

CONDENSED

In Re:

TOWN OF HAVERSTRAW PLANNING
BOARD MEETING

One Rosman Road
Garnerville, NY

November 8, 2023
7:30 p.m.

Planning Board Meeting before
Deirdre Randles, a Notary Public of the
State of New York

SANDY SAUNDERS REPORTING
254 South Main Street, Suite 216
New City, New York 10956
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Page 2 1 2 3 A P P E A R A N C E S 4 5 6 SAL CORALLO, CHAIRMAN 7 ANTHONY GIZZI 8 GLENN WIDMER 9 ROBERT SAMBRATO 10 WILLIAM RICCALDO 11 MICHAEL D. KAUKER, PLANNING CONSULTANT 12 CHRISTIE TOMM ADDONO, ESQ. 13 PLANNING BOARD ATTORNEY 14 15 16 17 18 19 20 21 22 23 24 25	Page 3 1 Proceedings 2 CHAIRMAN CORALLO: Good evening, everyone. 3 Welcome to the Town of Haverstraw Planning 4 Board. November 8th, 2023, 7:30 p.m.. 5 Would everyone please stand for the pledge 6 of allegiance. 7 (Whereupon, the pledge of allegiance was 8 recited.) 9 CHAIRMAN CORALLO: Role call. 10 Sal Corallo. 11 Present. 12 CHAIRMAN CORALLO: Glenn Widmer. 13 MEMBER WIDMER: Here. 14 CHAIRMAN CORALLO: Robert Sambrato. 15 MEMBER SAMBRATO: Here. 16 CHAIRMAN CORALLO: Anthony Gizzi. 17 MEMBER GIZZI: Yes. 18 CHAIRMAN CORALLO: William Riccaldo. 19 MEMBER RICCALDO: Here. 20 CHAIRMAN CORALLO: We have a full board. 21 Before I continue, I want to welcome Mr. 22 Riccaldo to the board. It's his first meeting. 23 I'm sure you'll enjoy it. 24 We're going to adopt the minutes of July 25 12, 2023.
Page 4 1 Proceedings 2 May I have a motion 3 MEMBER WIDMER: Move. 4 MEMBER GIZZI: Second 5 CHAIRMAN CORALLO: Abstention? 6 MEMBER RICCALDO: Abstain. 7 CHAIRMAN CORALLO: All in favor by saying 8 aye. 9 MEMBER SAMBRATO: Aye. 10 MEMBER WIDMER: Aye. 11 MEMBER GIZZI: Aye. 12 CHAIRMAN CORALLO: Aye. 13 The minutes for September 13th, we haven't 14 received yet. We'll let that go for next 15 month. 16 First item on the agenda today, Cross Life 17 Church, 2 Ridge Road, Thiells, Section 19.16 18 Block 1, Lot 15. 19 We're going to adjourn that to 20 December 13th. 21 MS. ADDONO: That was at the request of 22 the applicant. They still have an application 23 pending before the Zoning Board, and so they 24 also just submitted late last week, I believe 25 Friday, new plans, more detailed plans.	Page 5 1 Proceedings 2 So, this will give the board and the 3 consultant an opportunity to review that before 4 they come back, possibly in December, perhaps 5 after that. 6 CHAIRMAN CORALLO: We're supposed to have 7 a public hearing. So, we're going to not have 8 it. We'll continue the public meeting at our 9 meeting on December 13th. 10 Can I have a motion to continue the public 11 hearing to our next meeting on December 13th? 12 MEMBER RICCALDO: I'll move that. 13 CHAIRMAN CORALLO: Moved by Mr. Riccaldo. 14 MEMBER GIZZI: I'll second. 15 CHAIRMAN CORALLO: Second by Mr. Gizzi. 16 All those in favor signify by saying aye. 17 MEMBER GIZZI: Aye. 18 MEMBER WIDMER: Aye. 19 MEMBER SAMBRATO: Aye. 20 MEMBER RICCALDO: Aye. 21 CHAIRMAN CORALLO: Aye. So carried. 22 The next motion, Marian Shrine, 174 Filors 23 Lane, Stony Point. Section 20.13, Block 01, 24 Lot 01, Section 20.09, Block 01, Lot 33 in 25 Stony Point. This is here for site plan

Page 6 1 Proceedings 2 approval for ground mounted solar array to 3 generate electricity delivered directly to the 4 Orange and Rockland grid. 5 Presentation. 6 You can state your name for the rest of 7 the board. 8 MS. KNARICH: Certainly. 9 Good to see everybody since the last work 10 session, appearing the last time. We had a mad 11 scramble to get everything in advance of the 12 meeting. We thank you. Jennifer Knarich from 13 Price Meese Shulman & D'Arminio on behalf of 14 the applicant, Core Development Group. 15 I have with me this morning Kai Nybro, 16 project developer for Core Development Group. 17 Without further ado, I will have him take 18 it away. 19 MR. NYBRO: Members of the planning board, 20 as Jennifer said, thank you for having us on. 21 As I think everyone is aware, we're here 22 to discuss a proposed solar array at the Marian 23 Shrine property at 174 Filors Lane, in the town 24 of Haverstraw. The project is going to requir 25 multiple approvals from town authorities from	Page 7 1 Proceedings 2 the planning board. It looks like we have two 3 separate approvals to be considered. One for a 4 subdivision to the property, and one for a site 5 plan approval for the solar project. 6 The reason we need two is that Orange and 7 Rockland utility is requiring us to subdivide 8 the property because we are bringing in a new 9 electrical service to the property to have two 10 distinct services coming to the same property. 11 They need them separated as two distinct 12 parcels, sections, blocks and lots. 13 So, the two proposals before you are 14 linked, they go together. One doesn't happen 15 without the other. 16 So, for a little bit of project 17 background. What we are proposing is a five 18 megawatt size solar project. That is the 19 maximum allowable under the program that we 20 would be participating in through New York 21 State. That is the remote crediting program. 22 A five megawatt array of this size takes 23 approximately fifteen acres of space, and so we 24 have an agreement with the ownership at the 25 Marian Shrine property to lease a portion of
Page 8 1 Proceeding 2 their land, essentially fifteen acres, 3 install this project on. 4 They're in ownership of the entire 5 property. We simply are building the solar 6 project on their property and paying them a 7 lease rate that's agreed upon. 8 The power that would be produced by this 9 solar project is not for use on the site. It 10 is not for the use of the Marian Shrine. It 11 would be directly linked and interconnected to 12 the Orange and Rockland power grid, in this 13 case, at Suffern Lane, and the power would go 14 to them to be distributed among their 15 customers. 16 The reason this is allowable is because 17 New York State law has programs that allow for 18 remote usage of the credits that are generated 19 by the power. So, essentially, we produce the 20 power with our system, it flows into the Orange 21 and Rockland grid, it generates financial 22 credits that are designated by the utility at a 23 certain rate. Those credits are applied to 24 users, Orange and Rockland customers, who are 25 not necessarily local. They don't have to be	Page 9 1 Proceedings 2 there, right on site. It can be anywhere 3 within the territory. 4 So, we have a separate contract or, I 5 should say, agreement with an off-take to 6 receive those credits and pay us, or 7 essentially pay the project what those credits 8 are worth. That's how, financially, the 9 structure works. 10 Physically, on the site, what we're 11 talking about, as I said, is about fifteen 12 acres worth of area that we will be developing. 13 What development means, in this case, is a 14 steel racking structure what we refer to as a 15 ground mount, steel posts driven into the 16 ground, no foundations, no concrete 17 foundations, nothing like that. 18 On that steel racking are mounted solar 19 panels, just like you've seen all over the 20 place. They're tilted toward the south to get 21 the best exposure and produce the most 22 electricity. They would not exceed ten feet 23 high, at the highest point. They're very low 24 to the ground. They're constructed in rows so 25 there are aisles between each row that allows

Page 10 1 Proceedings 2 for access for maintenance, you know, mowing. 3 Grass would actually be growing between the 4 roads. It would stay an open field, 5 essentially, with an open steel racking mounted 6 on it. 7 The land on the property that we're 8 proposing to use, this is because of 9 requirements sent to us from the owners, Marian 10 Shrine. They designated two areas of land on 11 their property for us to use, that are 12 currently wooded. So this would require 13 clearing of these wooded areas, removal of 14 trees, so that we can install the ground 15 mounted arrays in those areas. 16 The actual arrays would be surrounded by a 17 fence. That's required by code. Electrical 18 code says a facility like this needs to be 19 enclosed and locked to prevent access, 20 unauthorized access. 21 So, there would be a chainlink fence 22 surrounding these, preventing anyone from 23 getting in or out. 24 The day to day operations are, the 25 facility, facilities like this, are essentially	Page 11 1 Proceedings 2 silent. There's no traffic, there's nobody 3 coming or going on or off of the site. During 4 the construction phase, of course, yes, there 5 are trucks coming and going to build it. Once 6 it's operational, there are no day to day 7 activities. 8 We would have periodic checks for 9 maintenance, standard maintenance, things like 10 that. Mowing of the grass, just standard 11 maintenance activities, but nothing else, once 12 it's operational, for a period up to thirty or 13 thirty-five years. That's how long these 14 structures are built to generate power for. 15 I think that about sums it up for overall 16 summary. I'm sure you have questions. I can 17 answer whatever you like. 18 CHAIRMAN CORALLO: I'll start. I'm 19 looking at the plan, fifteen acres. You broke 20 it up into two parts? 21 MR. NYBRO: Correct. 22 MS. KNARICH: Each part is roughly 7,500, 23 roughly, is that how it works out? 24 MR. NYBRO: I'll clarify a little bit. 25 MS. KNARICH: I just want to get it.
Page 12 1 Proceedings 2 Also, when you're saying you're going to do a 3 subdivision, you're going to divide it up, I'm 4 just curious how it's marked up how much land 5 you're going to actually take? 6 MR. NYBRO: So, it is marked on the 7 subdivision plan. We also put it on the civil 8 plan set, which was submitted. 9 The subdivision would result in one parcel 10 that I think is about 37 acres. The second 11 parcel would be the remainder of the 160 acre 12 parcel, I believe that's 120 acres there. 13 The reason we put the subdivision line 14 where we put it, where we located it, we looked 15 at our solar design and then referenced the 16 local zoning codes for setbacks from the 17 property line and placed the subdivision line 18 in excess of that required setback. 19 Other than that, it's essentially 20 arbitrary. We could move it, within reason, a 21 bit, in any direction. But that's why the 22 subdivision line is where it is. 23 MEMBER GIZZI: Off Suffern Lane, do you 24 have access from Suffern Lane? 25 MR. NYBRO: The Marian Shrine property has	Page 13 1 Proceedings 2 a strip of land that they own that extends to 3 Suffern Lane. It's narrow. At the road 4 frontage, I think it's only about fifty or 5 sixty feet at Suffern Lane. It widens a bit as 6 it goes back to the main part of the property, 7 but we do have direct access. 8 The only thing going down the area, you 9 can picture it, for scale, would be an 10 underground trench path where we have the 11 underground conduits proceeding along the 12 pathway. Once we get close to the three phase 13 utility lines, along Suffern Lane, of course 14 there would be a riser pole where the conduits 15 come out of the ground to attach to the Orange 16 and Rockland equipment. 17 MEMBER GIZZI: All the metering would be 18 closer to the fields or near the street? 19 MR. NYBRO: The metering equipment and the 20 equipment that's required by Orange and 21 Rockland, which usually require a pole mounted 22 closer, and electrical equipment would be 23 located at the street. 24 So, there would be what we consider a pole 25 cluster. There may be three poles. It's going

Page 14 1 Proceedings 2 to be up to them to determine that, the 3 utility, and exactly where they place those 4 poles. It's up to them. It's with their 5 construction services. 6 At the actual array locations, the solar 7 arrays, the only other equipment that would be 8 located there would be a pad mounted 9 transformer, along with whatever switches or 10 other metering equipment would be required. 11 Fairly small. 12 MS. ADDONO: Do you want to explain it to 13 them? 14 MR. NYBRO: This is south. So, we're 15 tilted here. We have our proposed subdivision 16 line here, on the south end of the property. 17 Here, this is our proposed fence line. We have 18 two separate arrays. So, it's basically split 19 in half, two sections of the project. 20 And then, this is what I was referencing 21 where the setback, the location of this 22 subdivision line was created, based on where 23 the fence and the project area ends, and then 24 adding in the setback from the property line 25 that is required by the zoning code.	Page 15 1 Proceedings 2 As I said, if we needed to shift it, as 3 needed, I don't think there would be an issue 4 of redrawing, redoing drawings and, of course, 5 applications. 6 This right here, this is the strip of land 7 that extends to Suffern Lane. You can see 8 right here. 9 MS. KNARICH: A couple of things. 10 One, is all the work that you're going to 11 do going to come in from Thiells Lane, Stony 12 Point. 13 MR. NYBRO: Physically entering the site? 14 MS. KNARICH: For construction. 15 MR. NYBRO: Correct. 16 MS. KNARICH: Also, for maintenance 17 purposes? 18 MR. NYBRO: That's correct. 19 MS. KNARICH: That access road to Suffern 20 Road is not going to be used for anything other 21 than getting the power out? 22 MR. NYBRO: To be clear, it won't be a 23 road, at all, at Suffern Lane. It's just our 24 path. 25 MS. KNARICH: I want to make sure that
Page 16 1 Proceedings 2 that's not opened, in any way, for you 3 and the people that live there, motor bikes 4 don't go up and down there. Someone might drop 5 a load of debris, not debris or dirt, so 6 people can drive up and down it. 7 You have a whole bunch of people that's 8 been their own property for many, many years. 9 I don't even know if there's anything on that. 10 There might be sheds on it. 11 MR. NYBRO: Indeed, there are. 12 In the process of our development, we did 13 do a new property survey. We did find multiple 14 neighbors have built over the property line on 15 the south end, especially where the fence lines 16 are over the line. We have enough room to 17 build what we need to build, but we are 18 concerned about that, where neighbors have used 19 this property, essentially, as their own, in 20 some cases. 21 There's a driveway that we have 22 identified, that, again, is over the property 23 line. So, things that we can avoid. 24 CHAIRMAN CORALLO: People find out about 25 this, those people, they're going to come in	Page 17 1 Proceedings 2 with concerns. 3 MR. NYBRO: Of course. 4 CHAIRMAN CORALLO: We have to address 5 their concerns. They're on your property, 6 Marian Shrine property, we have to make sure we 7 cover that; right? 8 MR. NYBRO: So, we do have a strategy by 9 which we want to engage with those neighbors 10 ahead of time. 11 We understand there will be a public 12 hearing, as well, where everyone can voice 13 comments and concerns. We're prepared for 14 them. 15 We are in the process of scheduling an on 16 site visit to invite those neighbors to the 17 property, to see what specifics, what the plans 18 are, and engage with us directly so we can get 19 ahead of those concerns and have conversations 20 in more of an informal setting before we're 21 back here doing it formally. 22 MEMBER GIZZI: Are you going to try to 23 have them vacate your property? 24 MR. NYBRO: That would be up to Marian 25 Shrine. We're just the leasee, at this point.

Page 18 1 Proceedings 2 That's correct. There's no interest on 3 behalf of the Marian Shrine to force anybody 4 off the property. They are happy for everyone 5 to be right where they are, even if the fence 6 is over the line a bit, whatever the case may 7 be. Their only concern, this is up to the 8 ownership of the property, they may have some 9 insurance concerns, if somebody's on their 10 property, God forbid something happens, they 11 may be liable. 12 Again, that's not something that concerns 13 this project, or concerns us, because we would 14 not be leasing any areas that would include any 15 of these neighboring encroachments. 16 CHAIRMAN CORALLO: Where you're going to 17 put the solar panels, you're going to cut trees 18 down? 19 You have a whole area, this part where 20 you'll cut trees, are there going to be 21 remaining trees on each side of where the solar 22 panels, are, the neighbors on both sides. 23 MR. NYBRO: There will be, yes. 24 CHAIRMAN CORALLO: Lilburn Drive is on one 25 side.	Page 19 1 Proceedings 2 MR. NYBRO: Lilburn Drive is one of the 3 adjacent streets. We will maintain as much of 4 a vegetative buffer for screening, as possible. 5 As one would imagine, we do need to 6 maintain some clearance for maintenance, and 7 also for shading issues. If we have trees 8 right next to the solar panels, it's not going 9 to produce. 10 We have identified, from the edge of the 11 solar panel array, to where the tree clearing 12 will end, is a 45-foot section. Fifteen of 13 that is within the fence line. So, from the 14 panel edge of the solar panel edge to the fence 15 is fifteen feet. From the fence outward, we 16 have another thirty feet of clearing. This 17 gives us, essentially, the space we need to 18 maintain clear open area, and then anything 19 beyond that would not be touched, from there to 20 the property line. 21 MS. KNARICH: Which is approximately how 22 many feet? 23 MR. NYBRO: It depends on which side of 24 the property we're talking about. 25 The closest we would get to any property
Page 20 1 Proceedings 2 lines would be on the west side, and from 3 the edge of clearing, we still maintain 4 about fifty feet worth of the existing trees, 5 bushes whatever is there. 6 In other sections, it's much larger. I 7 think up to one hundred fifty feet on the east 8 side, in one spot. 9 MR. KAUKER: Do you know what type of 10 trees they are, deciduous, evergreen, a mix? 11 MR. NYBRO: They're mostly deciduous. 12 What's on the plans right now, on the 13 eastern section of trees that we identified, 14 there was a full tree survey, we identified the 15 number of trees, the diameter, at breast 16 height, we know exactly what it is. 17 I don't know if we have the tree types, 18 but I can tell you it's mostly deciduous. 19 MR. KAUKER: One of the things would be 20 the visual impact from the neighboring 21 properties to the array. 22 MS. ADDONO: As part of site plan, we'll 23 need a landscaping plan. 24 MR. KAUKER: He said they did a full tree 25 inventory. That's what we need to use as a	Page 21 1 Proceedings 2 basis for that. I didn't look at it, yet. 3 Do you have it? 4 MR. NYBRO: Typically, with these kinds of 5 things, language in the code would say 6 something like reasonable screening, or visual 7 screening. It is difficult to determine 8 exactly what that is. Is that one hundred 9 percent opacity, is it what's reasonable? 10 But, what's typical for projects like 11 this, would be perhaps planting of arbor vitae, 12 or something similar to that, that has a high 13 growth rate. You can plant close together and 14 stagger your rows to create a screening. 15 Again, the concern for the project, we 16 don't use species that grow too tall, where 17 they're shading the solar, and it defeats the 18 whole process. 19 I've developed projects in Orange County 20 that we use, which is lower and pretty dense, 21 it only grows to eleven feet. It's more like 22 it's bushy. Depending on where your advantage 23 point is, that might not be tall enough to 24 visually screen. If you're below it, it is. 25 It's all site specific. We would expect some

Page 22 1 Proceedings 2 sort of requirement for that. 3 CHAIRMAN CORALLO: Anything else? 4 MR. KAUKER: No. 5 CHAIRMAN CORALLO: I have some more 6 questions. 7 We have a lot of houses around there, 8 that's why I'm saying that, when we go for the 9 hearing, open to the public, they have to 10 notify all these houses, everybody around it, 11 you have to notify. 12 MR. KAUKER: Many, yes. 13 CHAIRMAN CORALLO: Because they're going 14 down that road into Suffern Lane, all the 15 houses along the road, that has to be part of 16 the project. 17 MS. ADDONO: I think it's just adjoining 18 properties. 19 CHAIRMAN CORALLO: This is all adjoining. 20 MR. KAUKER: Is that part of the property? 21 CHAIRMAN CORALLO: Yes. 22 MR. KAUKER: Is that included in the 23 subdivision? 24 MS. ADDONO: That's included in the 25 subdivision.	Page 23 1 Proceedings 2 MR. KAUKER: It probably would. 3 CHAIRMAN CORALLO: We have a person that 4 wanted to extend that house on the corner of 5 Lilburn Drive and Suffern Lane, if you recall. 6 She wanted to use that piece of the property 7 because she needed more room, and she went to 8 the Marian Shrine and Marian Shrine wouldn't 9 give up that property. That's what I'm trying 10 to say. She'll be the one person that's there. 11 MS. ADDONO: It's a subdivision of the 12 entire parcel. The entire parcel. 13 CHAIRMAN CORALLO: I just want to make 14 sure. 15 MS. KNARICH: Hence the sixty three person 16 notice list that we received. 17 MS. ADDONO: It could be worse, you know, 18 some municipalities have a five hundred square 19 foot radius. The town just does, I believe, 20 adjoining properties, but there are a lot, in 21 this situation. 22 MS. KNARICH: Because the property is so 23 large. 24 MS. ADDONO: Of course. CHAIRMAN CORALLO: The solar panels, the
Page 24 1 Proceedings 2 rain comes down and hits the ground. Solar 3 panels will be more concentrated from where the 4 water is going to go. 5 Do you anticipate we have to check out 6 any water problems? 7 MR. KAUKER: I'm sure Glenn will review 8 it. 9 CHAIRMAN CORALLO: We'll go over that. 10 MS. ADDONO: That was something we talked 11 about at the workshop, to make sure that the 12 ground cover is sufficient, from a drainage 13 perspective. 14 MR. NYBRO: I can help to explain, as 15 well. Between the rows of solar panels, it's 16 about a fifteen foot aisle that's open. Again, 17 it would be standard ground cover. It would be 18 native seeded, grasses, wild flowers, things 19 like that. So, we're not creating an 20 impervious surface. 21 You would have a little flow over the span 22 of two panels, solar panels, top to bottom. It 23 doesn't have severe impacts on runoff, but 24 having said that, any project like this, you 25 have to go before, talk to the DEC, submit a	Page 25 1 Proceedings 2 stormwater prevention plan. 3 We expect to be able to do all that and 4 get through their permitting. I have requested 5 a preapplication meeting with the DEC already. 6 I'm waiting for a date from them. We want to 7 get ahead of this with them, to see what sort 8 of regulations or restrictions they would put 9 on this particular site. 10 But, typically, the bigger concerns are 11 during construction, where we use standard 12 means and methods, silt fencing, anything like 13 that, to prevent any runoff. 14 Once the site is completely constructed 15 and we are doing stabilization, including the 16 seeding, then it returns, really, to the same 17 -- well, it wouldn't be the trees, but we would 18 have vegetation all over the entire ground 19 cover, once that's established. That's the 20 permanent stabilization. 21 And then the construction stabilization, 22 which is temporary as we're working, we do all 23 the standard industry standard practices. 24 MS. ADDONO: Just in terms of industry 25 practices, does that include having like a

Page 26 1 Proceedings 2 decommissioning plan and another 3 decommissioning bond, and those types of 4 things? 5 MR. NYBRO: That's going to be, I think, 6 at the discretion of the board here. 7 MS. ADDONO: That's something in the solar 8 industry that is relatively standard. 9 MR. NYBRO: Decommissioning plans are 10 standard for anything like this. That's 11 stated, at the end of the operation, we would 12 return the site to its original state by 13 removing all the equipment. 14 It also would typically state, if the 15 solar facility is inoperable for a certain 16 period of time, twelve months, eighteen months, 17 something like that, if it's off, it would 18 immediately kick in the decommissioning plan, 19 as well. 20 MEMBER GIZZI: Are you going to have some 21 sort of driveway or extend the driveway from 22 the existing driveway into the solar fields? 23 MR. NYBRO: If we look at C-04 of the 24 plan, that's on it. 25 So, access to the site would be, as we	Page 27 1 Proceedings 2 stated, through Filors Lane, the existing 3 driveway that's existing right now. It goes 4 all the way to an existing parking lot, which 5 is already on the project site. From there, 6 it's a proposed gravel drive, pervious surface, 7 that essentially does a U around the perimeter 8 of the building area to provide access for 9 construction equipment, personnel. And that 10 would be maintained, just a gravel pervious 11 surface. 12 MEMBER GIZZI: Obviously, big enough to 13 get emergency vehicles back there, if you need 14 it. 15 MR. NYBRO: Standard would be fifteen foot 16 wide gravel drive. If any emergency services 17 want additional access, either a turnaround or 18 more width, of course, it can be accommodated. 19 MS. ADDONO: When we do one of those 20 things, we'll talk about, in a little bit, is 21 lead agency. As part of that, we'll circulate 22 this to the Police Department and the Fire 23 Department, to make sure that they have no 24 concerns regarding emergency access or 25 services.
Page 28 1 Proceedings 2 CHAIRMAN CORALLO: I want to get all 3 the things that you have to get approved by us 4 again, all right. 5 MR. NYBRO: Sure. 6 CHAIRMAN CORALLO: We're going to do a 7 zone change, right? 8 MS. KNARICH: No. The only zoning issue 9 was a variance for road frontage. 10 CHAIRMAN CORALLO: The road frontage on 11 Filors lane? 12 MS. KNARICH: The proposed subdivided 13 parcel does not have the required 125 feet of 14 road frontage. It's only, I think, 50 feet, 15 45 feet. 16 MR. NYBRO: Forty-one. 17 MS. KNARICH: So, that is the one area, 18 the zoning code we know we are not in 19 compliance with, and we seek a variance for. 20 CHAIRMAN CORALLO: We have to go to the 21 county highway department for that. Filors 22 Lane is a county road. 23 MS. ADDONO: They'll be included in the 24 GML referrals. 25 CHAIRMAN CORALLO: You're not going to do	Page 29 1 Proceedings 2 anything other than put a pole on Suffern Lane? 3 MR. NYBRO: Just the electrical equipment, 4 no road. 5 CHAIRMAN CORALLO: That's county. When we 6 send out for review, we'll send it to the 7 county and they'll see when you do your 8 construction on Filors Lane, nothing on the 9 other side. 10 Then we have the subdivision, then, for 11 that part; right? 12 MS. KNARICH: Um-hum. 13 MS. ADDONO: Site plan. And then also a 14 special permit from the town board, and I think 15 that's something we should discuss. 16 The way that this use is being 17 characterized, based upon discussions, 18 preliminary discussions, is as a public utility 19 substation which is a special permit use, so 20 it's permitted by special permit of the town 21 board, and there are additional requirements in 22 167-19 related to such a use. 23 So, the applicant will also have to get 24 approvals from the town board for the special 25 permit, and if they cannot comply with all of

Page 30 1 Proceedings 2 those additional requirements, then it may 3 result in potentially additional variances from 4 the zoning board, but that will all be 5 incorporated together, when they go to the 6 zoning board. 7 Just to kind of piggyback off of that. 8 When you were talking about the areas to be 9 served by the electricity that will be 10 generated, one of the requirements for a public 11 utility substation is that it will serve the 12 area of the town of Haverstraw, or immediately 13 adjacent communities. 14 So, I understand you were saying it's not 15 going to serve the Marian Shrine property 16 specifically, but because it's going to be 17 through O and R, it could potentially serve the 18 Town of Haverstraw community. 19 Is that a fair statement? 20 MS. KNARICH: Yes. I can further explain 21 The power generated by the facility will 22 not tie into the local Marian Shrine meters, 23 service, the property there. 24 They are benefiting from the project 25 through the payments that they receive. The	Page 31 1 Proceedings 2 power is actually generated and will be 3 interconnected to the Orange and Rockland 4 utility lines and will be distributed through 5 the user, local users. 6 Their lines don't discriminate who's 7 getting what power from where. This power will 8 be used locally. It's not necessarily the 9 community members who will be receiving the 10 financial benefit of that. It would be our 11 agreed partners who have received a contract to 12 receive the credits. 13 CHAIRMAN CORALLO: You're going to be 14 asked that question by the public. 15 MS. KNARICH: Understood. By regulation, 16 it just has to be anyone within the utility 17 territory, with Orange and Rockland territory, 18 who could participate in this. 19 MS. ADDONO: I'm just thinking about the 20 specific special permit requirements that are 21 in the code, and getting ahead of thinking 22 through if you comply with them, if not, how to 23 address that. 24 MR. NYBRO: We did actually go through 25 them when we were getting the site plan
Page 32 1 Proceedings 2 prepared. 3 The plan submitted has a section, 4 almost like a bulk table that indicates the 5 public utility ordinance provisions. We know 6 whether we would comply or not. Obviously, it's 7 subject to the town's review. In our review, 8 we can comply with the provisions to stay 9 with the town board. 10 CHAIRMAN CORALLO: Anything right now. 11 MR. KAUKER: No. 12 CHAIRMAN CORALLO: What we'll do tonight, 13 the intent is to be lead agency. Let's do 14 that. 15 Can I have a motion to declare the Town of 16 Haverstraw Planning Board to be the intent to 17 be lead agency? Can I have a motion on that. 18 MEMBER GIZZI: Move. 19 MR. KAUKER: I'll second. 20 CHAIRMAN CORALLO: Moved by Mr. Gizzi and 21 seconded by Mr. Kauker. 22 All those in favor signify by saying aye. 23 CHAIRMAN CORALLO: Aye. 24 MEMBER GIZZI: Aye. 25 MEMBER SAMBRATO: Aye.	Page 33 1 Proceedings 2 MEMBER RICCALDO: Aye. 3 MEMBER WIDMER: Aye. 4 CHAIRMAN CORALLO: Normally, we have to 5 wait thirty days to get a response. That will 6 get us close to the next meeting. We can have 7 that meeting there. 8 MS. ADDONO: My understanding is that the 9 applicant provided hard copies of the plans for 10 circulation for GML review. So, we can try to 11 get those out as soon as possible. It will be 12 tight for the December 13th, meeting. 13 MR. NYBRO: We discussed that. 14 MS. ADDONO: Even if it goes out tomorrow, 15 by the time we get responses back. 16 MR. NYBRO: Responses. 17 MS. ADDONO: By the time we get responses, 18 we'll be on the eve of the meeting, especially 19 with the holiday coming up. It's always hard 20 this time of year. 21 So, we can put over to December to come 22 back and kind of talk through things, or we can 23 say we'll put you over to January, and then if 24 you wanted to come to the December workshop, 25 it's up to you.

Page 34 1 Proceedings 2 MR. NYBRO: I'm going to suggest, if 3 necessary, if we have some items to discuss, 4 the work session in December, and be prepared 5 for January. I agree with your professional 6 opinion, it's going to be tight. 7 MS. ADDONO: So, what the board could do, 8 if you're so inclined, so procedurally we can 9 keep the ball rolling, if the board wanted to 10 tonight call for a public hearing to be held at 11 our January meeting, which, admittedly, I do 12 not know what day that is. 13 CHAIRMAN CORALLO: Is that a problem, can 14 we do part one first? 15 MS. ADDONO: Just because we call for the 16 public hearing doesn't mean we'll close the 17 public hearing. It's up to the board. Or, if 18 you'd rather wait and hear from them in 19 December or January. 20 CHAIRMAN CORALLO: We'll go for the 21 meeting in December. You'll see where we are. 22 If it looks good, because we have to wait for 23 the intent to do that. 24 MR. NYBRO: Understood. 25 CHAIRMAN CORALLO: Why don't we do that,	Page 35 1 Proceedings 2 then, we'll declare ourselves intent lead 3 agency. 4 MS. KNARICH: In that case, would we have 5 the time required to make notification in 6 December for a potential public hearing in 7 January? 8 MS. ADDONO: Yes, absolutely. 9 CHAIRMAN CORALLO: In the meantime, you 10 can check with the Building Department and get 11 all the addresses. 12 MR. NYBRO: We have it. It's in the 13 packet. 14 CHAIRMAN CORALLO: Okay. 15 MS. ADDONO: We can always be in touch, 16 administratively, outside of a public meeting, 17 and see where we are in advance of the 13th, if 18 we're reviewing comments, and those need to be 19 addressed and it doesn't seem like it would be 20 productive for you to come to the December 21 meeting, you can always request an adjournment. 22 That's available to you. 23 MR. NYBRO: That will be great. 24 December 13th? 25 MS. ADDONO: Same time, same place.
Page 36 1 Proceedings 2 CHAIRMAN CORALLO: Announcing 3 Thank you very much. 4 MR. NYBRO: Thank you, everybody. Have a 5 good evening. 6 CHAIRMAN CORALLO: Motion to adjourn to 7 the next meeting. 8 MEMBER SAMBRATO: I'll make that. 9 CHAIRMAN CORALLO: Second. 10 MEMBER RICCALDO: Second. 11 CHAIRMAN CORALLO: Mr. Riccaldo. 12 CHAIRMAN CORALLO: We're adjourned. Thank 13 you very much. 14 (Time noted: 8:10 p.m.) 15 16 17 18 19 20 21 22 23 24 25	Page 37 1 2 C E R T I F I C A T E 3 State of New York) 4 County of Westchester) 5 I, DEIRDRE RANGLES, a Stenotype Reporter 6 and Notary Public within and for the State of New 7 York, do hereby certify: 8 9 That the witness whose deposition is 10 herein before set forth, was duly sworn by me, and 11 that such examination is a true record of the 12 testimony given by such witness to the best of my 13 ability. 14 15 I further certify that I am not related 16 to any of the parties to this action by blood or 17 marriage, and that I am in no way interested in 18 the outcome of this matter. 19 20 IN WITNESS WHEREOF, I have hereunto 21 set my hand this 20th day of November, 2023. 22 23  24 Deirdre Randles 25

1 Errata Sheet

2

3 NAME OF CASE: In Re: TOWN OF HAVERSTRAW PLANNING BOARD MEETING

4 DATE OF DEPOSITION: 11/08/2023

5 NAME OF WITNESS:

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page ____ Line ____ Reason ____

11 From ____ to ____

12 Page ____ Line ____ Reason ____

13 From ____ to ____

14 Page ____ Line ____ Reason ____

15 From ____ to ____

16 Page ____ Line ____ Reason ____

17 From ____ to ____

18 Page ____ Line ____ Reason ____

19 From ____ to ____

20 Page ____ Line ____ Reason ____

21 From ____ to ____

22 Page ____ Line ____ Reason ____

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