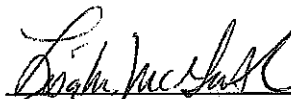


State of New York,
City and County of Schenectady

ss.:

Lisa M. McGrath of the Town of Rotterdam, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

1 insertion: November 9, 2020

 (signature)

Lisa M. McGrath (printed name)

Sworn to me on this 10th day of November 2020



NOTARY PUBLIC

PAULA A. OFEL
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES 07/22/2021

**LEGAL NOTICE
TOWN OF GALWAY
Planning Board**

NOTICE IS HEREBY GIVEN that a special public hearing will be held by the town of Galway Planning Board on Wednesday, November 18, 2020 beginning at 7:30 p.m. via Zoom to consider the following application:

**Application #PB20-014
- Application of TIA - NY-
1806 Perth Road**

**Galway, LLC
for construction and operation of a solar facility on property located at 1806 Perth Road (tax parcel no.: 199.-1-86) in the A/R District of the Town of Galway.**

Plans and information will be held on display at the Town Hall 5 days prior to the Public Hearing. Questions can be e-mailed to the Chair, Ruthann Daino at rdaino@townofgalwayny.org. Any written correspondence needs to be received by the Town Clerk 48 hours prior to the Public Hearing. Log in information for the Zoom meeting will be posted at the Town Hall and on the Town of Galway website. The Town Building Inspector will hold additional hours for review of plans on Saturday, November 14, 2020 from Noon-2:00 and on Monday, November 16, 2020 from 6:00 pm - 8:00 pm.

**Donna M. Noble
Clerk**

11/9

2421959



TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

5910 Sacandaga Rd.
Galway, NY 12074
(518) 882-6070

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NOV 24 2020

TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: November 18, 2020, 7:30 p.m. This is a special hearing, open to the public (via Zoom), to discuss TJA-NY-1806 Perth Road solar facility.

MEETING CALLED TO ORDER at 7:30 p.m. by Ruthann Daino, Chair.

MEMBERS PRESENT: Rebecca Mitchell, Win McIntyre, David Schweizer and Kevin Symonds.

MEMBERS ABSENT: None.

ALSO PRESENT: Donna Noble, Clerk, James Trainor, Esq., Treavor Gilday and Mike McNamara.

PUBLIC HEARING:

Application #PB20-014 - Application of TJA -NY-1806 Perth Road Galway, LLC for construction and operation of a solar facility on property located at 1806 Perth Road (tax parcel no.: 199.-1-86) in the A/R District of the Town of Galway. Eric Kenna and Mike Frateschi are in attendance via Zoom. Ruthann starts the hearing reading comments and/or questions from Adam Mancini (5158 Consaul Road). His first question asks if there is any way to stop the solar farm from being built. 2. Are there any negative effects to neighboring homes - for example, property value. Mr. Frateschi explains that there are two studies they refer to (and can provide to the town) that the overall impact on property value is untouched. 3. Are there positive effects - lower taxes. No, it will not decrease property taxes but a positive could be lower monthly electric bills. As a whole, the town and the school district will be receiving additional revenue on this property. 4. Will there be a fence - yes, the facility is required to build a fence at least 7 feet tall. A 7-8 foot fence is being proposed which will basically look like a farm field fence. No chain link and no barbed wire. 5. Is there a decommissioning fund? Yes, a fund and bond are required and the required bond will be in place before construction. Ruthann adds that Town renewal is required every 5 years. 6. Describe any maintenance or operational activity. Will there be part-time./full-time staff and inspectors on the site, etc... Operation and maintenance - the site will be mowed 2-3 times a year during mowing season. During the winter, the only reason to plow would be if there is an issue on the site, if somebody had to access a certain piece of equipment. Plowing will not be a

regular maintenance item. The only reason somebody would be on site would be if National Grid is checking their equipment for whatever reason. 7. Will there be surveillance cameras, lights, or motion detector lights? The only light will be a maintenance light located near the equipment pad so that if somebody had to come out at night, they could turn that light on. There will be no cameras at the facility. 8. What is the expected noise level and light level? This has been covered. There should not be any noises. Any noise (from the pad or transformer) is not any noise that will be heard off of the site. There is discussion of glare analysis. 9. Due to weathering conditions, lightning strikes, severe winds what is the liability for neighboring homes when tall trees/large limbs fall onto the solar panels? Any potential tree that falls on the panels will be on their own property. There wouldn't be any liability to anybody. 10. What payments similar to taxes are to be paid to local schools by the Solar project - NY State allows tax exempt status for 15 years for an average solar life span of 20 years? Ruthann adds that Town of Galway Solar Law does not add that tax exemption. Mike answers - They are in early conversations with the Town Board and with the County and School District about negotiating a pilot agreement. Pending the negotiation, they understand that they have tax responsibility on this property and will be realized.

The next set of questions Ruthann reads are sent in by the LaPolt's *(5234 Hudson Road). 1. Is the Town of Galway changing the zoning of land use of A/R zoned properties to allow traffic utility installation. No. The zoning is not going to change. The solar farm is a permitted use in the A/R zone with a site plan and special use permit which is the process that is going on now. 2. Was the SEQR process used for the environmental review of this project? Yes, the SEQR review is currently in process. 3. Who is the lead agency and are there other agencies involved? Town of Galway Planning Board is the lead agency. Eric states the other agencies involved with this project. 4. Was this project reviewed as a type 1 action in accordance with SEQR due to the size of its disturbance? Yes. 5. Has a full EAF been completed? Yes it has and is in the review process. There is discussion of the Wetland. A wetland delineation has been completed. There are two types of wetlands on this property. The one on the east side of the property is a DEC wetland. The one on the south side of the property is a U.S. Army Corp wetland. All wetland requirements have been met. The last question asks about Geo Technical investigation and has it been done? There has been no Geo Technical investigation yet. It will be done when they get to the point where they start designing depths and a more detailed construction drawing.

All written questions are complete. Ruthann opens the meeting up to the public (via zoom).

Rob Collins (1805 West Galway Road) - Is concerned with the amount of trees being cut down and how it will affect the wildlife. How will the wildlife travel from one side to the other as they have always done before. Also, why hasn't an open field been used. Eric explains that no, the larger wildlife will not be able to go through the property, they will have to go around. Mike explains that there are several factors involved when choosing a location. They picked this parcel one - the relative distance to the sub-station. Two - farm fields are good in the sense that they don't provide shade to the panels but are negative because, if not properly screened, they become an eyesore. This site is fully screened. Mr. Collins also asks how long will this project take to build and how much noise will the neighboring properties hear. Also, what time of day will they be working?

They will come to an agreement with the Town on what time of day to build and they will comply with those times. The construction duration is typically six months and 3 of those months are the heavier work (pile driving, module installation). There is discussion of the types of pillar installation. Mr. Collins also has concern with water. How much more water will the properties incur once the trees have been removed. This will be addressed in the storm water plan and will meet the State's standards.

Andy LaPolt is confused and questions the "SWIP". There doesn't seem to be a SWIP with the plan. There is discussion of the water, water plans and measure to be taken once calculation and final plans are in place.

Bob Schlueter (1809 Perth Road) states that he and some of his neighbors were not notified of this meeting. He asks if the Galway Fire Department will get any special training to handle any on site issues? Eric will provide a fire plan to the correct person at the Fire Department for them to review. TJA is willing to meet with a representative from the fire department at the site and go over the plans.

Rob Collins asks is this a done deal? When will the Planning Board decide on this action? He feels that the neighbors have not had time to review the plans. Ruthann explains that this application is still in the early stages of the review process. There are still outstanding items the Board is waiting for and cannot give an exact time frame but it is in progress.

Debbie LaPolt states that they love living in Galway. They live on Hudson Drive. They moved here about 8 years ago and they want to stay here. She is concerned about the comments made about the wildlife, the wetlands, the people who live at the bottom of the hill once the trees are removed, the re-sale value. It is very upsetting to her and she feels that the process hasn't been real transparent. the DEC SWIP - she works for a construction company and knows that typically before construction begins the SWIP should be in place and it is disturbing to her that during the progress of construction a SWIP will be implemented. Eric corrects her and states that is not what he said. She is concerned because there is not a whole lot of transparency. Ruthann questions why she think there hasn't been transparency is this matter and explains that there has been nothing to hide and like she stated earlier, it is still in the very early stages of review. The Engineering firm has been complying with every question that has been asked of them. This hasn't just started tonight. This application has been under review for a couple of months. The Board is required to hold a public hearing and they will continue the process.

Dave Worcester (1803 Perth Road) states that he too had not received notice of tonight's meeting. They found out from their neighbor across the street. It will be looked into as to why some got letters and some have not. Mike adds that as the applicant, they fully intend on being transparent. They have provided everything possible and if this needs to extend to another public hearing they completely understand and they would like all of the residents to have all of their fair share of questions addressed and would be happy to answer them.

Mike Smith, Town Supervisor and resident asks, will the project be phased as far as the way it will be built because he assumes that they will be pulling stumps and making quite

a bit of disturbance and will fall under the 5 acre maximum to "open up" work at a time. Yes, they will be working on 5 acres at a time. There are a couple options they can use but will work on a 5 acre disturbance at a time. Mike explains that he also lives within 2,000 feet of the project and is also very concerned about how it will happen. He also recommends to the public that they can contact him over the next few days if they have any questions. He wants to make sure that everyone understands that they have tried to be extremely transparent and upfront with this as possible. He, Ruthann and Treaver have met numerous times to make sure they get out to everybody and understands that there has been a hiccup with that. He is very much in favor of keeping this public hearing open due to that fact. Ruthann explains that the town's code only requires us to notice land owners within 300 feet but it was expanded out to 1,000 feet for this project.

There are no other comments or questions. Ruthann explains that the materials will still be available in the conference room at the town hall to come and look at. She also states that they board will discuss a date for scheduling the next public hearing. Also, we will try to figure out why the letters did not get to land owners that should have received them.

Motion by David to keep this public hearing open. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

Motion by David to adjourn. **Second by Rebecca.** Voice vote: All ayes. Motion carried. Meeting adjourned at 10:17 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk