 3.

I request that the town engineer, Doug Cole, and town inspector, Dale Warner, perform a site visit to determine if the construction is in compliance with the approved site plan. Doubling the access road width may increase stormwater pollution. The construction may be in violation with the stormwater pollution prevention plan as approved by the New York State Department of Environmental Conservation. Lack of compliance may result in unwanted stormwater runoff into the abutting parcels.

Please perform a site visit to determine compliance and if necessary remedy the road width to meet the approved site plan of 10 feet width outside the fence and 14 feet width inside the fence.

2. Request that the approved Oak Hill Solar site plan sheets 1 through 30 of 30 dated March 28, 2022 revision J signed by the planning board chair on April 15, 2022 be provided on the town website or in Amp's online public drop box. The cost of \$37 per sheet to obtain a hard copy of the 30 page site plan is an unreasonable expense for the taxpayers.

3. The April 2022 NYSIR queue shows additional solar facilities for Duanesburg. The street addresses are not provided. <https://www3.dps.ny.gov/W/PSCWeb.nsf/All/286D2C179E9A5A8385257FBF003F1F7E>

4. Please review the attached "Draft Spreadsheet Review Solar Facility." This spreadsheet is derived from the documents, questions and comments encountered during the review of Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC between 2018 to 2022. This draft spreadsheet may assist the board to be accountable and transparent with the taxpayers when reviewing a solar application's compliance with local law. This spreadsheet was provided to the Solar Law Review Committee at their June 14, 2022 meeting.

If such a spreadsheet had been utilized during the 2018 and 2019 review of Oak Hill Solar facilities the town engineer and the planning board may have identified that the approved site plan sheets 1 through 10 of 10 dated June 6, 2019 and submitted to the board on September 17, 2019, See Figure 5, was not drawn to scale, did not provide an engineers stamp, omitted neighboring houses, omitted fence height, was not oriented with north to the top of sheet, did not provide all equipment, did not provide measurements for the equipment provided, and did not provide equipment pads. It may have helped the town engineer and the planning board identify that the SWPPP discharged stormwater "offsite" and that the National Wetland Inventory on the site and abutting parcels was omitted. It may have helped the town engineer and the board identify that more than 10 acres of forest would be removed to construct the solar facilities, See Figure 6 the May 7, 2018 site plan treeline.

A spreadsheet, similar to what is enclosed, may provide the board an easy to understand way to track project compliance. I urge the board to include such a spreadsheet in the updated solar law.

I will submit my statement in writing with supporting documents to the planning board clerk. Thank you for your time and consideration.

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

Enc: March 28, 2022 Site Plan drawing C2.00 signed by planning board chair April 15, 2022
Drone image with annotations Oak Hill Solar
March 28, 2022 Site Plan drawing C5.00 Access Road detail and geogrid

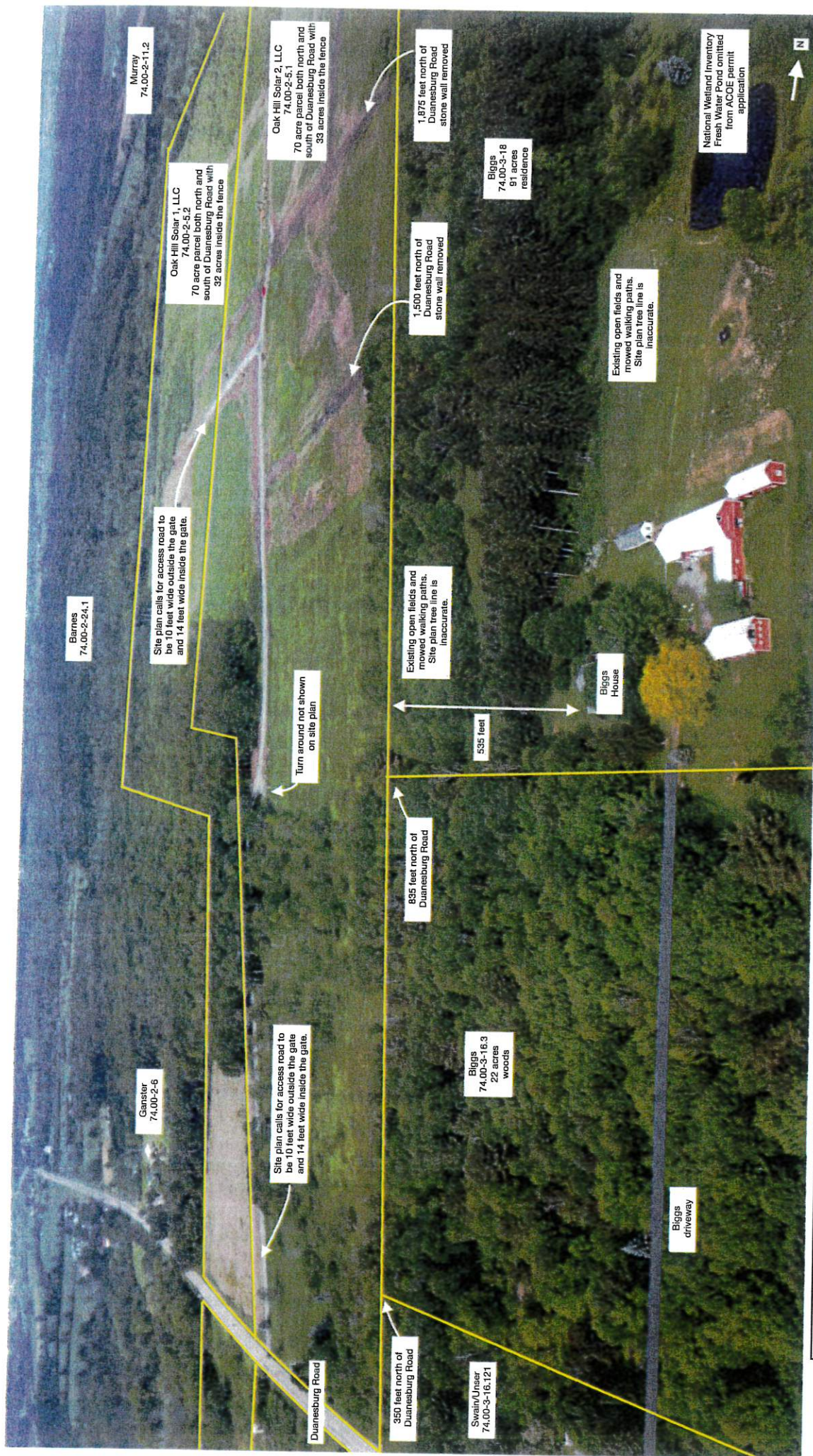
Draft spreadsheet Solar Facility Review

June 6, 2019 Oak Hill Solar site plan sheets 1 through 10 of 10 submitted to the board on
September 17, 2019

May 7, 2018 Oak Hill Solar Site Plan

Cc: Dale Warner, code inspector
William Wenzel, Supervisor

Bruning to Planning Board June 16, 2022 Figure 2



June 16, 2022

Drone image June 2, 2022 from Biggs tax id parcel 74.00-3-18 with access road to west toward Oak Hill Solar 1, LLC and Oak Hill Solar 2, LLC

FEAF Part 1 indicates there is 82 acres of wetlands on the site. ACOE permits limit disturbances of wetlands to 1/10th of an acre.

The approved site plan calls for 10 feet wide access roads outside of the fence and 14 feet wide access roads inside the fence.

It appears that the access road is the same width from Duaneburg Road through out the entire site. The access road appears to be at least 20 feet wide.

I request that the town engineer, Doug Cole, and the town code inspector, Dale Warner, perform a site visit to confirm construction is in compliance with the site plan. The SWPPP for access road width, location of turn around at approximately 800 feet north of Duaneburg Road, and if access road is constructed with appropriate geogrid to withstand weight of emergency vehicles.

Please clarify the location of the south east corner fence post with GPS coordinates in degrees, minute, second format.

[illegible]

NAME 1			
Name	NAME, LLC	NAME 2, LLC	
State ID Number			
Service Process			
Incorporation Date			
Last Date of Filing			
Next Statement Due Date			
Entity Status			
NAME 2			
Name	NAME, LLC		
Branch Office			
State ID Number			
Service Process			
Incorporation Date			
Foreign Formation Date			
Next Statement Due Date			
Filing History			
Additional Company Information			Who does company fund?
Additional Company Information			Where is the money?
Website			
Address			
Phone			
Registered			
Officer			
Officer			
Public Relations			
Alternate Address			
Franchise			80-MW required by NYS PSC
NAME 3			
Name			
Website			
Address			
Phone			
Representative			
Representative			
NAME 4			
Construction			
Surveyor			
Civil Engineer			
DATE TO DATE			
Sold to			
Sold to			
NAME 5			
Name			
Website			
Address			
Phone			
Representative			
Representative			
NAME 6			
Name			
Address			
Involved Parcel Tax ID			
Acres			
Agricultural District			
Taxes			

DRAFT Spreadsheet Review Solar Facility DRAFT

Abutting Parcel Ownership			
Lease/Memorandum of Option Agreement (Land Purchase)			
LAND OWNER ATTORNEY			
Name			
Website			
Address			
Phone			
Representative			
Representative			
PROJECT STATISTICS			
Name Plate Capacity MW AC			Cross check on NYSIR and NYISO queue
Solar Panel MW DC			Combined MWdc
Battery Storage MWh			Combine MWh
Number of Solar Panels			
Solar Panel Watt			Will footprint be reduced with higher wattage panels?
Panel Orientation			
Fixed or Tracking			
Height of Panels at Maximum Tilt			Local Law Height?
Parcel Acres			Require a lot line adjustment?
Solar Coverage Acres			Combine acres?
Acres Inside the Fence			Combined acres?
Acres Outside the Fence			Combined acres?
Set Back Front			
Set Back Side			
Set Back Rear			
Set Back Residential			
INTERCONNECTION REVIEW			
NYSIR			NYSIR and NYISO queue
Account Number			
Date Entered Queue			
Payment Received			
NYSIR Queue PV kWAC			
NYSIR Queue BESS kWAC			
Hybrid			
Utility Retention of REC			
Inverter			
Power Board			
Transformer			
Metering			
Value Stacked			
CESIR Cost to Customer			
Estimated Cost by Utility			
Circuit ID			
Substation			
Interconnection Nameplate Capacity			
INSTRUMENT			
Meeting Minutes	Website		
Meeting Videos	Website		
Application Documents	Subdivision, Site Plan, Special Use Permit. Paper documents only through Freedom of Information Request		

Sketch Plan	Freedom of Information date link to documents online		
Zoning Variance	Freedom of Information date link to documents online		
Subdivision Plan	Freedom of Information date link to documents online		
Site Plan	Freedom of Information date link to documents online		
FEAF Part 1	Freedom of Information date link to documents online		
FEAF Part 2	Freedom of Information date link to documents online		
County Approval	Date link to document		
County Industrial Development Agency	Name Contact information website		
County Economic Development and Planning	Name Contact information website		
County Environmental Advisory Council	Name Contact information website		
County Geographic Information System Maps	Name Contact information website		
FEAF Part 3 Negative Declaration	Freedom of Information date link to documents online		
Resolution Approving Special Use Permit	Freedom of Information date link to documents online		
Conditions of Special Use Permit	Freedom of Information date link to documents online		
Resolution Approving Subdivision			
Board Meeting Minutes	Freedom of Information date link to documents online		
Common Driveway Access Agreement	Freedom of Information date link to documents online		
Legal Actions Article 78	Freedom of Information date link to documents online		
NYSDORA Land Use Form	Freedom of Information date link to documents online		Example September 26, 2019
State NY-Sun Contract	Freedom of Information date link to documents online		Incentives for solar panels
NYSDORA Retail Battery Storage Contract	Freedom of Information date link to documents online		Incentives for battery
NY Green Bank Funding	Freedom of Information date link to documents online		Incentives for development
State Environmental Notice Bulletin	Freedom of Information date link to documents online		NYS DEC ENB
Permit - Parks Rec and Historic Preservation	Freedom of Information date link to documents online		NYS Office of Parks, Recreation and Historic Preservation

DRAFT Spreadsheet Review Solar Facility DRAFT

Permit - Department of Environmental Conservation	Freedom of Information date link to documents online		NYS Department of Environmental Conservation
Permit - Army Corps of Engineers	Freedom of Information date link to documents online		United States Army Corps of Engineers
Permit - Department of Transportation	Freedom of Information date link to documents online		NYS Department of Transportation
Warranty Deed Lot Line Changes	Freedom of Information date link to documents online		
Warranty Deed Lease and Easements			
PILOT Town	Freedom of Information date link to documents online		
PILOT County	Freedom of Information date link to documents online		
PILOT School	Freedom of Information date link to documents online		
Extension for Special Use Permit	Freedom of Information date link to documents online		
Extension for Special Use Permit	Freedom of Information date link to documents online		
Visual Screening Maintenance Agreement	Freedom of Information date link to documents online		
Decommissioning Agreement	Freedom of Information date link to documents online		
Decommissioning Escrow Agreement	Freedom of Information date link to documents online		
Building Permit	Freedom of Information date link to documents online		
Change Orders	Freedom of Information date link to documents online		
National Grid Easements	Freedom of Information date link to documents online		
Access Road Easements	Freedom of Information date link to documents online		
Lease Agreements	Freedom of Information date link to documents online		
Mortgage	Freedom of Information date link to documents online		
LAWS			
Local Solar Law	Website		
Local Fire Law/Ban	Website		
Local Noise Ordinance	Website		
Local Storage Ordinance	Website		
Local Zoning Ordinance	Website		
Junk Yards	Website		
Subdivision Plan	Website		
Zoning Variance	Website		
Local Code Of Ethics	Website		
Open Meeting Law	https:// opengovernment.ny.gov/ open-meetings-law		

DRAFT Spreadsheet Review Solar Facility DRAFT

Freedom Of Information Law	https://opengovernment.ny.gov/freedom-information-law		
INSURANCE			
Contractor	Freedom of Information date link to documents online		
Damages/Liability	Coverage		
SWPPP			
Date	Freedom of Information date link to documents online		
Drafted by			
Tracking number			
Number of Pages			
Description of Project			
Date Approved by Town Engineer			
Date Approved by DEC			
Date Percolation Test			
Perc Test Witness			
DECOMMISSIONING AGREEMENT			
Date	Freedom of Information date link to documents online		
Drafted by			
Tracking Number			
Number of Pages			
Description of Project			
Date Approved by Town Board			
Date Filed With County			
Decom Amount Solar Array			
Decom Amount Battery Storage			
DECOMMISSIONING ESCROW AGREEMENT			
Date	Freedom of Information date link to documents online		
Drafted by			
Tracking Number			
Number of Pages			
Description of Project			
Date Approved by Town Board			
Date Filed With County			
Decom Amount Solar Array			
Decom Amount Battery Storage			
PAYMENT IN LIEU OF TAXES AGREEMENT			
Date	Freedom of Information date link to documents online		
Drafted by			
Tracking Number			
Number of Pages			
Description of Project			
Date Approved by Town Board			
Date Filed With County			
Town PILOT Amount First Year			

DRAFT Spreadsheet Review Solar Facility DRAFT

Town PILOT Amount Last Year			
School PILOT Amount			
County PILOT Amount			
Date	Freedom of Information date link to documents online		
Drafted by			
Tracking number			
Number of Pages			
Description of Project			
Date Approved by Town Board			
Date Filed with County			
How many trees?			
Species of Trees?			
Height of Trees?			
How are trees watered?			
Website	Website		
Chair			
Attorney			
Email			
Project Site Visit			
Agendas and Minutes			
Date of Review			
Public Hearing Notice			
Compliance with Open Meeting Law			
Conflict of Interest			
Website	Website		
Chair			
Attorney			
Email			
Project Site Visit			
Agendas and Minutes			
Date of Review			
Public Hearing Notice			
Compliance with Open Meeting Law			
Conflict of Interest			
Website	Website		
Supervisor			
Address			
Phone			
Email			
Project Site Visit			
Agendas and Minutes			
Date of Review			
Public Hearing Notice			
Compliance with Open Meeting Law			
Conflict of Interest			
Website	Website		
Director			
Address			
Phone			
Email			

DRAFT Spreadsheet Review Solar Facility DRAFT

Albany County Planning and Economic Development			
Sales Tax Exemption			
PILOT Review			
Date of Approval			
Compliance with Open Meeting Law			
Conflict of Interest			
Applicant Notification to Neighbors			
Proof of notification for public outreach meetings to Neighbors			
Newspaper			
Open House by Applicant			
Town Notification to Neighbors			
Proof of Notification of Public Hearing to Neighbors			
Nearest Solar/Wind/Battery			
Neighbor 1			Distance to property line?
Neighbor 2			Distance to property line?
Neighbor 3			Distance to property line?
Neighbor 4			Distance to property line?
Neighbor 5			Distance to property line?
Project Address			County Image Mate
Parcel Owner			
Location			
Tax ID			
Existing Use			
Lot Width			
Lot Depth			
Lot Acres			
Street Frontage			
Highest Elevation			
Lowest Elevation			
Soils			
State Wetlands			
Federal Wetlands			
Nearest substation			
Nearest Power Plant			
Nearest Land Fill			
Nearest Recycling for Panels			
Nearest Recycling for Batteries			
Nearest Industrial Zone			
Document			
Owner			
Street Address			
Living Area			
Tax Id Number			
Site Property Class			
Zoning Code			
Neighborhood Code			
Agricultural District			
School District			
Acres			

Land Assessment			
Full Market Value			
Total Assessment			
Equalization Rate			
2018 Town Taxable			
2018 Town Exemptions			
2017 Town Taxable			
2017 Town Exemptions			
Sale Date			
Deed Book and Page			
Fire District			
Exemptions			
Exemptions			
Roll Section			
Taxes			
Date Sheet 1 of XXX			Is site plan centered on sheet? Is scale provided? Is graphic scale provided? Is north at top of sheet? Does parcel outline match Site Plan location outline?
Date Sheet 2 of XXX			
Date Sheet 3 of XXX			
Sheet 9 of XXX Details			Are all pieces of equipment provided? Are all dimensions provided?
Electrical Drawings			
Battery Storage Drawings			
Tracker Panel Drawings			
Planting Plan			
Construction Phasing Plan			
Proposed Solar Panel Height			DISTANCE FROM GROUND TO TOP EDGE OF PANEL AT MAXIMUM TILT?
Panel Position in Storms			DISTANCE FROM GROUND TO PANEL WHEN STORED FLAT IN STORM POSITION?
Proposed Impervious Coverage			Virginia has declared solar panels impervious Surfaces
Building Height			Battery Containers may be 11 to 13 feet height. June 1, 2022 Q/A Appendix E Drawing E-100 Does not provide dimensions for battery storage container. Lack of clarity. Misleading.
Equipment Pad Height			Two feet?
Disturbance			
Wet Land Disturbance			
Fence South East Corner GPS			Proposed Fence Height? Compliant with Local Law? National Electric Code requirements?
Fence North East Corner GPS			
Fence South West Corner GPS			
Fence North West Corner GPS			
Equipment Pad Testing Point-1 Location GPS			
Equipment Pad Testing Point-2 Location GPS			

Equipment Pad Testing Point-3 Location GPS			
Equipment Pad Testing Point-3 Location GPS			
Does applicant Require Board Approval to Change Equipment			
Sheet 1 of XXX			
Sheet 2 of XXX			
Sheet 3 of XXX			
Sheet 1 of XXX			
Sheet 2 of XXX			
Sheet 3 of XXX			
Sheet 1 of XXX			
Sheet 2 of XXX			
Sheet 3 of XXX			
Date			
Engineer			
Scale			
North Arrow			
Direct Current			
Alternating Current			
Number and Type of Modules			
Panel Module Dimensions			
Racking			
Tilt Angle			
Max Shade Angle			
Azimuth from South			
Pitch Distance			
Row to Row distance			
Number of Inverters			
Inverter			
Power Ratio			
Number of AC Combiners			
Number of Transformers			
Acres Inside the Fence			
Fence Length			
Parcel Acres			
GPS Fence Corner Post			
GPS Fence Corner Post			
GPS Fence Corner Post			
GPS Fence Corner Post			
GPS Dividing Fence Corner Post			
GPS Dividing Fence Corner Post			
Switchgear			
DC - DC Converters			
Number of Motors			
Motor Locations			
Motor			
Drawing of Motor			
Drawing of Wiring Harness			
Specification Sheet for motors			
Are Neighboring House Shown			

Access Road			
Width inside fence			
Length inside fence			
Width outside fence			
Length outside fence			
Depth			
How many tons of rock			
How many truckloads			
Linear Feet of Trenching			
Linear Feet of Wires In Ground			
Linear Feet of Wires Above Ground			
Dimensions of Equipment Pads			
How many equipment pads			
What equipment is on equipment pads			
Equipment pads for Major Switchgear			
Wet Lands			
National Wetland Inventory			
Dilapidated of Structures on the Project Site			
Security Fence			
Security Vehicle Gate			
Gravel Access Drive			
Infiltration Trench			
Level Spreaders			
Stabilized Construction Access			
Silt Fence			
Rock Filters			
18" Compost Filter Sock			
Concrete Washout			
Timber Mat			
Racking Steel in Pounds			
Number Panels			
Number Posts			
Number Utility Power Poles			
Cables in pounds			
Above ground cables			
Underground cables			
Roads square feet			
Turnarounds			
Fence Height			Proposed Fence Height? Compliant with Local Law? National Electric Code requirements?
Linear Feet Fence			
Number of Fence Posts			
Number Fence Posts in Concrete			
Fence Material			
Posts feet on center			
OCTV			
Set Back Side			
Set Back Front			

Set Back Rear			
Archeological Report	Freedom of Information date link to documents online		
Report to/from USACE	Freedom of Information date link to documents online		
Reports to/from DEC	Freedom of information date link to documents online		
FEAF Part 1	Freedom of Information date link to documents online		
FEAF Part 2	Freedom of Information date link to documents online		
FEAF Part 3	Freedom of Information date link to documents online		
Acres Forest Removed			
Local Law Acres of Forest Removed?			
Acres Grassland Removed			
Acres Agriculture Removed			
Wetlands Removed			
Acres Solar Coverage			
CLEAR CUTTING			
Fixed or Tracking			How many motors? How many gears? How much noise?
Number of Panels			
Width of Panels			May 2022 Virginia declared solar panels impervious surfaces.
Width of Panels Between Rows			15 feet width? Are panels considered impervious surfaces?
Type of Panels			
Capacity of PV Array DC			
Manufacturer of Panels			
Dimensions of Panel			
Watts of Panel			
Height of Panels Parallel to the Ground			How tall are the panels? 9 feet?
Height of panels at full tilt			How tall are the panels? 15 feet?
Rotation			
Tracking Motor			Decibel level?
How Many Motors			Decibel level?
Tracking Gear			Decibel level?
How Many Gears			Decibel level?
Warranty Glass			
Warranty Panel			
How many Posts			1,500 per project?
Date			FAA Navigational Studies are not Glare Studies.
Document			
Compliance			
Date			

Document			
Compliance			
Date			
Document			
Compliance			
Battery Storage MWh			
Battery Storage Containers			
Battery Type			
Battery Manufacture			
AI Platform			
Emergency Notification System			
Dimensions of Stack			
Battery operating temperature			
HVAC			Noise?
Number of Batteries			
MWh			
Weight of Batteries			
HVAC for Batteries			
Height of Containers			Battery Containers may be 11 to 13 feet height.
Height of Equipment Pads			Combined Height?
Volume of Buildings to Climate Control			
Distance between BESS containers			
Set back of container from solar panels			
Back-up generators			
Generator Fuel Source			
Water source on site for fire fighting			Are there Fire Hydrants in this neighborhood?
Solar Law			
Zoning Ordinance			
GPS of Equipment Pad Number 1			
Distance Nearest Property Lines			
Distance Nearest Property Lines			
GPS of Equipment Pad Number 2			
Distance Nearest Property Lines			
Distance Nearest Property Lines			
GPS of Equipment Pad Number 3			
Distance Nearest Property Lines			
Distance Nearest Property Lines			
GPS of Equipment Pad Number 4			
Distance Nearest Property Lines			
Distance Nearest Property Lines			
How Many Tracking Motors?			An 8.3-MWdc solar array may have 215 motors.

How Many Gearing Systems?			
GPS of Tracking Motors			
GPS of Equipment at Curry Road			Switchgear
Distance Nearest Property Lines			
Distance Nearest Property Lines			
Applicant Noise Analysis			PROVIDE FULL LIST OF EQUIPMENT.
Tracker Motor			70 dB @ 3 feet
Tracking Gear			
DC to DC Converter			85 dB @ source
Switchgear			100 dB @ source
BESS			100 dB @ source
Transformer			62 dB @ 3 feet
Inverter			79 dB @ 3 feet
HVAC Air Conditioner			89 dB @ 3 feet
HVAC Heat			
Emergency Generator			
Ground Factor			
Summer			
Winter			
Pitch			
Tone			
Noise pattern steady or Intermittent			Is noise continuous 24/7/365 for lifetime of Project?
Day			
Night			
Noise at 100 feet			
Noise at 500 feet			
Noise at 1000 feet			
Noise at Property Lines			
North			
South			
East			
West			
Transformers			
Major Switch Gear			
Racking			
Gears			
Tracking Motors			8.3-MWdc array may have 215 motors
Posts for Array			May have 1,500 posts
Depth of Posts			
Height of Posts			May be 9 feet tall posts
Height of Tracker Module			Up to 20 feet
String Inverter, Storage and DC Converters			
Central Inverter			
Underground Wire Linear Feet			All of the wire - 3 to 4 types per 3' deep trench per Project. Wires have plastic coating that contains PFAS. Site is located above primary aquifer
Above Ground Wire Linear Feet			
Site Restoration			
Access Road Length			
Gravel Access Road			
Tons of Rock			

How many Truck loads			
DC-DC Converters			
Utility Power Poles			
Spare Parts Storage			
Racking Steel in pounds			May be 584,000 pounds per 8.3-MWdc Project.
Racking Aluminum			May be 880,000 pounds per 8.3-MWdc Project.
Cables in pounds			May be 37,966 pounds per 8.3-MWdc Project.
Roads square feet			
Length of road			
Width of Road			
Depth of Road			Minimum depth of rock to withstand weight of emergency vehicle equipment.
Site Restoration			
Square Footage of Road			
Road earthwork for access drive and turn around			
Decom Amount for Entire Project	Freedom of Information date link to documents online		
Decom for Array			
Decom for BESS			
Decom for Access Road			
Recycle Panels			
Recycle Battery			
Waste Disposal			
Waste Location			
Utility Power Poles			
Reseeding			
Pollinator Goals			Required by Law?
Vegetation maintenance			Sheep? Can sheep be used with tracking solar panels? Provide an Animal Husbandry Plan as Approved by Ag and Markets?
Biodiversity			Required by Law?
Lease area			
Inside fence			
Outside fence			Who is required to maintain?
Visual Analysis	Freedom of Information date link to documents online		
Screening			
Number of trees			
Maintenance Agreement for lifetime of Project			
Location Of Lay-Down Yard			
How Many Truck Loads Of Gravel?			
How Many Pieces Of Heavy Machinery			
Noise Level From Equipment in Decibels At Source			
Excavator			

Grader			
Dump Truck			
Skidsteer			
Atv			
Trencher			
Pounder			
Construction Trailer			
Construction Generator			
Fuel Source			
How Many Spools Of Wire			Is underground wire removed at time of decommissioning?
Sani-Huts			
TRAFFIC			
DOT Permit Application	Freedom of Information data link to documents online		
Sight Distance Requirements			
Trucks			Per day per project
Heavy Machinery on Site			Per day per project
Workers Vehicle			Per day per project
Construction Traffic Plan			What roads?
CONTAMINANTS			
Precautionary Pricpal			
Water Test			
Soil Test			
Letters PFAS			
Letters PFAS			
Letters PFAS			
HEAT GENERATED			
Study for Heat Generated From Project			https://physicsworld.com/a/solar-panels-can-heat-the-local-urban-environment-systematic-review-reveals/
WHO IS BUYING THE ENERGY			
Operating Tarrif			
REC Sold to			
Power Purchase Agreement			
COMPANY SELLING COMMUNITY SOLAR SUBSCRIPTION			
Name			
Website			
Address			
Contact			
NYSERDA LAND USE FORM			
NYSERDA Land Use Form			
COUNTY APPROVAL			
Albany County			
County Industrial Development Agency			
FUNDING			
Town			Town breaks
County			Tax breaks
State			NYSERDA Incentives
Federal			
US SECURITIES AND EXCHANGE COMMISSION			

			Industry Group is "Other Real Estate". Applicant did not claim "Electric Utilities" or "Other Energy" as Industry Group. In 2018 - 2019 Applicant, Solar Speculator LLC, presented themselves as "solar developers". Did the Applicant misrepresent themselves and mislead the town and taxpayers?
Contact Information			
Phone			
Retail Energy Storage Incentive Program AC			
Retail Energy Storage Deadline			
Retail Energy Storage Transferred to			
NY-SUN Incentive Program measured in DC			
NY-SUN Deadline			
NY-SUN Transferred to			
Mortgage			
Signator			
Document			
Liability: Grant of Access and Utility Easement			
Liability: Memorandum of Lease			
Visual Maintenance Agreement			
Common Access Driveway Agreement			
Driveway maintenance agreement			
Landowner			
Abutting Parcel Documents			
Abutting Property Owner Request			
Article			
Report			
Testimony			
Sold/Transferred			
Owner/Operator			
Investors in Eden Renewables			
Investor 1			
Investor 2			
Investor 3			
Investor 4			
Investor 5			
Investor 6			
Investor 7			
Company is the Major Investor in What Company?			
IDA Information			

Permeant Job			
CONSTRUCTION COST			
Labor			
Temporary	Prevailing wage, benefits,		
Permanent	Prevailing wage, benefits,		
Employment Sourcing	Local, NYS, Out of State		
Materials			
Solar Panels	manufacturer, location, warrenty		
Racking	manufacturer, location, warrenty		
Inverters	manufacturer, location, warrenty		
DC-DC Converters	manufacturer, location, warrenty		
Transformers	manufacturer, location, warrenty		
Switch Gear	manufacturer, location, warrenty		
Battery	manufacturer, location, warrenty		
HVAC	manufacturer, location, warrenty		
Generators	manufacturer, location, warrenty		
INSURANCE			
Damages	Amount, dates, beneficiary, carrier, has a copy of the policy been provided		
Liability	Amount, dates, beneficiary, carrier, has a copy of the policy been provided		
Building Permit			
Media Reported Cost			
CORRESPONDENCE			
Applicant			
Town Engineer			
Applicant			
Town Engineer			
Applicant			
Town Engineer			
Applicant			
Town Engineer			
DATA.NY.GOV			https://data.ny.gov/
Number			
Purchase Type			
Date Application Received			
Contractor			
Total Nameplate kW DC			
Expected Annual Production kWh			
Solar Panel			
Number of Panels			
Inverter			
GPS			
COST			
NYSERDA Incentive			
Affordable Solar			
Community Distributed Generation			
NY Green Job Participation			

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study.

2. The second part of the report is a detailed description of the study area. It includes information about the location of the study area, the population of the study area, and the characteristics of the study area. It also discusses the data sources used in the study.

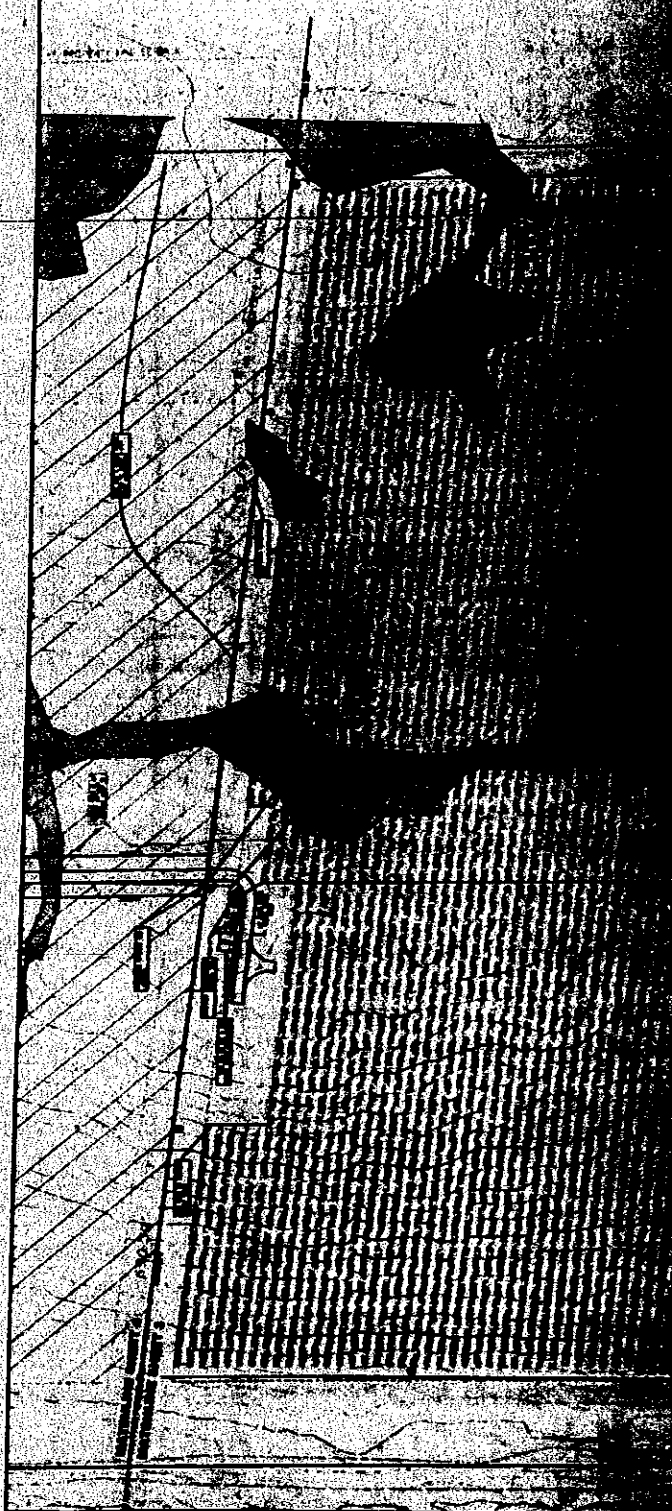
3. The third part of the report is a detailed description of the study results. It includes information about the findings of the study, the conclusions drawn from the findings, and the implications of the findings. It also discusses the limitations of the study and the need for further research.

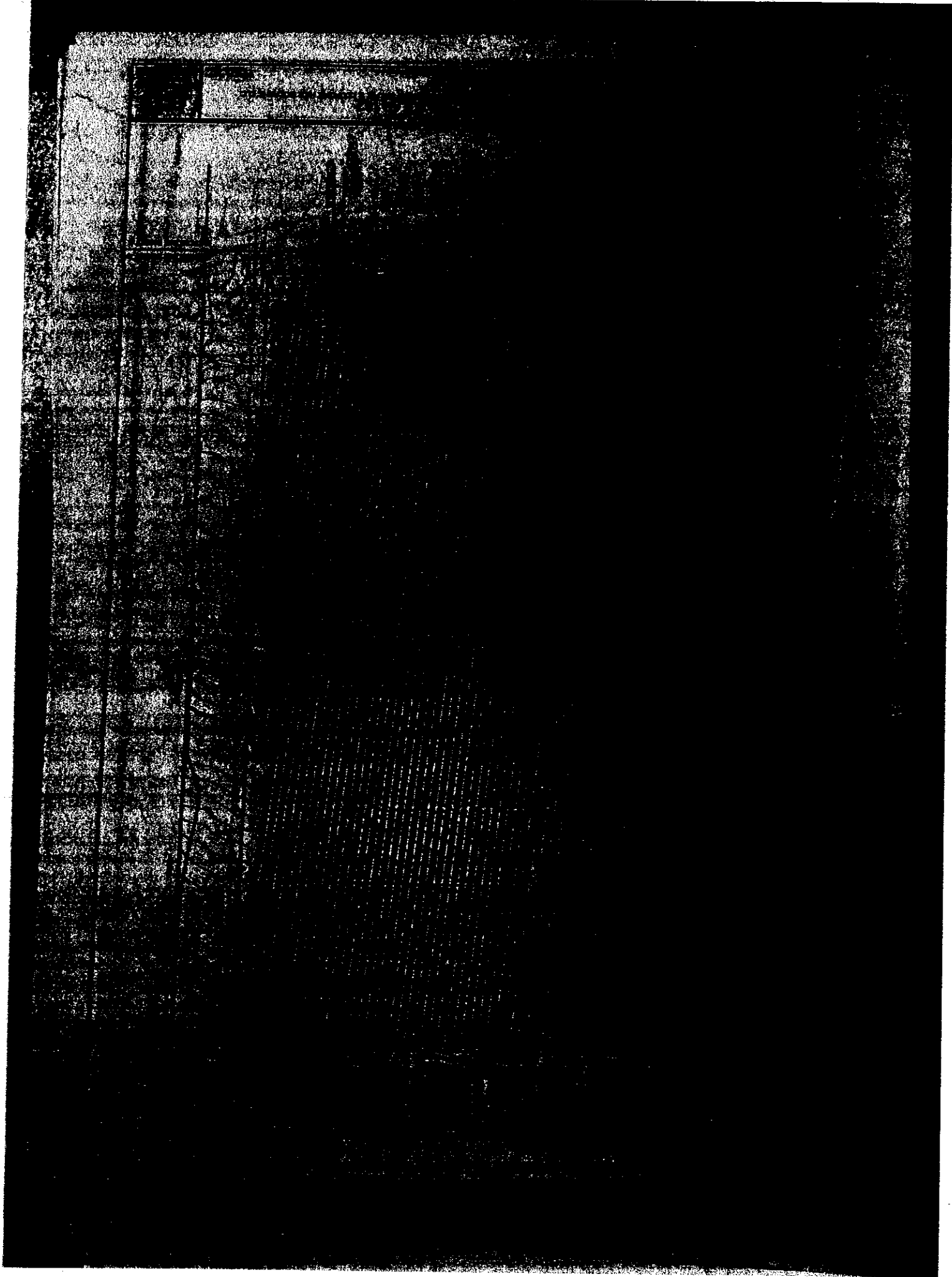
4. The fourth part of the report is a conclusion and recommendations section. It summarizes the main findings of the study and provides recommendations for future research and policy. It also discusses the overall impact of the study and the need for further research.



182
OAK HILL SOLAR 182

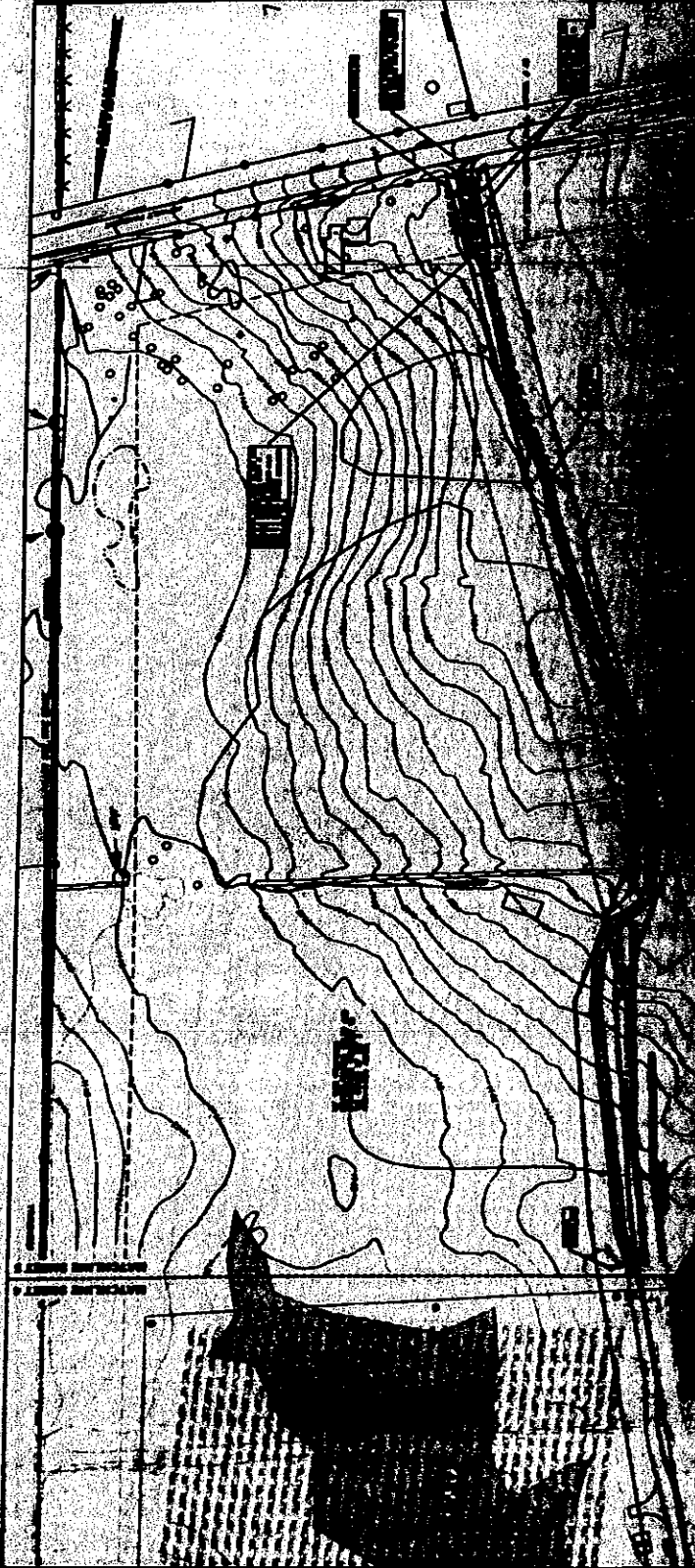
OAK HILL SOLAR 182
182
OAK HILL SOLAR 182







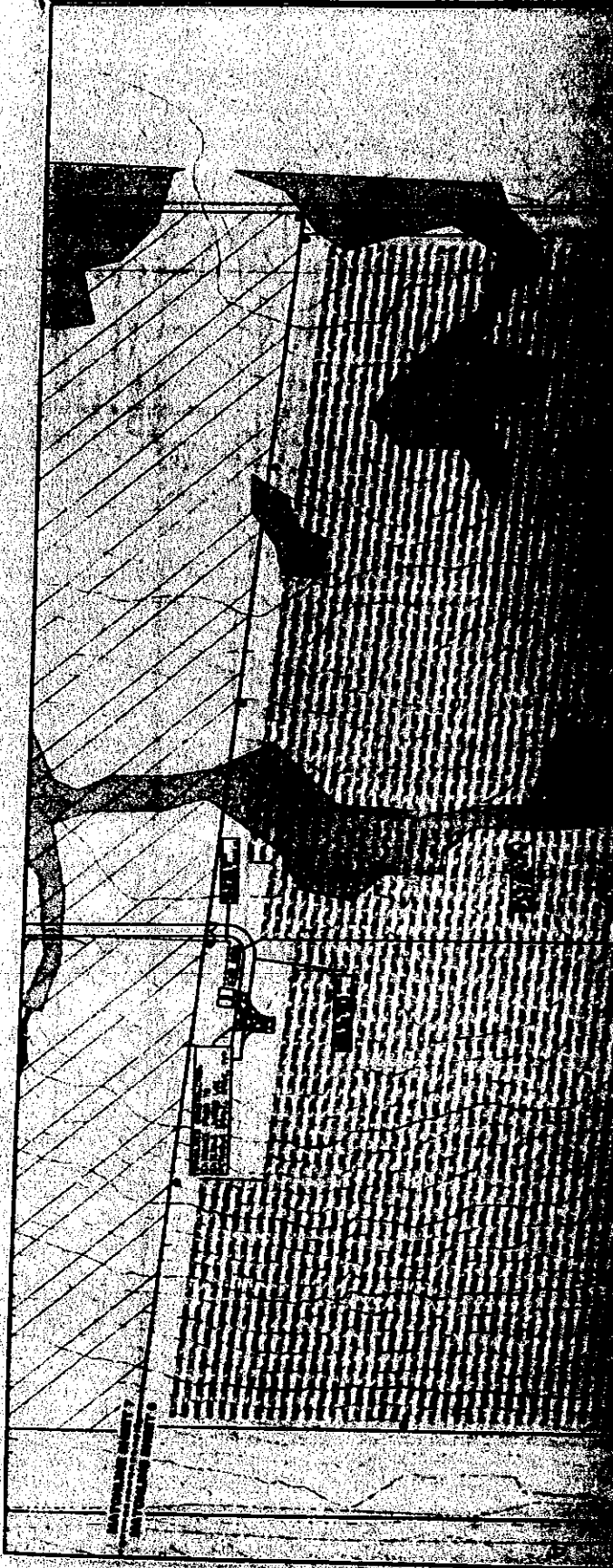
OAK HILL SOLAR 1&2
OAK HILL SOLAR 1, LLC / OAK HILL SOLAR 2, LLC
SUNBELT ENERGY SERVICES, LLC
10000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80231
TEL: 303.755.1234
WWW.OAKHILLSOLAR.COM





THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
WASHINGTON, D.C. 20546





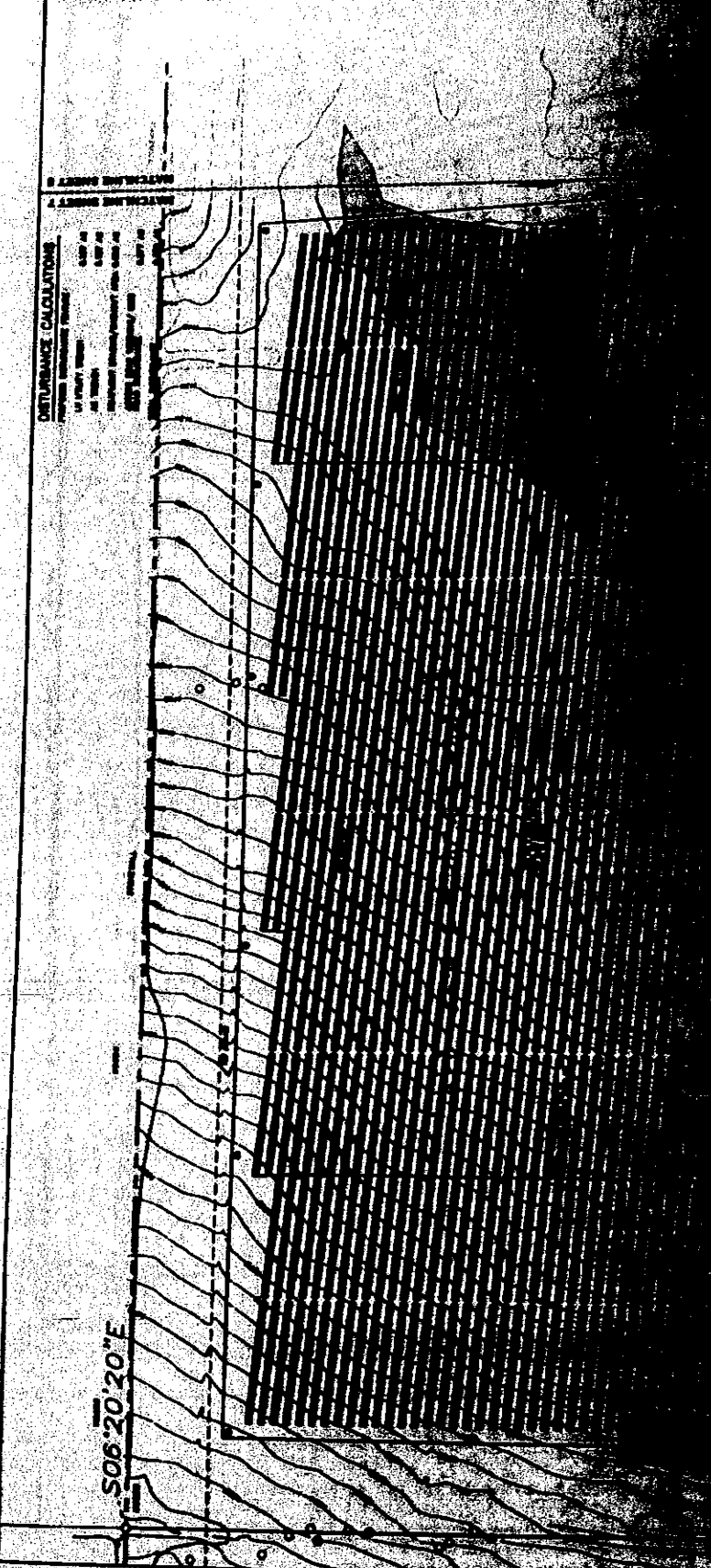
OAK HILL SOLAR 1&2, LLC
OAK HILL SOLAR 1, LLC / OAK HILL SOLAR 2, LLC

MATCHLINE SHEET 7
MATCHLINE SHEET 3

DISTURBANCE CALCULATIONS

PERMANENT DISTURBANCE	TEMPORARY DISTURBANCE
1.00 AC	1.00 AC
2.00 AC	2.00 AC
3.00 AC	3.00 AC
4.00 AC	4.00 AC
5.00 AC	5.00 AC
6.00 AC	6.00 AC
7.00 AC	7.00 AC
8.00 AC	8.00 AC
9.00 AC	9.00 AC
10.00 AC	10.00 AC

S06°20'20"E

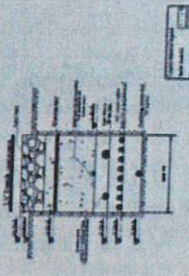




U.S. ARMY CORPS OF ENGINEERS
DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20315



Fence Height of 6' is not compliant with
National Electric Code which requires a
7' in height fence.
Town engineer did not inform the board
of NEC requirements. Applicant did not
request zoning variance until April 2022

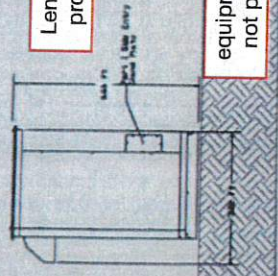


○ TRENCH CROSS SECTION (BY OTHERS)



equipment pad not provided

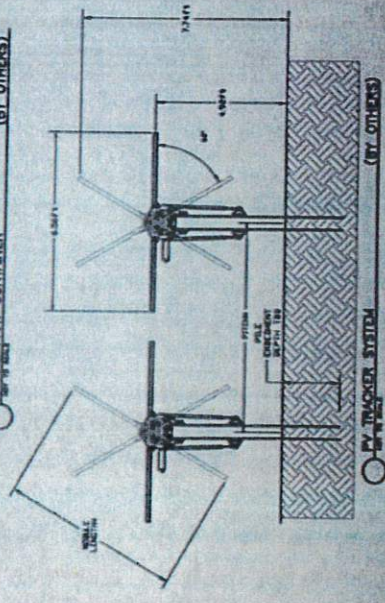
○ SPARE PART CONTAINER (BY OTHERS)



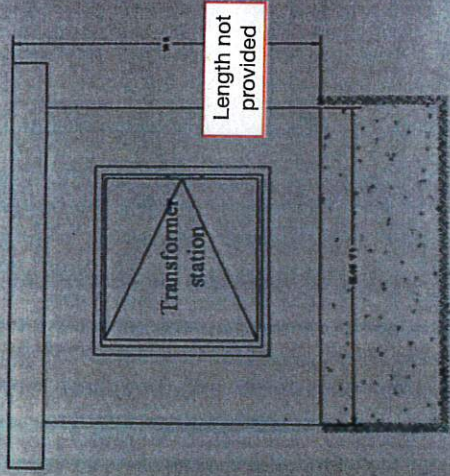
Length not provided

equipment pad not provided

○ DC TO DC CONVERTER (BY OTHERS)

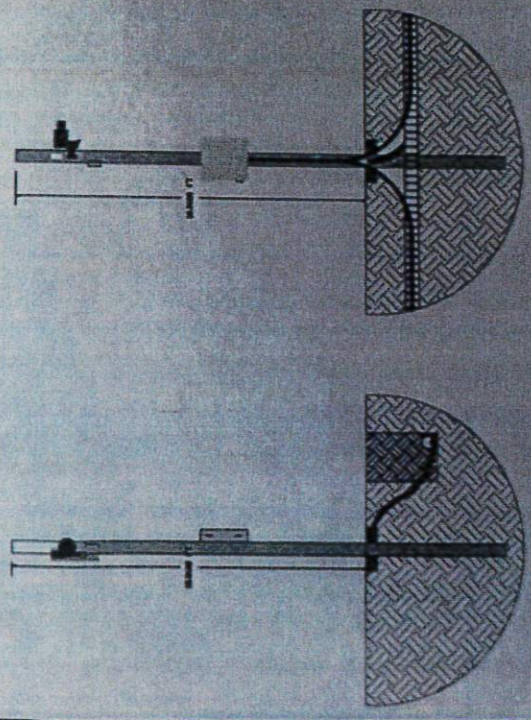


○ TRACKER STATION (BY OTHERS)



Length not provided

○ TRANSFORMER STATION (BY OTHERS)



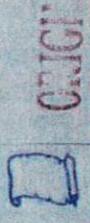
○ 600V POLE DETAIL (BY OTHERS)



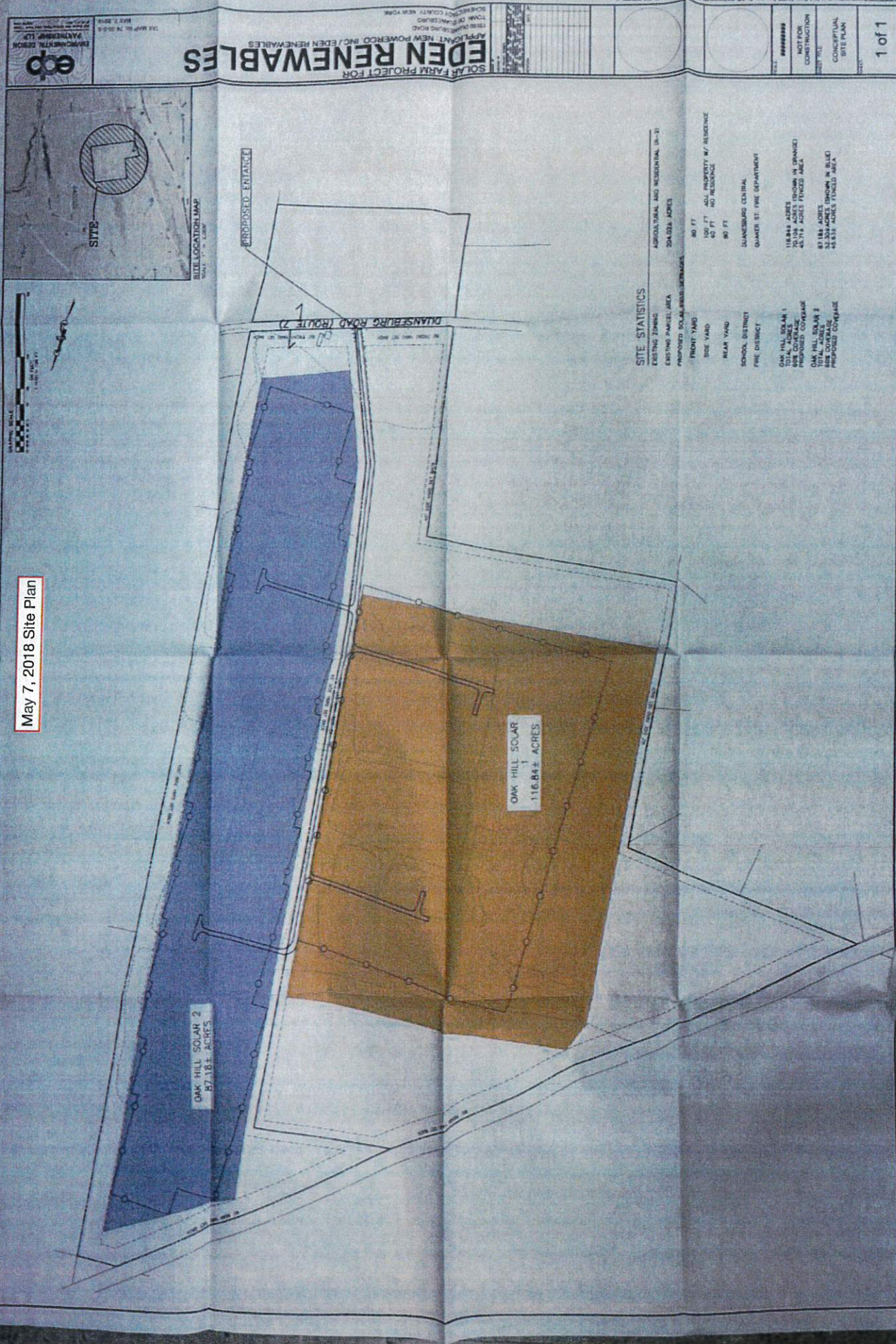
○ 600V POLE DETAIL (BY OTHERS)

Equipment Not Provided
 tracking motors
 tracking gear system
 control gear
 battery energy storage
 HVAC
 major switchgear

ENTERED ON 9/17/19
 BY: W.D. 2:38



May 7, 2018 Site Plan



June 16, 2022

There are two issues with this special use permit.

First the ordinance is defective. It is vague and allows discretionary decisions. Renewals cannot be done on a maybe we will or maybe we will not. Requirements for approval must be specified before the permit is issued not after. ie. Amount of insurance.

The second issue is compliance with building codes. Mr Serth has a history of doing what he wants and then asking for forgiveness later. This barn was put up without a permit and does not comply with setback requirements. To solve his problem with bathrooms Mr Serth has constructed bathrooms in another building again without a permit. This has to stop. If permits and required variances are not issued prior to construction penalties must be applied and certificate of occupancy certificates denied.

We also note that bathrooms in another building expands the scope of this so called project and all requirements, approval must be complied with

History. The building was put up without following the correct procedures. There was no public hearing that allowed input from neighbors. Now it is being compounded by this proposed commercial intrusion into a residential neighborhood.

This application is deficient in several areas. First the ordinance requires a plan prepared by a licensed design professional to obtain a certificate of occupancy for an assembly area.

Second The requirement for a certificate of insurance has not been complied.

It is noted that the requirement for a certificate of insurance is vague. No minimum amount is specified. A minimum of one million dollars should be required. A requirement that the operator hold the town harmless for any actions arising out of this venue should be included.

Thirdly permit renewal should be done on a yearly basis It should not be left to the discretion of any unnamed individual.

Fourth. There is nothing in the application to insure that only the applicant will hold events

Fifth. Section on water usage is incomplete Boxes not checked.

Section 1. The applicant proposes to limit the scope of this special use permit to only commercial events. He asserts that this building has been used for large scale non commercial events. If this is designated a commercial entity then all events held there should fall under this permit. To do otherwise would allow commercial events to be called non commercial to avoid the requirements of this proposed permit. To our knowledge no large scale gathering have occurred in this building since its construction

Section 3. The existing building photo shows that does not have a fire suppression system. Other building requirements such as lighted exit signs, Handicapped access and bathrooms The requirements for a building of mass gathering is significantly different from that for a barn.

Section 4 1.1 What provisions will preclude the Lake District property from being used for commercial purposes Will a buffer be required.

The application states that the building occupancy is 99, Yet the application calls for events of 150 people. What will insure that the occupancy level will not be exceeded. What penalties if any would be enacted to insure that violations do not occur.

Section 4 2.1 The minimum width for egress is 60 ft. the driveway does not meet this requirement.

There is no contractual basis that guarantees that the neighbors driveway will be available for use by the applicant if required. This means of egress is in the lake district, Does not meet the minimum width requirements. It may be subject to sale by the present owner. It is also directly next to the applicants driveway and as such should be part of one exit. Without a deeded easement it should not be considered as a means of egress. The attached photo shows that access to the driveway is blocked by a building and would preclude vehicles from using it.

The applicant needs to have his own traffic study done, This is a different location with different parameters. Our concerns are not only traffic count but the boat launch traffic and access to the lake. Pedestrian traffic on the roadway is a great concern. The letter January 14, 2022 from VHB is not deemed a traffic study.

The Mariaville Civic Association limits activity on the lake from 12 pm to 8 pm. The applicant proposes to operate between the hours of 9 am to 10 .T his is a Hugh increase in operating hours over what currently exists and will be a detriment to our peaceful neighborhood

Mass meeting requirements are different from commercial code.

Other concerns

What would preclude the applicant for leasing/renting or otherwise allowing another entity from being an event operator at the facility? If violations occurred who is responsible. What is the penalty for not complying with permit?

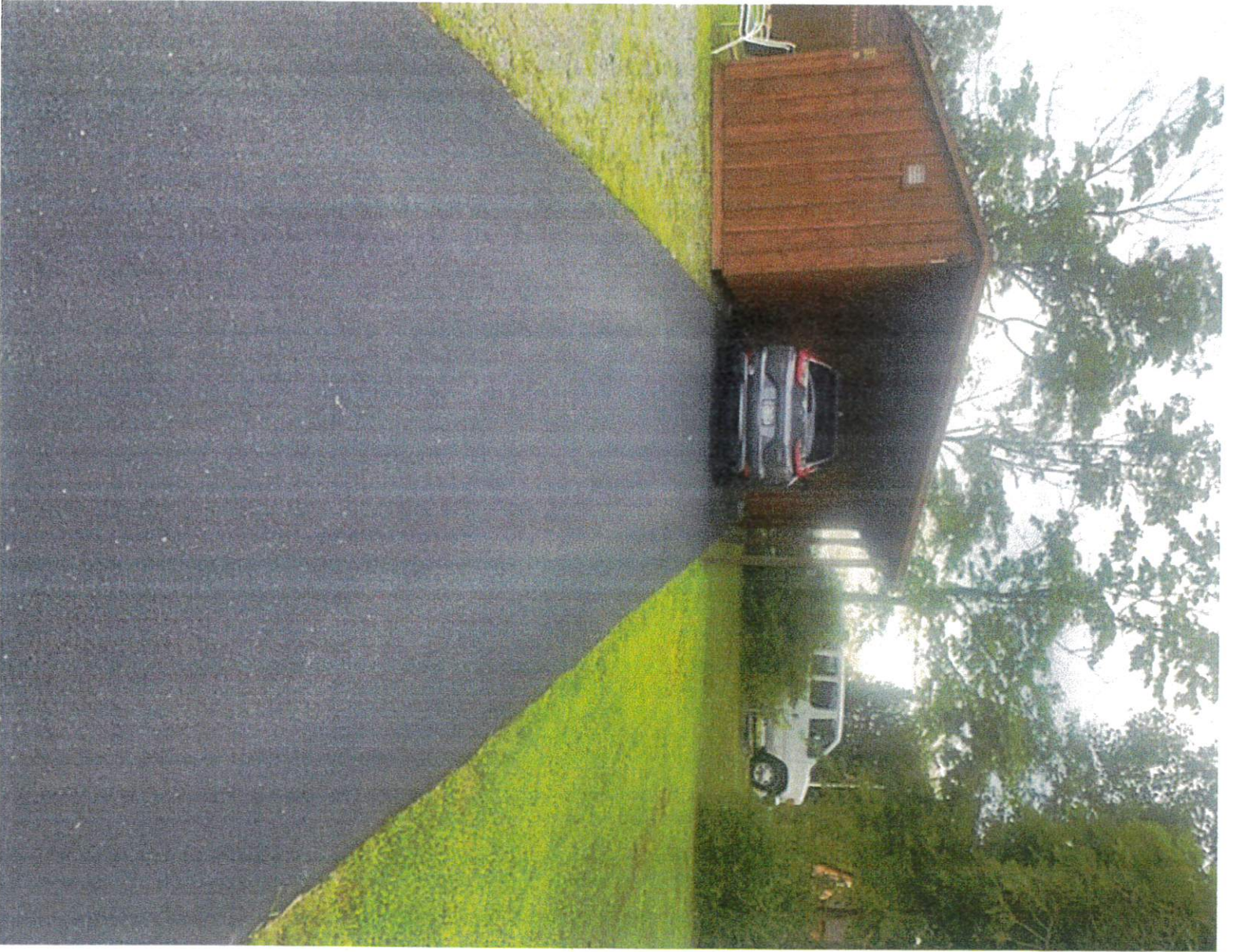
Would a additional approval be required? A public hearing held?

There are no provisions to provide barriers to protect the neighbors from noise, traffic etc.

Elderly neighbor on dialysis.

Compliance with State/County permits etc. Health Sales Tax etc

Site plan is not by a licensed professional.





Melissa Deffer

From: lynne bruning <lynnebruning@gmail.com>
Sent: Thursday, June 16, 2022 10:33 PM
To: Melissa Deffer
Subject: June 16, 2022 Bruning to Planning Board Public Hearing Serth

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.

r

Dear Planning Clerk,
Please include this comment in the June 16, 2022 Planning Board meeting minutes for the Serth 216 Batter Street Public Hearing .
Please confirm receipt of this comment to lynnebruning@gmail.com
Thank you for your time and consideration.

Jeffery Schmitt, Chair
Planning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

June 16, 2022

Re: Public Hearing Comments for Joseph Serth 216 -218 Batter Street Special Use Permit - Event Venue

Dear Jeffery Schmitt,

Lynne Bruning 13388 Duanesburg Road, Delanson, NY 12053

I'll submit my comments in writing to the planning board clerk.

A list of considerations that board may answer tonight or in writing:

1. Does the permit run with the land?
When lands are sold will the permit transfer to the new owner?
2. Applicant stated that a baseline noise level test was conducted.
Is this noise analysis provided in the Application?
Was the noise analysis conducted by a New York State licensed sound engineer used?
Was the noise analysis conducted by the Applicant?
What equipment was used? What time of day? What location of the testing equipment?
Was the noise analysis conducted when an amplified sound system was operating?
If the abutters complain of excessive noise how will complaints be documented and recorded by the town?
Does the Department of Environmental Conservation regulate noise levels?
If the noise level exceeds 70 decibels at the property line or residential receptor permitted by local zoning ordinance how will the Project be brought into compliance?
3. Has the Board performed a site visit?
4. Request that a third party independent sound engineer be used. While the Applicant may have sound analysis qualifications there appears to be a conflict of interest for the Applicant submitting the noise analysis for their own Project.
5. Has the board considered overnight parking of campers, mobile homes, travel trailers? What about for multiple nights?

The Applicant's property rights end where the abutter's property rights begin.
The neighbors shouldn't suffer the Project's lack of compliance. The neighbors use, enjoyment and future development of their lands should be protected.

I request that the Planning Board be fair and square for all taxpayers property rights.
and is upholding the local law and consider future conflict resolution

This Permit will be the first event permit issued. It may set precedent. I request that the board delay any action on the Project until a written list of conditions are provided to the taxpayers for review. I request that the resolution include conditions including a detailed baseline noise analysis, steps for conflict resolution and that if noise levels are in excess then the Special Use Permit is revoked.

I encourage the board to take their time and do it right.

Thank you for your time and consideration.

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

