

## East Greenbush Conservation Advisory Council (CAC) Meeting Minutes

Date: June 28th, 2021

Members present: Fred Henson, Jennifer Dean, Jennifer Hixon, Adam Tobey

Members not present: Victoria Manieri

Also present: Adam Yagelski

### CALL TO ORDER

Chair Jennifer Dean called the meeting to order at 7:00pm. She noted the meeting was being held remotely in conjunction with physically.

### CAC RECORDER

Adam Tobey recording for June 28th, 2021. Fred Henson volunteered to record for July 26th, 2021.

### ACTION ITEMS TO DISCUSS

Call to approve meeting minutes passed with 3 Yay and 1 abstain due to absence from meeting (Fred Henson).

Jennifer Dean explained that the CAC is new, so she had a meeting between the chair of the Planning Board, chair of the Zoning Board of Appeals (ZBA), Supervisor Jack Conway, and Anna to see how the CAC can be better integrated. Adam Yagelski suggested signing up CAC members for the mailing lists that provide all news from boards. This information is typically scheduled for dissemination on the second Wednesday at noon of each month. Additionally, Adam Yagelski noted that if the board wanted specific information from an item on an agenda, they should contact Lisa.

Jennifer Dean noted that Matt Maston from the Zoning Board of Appeals has offered to come to one of our meetings to help foster a relationship. Other board representatives expressed positive sentiments about the inclusion of CAC.

Fred asked if we wanted to assign primary responsibilities for specific boards. Members agree.

Jennifer Hixon noted that our interest in other projects may ebb and flow.

Adam Yagelski suggested the Town Board as a lot of business/content due to being the executive body. The Project Review Team (PRT) will have agendas. The Planning board as well.

Fred suggested monthly rotation of agenda review.

Adam Yagelski noted that the board schedules as follows:

- Town board meets once a month
- Planning Board meets twice a month on the 2nd and 4th Wednesday at 7:00pm

- Zoning Board of Appeals meets twice a month on the 2nd and 4th Tuesday at 7:30pm in the Courtroom or the Community Room.
- Project Review Team meets twice a month on the 2nd and 4th Monday at 4:30pm.

Jennifer Dean offered to take first shift reviewing agendas of all meetings for projects of potential interest to the CAC.

Fred clarified that he was suggesting one person review one board agenda per month to spread out the responsibility.

Adam Yagelski suggested adding these "Agendas Report" as a standing item on CAC agenda.

#### July Agenda Review

- Jennifer Hixon volunteered to review the PRT agenda.
- Fred volunteered to review the Town Board agenda.
- Jennifer Dean volunteered to review the Planning Board agenda.
- Victoria Manieri was voluntold to review the Zoning Board of Appeals agenda.

Adam Yagelski offers the CAC to reach out to himself, Matt, or Jeff for questions or for application materials.

Jennifer Hixon requests each of the CAC board members to outline their specialties:

- Jennifer Dean: Natural resource management, Ecology
- Fred Henson: Fisheries Biology
- Adam Tobey: Planning, Technology
- Jennifer Hixon: Project Management

Project review process - we have some documents from various organizations/agencies. Victoria had previously offered to align the checklists from those documents. This component shall be postponed in her absence.

Jennifer Hixon noted that for her review of the 1266 Best Road Solar Project, she went through attributes on the Natural Resource Inventory (NRI) and the tax parcel map.

Adam Yagelski noted that Rensselaer County has tax maps and assessment reports. Additionally the Environmental Assessment Form (EAF) Mapper may have tax parcel IDs on it. Applications require a tax parcel ID. A short EAF is required for application. The EAF Mapper prefills the form and outputs a report with resources that the project is adjacent to as required by the Planning Board. The report notes cultural sensitivity, wetlands, and remediation sites. Adam Yagelski noted that having one ArcGIS license is a nominal cost that we should begin to talk about next. He suggested that we begin discussing budget items. The Town has a list of approximately seven (7) firms that can work with GIS map configuration. He notes that the budget is finalized in September/October.

Jennifer Hixon suggested conducting a needs assessment.

Adam Yagelski suggested that Adam Tobey and himself could get together to scope some cost budget, particularly for the GIS components.

Jennifer Hixon explains her review of the 1266 Best Road Solar Site. She noted that she is “reporting” data from the NRI maps, not necessarily interpreting that data. She selected relevant NRI checklists. Major highlights identified:

- Solar Siting
- No Steep Slopes
- Land composed of glacial till
- ¼ of site on unconsolidated aquifer
- In the Mill Creek watershed (which has flood potential downstream)
- Property contains a trout stream - Fred Henson noted changes in runoff vs infiltration from removing forest to install solar: He expressed concern about the less stable baseflow from infiltration that slowly goes to the stream. He noted that after forest clearing, waterflow could be warmer and flashier which would negatively impact the trout. The road crossing itself needs to be passable for fish (it currently is). Vehicle travel along the road would be insignificant to trout.
- A driveway exists but may need to be extended.

Adam Yagelski noted they will be required to prepare a basic stormwater prevention pollution plan (SWPPP, “*swip*”) consisting of erosion and sediment control. Department of Environmental Conservation does not qualify solar or access roads as “impervious”.

Fred noted that he sent an engineering publication via email to board members that contains lessons learned from an Ontario solar project.

Jennifer Dean had an acquaintance with this expertise run numbers for the carbon offset with results that differed from the developer’s provided results.

Fred Henson questioned the authenticity of the true payback of clearcutting forest for the solar facility.

- Site is in residential two-acre zone
- Within County cultural significance area
- Within historic road (Best Road) but noted that panel installation would hardly be visible from road.

Jennifer Hixon noted that the developer said they liked the site because of how hidden it could be.

Adam Yagelski noted that “Type 1” actions (ZBA in this case) needs to receive comments from involved agencies. Adam Yagelski thinks the CAC qualifies as an “interested” party. ZBA declared intent to lead SEQR, Planning Board is going to manage environmental review. We

can provide commentary into that review. The Planning Board needs to provide site plan approval and special use approval. The applicant has not applied for those two approvals. Adam Yagelski offered that it may be valuable to provide a recommendation list with potential questions. The NRI working through that EAF (Part 2) form. First threshold is "Could there be an impact?" (no, small, moderate or large). "What is the nature of sensitivity?" What info you would need to assess mitigation/avoidance and clarifying questions. It could be a full Environmental Impact Statement (EIS). Provide some recommendations like a habitat assessment that considers landscape context. Adam Yagelski cautioned the CAC not to lock ourselves into the EAF format.

Fred Henson noted that the EAF may be useful as a skeleton.

Adam Yagelski noted that the EAF workbooks and companion resources offer ways to evaluate context. One companion resource helps the lead agency determine types of data that may be of use for projects.

Jennifer Hixon suggests providing information and recommendations in the order reviewers may need it, similar to the EAF.

Jennifer Dean asked ADam Yagelski what level of review should be offering --- should we be giving projects "yay" or "nay"?

Adam Yagelski thought that it's not necessarily a yay or nay from us, but to couch language within our wheelhouse starting with conditions.

Jennifer Dean noted the main components:

- Identify resources
- Interpret the impact to the resources
- Suggested conditions to offset impacts
- Further study

Adam Yagelski noted that the Planning Board will require visual impact assessment. The timeline should be to provide something next month, specifically an impact to resources.

Fred Henson will attempt aquatics purpose.

Jennifer Dean will attempt forestry purpose.

Fred Henson suggested not to do a step by step of the NRI maps, but more concise based on maps.

Adam Yagelski suggested putting the major impacts up front in the report.

Adam Tobey noted that an attendee on the Zoom stream of the meeting requested to know if the Solar project would pursue Payment In Lieu Of Taxes (PILOT).

Adam Yagelski noted that the Town can opt in or out of a PILOT. He thought that it is likely that they will attempt to seek a PILOT.

Adam Yagelski suggested a review of solar local laws. He noted that National Grid may have to upgrade the infrastructure, the cost of which may get put onto the rate-payers. The town is looking to the CAC to say if we should promote solar or not and how it should unfold. As part of our research there are all these other impacts.

The CAC board determines to develop a report outline and run it by Adam Yagelski and Jack Conway to review format.

Jennifer Dean envisioned us each taking different components to assess.

Jennifer Hixon noted that the workload is overbearing for the time commitments that we have schedule.

Adam Yagelski noted that the CAC could ask legal about private meetings, but that the CAC could call a special meeting during the month.

Jennifer Hixon suggested making the meeting two hours long and establishing a more intense email correspondence to tackle tasks more timely.

Adam Yagelski suggested prioritizing the Town Board report above the SEQR report.

Jennifer Hixon's preliminary report is noted as a great start and that there should be additional emphasis on impacts.

The Town is considering a moratorium on solar development and Adam Yagelski suggested weighing in if this or other solar projects may provide irreversible environmental damage.

Fred Henson agreed to set up a strawman report outline.

Adam Tobey provided public comments from an attendee in the Zoom chat to the CAC board. The full chat log was requested to be added to the meeting minutes in its entirety by the attendee. This log can be found in the Appendix section at the bottom of these minutes.

CAC Website:

Adam Yagelski noted to send the skeletal framework of what we want the site to look like to Meghan.

Jennifer Dean noted that the next meeting will be July 26th.

The meeting was called to an end at 21:03.

## ACTION ITEMS

### July Agenda Review

- Jennifer Hixon volunteered to review the PRT agenda.
- Fred volunteered to review the Town Board agenda.
- Jennifer Dean volunteered to review the Planning Board agenda.
- Victoria Manieri was voluntold to review the Zoning Board of Appeals agenda.

Victoria will be providing an alignment of the checklists.

Adam Tobey and Adam Yagelski will set up an ArcGIS meeting.

Adam Yagelski will look for the EAF companion documents and send them to the CAC.

Develop an assessment documentation for the solar project by next meeting:

- Fred Henson will set up a strawman report and attempt the aquatics purpose
- Jennifer Dean will attempt the forestry purpose
- Adam Tobey will establish a collaborative Zotero for storing references

## Appendix

***Note: The Zoom Meeting was established through Jennifer Dean's Zoom account, however Adam Tobey was responsible for operating the Zoom meeting, monitoring the chat, and responding to attendees.***

19:03:46 From Jennifer Dean - CAC to Everyone : The live stream of the meeting can be watched at: [https://townhallstreams.com/stream.php?location\\_id=119&id=38624](https://townhallstreams.com/stream.php?location_id=119&id=38624)

19:05:52 From David Terpening to Everyone : I can only see the name Jennifer Dean on the screen.

19:06:18 From Jennifer Dean - CAC to Everyone : Apologies David, please use the link provided above for visual stream.

19:07:29 From David Terpening to Everyone : And it is not being streamed to YouTube like the announcement stated. I do see it on Town Hall Streams. How will the public be able to comment? Through Zoom?

19:08:08 From David Terpening to Everyone : I cannot hear anyone on the panel...However when Adam made a comment, I could hear pretty clearly.

19:08:20 From Jennifer Dean - CAC to Everyone : Yes, we will provide an opportunity to participate via the Zoom chat. I will be monitoring it.

19:09:29 From Jennifer Dean - CAC to Everyone : Sorry about the audio issues David. Can you hear okay on the Town hall stream website?

19:19:33 From David Terpening to Everyone : Now that I am using a separate device to watch the meeting via Townhallstreams, I get a clearer audio. Please note there appears to be a delay between Zoom and Townhallstreams so when you get to a topic that I'm interested in there may be a bit of a delay getting my comments. Please note that I am interested in the discussion on the Solar Array project on Best Road.

19:22:36 From Jennifer Dean - CAC to Everyone : Great. I will be sure you're included in that discussion, David.

19:27:21 From David Terpening to Everyone : Any metrics on how many people are tuned in either via Zoom or Townhallstreams?

19:31:11 From Jennifer Dean - CAC to Everyone : I have just 1 on Zoom (you), the Town Planning (Adam Y.), no metrics available on Town Hall Streams at this time.

19:45:59 From Jennifer Dean - CAC to Everyone : Best Road Solar Topic coming up, David!

19:46:34 From David Terpening to Everyone : I don't know if Supervisor Conway or Adam has mentioned to you that I sent an email outlining my concerns with the Solar Array project on Best road going forward. I would encourage you to ask for that email to be forwarded to you. I am not a rabid environmentalist. On this email I provided links to a movie called "Planet of the Humans" by Jeff Gibbs and Michael Moore. It has an interesting take on "green" energy, one example being solar panels. I highly encourage you all to watch this movie. Hopefully you will be able to have some influence over the Town leaders to give a negative recommendation for this project to go forward or any changes in the current Town Solar Law. Any of you would like to reach out to me I can forward my email to you . Dterpeni@gmail.com

Amazon Prime [https://www.amazon.com/gp/video/detail/B08TB4WTG2/ref=atv\\_dp\\_share\\_cu\\_r](https://www.amazon.com/gp/video/detail/B08TB4WTG2/ref=atv_dp_share_cu_r)

Or Youtube free with commercials, without if you have a paid subscription.

<https://youtu.be/Zk11vl-7czE>

19:51:45 From David Terpening to Everyone : Also consider the fact that this is a commercial development and if the project gets approved and the local law get changed to allow for more acres of being developed what's to prevent the applicant for using up the entire 158 + acres?

19:55:15 From David Terpening to Everyone : Also, it appears that the property owner where this project is to be if approved, is not a local resident according to Tax assessment records.

20:02:20 From David Terpening to Everyone : And if so, will this open up the flood gates for other large or larger commercial solar arrays in the Town of East Greenbush?

20:05:42 From David Terpening to Everyone : And ask Adam if the developer is going to ask for tax incentives such as PILOT status with the Rensselaer County IDA.

20:07:40 From David Terpening to Everyone : Finally. thank you all for taking time to volunteer for this council on your own dime.

20:33:00 From David Terpening to Everyone : Thank you ...I heard your response.

20:37:24 From David Terpening to Everyone : Just the fact that it is going to take up a lot of the natural resources in the Town.

20:37:38 From Jennifer Dean - CAC to Everyone : David you can unmute yourself and speak if you would like

20:38:31 From David Terpening to Everyone : I have to use 2 separate devices one to view and listen and watch the meeting and one to chat.

20:38:57 From Jennifer Dean - CAC to Everyone : David, here is the IPCC report I mentioned that discussed the different impacts of energy technology:

[https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc\\_wg3\\_ar5\\_annex-iii.pdf#page=7](https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc_wg3_ar5_annex-iii.pdf#page=7)

20:39:25 From Jennifer Dean - CAC to Everyone : (page 1335)

20:40:22 From David Terpening to Everyone : I have an excel spreadsheet with all the property information in the Town of East Greenbush derived from public sources. I can provide it via email if you would like to review it. It's in excel format.

20:41:11 From Jennifer Dean - CAC to Everyone : That would be great, you can send that to me directly at [Atobey@eastgreenbush.org](mailto:Atobey@eastgreenbush.org)

20:42:42 From David Terpening to Everyone : This might give you some perspective regarding the large tracks of land that could be open for development especially this type of development. Like I stated before.....will this open the flood gates?

20:44:44 From Jennifer Dean - CAC to Everyone : It's definitely worth our time to consider that. Absolutely. Thank you for your time, energy, and participation in the development of the town. It's appreciated.

20:47:23 From David Terpening to Everyone : FYI....It's been my experience that very few people attend any board meetings with the exception of special interest items or hot button topics. Other than those the town folk are very apathetic.

20:51:31 From David Terpening to Everyone : I believe that Townhallstreams does not retain the comments. I would like to ask that you incorporate my comments in the minutes of this meeting.

20:52:21 From David Terpening to Everyone : I saved my chat to a text file if you need me to forward them to you.

20:53:01 From David Terpening to Everyone : Thank you all again.

21:01:19 From David Terpening to Everyone : FYI The Townhallstreams feed just froze.