



Town of Knox Planning Board

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Minutes: May 18, 2023

Present: Todd LaGrange, Ed Ackroyd, Betty Ketcham, Deb Nelson, alternate member Deirdre Keating.

Absent: Bill Pasquini and Kurt Johnson.

The meeting was called to order at 7:31 PM.

Chairwoman Deb Nelson introduced the meeting as a public hearing for RIC Energy's proposed 4.4 MW AC Knox Solar array at 1688 Thompson Lake Road. Notices of the hearing were published in The Enterprise on May 4 and May 11, 2023. This is an allowed use that requires planning board site plan review and public input. Additional comments from the public will be accepted for 14 days.

Nancy Vlahos, Sean Frusco, Nick Formanowicz and Kevin Bliss of RIC attended. Nancy Vlahos reviewed the size and other characteristics of the array as outlined in their proposal.

Project area would occupy 22.15 acres of a 31.77 acre parcel. It would have a 7' chain link fence. Panels would be 12 feet high and would track on a single axis from east to west. All setbacks would be greater than minimum requirements. Two wetland areas would be avoided and the array would not be in a flood plain. Existing drainage patterns would be maintained. A pollinator seed mix would be planted. Power would go to a substation in Voorheesville. A permeable gravel access road would be on the south side of the property with a turnaround. Inverters would be installed along the center of the array. This proposal will be reviewed by the Town of Knox Planning Board, Albany County Planning Board, NYS Department of Transportation for access, NYS Department of Environmental Conservation for SPDES approval, and NY SUN.

Documentation for the proposal has been provided to the Knox Town Board and is available at www.knoxny.org and www.knoxsolarproject.com, including: five point visual analysis showing minimal visibility, with no visibility from Thacher Park, acoustic assessment during operational hours from dawn to dusk showing decibel levels below 33, and glint and glare analysis from 26 observation points and four surrounding roads.

Prior public meetings, Q&As and opportunities for comment were referenced. Some earlier concerns were addressed:

- Fear of toxins contaminating groundwater – panels are encased in glass and metal and deemed non-hazardous after EPA testing.

- Fear of property values being diminished – this is subjective, but when projects are less than 5MW and visibility is minimal, there is less impact on neighboring property values.
- Fear of drainage problems – this design exceeds EPA requirements for runoff rates and it would improve storm water retention after the project is constructed.

Benefits would include production of clean renewable energy that offsets greenhouse gas emissions in support of NYS goals, PILOT tax offsets that would benefit Knox residents, and an opportunity for residents to participate in NYSEERDA’s community solar program that offers discounted electricity rates. It would produce no noise or odors, and there would be no requirements for taxpayer funded support services.

After Nancy’s presentation, Deb read into the record two pieces of correspondence from local residents:

May 17, 2023

Eli Fanning 61 Old Stage Road (Parcel 58.-2-33.1) East Berne, NY 12059 (518) 542-3891
 To: Town of Knox Planning Board
 Re: Letter opposing RIC Energy solar farm project at 1688 Thompson’s Lake Rd. in Knox

I live near the proposed RIC Energy solar farm project on Thompson’s Lake Road in Knox. The solar farm is proposed for a 22-acre parcel and is being granted a special permit for industrial use within a residentially zoned area. That permit is allowed under a solar farm amendment to local zoning laws.

I have attended many previous meetings in which this project and a similar solar project not far away on the same road were discussed. Also in that time span, the Albany County Planning Board and local Altamont Enterprise have issued a letter and editorial opposing this project at 1688 Thompson’s Lake Rd.

I oppose this project for the following reasons:

1. I believe it is a violation of the spirit of municipal zoning laws.
2. I believe is a violation of the spirit of the special solar-farm amendment to the town’s zoning law.
3. I believe the Knox Planning Board has a responsibility to be more sensitive to local residents, like Al Gaige, of Whipple Road, who say the project will reduce property values and disrupt their lives. Nearly all residents in a mile radius oppose the project.
4. Although the property is in what most people call a rural area, there are still a significant number of residences near the proposed site. I believe it is unlawful and unethical to install an industrial-use project in a residentially zoned area and reduce property values and quality of life. The whole point of buying property in this part of Knox is to have open space and enjoy the protection of local laws that preserve and protect open space.
5. I believe this section of Knox is considered by many to be in the “viewshed” Thacher State Park. I believe this project reduces the beauty of the area and will be an eye sore in a part of town that almost everyone in the Capital Region visits.
6. There is already a solar farm located less than two miles away on Old Stage Road. The new project is too close. Local residents don’t deserve to take on two solar farms.

7. I acknowledge the benefits of clean energy and the benefits of annual PILOT payment to the town, county and school district resulting from this project, but I think this solar farm should be located on a different plot of land in Knox.

For these reasons, I respectfully ask the Knox Planning Board to deny or halt the permit granted to RIC Energy to continue the project.

Thank you.

CC: Town of Knox Town Board

And an email from Lynne Bruning, not a resident of Knox.

From lynn bruning <lynnebruning@gmail.com>
To <clerk@knoxny.org>, <buildinginspector@knoxny.org>, <twolfe@knoxny.org>
Cc lynne bruning <lynnebruning@gmail.com>
Date 2023-05-18 17:32

- Comments Acoustic ATT. 17_Final_Knox Noise Study_1-31-23 copy.pdf.pdf(~2.2MB)
- Comments Site Plan Att. 1_Knox Solar_Civil LA Plans_3-13-23.pdf.pdf(~2.8MB)
- Comments landscape Att. 1_Knox Solar_Civil LA Plans_3-13-23.pdf.pdf(~5.0MB)

Dear Town of Knox,

RIC application for the Knox Solar Facility appears to be incomplete. Errors and omissions may mislead the board and the taxpayers concerning important details for noise pollution, visual screening and equipment required to operate the industrial project.

I request that the board review my comments and require the Applicant to provide written answers prior to the town taking any action on this application.

Please keep the public hearing open so that concerned citizens may respond to the Applicant's additional information.

Thank you for your time and consideration.

Please confirm receipt of my comments to lynnebruning@gmail.com

Respectfully,

Lynne Bruning

lynnebruning@gmail.com

Note: Additional comments are embedded in her attachments, including:

A request for the legal name of the solar facility, for a list of all noise generating equipment including equipment to pound posts and their decibel levels. She asked that local law and DEC

regulations for noise levels be provided. She asked if battery storage would be located on site. She asked for details of equipment pads and lists of equipment on each pad. She asked how often tracking motors would move the panels and when they would return to face east. She asked for locations of tracking motors, control gears and tracking gears and their decibel levels. She asked for a (unspecified) distance to property line. She asked for legend items to be displayed in color. She asked for manufacturer information, model numbers and drawings of all electrical and tracking equipment. She asked for fence height and whether it would meet NEC requirements and if it would require a zoning variance. She asked for locations of laydown yards and employee parking areas. She asked about compliance of the access road. She asked for a construction traffic plan, how many tons of rock would be delivered for the access road, if that would also be the construction access road, how many deliveries that would be, and how it might disturb neighbors and local traffic. She asked if mature trees would cast shade on the panels and she asked for a maintenance agreement for visual screening for the lifetime of the project. She asked if local law limits tree clearing.

Deb opened the floor to public comment.

Verna Chapman of 1727 Thompson Lake Road lives across the road from the proposed project. She is opposed to it as some of the information in this application is no longer valid, for example, there are now three beaver dams. She opposes taking down trees for solar panels and displacing animals who live there. She is concerned about runoff into her pond. She thinks it would be an eyesore. Soil is thin, with softer rock beneath harder layers and she hasn't seen snow load information.

Peter and Linda Novello of 1697 Thompson Lake Road also live across the road from the proposed project. They are opposed, as they are concerned about runoff into their pond and flooding of their septic system and dog house. They are concerned about noise during the three months of construction because Peter has hearing loss and tinnitus and their livestock could be spooked. They are concerned about air quality with tree cutting raising dust. They are concerned about visibility of an industrial gate in the chain link fence across from their property. They think this project will change their neighborhood and it is not needed because two other projects are nearby.

Rich Perras of 445 Bozenkill Road is opposed. He is concerned about air quality with the removal of 22 acres of trees. He is not in favor of the power being sent to NYC.

Garry Bunzey of 1787 Thompson Lake Road is opposed. He is concerned about the viewshed from his house as he is on a hill level with the top of the panels and might not be shielded from the effects of their rotation to the west. He would like to see the glare study and was not able to access it on the town website.

Diane Inero of 33 Helderberg Road is opposed and she agrees with the comments of the others.

Al and Valerie Gaige of 28 Whipple Road are opposed. They are concerned about noise during tree removal and construction because their daughter has CP and startles easily with unexpected noises. She might need

to have her anxiety medications increased. They thought a sound barrier would be proposed but it has not been mentioned. The array would have some visibility from their location and they are concerned about that affecting the value of their property. They want to sell if the project is constructed and were told their assessment would go down \$25,000. They believe the project is 480 – 500 feet from Thacher Park. They are concerned about whether there would be any grading as trees are removed. They are concerned about the increase in water runoff from solar panels where trees are now. They wonder why this project is necessary since two others are nearby. And they wonder why it couldn't be built in an area with open fields where tree removal would not be required.

Karen Catalfamo of 11 Helderberg Road is opposed. She is concerned about the permitting process. She didn't receive her certified letter until after the last meeting. All the information she receives is from neighbors, rather than from RIC. She wonders why they want to build their project on property that affects so many families.

Maria and Kwok Tse of 41 old Stage Road said this was their first time at a town meeting. They are opposed. They are concerned about tree removal and displacement of animals. They believe we need trees more than solar power.

Paul and Terri Stark of 160 Craven Road are opposed. They support the neighbors of the project. They wonder about long term costs at the end of the life of the project for disposal of the panels and other clean up requirements. They believe there is plenty of other land in Knox that could be used instead.

The oral portion of the public hearing was closed at 8:24 PM

Deb explained that the planning board would send a full statement to the Albany County Planning Board for their next meeting on June 15, and that written comments would therefore be due on June 1. They may be sent to Deb at debn0624@gmail.com. She thanked all those who brought comments and emphasized the importance of hearing from all concerned residents. She thanked RIC for their presentation and for their responsiveness to concerns that were expressed earlier. She said the planning board will vote on this project at their meeting on July 13.

There were no questions from planning board members.

Ed moved to adjourn, Todd seconded and all approved.

The meeting adjourned at 8:27 PM.

The next meeting will be held on Thursday, June 8, 2023 at 7:30pm

Respectfully Submitted by Amy Lauterbach Pokorny, filling in for Planning Board Minutes Recorder vacancy