



Community Planning and Environmental Associates

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Memo

To: Town of Ancram Planning Board
From: Nan Stolzenburg, FAICP
Date: October 8, 2025
Re: Ancram Solar

As requested by the Planning Board, I have reviewed the most recent submissions from Ancram Solar as well as public input received for consideration. I have also reviewed Ancram's zoning specifically related to site plan review, special use permits, and solar regulations and used the Town's checklists for submissions and criteria to identify any remaining gaps in submissions, and consistency with the performance criteria detailed in the zoning law. Please find attached my input on the Site Plan Review and Special Use Permit checklists, comments on the criteria checklists, and a copy of the NYS Department of Agriculture and Markets Guidance on solar development on farms.

In summary, I offer the following comments for your consideration:

1. The Ancram Fire Department has not responded to requests to review the site plan or comment on accessibility for emergency vehicles. That does leave a gap in having assurances that there is adequate emergency access. The Columbia County 239-m review brings up the question as to accessibility of locations within the solar facility that are distant from the access road. You will note that not all panels area accessible from the access road. Presumably, the 25' clear setback between the fence and the panels should enable such access. The Planning Board continue to try to ensure that emergency vehicles can reach all corners of the facility. I do recommend that a copy of any approved site plan be sent to the Fire Department for their records upon approval by the Planning Board.
2. I posed the question in my first memo whether the solar facility was going to adversely impact ongoing and continued farming of the rest of the Miller farm. We want to be sure that construction of either the access driveway or solar field is not

done in a manner which prevents farming of other locations on the farm or accessibility with farm equipment. This has not yet been fully explored. I note that the zoning law (f)(4)(l) of the solar section requires the applicant to submit information as to the potential impacts to farmland and agricultural uses as part of its special use permit. As such, the question remains pertinent, and I recommend that the Planning Board ask for a narrative that evaluates this aspect of the project. Further, the NYS Department of Agriculture and Markets guidance (see attached) specifically discusses construction techniques for access roads that cross farm fields. Site Plan sheet C 201 and 202 does list several items to be consistent with the NYS Guidance, but not all. I recommend that the Planning Board ask the applicant to go point by point through the NYS Guidance, ensure that site plans are consistent with such guidance, and add another note indicating all components of the NYS Guidance will be met.

3. Site Plan C201 and C202 Note 5 articulates the inspections by the environmental monitor that RIC has agreed to in order to be consistent with the State Guidance. I strongly recommend that any resolution approving this project reiterate this so that Ancram Code Enforcement and others are aware of this requirement and ensure adequate follow through.
4. The Operations and Maintenance plan is in need of more detail. Some important maintenance activities are missing. Specifically, it should state that there will be no mowing between April and September (it currently indicates that mowing will take place 2x per year). However, ensuring mowing will not take place during the bulk of the growing season is to ensure that the pollinator friendly vegetation actually is available for such those insect (and bird) species that use that habitat. Otherwise, mowing in this time frame may prevent full benefits of having such vegetation. Additionally, an additional line item in the O&M plan should be added for checking for and replacing any dead or dying vegetation used in screening. And, the O&M Plan should also reflect the ongoing requirements as per NYS Guidance on Solar Development on Farmland. Finally, the O&M plan should include details that guarantee screening will be maintained until decommissioning as is required by the solar section of the zoning law.
5. I reiterate again the issues related to the fact that the application uses adjacent property not under the control of the applicant to provide the requisite screening. RIC acknowledges that they have no control over that vegetation, so use of adjacent landowners' property and wooded areas for screening does not seem feasible to

me. If RIC wants to obtain some sort of landowner agreement to assure maintenance of the forested vegetation, then that screening is valid. Otherwise, use of vegetation off-site for required screening remains problematic. Much of the photosimulation work specifically includes existing woodland as screening elements. However, given that the applicant has no control over this vegetation, it is difficult to see how the requirement that the screening of the project will be maintained through the decommissioning of the site.

6. Similarly, the on-site lease agreement must include the long-term maintenance of existing vegetation and newly planted vegetation slated. It is my opinion that anything shown on the site plan as may be approved by the Planning Board as part of that site plan, must be maintained and under the control of the project and that this remain in control of RIC for the life of the project.
7. I note that the decommissioning plan requires a bond valued at 150% of the decommissioning cost to be created as part of the decommissioning plan. There are other specific components required for the decommissioning plan, and as such, I suggest that the Planning Board specifically ask John Lyons to review the submitted decommissioning plan to ensure that all required elements are articulated and acceptable to the Town.
8. The zoning law specifically requires information to be provided on potential glare impacts. This is a requirement of both the site plan section of the zoning law and required in the solar section as a submission. I have not located any glare study or other information proving that there is no adverse or nuisance glare impacts from this project. In order for the application to be deemed complete, and to answer SEQR questions related to glare, the Planning Board needs information related to the glare. The Planning Board should discuss this need with the applicant, and I recommend that the application include factual data as to any potential glare effects upon neighbors and from roads.
9. The zoning law specifically requires that all wiring and transmission lines be underground unless it is proven unfeasible. The application includes multiple interconnect poles and overhead transmission lines. This was discussed at a prior Planning Board meeting. The applicant's approach was that they will do whatever Central Hudson requires for interconnect. However, this provision of the solar law to underground wires was added specifically because of the potential aesthetic impacts associated with new poles and overhead lines. Undergrounding of all wires

is required unless the Planning Board specifically waives this requirement upon determination that underground wiring is not feasible. I do not believe there is any adequate proof that underground wiring is not feasible. Underground wiring is required, would eliminate the visual impacts of the poles and wires from Route 82, and should be the preferred development pattern. I recommend that the Planning Board confer with Attorney Lyons as to whether the zoning law or Central Hudson dictates whether wires are on poles or undergrounded. Should it be determined that such undergrounding is not feasible, then the Planning Board should discuss and formally vote to waive this requirement as per the zoning law.

10. The question related to the potential visibility of the project and its impact on Ancram's rural character and scenic quality remains an important issue yet to be fully addressed. I find the Harken visibility analysis to be very compelling. However, I defer further comments regarding the viewshed analysis and photosimulations to consultant George Janes.

The applicants have contended that the Town can only review visual impacts from public roads and public places. However, contrary to these comments made by RIC, the zoning law does indeed address the expectations that visual impacts from locations beyond public locations (parks and roads) are to be evaluated by the Planning Board. There are numerous examples in the zoning law that explicitly direct the Planning Board to maximize protection of scenic quality from roads, contiguous properties and generally across the Town:

- a. e (7) discusses that screening shall be provided to the maximum extent to "harmonize with the character of the property and surrounding area."
- b. (m) discusses that the solar system shall be located and maximally screened within 5 years to avoid or minimize visual impacts when viewed from public roads, highways and other public sites, and from "existing residential dwellings located on continuous parcels."
- c. (n) details the expectation that solar facilities be screened from roadways and other public locations, neighboring properties and other locations identified by the Planning Board.

Together with the overwhelming emphasis Ancram has placed in its comprehensive plan and zoning law to maintaining community character and scenic qualities, the issue of visual impacts remains the largest topic yet unresolved by the Planning Board in my opinion. The zoning is clear that your review needs to be from more than public road locations.