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Town of Bethel Planning Board

PO Box 300, 3454 Route 55
White Lake, NY 12786

The Town of Bethel Planning Board held a Work Session on June 4, 2018 at 7:00 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. A regular meeting of the Planning Board followed on the same date at 7:30 PM. On the agenda at that time were the following;

In attendance: Daniel Gettel, Chairman, Steve Simpson, Vice Chairman, Mike Cassaro, David Biren, Susan Brown Otto, Wilfred Hughson, David Slater, Robert Yakin, Jr, Alternate, Jacqueline Ricciani, Attorney, Bette Jean Gettel, Code Enforcement Officer, Glenn Smith, Engineer, Vicky Vassmer Simpson Liaison, and Jannetta MacArthur, Recording Secretary.

Pledge to the flag

Full board in attendance so there is no need to seat the alternate member.

Motion to approve the minutes from the May 7, 2018 meeting by Steve Simpson, second by Susan Brown Otto.

All in favor -7

Opposed - 0

Agreed and carried

- 1) Application for a Special Use Permit with Site Plan review for a Hotel with Amenities to be located at 338 Chapin Road, known as Tax Map # 55.E-2-16 & 28, proposed by Chatwal Lodge / Chapin Hospitality, LLC. (Smith)***

Daniel Gettel: Glenn you will have to update us on the tax map numbers. I believe there are additional tax lots now, more than just those two.

Glenn Smith: Yes, I will do that. We were here back in February for our conceptual presentation on this proposal. It is on two lots where Steve Dubrovsky's former house was, lots 16 and 17. The total of the two lots comprise of about 21 acres on Toronto Reservoir and on Chapin Trail. It was a schematic plan that we showed at that time. It is basically utilizing the existing former house, which will now be the lodge with a kitchen/dining addition. There are about twenty or so

hospitality cottages to be built, mostly one bedroom, some two bedroom cottages. One is The Presidential cottage that will have four or five bedrooms. What I passed out is this drawing here. Essentially, the existing building, the lodge building, is right here with the proposed dining and kitchen addition on it. The existing stable building will be renovated to a spa and spa pool. There is a bridal cottage up here. The Toronto Reservoir is on the bottom of the drawing. That is where the various cottages will be constructed up toward the Chapin Trail. This lot was the Grebel lot. There is an existing house on that which is part of this overall property. That was purchased back from the Grebel's. There is a lot across the road, which on the drawing I passed out shows a proposed stable and receiving building on that side of the road. Parking will be valet parking. People that come to the restaurant/lodge building will have their cars parked across the street on that lot, off Chapin Trail, on that proposed parking lot there. The same with these cottages along the reservoir. They will be able to drive down and park there. Basically, you will park up here and there will be a shuttle, golf carts and little motorized vehicles that will take people around. The carts will also be for maintenance workers, to drive around down to the road to the cottages. The building code requires a 20 foot emergency access drive through the whole site within 150 feet of all the buildings. That is what this here is where it loops back to the property and loops out to Chapin Trail. Essentially, there are two existing wells on the property. One is about 50 gallons per minute and one is about 3 gallons per minute. I think we are going to try fracturing that one well to increase the yield above 3 gallons per minute. I am showing a third well on the property. We will probably drill a third well and place a little well building around that well and tank. There will be distribution pipes all through the property, kind of a like a municipal system. We will bury the pipes on the property to all of the buildings for water supply. It has to meet Health Department approval because it is a community water system. It has to be treated with disinfectant and that type of thing. There is also a separate lot across the road which is owned by the Chatwal Group. There is a house with a well on it. We may tie that well into this system also. We may have four wells when everything is said and done for the water supply. We will see. The sewage is basically a series of septic systems for different groups of buildings. We have done percolation tests all through the property. On 21 acres it is not hard to find septic to handle the discharge. The total discharge and water demand, maximum occupancy, is around 8,000 gallons per day. The wells and septic have to be sized to handle that. We anticipate one large system for this cluster of buildings, a separate system for this cluster here, and one for the event center where the existing car barn is now. That could be weddings and events like that down there. Everything is pretty much staying on site. There are no sewage treatment plants being built, nothing like that because that would be considered a surface discharge. We don't want surface discharges.

Jacqueline Ricciani: Did you say the discharge was going to be 3,000 gallons per day?

Glenn Smith: 8,000 gpd.

Daniel Gettel: Could you touch a little further on where you come up with that number? That is a number the DEC and the Health Department are going to give you for a maximum buildout.

Glenn Smith: We have a flow confirmation letter from the Health Department. We are going to need a SPEDS permit. The DEC won't give us SPDES permit until we have a flow confirmation letter from the Health Department. They strictly base the flow on 110 gallons per

day per bedroom. I used 120 gallons per day per bedroom just to be a little conservative. That is where that came from.

Daniel Gettel: But it won't be that high because there will be no laundry facility here. That is quite a bit for a bedroom in a hotel. That is like a four hour shower. The base number sounds high.

Glenn Smith: 120 gallons per bedroom is on the high side. There are 36 bedrooms. You are right. We will need a flow confirmation from the Health Department as part of this process.

Daniel Gettel: The number sounds high. I just want the board to be aware where it is coming from.

Glenn Smith: The Health Department requires showing a 50% expansion area. We show a 100% expansion area. In the future if we need to make the leach field bigger we have room to do that.

Daniel Gettel: Glenn how does the water distribution system work? I see you have a storage tank building towards the entrance.

Glenn Smith: On the current plan, the prior one, we had on this side of the entrance road. I kind of tucked it in the woods here.

Daniel Gettel: How does it work with multiple wells pumping into... how do you coordinate that?

Glenn Smith: It depends how much the wells put out. The wells are controlled by a pressure switch in the building. When the pressure switch senses low water or if you have a tank it is controlled by a low level switch in the tank. If you have a real good well that well comes on the first time it needs water, next time it calls for water the other well comes on.

Daniel Gettel: So they cycle?

Glenn Smith: Sometimes you have three wells tied together where they all come on together and they each pump that much less. It is pretty easy to do.

Daniel Gettel: In the past you had more of a glamping (glamorous camping) feeling.

Glenn Smith: We had those three glamping tents in this area. The three tents are out. These six one bedroom cottages are added in.

Daniel Gettel: Your perc rates were?

Glenn Smith: 20 -30 minutes per inch.

Daniel Gettel: That is pretty consistent in our area.

Glenn Smith: That's not sand or gravel, but they were more than satisfactory.

Daniel Gettel: I am assuming, based upon the footprints, that these cabins will have a similar feel of a Chapin house, just by looking at the shape of them. I don't know how you came up with actual floor plan footprints of each unit.

Glenn Smith: There have been architects involved in this from Dallas, Texas for half of a year now laying all of these out.

Daniel Gettel: That was our question. Are we going to see some kind of a plan of what a cabin will look like? I don't want to call a cabin...

Glenn Smith: We had floor plans months ago, but they are still being tweaked. They are all laid out. There is also a pool proposed in the middle of the site here, which kind of looks out over the reservoir. It is one of those infinity pools. That is proposed in this area right here.

Daniel Gettel: Is that more of a central use for everybody in the cabins?

Glenn Smith: Yes.

Daniel Gettel: Robert, I know we didn't seat you tonight, but the roads are 20 foot wide paved with 4 foot shoulders on each side.

Robert Yakin: That is more than adequate (for fire access). The code calls for 20 foot. It gives us plenty of room.

David Biren: Do you have any dry hydrants here?

Glenn Smith: No. The water system is set up for domestic water.

Robert Yakin: Our problem with the Toronto Reservoir is the inconsistency of the water level. It can be impossible. There are dry hydrants in Toronto that are only intermittently useful.

David Biren: There are so many buildings.

Glenn Smith: You're right, it is a concern. There are no requirements for fire hydrants with this type of system. If they are there it might help the insurance.

Daniel Gettel: I assume if people drive by they notice there is a new gate that went up with a new exit. I am assuming that has to do with monitoring the gate full time.

Steve Dubrovsky: Yes. There is a new gate house there. It will be monitored at some point.

Daniel Gettel: So they would check people coming in to make sure they have a reservation, so you know where they are going.

Glenn Smith: That applies to the dining facility also, the restaurant.

Daniel Gettel: Glenn, we spoke a little bit before the meeting. We are working with a short EAF which is required for a submittal. We might as well do a long EAF. They are pretty much the same. I dropped the ball a little. I need to get a reviewing engineer as you clearly cannot be our engineer.

Glenn Smith: I didn't know if you were using Wasson.

Daniel Gettel: I only have two options. We are looking at option B. I couldn't tell you his name. I do think we are going to have a long EAF. I think any engineer would agree with that.

Glenn Smith: I need to bring more detail. When you pick someone I will pass it on to them.

Daniel Gettel: Are the decks and docks that are shown existing? Are they proposed for this use?

Glenn Smith: What is shown on the map is existing.

Daniel Gettel: Are there proposals to give moonlight tours, not that it matters to me. Are you going to be using the docks? I don't think it would affect us, I am just curious.

Steve Dubrovsky: We expect to use the docks.

Daniel Gettel: It's not like you are putting in 30 docks either.

Steve Dubrovsky: One central dock.

Jacqueline Ricciani: So those docks are existing?

Glenn Smith: Yes.

Daniel Gettel: So Glenn, you will get us tax lot numbers, you will get us a better idea of which tax lot the parking lot is set on?

Glenn Smith: On the long EAF we have to list all of the tax lot numbers.

Susan Brown Otto: Can you use the cabins in the wintertime?

Glenn Smith: Yes, year round.

Daniel Gettel: Water and sewer are going to be buried?

Glenn Smith: Yes. In the wintertime when we heat we will need propane gas in there. So we will bury propane tanks and underground gas piping.

Susan Brown Otto: Will there be firepits?

Steve Dubrovsky: Yes, by some of the units.

Glenn Smith: On the patio.

Steve Dubrovsky: Each one will have a nice stone patio so there will be a place to put a fire pit on the patio.

Daniel Gettel: How many bedrooms?

Glenn Smith: Approximately 38 bedrooms.

Daniel Gettel: That is a little more than the original application.

Glenn Smith: There are a few more cottages, which replaced the glamping tents. Any additional wastewater flow, if there are additional people like a wedding or something, there are additional water and waste water requirements for that.

Daniel Gettel: Are there any other comments? I don't want to say I'm not sorry there are no glamping. These are more permanent.

Glenn Smith: The owners felt the same.

David Biren: The main lodge addition, is that multi-level?

Glenn Smith: Yes.

David Biren: Will there be a sprinkler system?

Steve Dubrovsky: Not sure. I think the threshold is 100 people. We are not sure if we are going to have a 100 people in there dining.

Daniel Gettel: So dining is still in the lodge. Did you talk about staff housing?

Steve Dubrovsky: There will be some management housing on site, not complete staff.

Jacqueline Ricciani: Is it shown on the map?

Daniel Gettel: It is not shown on the map. Would it be on these parcels, or on another parcel?

Steve Dubrovsky: It will probably be on an additional parcel, on their own lots, contiguously.

Daniel Gettel: It is something the building department could approve.

Steve Dubrovsky: It will probably be one family unit for a hotel manager, those kinds of things.

Glen Smith: This lot has a residence. Is that empty now?

Daniel Gettel: As long as it is one unit per lot is what I am getting at. Duplex units probably, but not more than one house on a lot. I think we are pretty clear. We have to talk to our engineer about a few things. Do you have any concerns for us?

Glenn Smith: We basically wanted to bring you guys up to speed where things are and how we are moving ahead.

David Biren: You'll bring some pictures of the buildings next time you come?

Steve Dubrovsky: We have them, they are preliminary. Next time we come in we will bring them in.

David Biren: We have an idea of what the buildings look like.

Steve Dubrovsky: You'll like them. If you like what is at Chapin you will like these buildings.

Daniel Gettel: Glenn, the smallest unit, do you know the size?

Glenn Smith: 1,000 square feet for the smallest.

Jacqueline Ricciani: Does that include the interior?

Glenn Smith: That is the interior.

Daniel Gettel: The open pavilion down by the water on the slab?

Steve Dubrovsky: That's existing. That is going to stay. That has a fireplace, a place for people to hang out.

David Biren: In these cabins, will there be kitchens?

Glenn Smith: You can't have kitchens. Your code is pretty specific, no kitchens. Coffee makers, microwaves, will be in the cabins. The intent is to get the meal at the main building.

Daniel Gettel: Robert, we will look at the turning radius. Is it the White Lake Fire District?

Robert Yakin: Yes, it is all White Lake's district. I don't see any trouble with it. There is a little hammerhead there. Not a problem.

Daniel Gettel: What about lighting? Residential style?

Glenn Smith: Some LED lighting on poles, buried wiring. There are a lot of walking paths proposed. There will be lights every 150 feet. I believe they are talking about generators on site.

Steve Dubrovsky: One major generator for the whole site

Daniel Gettel: That's a major generator feeding the whole site. BJ remind me about getting a reviewing engineer. Thank you for coming in.

2) *Application for a Solar Farm to be located on Horseshoe Lake Road, known as Bethel Tax Map 23-1-52.1, proposed by Horseshoe Lake Solar, LLC. (Reagan)*

Daniel Gettel: Mr. Reagan, do you have business cards of everyone in your group? This way you can give them to her now so she doesn't ask later. Please update us where you are. What has changed?

John Reagan: Good evening, John Reagan with Cyprus Creek Renewables. We were last here in January or February. We recently submitted an updated site plan that contains some response to your comments, updated the SEQRA application and updated the decommissioning plans. We also submitted a FAA report, and some pictures, photographs and so forth. This is a proposed 2 megawatt community solar farm. Two megawatts would power about 300 to 400 homes under the NYSERTA Community Generation program. We would be required to sell that power to individual subscribers locally, which means it could be right here in town, but it means within the NYSEG service area.

Daniel Gettel: Do they buy in? Is that a program they buy into?

John Reagan: Yes, it is all voluntary. It is up to us to try to sell the power.

Daniel Gettel: That was a question I was asked at the work session.

John Reagan: Yes, it is by voluntary subscription. So with that... Rich... are there any recent updates to the site plan?

Richard Santos: The major change is that we are proposing 91 new trees consisting of some proposed white pines and Norway blue spruces. I believe you had seen that these are single access trackers that follow the sun throughout the day. We are providing a 20 foot vegetative buffer around the site, except on the north we are providing.....

Susan Brown Otto: You are adding 91 trees?

Richard Santos: Along Horseshoe Lake Road. You can see that green section there.

Daniel Gettel: Are they in lieu of the ones there or just to supplement?

Richard Santos: Just to supplement.

Susan Brown Otto: Are there power lines currently where you are planting the trees?

Richard Santos: There are power lines there; we will have them away from the power lines, into the lot.

Daniel Gettel: The existing trees are off the power line, some have already been taken down (by a recent storm). Quite a few actually. I think quite a few actually came down on this parcel.

Jacqueline Ricciani: Is that in your submission?

Richard Santos: That is not part of it. There is a sheet. The landscaping plan sheet C 402 does have those trees shown on them. It is not this specific plan with the aerial.

Jacqueline Ricciani: C 402- Soil Restoration.

Daniel Gettel: Why so many acres, why choose a fully wooded parcel and clear 28 acres, whatever the number actually is.

John Reagan: That is a great question. We hear it a lot. The siting criteria for community solar, there are a few very important pieces. The most important piece is the proximity to the electrical infrastructure. So it would be a three phase system, and the location, the proximity to the White Lake substation, is probably two miles to the south here. That reduces the universe of available sites for solar farms. Some of the other selection factors you have to find is someone to lease you the land. This site is reasonably free from environmental issues of wetlands and endangered species. That narrows down that universe of spots.

Daniel Gettel: This is also not an ideal site because there are wetlands on it.

John Reagan: Yes, there are a couple of wetlands.

Daniel Gettel: Federal wetlands.

John Reagan: We inevitably have to work around wetlands on any site. There just can't be that many. We are sensitive to trees. Studies show that the carbon offset from the solar farm is greater than what the carbon capture of what those trees would be. One of the things that we have committed to do on all of our projects is we are going to finish the solar farm with pollinator friendly plantings which would help different pollinator species of birds, butterflies, and bees, and other insects that rely on.... Bees especially are hurting in New York State.

Susan Brown Otto: What type of pollinators?

John Reagan: It would be a local native mix of wild flowers species of the slow growing grasses and other vegetation. It is a little bit better for us too because it requires less maintenance, and is better for the soil quality. That is one example, we don't have to do that but we know that people are concerned about other issues.

Michael Cassaro: With due respect, I don't think you answered the question. I would like to know why you need 28 acres instead of maybe 10 acres.

John Reagan: There are two things. One, we need the space for the solar panels. Two, we need a shading buffer far enough away from the panel so the shade doesn't inhibit power production.

Jacqueline Ricciani: I thought you were using the rotating panels.

John Reagan: You still need to keep the shade away from it.

Jacqueline Ricciani: Doesn't that help you?

John Reagan: To a certain extent it reduces the surface area to a small extent, not to a large extent.

Steve Simpson: You are using tracking as your power generation?

John Reagan: It doesn't allow us to produce more than 2 megawatts. It allows us to produce more megawatt hours with the somewhat smaller site.

Steve Simpson: My point is, and the other board members, if you reduce your footprint, because you are using tracking, you may increase your generation on a smaller footprint. Why not make that footprint smaller? On an average site, equivalent to 5 acres of land, it depends on what you are using. What kind of panels are you using, crystalline silicone?

Christopher Barlus: It will be mono-crystal or poly-crystal, depending on the allocation.

Steve Simpson: If you have that, crystalline is actually better than film. It is better than the thin film. That will require more acreage. You have tracking as you mentioned. Tracking you are going to get a guarantee of 4 to 5 hours of production. If you are going to generate that much more, economically as well as physically, why not reduce the footprint size? Thirty acres is a lot. 1kw of solar is equivalent... you are going to have about 200,000 square feet in that location a 2 megawatt farm, just looking at that, dividing your acreage for one acre, you could run this thing easily between 5 and 10 acres.

John Reagan: There are a couple of things. There is a stream running through that we have to stay away from, we need that extra space. It comes to the affordability of us building a solar farm. There is a point the size restrictions and other restrictions can kill a project. There are a lot of different factors that can kill it and our design and our financial model show this is the design that is best for us.

Steve Simpson: The property is a gem. The lines have recently been upgraded. There isn't much expense to actually generate out to the grid. So you have tracking panels, crystalline silicone, I know you are looking at it as economics. I can't look at it as an economic basis. Whether it works or not, that doesn't faze me. My decision is what is best for the community. I want to see this job be a success, I want to see it come in as the smallest possible footprint. This is just too big. It is not acceptable. I understand you have restrictions on the site. You mentioned every site has challenges. That is a lot of land to be clear cutting. If it is going to be acceptable I would like to see it cut in half. I know you have an access road. That's nothing.

You have a lot of land back there, to use the tracking, the crystalline silicone, tracking equipment. To me you could make it work.

Christopher Barlus: I would say that the maximum system size that you currently are operating with is the size we financially have to maintain but I hear what you are saying. You are producing more electric per panel, why can't we do something about it? I do believe we were able to shrink the site a little by switching to trackers from the fixed tilt design. I know it is not as much as you all want to see, maybe we can take a look at where some of the racks are, see if we can rearrange a little, but it is going to be tough...

Steve Simpson: You have 7 or 8 feet between panels. Maybe you want to look at that since it is tracking. You may want to look I look at solar as a necessity. We need it, just do it smart. Cutting down all those trees for a solar farm? There could be another one down the road. I would like to see it fit, not cut all those trees down.

John Reagan: We can take a look. I can't guarantee as much success as you would like us to have. In other towns we look for ways to offset that. I don't know what that opportunity is in your town, like planting trees or setting aside land for preservation purposes to try to mitigate that. I understand your point. We want to try to be a good citizen. If there are ideas and suggestions from the board, someone we could talk to to look into a project like that, we would be happy to look into that.

Steve Simpson: I would like to go over the letter that was sent if that is okay with everyone.

Daniel Gettel: Glenn do you want to go over some things first, pointing out what the change is?

Glenn Smith: The main revision as mentioned was the plantings along the front of 91 trees.

Daniel Gettel: We are encouraged to not clear cut everything and replace it. Our zoning specifically says don't do that. We came into the meeting that is what was all proposed. But if it is a supplement to what is there, maintain what is there, that is a much better solution. Do you want to touch on the letter?

Steve Simpson: This is a letter that was sent to the Chairman, Daniel Gettel. These are some items you hit on.

Utility poles – Location, amount, and design.

Cyprus Creek responded a total of six poles, 4 customer and 2 utility will be shown on site. Based on previous conversations with NYSEG/RGE field engineers, the NYSEG recloser pole, NYSEG meter pole, and GOAB pole must be installed together directly off the road within 150 feet of the property line so that they are easily accessible by the utility. The remaining 3 poles can be sited further back off of the property line, where possible. If site spacing and layout allows, the remaining 3 overhead utility poles can often be spaced at up to 150 feet part, reducing visual density.

Steve Simpson: I want to touch on the first sentence. The closer pole and meter pole, that is fine. The GOAB pole is customer owned, it is not a NYSEG pole. That is going to be our first pole. My conversation originally was, at the last two meetings, I would like to see it go underground from the meter pole so those poles are not seen. That entranceway is about 130 feet wide, with no coverage. We are only going to see a galvanized fence with barbed wire with 6 poles. One hundred thirty feet is pretty wide when you have people walking by on the road. That is from the vacation homes. People drive by, it is going to be pretty visible. I am willing to go the two poles. That is fine. The closer and the meter pole, there is no reason why the others can't go underground. Your response is this decision to keep the number of poles was made with the following considerations.

OH equipment is less accessible to general members of the public – safety and feasibility concern.

It is going to be enclosed with a 6 foot fence with three sections of barb wire.

Pad mounted equipment is physically larger than the same equipment when pole mounted and will require more space, concrete pads for mounting, etc.

The land is already going to be cleared. That is all cleared land. That wouldn't be an issue.

Switchgears are longer lead time items and will impact project build timelines.

That is a contractor issue.

Steve Simpson: So, all three of those don't hold much water. I am still insisting that it is underground. There is no reason it shouldn't be. I also asked for a letter from NYSEG and your engineer. We had mentioned last meeting that they told you that you had to install it this way. We haven't received that letter. I know that they are installed in the method I am asking. That is an issue there that 130 foot opening, a visual tunnel right into the site. I would like to see the two poles, but that is it. Everything else is underground.

John Reagan: Is your concern 100% of the visual impact, just so I understand?

Steve Simpson: Yes, because you're going to say you have 90+ new pine trees on top of the existing buffer zone. In that area you have nothing. You are not going to have a buffer there. The only thing you will have there is a sign. There is just going to be a big visual of the power lines that is why I want it underground. That is my comments.

John Reagan: We certainly have to consider that. I don't know if there is an alternative to provide screening. I can't answer that off hand. We would certainly consider that. If there is some option, we will present that to you.

Daniel Gettel: You originally spoke about the Airport I believe. Do you want to tell the board about the other map, the map on the right, and the reason for presenting that?

John Reagan: This is a good opportunity because it is about the aesthetics of the site. Rich, would you?

Richard Santos: I have three visuals, this is the first one. This shows what the impact will be along different sections along the site. We are at the entrance. You go directly across the site as shown on the upper right. You can see that the road is going to be in this general area and we will have tracking panels on the east side. Again, this is worst case scenarios. The entrance will be a lot higher than where the racks are going to be vertically. There will not be too much visual impact in that regard. This is a second visual, Section B. This is going across the wetland where there are fewer trees in that area. You can see the racks are going to be far away from that view point, and again with the vertical difference, you are not going to see too many racks in that area.

Jacqueline Ricciani: In the upper right hand corner that is match line?

Richard Santos: That is here.

Jaqueline Ricciani: So standing on the street, you are not going to see any panels, is this diagonally across the property?

Richard Santos: Essentially yes.

Jacqueline Ricciani: Aren't there panels in front of the ones that are shown?

Richard Santos: There are, but along this section you will not see it, there will be trees.

Jacqueline Ricciani: Wait a minute. The diagram in the middle. There are panels.

Richard Santos: Along this section line there is not. Worst case scenario, they are going to the west.

Daniel Gettel: I know what he is saying.

Jacqueline Ricciani: That is like a blip in time and somebody that is walking through that area they are going to see it.

Daniel Gettel: What the board has to also realize there is a 70 foot drop in elevation from the front to the back. What you are actually going to see from the road is actually dictated by how much screening is along the road. I don't know how much is going to be visible, except with what is in front. I agree with Steve. That is going to be the most visible spot. I know what you are talking about with the wetland because the wetland now looks like a grassy lawn almost. It is a perfectly flat lawn right now. You can see across that pretty well.

Susan Brown Otto: Where does the wetland run into?

Daniel Gettel: Probably it was created by the road. It just runs through. It is a dry stream I imagine most of the year. Everything eventually feeds somewhere.

John Reagan: There is a brook on the east side.

Susan Brown Otto: When you plant the pollinators, you are not going to have runoff, or is it all cement?

John Reagan: It will all be vegetation. One of the nice things of this vegetation it soaks up the storm water.

Daniel Gettel: There are manmade ponds that control the runoff, correct? There are three wetlands on the property. These are actually retention basin ponds?

Glenn Smith: Yes, they are in the SWPPP.

Richard Santos: There are 4 ponds that will hold back some of the water. That will reduce the flow in the proposed conditions.

Daniel Gettel: The runoff of the property, after construction, will be the same as what is there now?

Richard Santos: It will be lower.

Susan Brown Otto: Is there a fence around the whole property? Where snowmobilers can go through?

John Reagan: There has to be a fence around it. Yes, our standard design is a 6 foot fence all around.

Jacqueline Ricciani: It is barbed wire?

Daniel Gettel: It's not an electric fence. What about the airport?

John Reagan: We did include that in our update. Our tab is labeled Glare and FAA report. Modeling was run on the receptors. It is a technical report. There is a yellow and green glare. That is described in the report. The green glare is a glare with a low potential to cause a flash or blindness. And yellow glare with is with a flash prior to a blink. The results were all zeros for the green and yellow glare. That is a modeling tool that is used in compliance with FAA.

Christopher Baralus: We have done a lot of FAA studies with different projects in New York and outside of New York. It is pretty boiler plate to them at this point. This will pass.

Daniel Gettel: The first meeting we talked about a hazardous spill. It was mentioned in the EAF. Was that ever resolved? I think it was something across the street.

Glenn Smith: That was the property across the street. That has nothing to do with this.

Mike Cassaro: Did the FAA get a letter out about that? Or are you preparing to go to them?

John Reagan: We received a letter of no hazard from the FAA.

Jacqueline Ricciani: Can that be submitted to us?

John Reagan: We did not submit that yet.

Daniel Gettel: It will be something you submit.

Jacqueline Ricciani: The other letter you talked about from the FAA is about the height, is that in the binder?

John Reagan: It should be the last page or two of that section in the binder.

Glenn Smith: It is dated February 12th, 2018, from the FAA.

Jacqueline Ricciani: You are going to submit another letter with regard to the glare?

John Reagan: That is something we normally don't submit until it is time for building permits, but we can submit it.

Daniel Gettel: According to this there is a time table for all of this with the FAA, is that correct? Within five days of construction, you do this, you take care of this. Is that something you typically do?

Susan Brown Otto: Do you have to submit all projects to the FAA?

Christopher Baralus: This one does because of the proximity.

Steve Simpson: You are building this facility and right now it is Cypress Creek Renewables. Will they sell to someone else?

John Reagan: It is a possibility. We operate projects. We buy them and sell them. I can't give you a definite answer on that.

Steve Simpson: There is a company out there, NRG, which is buying up solar projects. Does the owner have to come to the town? Do they have to speak to the town?

John Reagan: That is up to the Town.

Daniel Gettel: If we were to approve this application, we have to not only approve the Special Use Permit, but also the site plan. Typically, when we do a Special Use Permit it is conditioned on certain items, whether you submit something or guarantee something to us. That Special Use Permit goes with the property. The conditions and requirements also go with the property.

John Reagan: There are instances that they are sold, but we are still the operator.

Daniel Gettel: We would have to just take that into consideration, whenever we approve any Special Use Permit. Today, everything is for sale.

Susan Brown Otto: If they have financial issues they walk away from the project. I'm not talking about decommissioning and taking down the panels. Maybe there are government subsidies, and the powers that be, and it is just cheaper to walk away from the project. We have this project that is half built...

Daniel Gettel: That is a Town Board issue.

Jacqueline Ricciani: There is something in the solar law that says... that is all they have to do, post a bond and the Town Board has to address it.

John Reagan: We would have to put a bond in before...

Susan Brown Otto: Look at the project across from town hall. A project that is started and they walked away.

Daniel Gettel: Are there any other board comments?

Susan Brown Otto: Glenn, when you are talking about tilting in the sun, are you taking into account the time of year. Are you doing it for 365 days of the year, or are you looking more at the summer time when there are more hours of sun.

John Reagan: It will track the sun during the season. In the summer it will be more hours. It will produce more kilowatt hours.

Christopher Baralus: These trackers are single axis trackers which kind of puts it... you have static solar that stays fixed tilt, you have single axis trackers that go east west, and then you have dual axis trackers. They will go north and south, and east and west. The dual axis would do something very sophisticated and follow the sun spot on the whole way. They are much more expensive.

Susan Brown Otto: Is that flat for the summer?

Christopher Baralus: At 12pm when the sun is at its highest point it sits under there, then it starts going the other direction.

John Reagan: The project is designed... there are meteorologists that work for our company. They run models that tell us how much power will be produced in each given season, the time of day, the topography and so forth. We run those models to understand if the project is a viable project or not. With the tracker system it is a viable project.

Daniel Gettel: It is no coincidence that the tracks are set directly due north, due south, that is not coincidence. Usually in engineering you try to work with the contours and this is totally opposite as far as contours. You orient north south for that reason.

John Reagan: The trackers, if it were fixed tilt.

Daniel Gettel: My thing, as far as the Special Use Permit, there are things we have to run through. They are Sections 345-30, that is our Special Use procedures and I believe 345-31 are the site plan requirements. I think you are going to find most of your stumbling blocks will be with us addressing landscaping and the screening from neighbors and how it fits in the neighborhood. I would like to move it to a public hearing, but I think it makes sense to look at the amount of disturbance. I think that is going to be a big part of this board to approve the application. It does seem a little extreme to cut 28 acres when we are led to believe that it could be done on 10 acres. Most of us are laymen as far as solar goes. I take a back seat on this application, I am not the most versed on this. I think those are going to be your stumbling blocks, the gate, how you screen better along that driveway, whether it has to be 130 foot open, if something can be done with the poles, and putting the line underground. I am not opposed to looking at solar panels. The Town of Bethel is for solar. I think it shows progress. That is not the view of everyone on this board. I feel driving by the property it drops quite a bit from the road. You may initially see the fence but I don't think you are going to see panel after panel. I am also not the neighbor. I don't know if the neighbor is going to love it or hate it.

Steve Simpson: My thing is the seasonal change. The conifers are thick and green in the summer. I am encouraged you are going to keep the existing buffer, and add some. We get these storms of the century every summer.

Susan Brown Otto: When do we talk about signage?

Daniel Gettel: There is no signage.

Jacqueline Ricciani: Wait; there is a whole tab on signage.

Daniel Gettel: I am talking about it is not drawing attention to the property itself. It is mostly required signage.

Susan Brown Otto: If they go into the driveway, can they get off the road?

Daniel Gettel: If you have deliveries and the truck can't get off the road unless the gate is open. I think that is what she is referring to.

John Reagan: Once this thing is built, it runs itself. There will probably be a maintenance technician inspecting it once a month. Your question is, is there enough space to get off the road. I think there is.

Susan Brown Otto: They can?

Christopher Baralus: There is enough space as shown.

Jacqueline Ricciani: Only one trip per month?

John Reagan: It will be monitored remotely. Someone will come monthly.

Susan Brown Otto: But the gate, how far is it off the road?

Christopher Baralus: It is 25 feet off the road.

Susan Brown Otto: Is that enough?

Daniel Gettel: Yes. Gentleman that is where we are. If you could look at some of Steve's comments about the poles and the gate.

John Reagan: I understand the issues. We have met the requirements of the solar law. I don't think we can shrink the site, we will look at it. If there are other ways we can offset that in Town or in the region, planting trees, or setting side land for conservation purposes, we are happy to explore that.

Daniel Gettel: I can raise that with the town, and see if that is possible. I am not trying to put up obstacles, I am trying to read the board. If you think there is a chance you can shrink it down, those are the things that are going to affect the neighbors. If you are willing to do another submission.

John Reagan: We certainly have to evaluate it. You are challenging us to do so.

Daniel Gettel: I am not opposed to solar, but I am the minority on the board.

Susan Brown Otto: Is it marked and flagged?

Daniel Gettel: You can tell where the wetland, and there is a house, you can judge pretty much where it is. There is an open field across the street, did you look at it? I am not speaking for the board.

David Biren: If you could cut back some, show good faith as Dan mentioned. It will go a long way. How does this affect resale value?

John Reagan: In other markets we had built in North and South Carolina, there is data to show that there is not impact to decrease in home value. We don't have a lot of data in New York State as there aren't a lot of solar farms. Scenic Hudson has some frequently asked questions about solar, and their answer is there isn't that much data. It is a very passive use of the land.

Daniel Gettel: I think it is just based on the use and the person.

Steve Simpson: There have been a lot of newspaper articles coming out. A lot of solar facilities, Orange County seems to be a magnet. The public outcry is deafening. The Planning Boards miss judged. All above is why we are pushing so hard on this. The land use, the excessive clearing, and the entry visual.

John Reagan: Along Massachusetts, there are some that don't look so good, but some you don't see at all.

Susan Brown Otto: Should we have an informational meeting?

Daniel Gettel: If we had this public hearing in December, we would be criticized. But it is the summer, and we know two of the neighbors that are here in the summer and not in the winter.

Motion to receive and file brochure prepared by Scenic Hudson on Solar Energy frequently asked questions by Steve Simpson, second by David Biren.

All in favor – 7

Opposed - 0

Agreed and carried

Daniel Gettel: BJ, if you would please distribute that.

David Slater: I keep picturing this 6 foot fence. I assume wire mesh or something, with two strands of barb wire, I am assuming, on top. I keep picturing a prison. Is it chain link?

John Reagan: Our standard is a chain link fence. My favorite is a black vinyl coating, but we could provide a couple of samples.

Daniel Gettel: It is also located behind the buffer.

David Slater: Something that would take the cushion off.

Daniel Gettel: But we require it too.

John Reagan: We can bring some sample photos.

Daniel Gettel: Are there any questions for us? I would like to resolve some of these things before we move forward.

John Reagan: You did declare intent to be Lead Agent at the last meeting? You didn't submit to the County?

Daniel Gettel: Not until we have a complete plan, then we can send it to the County.

Bette Jean Gettel: We have not sent out the paperwork for Lead Agent.

Daniel Gettel: Jacy as far as the time table goes?

Jacqueline Ricciani: I am certain the applicant would be willing to waive whatever time

restrictions might be facing this board, right?

John Reagan: Yes. If we came back next month with a plan that you thought was acceptable to you, we could set a public hearing?

Daniel Gettel: Yes.

John Reagan: One of your engineer comments was on decommissioning, the specifics of that, is it the town board's responsibility to approve the decommissioning bond and the amount, or does the Planning Board approve the amount.

Daniel Gettel: It is really not in our hands. We have to make sure the decommissioning plan is in place. It could be a condition of our approval that you reach an agreement with the Town Board.

Jacqueline Ricciani: I think he is asking the amount.

Daniel Gettel: That is the Town Board and the Town Engineer.

John Regan: That is a conversation we can start with the Town Board.

Glenn Smith: My notes from the January 8th meeting, we were talking about sending the paperwork out.

Daniel Gettel: BJ, we better get that moving then. We will take care of that mailing.

Bette Jean Gettel: Okay

John Reagan: The issue with the ownership, we are looking at the principle and real-estate agency to refile. We are aware of it and we are working on it.

Daniel Gettel: That has to be done before we consider any approvals.

Jacqueline Ricciani: I don't know how they entered whatever lease agreement you have.

Daniel Gettel: But it is up to them that it is legitimate. Not us.

Jacqueline Ricciani: I don't have access to that information.

Daniel Gettel: I hope you understand our position, and see you next month I hope.

John Reagan: Two weeks from today, you need the documents, we will do our best.

Bette Jean Gettel: Yes, by June 18th.

Daniel Gettel: We talked about the Matt Smith application coming next month. They are trying

to simplify that some. We don't have anything to discuss.

Daniel Gettel: Is there anything from the Town Board?

Vicky Vassmer Simpson: There is no meeting until next week. It will be a light meeting.

Motion to adjourn by David Slater, second by Wilfred Hughson.

All in favor - 7

Opposed - 0

Agreed and carried

9:01 pm

Respectively submitted,

Jannetta MacArthur

Recording Secretary