

Deceptive/Fraudulent Visual Impact Assessment Submitted by RIC Energy

How, or why, was the Gaschke residence of 450 Woods Court left off of the initial Visual Impact Assessment (VIA), submitted to the Town Planning Board by RIC Energy and their consultant, Wendel, in November of 2024, in support of their original Special Use Permit and Site Plan Application?

Did the the Town of Ancram Planning Board unwittingly submit a fraudulent VIA to the Columbia County Planning Board and other governmental offices that downplayed the project's highly detrimental impact to the Gaschke family?



Did RIC Energy's erroneous documentation bias the County's perception of the project, and influence the County's recommendation to Approve the Permit and Site Plan Application?

Welcome to Where's Waldo? - The Case of the Impossible to Find Gaschke Home...

This is a case of 3 perspectives - those who **COULDN'T find** the Gaschke home, those who **DIDN'T WANT to find** the Gaschke home, and those who **simply missed the fact** that the **Gaschke's live at 450 Woods Court, in full view of the proposed solar array site.**

You may recall that our home was not included in the original application submission package - labeled Appendix O - Visual Impact Assessment submitted to the Board by RIC Energy and Wendel back in November 2024.

You may also recall that after we expressed our concerns at the April public hearing, the solar array Project Mgr Rob Quierolo, kindly agreed to visit our property to review our unique challenging sightline situation. To his credit, he directed Wendel, RIC Energy's paid consultant and author of the array site plan, to prepare both an updated [VIA for May 2025](#) and an updated May 2025 Site Plan (see [Site Landscaping Plan on pg C401](#) and the Landscape Enlargement Plan ([Landscape Enlargement Plan on pg C402](#))), which now includes a landscaping solution - a set of evergreens are to be planted along our property line on the Miller farm to help mitigate the negative impact of the more than 6 acres of glass, steel and concrete, stretching up to 12 ft high, that will be constructed in full view of our home. We are certainly grateful for this correction to the initial oversight, and are pleased that RIC was accommodating to our request.

But lately...it got me thinking...
Why was all this rework necessary?

Why wasn't our home considered in the VIA in the first place?

It is truly disturbing that, after all the time RIC Energy has been on site reviewing the parcel, that Wendel engineering has spent visiting the location and creating the VIA report, and that the Town of Ancram, after years of dealing with my family and I in the permitting and approval process to construct our home, and assess the value of our home for property and school tax purposes, when the application for the Special Use Permit for the ground mounted solar array came up at 3333 Rte 82... NO ONE REALIZED our home had a direct line of sight to the proposed array. ***Our home had turned into Waldo, and no one knew where it was...***

1) RIC Energy Couldn't Find the Gaschke Home - According to their [website](#), RIC Energy “..are ***pioneers in the development of photovoltaic energies with a presence in a dozen countries on four continents*** and a firm commitment to new renewable technologies, such as green hydrogen, storage and biogas.” RIC Energy was founded in Spain, and the RIC Energy Group's headquarters are located in Madrid. RIC Energy appears to be a highly sophisticated corporate entity, employing a slew of competent technical professionals.

In order for RIC to study the feasibility of an array project location at 3333 Rte 82 in Ancramdale NY, and for Jeremy Kauffman, Project Manager, Development, RIC Energy, to have made a presentation to the Ancram Town Planning Board on 6/6/24 ([see Ancram Pre-App Meeting 6-6-2024.pptx](#) in the [Commercial Projects Solar Drop Box](#)) - in which he notes how RIC “prides itself on due diligence and collaboration with local communities” RIC had to have been provided access to the parcel by the landowners for quite some time prior in order to study the topography, and set up equipment to map slopes, sun exposure, etc, in order to prepare their special use permit application and site plan review documents.

Over this time period, it stands that RIC had access to the parcel through the change of seasons, including fall, winter, and early spring, when leaves are absent from the bittersweet and grapevine-choked skimpy deciduous hedgerow in the farm field. During this time, the deciduous trees (maple, oak and birch) in our backyard would also be leafless. I don't know what it might have looked like to the team from RIC, standing at the proposed project site and looking east towards my house, but from our house, this is our view of the project site through various seasons:

Mid Winter - View From Outside the Gaschke Home - standing at the side of the house facing the farm and proposed array site. White arrows indicate proposed array location.



Mid-Winter - View from Inside the Gaschke Home - standing in front of the kitchen sink facing the farm and proposed array site. White arrows indicate proposed array location.



Early Spring - View From Outside the Gaschke Home - standing on our deck facing the farm and proposed array site. White arrows indicate proposed array location.



Early Spring - View from Inside the Gaschke Home - standing at the kitchen sink facing the farm and proposed array site. White arrows indicate proposed array location.



Early Spring - View From Outside the Gaschke Home - standing near the property line facing the farm and array site. White arrows indicate the proposed array location.



Summer - View From Outside the Gaschke Home - standing on our deck facing the farm and proposed array site. White arrows indicate the proposed array location



Even in the above “best case” scenario of full leaf coverage and mature corn crop growth, let alone “worst case” scenarios of early spring and mid-winter, the proposed array site, both upper and lower arrays, will be clearly visible from our home. It seems reasonable that the experienced technical experts from RIC Energy, ([“...We have a highly qualified team of engineers, lawyers, economists and other professionals working on pioneering projects...”](#)) standing at the site, should have been able to see our home during their months of onsite visits and reviews.

BUT...
Spanish multinational solar energy technology company RIC Energy COULD NOT FIND the Gaschke’s Home!



So, our home was left out of the [Visual Impact Assessment](#) (labeled Appendix O_Visual Impact Analysis), prepared by RIC's consultant, Wendel Engineering, based on a site visit in 5/07/2024 and report dated November 2024, uploaded 10 months ago, to the Commercial Projects Drop Box.

2. Wendel DIDN'T WANT to Find the Gaschke's Home - Wendel, RIC Energy's contractor and technical consultant, prepared the Ancram Solar PV LLC technical application documents, including the site plan ([original](#) and [revised](#)) and the VIA ([original](#) and [revised](#)). From their [website](#), we learn that "Wendel is an Architecture, Engineering, Energy Efficiency and Construction Management firm delivering customized solutions and turnkey projects in innovative ways..." We go on to read "Wendel is home to a nationwide team of professionals with expertise in all aspects of the AEC industry. We pride ourselves on having an open book policy and becoming trusted advisors to our clients. Whether your project requires architecture, engineering, energy efficiency, or construction management, our team has the expertise to ensure success." Wendel has offices in NY, CT, WV, GA, WV, OH, WI, VA, AZ, VA and Washington DC.

While Wendel has been hired by RIC Energy, the applicant, to produce these technical documents, we residents have been continuously reassured at Planning Board meetings by RIC staff that Wendel operates completely transparently and without bias, as their professional reputation rides on the caliber of their independent analytical opinions and technical prowess.

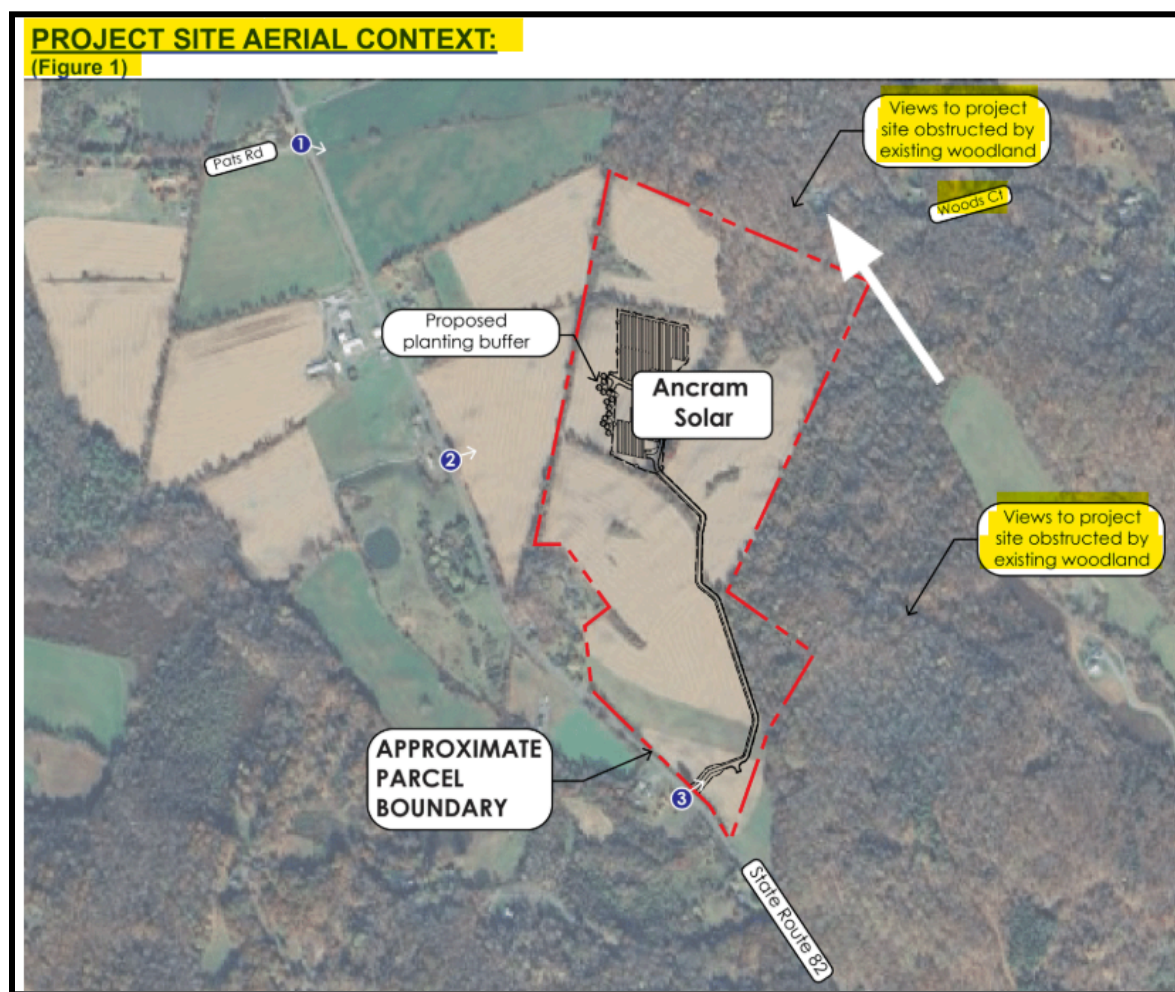
When we view the original November 2024 VIA - based upon Wendel's site visit of 5/7/24, we see Wendel offers this statement to their Methodology:

*"Viewpoint Methodology: The site was visited on 5/07/2024 , at which time photo assessment locations were selected based on identified critical view sheds, **nearby residences**, adjacent roads, and determination of visibility. Multiple photos were taken at all locations. Ultimately, three sites were chosen for visual analysis..."*

Wendel then provides the following images of the proposed array location:

Wendel VIA report - Figure 1 (below) - The satellite image has several call out boxes added by Wendel to help the reader of the VIA orient themselves to the site and surrounding neighborhood. You can see Woods Ct (the street the Gaschkes home is on) called out, and you can see two bubbles noting how existing copious woodlands serve to shield residents from views of the array.

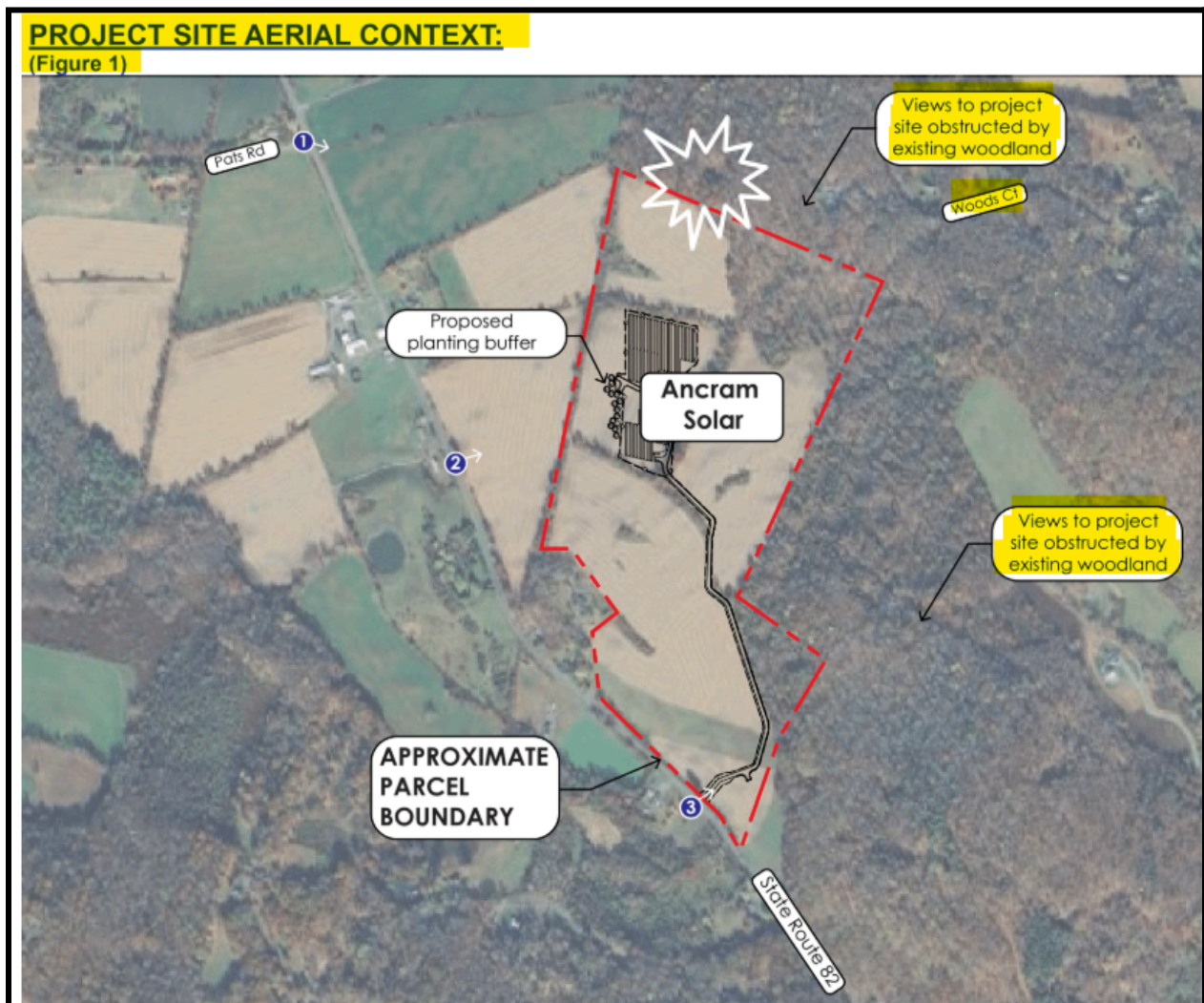
However, the Gaschke house is NOT called out in this image provided by Wendel. The house on the upper right corner of the image, **highlighted with a white arrow I have added**, is the residence of **Diane and Paul Courtney, immediate neighbors to the Gaschkes**. It is reassuring to any reader of this report that the Courtney's home will be effectively shielded from the array by the copious existing woodland.



If we take a closer look at the image, however, you will see that ***the Gaschke's home***, just like Waldo, ***IS visible in the photo***, you just have to look a little harder for it.

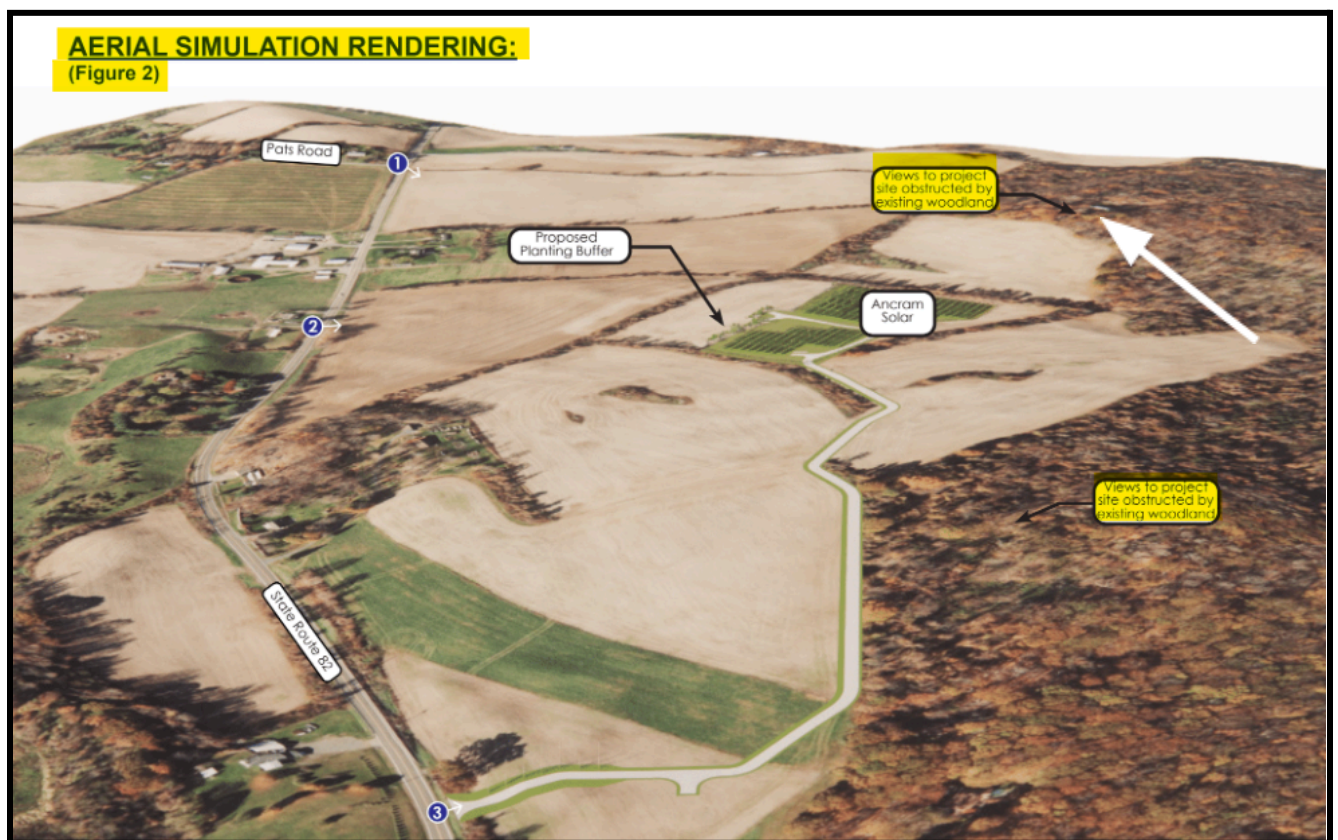


White starburst overlaid on Wendel's original image to highlight the location of the Gaschke's home. Clearly, no such dense existing woodlands exist to shield the Gaschke's home from the upper or lower arrays.



Wendel Engineering then offers another take of the visualization of the array and impact to neighboring residences with their Figure 2. Again, they orient the viewer to the array location, and call out two residences on Woods Ct that will be more than adequately shielded from the array location by existing woodlands.

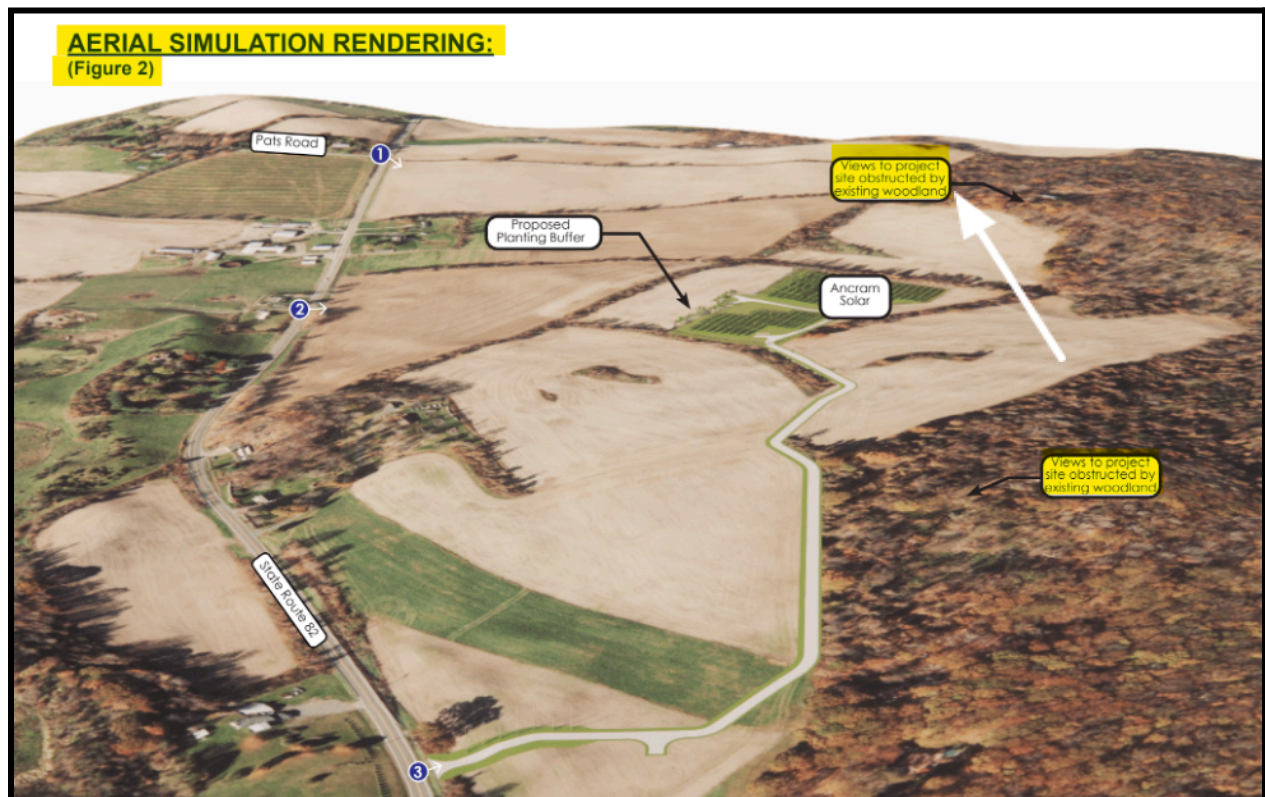
Again, the house on the upper right corner of the image, **indicated with the white arrow I have added**, is the residence of **Diane and Paul Courtney**, immediate neighbors to the Gaschkes.



And again, the Gaschke's home, like Waldo, is hidden from the reader's view, this time, by the very call-out bubble and black arrow that Wendel inserts to reassure readers of the report that "Views to project site (from Diane and Paul Courtney's home) obstructed by existing woodland"



My added White arrow indicates the location of Gaschke's home.

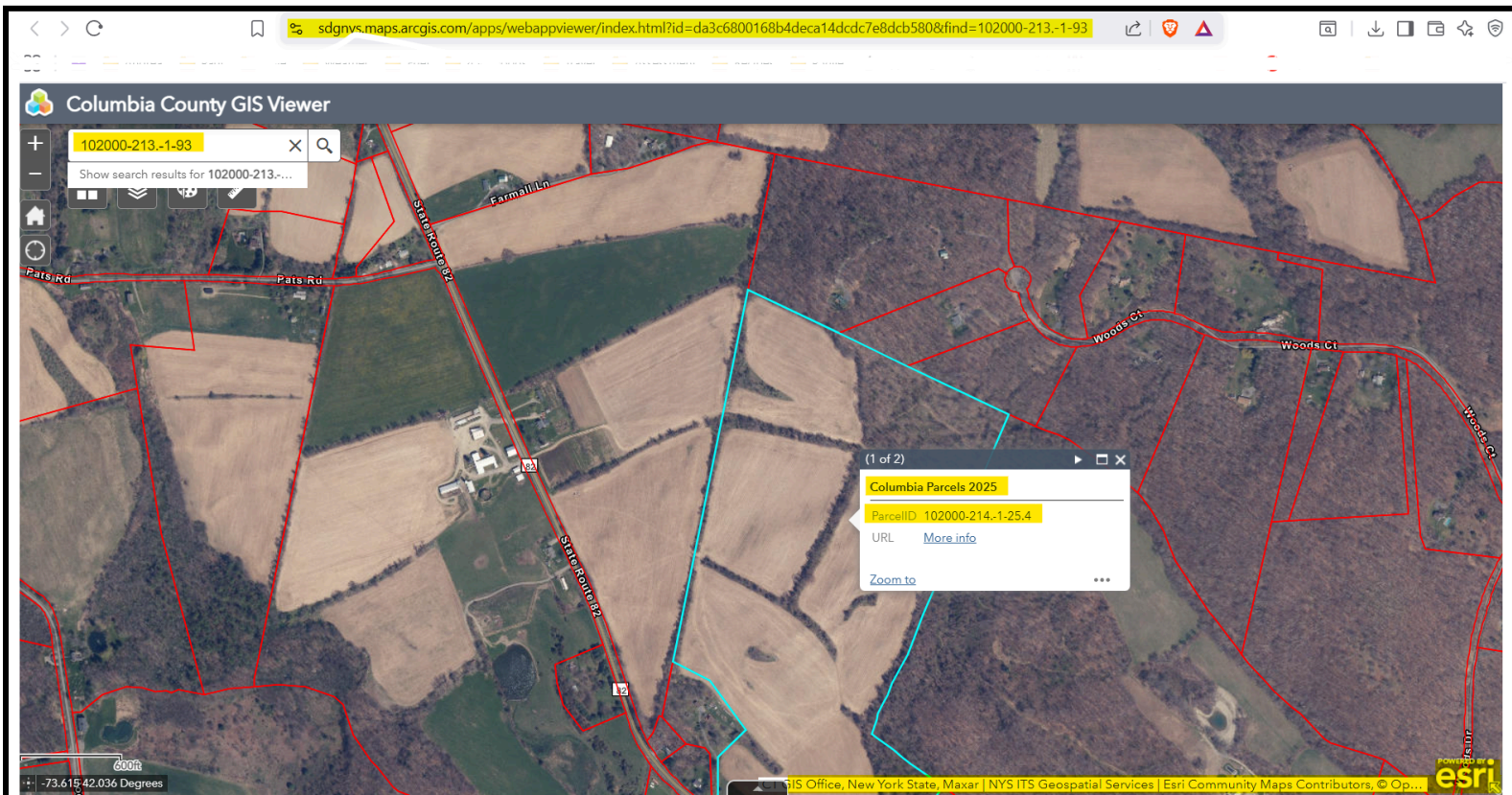


It certainly seems that Wendel, not having much time to study the site from their single day trip on 5/7/24, may have inadvertently missed spotting the Gaschke's home. Since the report was not submitted to the Town of Ancram until November 2024, five and half months after their site visit, it also appears that Wendel might not have had the resources or the ability to call up any additional GIS or satellite imagery to support and validate their work.

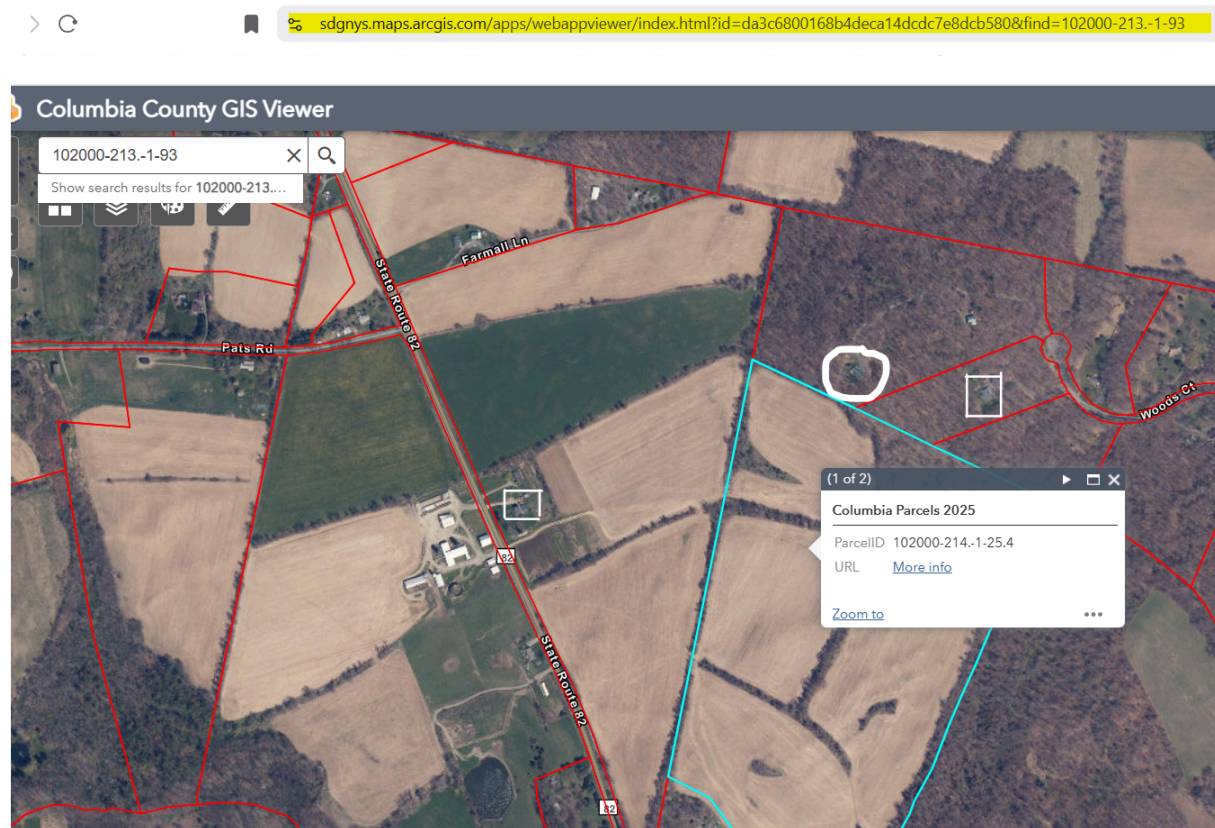
Luckily, an average member of the public does!

Here are several examples from the [Columbia County GIS Viewer](https://sdgnys.maps.arcgis.com), a **free, publicly available resource requiring no specialized account access or engineering knowledge to use**. See <https://sdgnys.maps.arcgis.com>

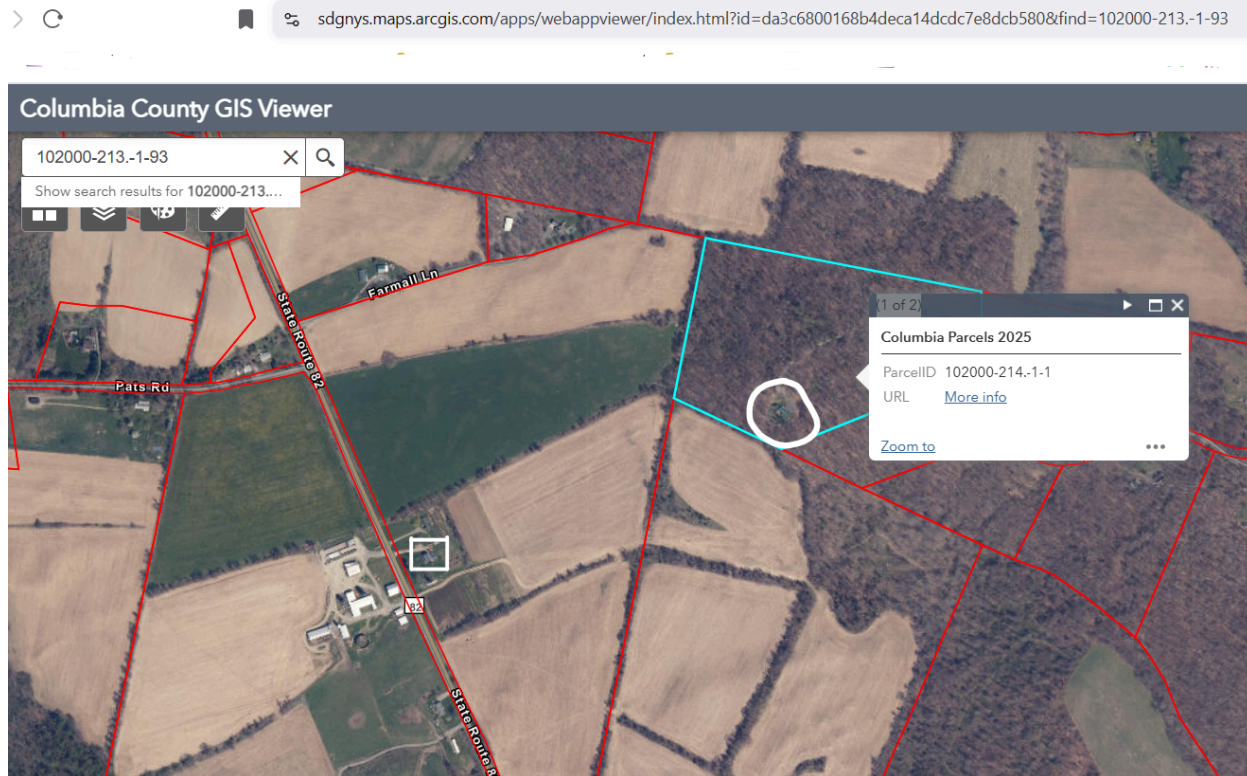
This image highlights the parcel located at 3333 Rte 82, and the callout box for the parcel sits just to the right of the proposed array site, the central field.



This is the same view, but now the callout box for the parcel slightly overlaps the proposed array site. **I've also added some highlights to this image.** The homes highlighted in white squares belong to Emily and Mike Miller (at left) and Paul and Diane Courtney (at right). **The house circled in white, clearly visible in this image, is the Gaschke's home.**



Looking at it another way, using the same shot, I've now highlighted the Gaschke's parcel. **Again, our home is circled in white.** Our neighbors, Mike and Emily Miller's home, is in the white box drawn on the lower right. **Paul and Diane Courtney's home, far from having vanished, or having not existed at all, is simply not visible to the viewer of this image, since it is UNDERNEATH the callout box labeled Columbia Parcels 2025.**



Despite the fact that free, readily available access to high quality GIS imagery is available online, it appears that the experts at Wendel, an engineering and construction management firm with offices in 10 states and Washington, DC, DID NOT WANT TO FIND the Gaschke's Home!

3) The Town of Ancram - The Town of Ancram Highway Department issued our family a driveway permit on 3/12/13, the Town Planning Board approved our site plan on 7/11/13, the Town Building Department issued our building permit on 5/17/14, a granted us a certificate of occupancy on 9/25/21. In addition, in the spring of 2023, the Town Assessor's Office set a revised property assessment value of \$1,025,000 for our ~1,400 sq foot home, an increase of about 150% from the prior year, partially due to the lovely view that we enjoy from our home.



From the original Wendel November 2024 Site Plan submitted to the Town for this array project, Andrea Bell-Gaschke is listed as the 'reputed owner' for the parcel immediately adjacent to Jim and Janice Miller's field and the proposed array site. It should be pretty clear to the Town of Ancram Planning Board that we have a home on this property, and are therefore neighbors and adjacent landowners to the array site.

[Per the Solar Law - \(Local Law 1 April 15, 2021\)](#)

The Ancram Solar law adopted in 2021, clearly articulates that "Pursuant to the Town of Ancram Comprehensive Plan, Ancram has established an overall policy establishing its desire to maintain its predominantly rural character, preserve agricultural landscapes, open space, important scenic views, and infrastructure appropriate for a small, rural town." Industrial Solar projects under 10 acres are permitted under a special use permit, only if **"the character and appearance of the proposed project shall be in general harmony with the character and appearance of the surrounding neighborhood and shall not detract from the scenic qualities, rural character, and visual qualities of Ancram's landscape and historic character"**

[Per the Town of Ancram Zoning Law \(updated Aug 2022\)](#)

Under the section **Solar Energy Systems, a. Solar Systems Purpose and Intent**, we find, "...This Section aims to permit certain solar energy systems in the Town of Ancram, and to do so in a way that balances the positive impacts of those systems with the **potential adverse impacts of those systems on neighbors and the environment, and which preserves community character, and encourages property owners to install and sensibly site solar energy systems.**"

We can go on to learn in **c. General Design and Siting Requirements for all Solar Energy Systems 1**. All solar collectors and related equipment shall be placed and arranged such that **reflected solar radiation or glare shall not be directed onto adjacent properties** or public roadways.

Back in November 2024, the Town Planning Board, likely overwhelmed by the numerous applications and volume of complex commercial projects currently on their plate, unfortunately did not spot that the Gaschke home, clearly negatively impacted by this project, was missing from the RIC's VIA report. The Board did not challenge RIC's VIA submission or raise any concerns to RIC that the imagery Wendel depicted in their VIA was not only inaccurate, but deceptive. The Town Planning Board, in turn, did not require RIC/Wendel to correct their faulty VIA, or to incorporate a landscaping plan to mitigate the visual impact of the proposal array on the Gaschke's home in their site plan. The Town Planning Board also did not request RIC/Wendel to conduct a formal solar radiation/glare study to assess the negative impact of the proposal array on the Gaschke home.

The Town of Ancram, on 2/18/25, unwittingly forwarded the improper and deceptive VIA as part of the array application package to numerous governmental oversight bodies in its declaration of intent to serve as the "Lead Agency" in regard to this proposed action, under the New York State Environmental Quality Review Act (SEQRA). Those entities included the County (Columbia County Planning Board (CCPB)), the State (NYS Department of Environmental Conservation and NYS Department of Transportation) and the Federal government (the US Army Corps of Engineers).

Based on the improper and deceptive VIA, and other application components, the CCPB's response letter of 3/18/25 to Chairman Crocco of the Planning Board, noted that the County recommended "Approval" of the application. Even so - the County cautioned the Town by offering "informal comments", suggesting the Town of Ancram Planning Board review the "adequacy of the proposed mitigation measures" in their "Visual Impact Screening" and "Landscaping" comment sections. **One can wonder, if the County knew about the Gaschke's home, and RIC Energy's/Wendel's effort to actively ignore it, might they have changed their Recommendation to "Modification" or even "Disapproval"...**?

All of these actions occurred PRIOR to Town notifying the Gaschke's and other neighbors by certified letter dated 3/13/25, of the opening of the Public Hearing to discuss the application for the Special Use Permit and Site Plan requested by Jim and Janice Miller who, "seeks to install a ground mounted solar array"...

The Town of Ancram Planning Board, when reviewing the Visual Impact Assessment submitted by RIC Energy, (who **couldn't find** the Gaschkes home while studying the project site for months), ***created by their consultant Wendel*** (who seemingly **didn't want to find** the Gaschke's home while visiting the site on 5/7/24, or any time after that via internet resources), and despite years of official business and interactions with the Gaschke family, apparently overloaded with the volume of applications and commercial projects currently before the Board, and no, operating without support staff, ***simply missed the fact that the Gaschke's home did not appear in the original or revised RIC / Wendel submissions.***

Conclusion - It is our conclusion that RIC Energy and Wendel Engineering have acted in bad faith in their production and submission of the VIA as part of their application documents. The Town Planning Board, provided with this material, then inadvertently forwarded along to Columbia County, and other government entities, these inaccurate and misleading documents and exhibits.

The Ask - Each oversight body, especially Columbia County, should now have an opportunity to revisit its review of the Ancram Solar PV LLC application, based upon a corrected VIA submission, and be given an opportunity to reassess the application based upon corrected information.

We believe that pausing to take this step is the right thing to do, rather than to continue to push forward on a path to approval of this industrial project, so clearly ill suited and in contrast to the character and nature of this rural agricultural site.