

2/10/26

Town of Clifton Park Planning Board
One Town Hall Plaza
Clifton Park, New York 12065
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PLANNING BOARD

ROCCO FERRARO
Chairman

STEFANIE BITTER
Attorney

PAULA COOPER
Secretary



MEMBERS
Emad Andarawis
Eric Ophardt
Heather Fariello
Denise Bagramian
Keith Martin
Lisa Westrick
Joanne Coons (alt.)

Planning Board Minutes
February 10, 2026

Those present at the February 10, 2026 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, D. Bagramian, E. Andarawis, E. Ophardt, L. Westrick, Joanne Coons (alternate)

Those absent were: K. Martin, H. Fariello

Those also present were: J. Scavo, Director of Planning
S. Price, M J Engineering and Land Surveying, P.C.
J. Conway, Counsel
P. Cooper, Secretary

Mr. Ferraro, Chairman called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ferraro stated that in the absence of Mr. Martin and Ms. Fariello, Ms. Coons would be a voting member tonight.

Minutes Approval:

Mr. Andarawis moved, seconded by Ms. Bagramian, approval of the minutes of the December 9, 2025 Planning Board meeting as written. The motion was unanimously carried.

2/10/26

Mr. Andarawis moved, seconded by Ms. Bagramian, approval of the minutes of the January 13, 2026 Planning Board meeting as written. The motion was unanimously carried.

Public Privilege

Any member of the public may speak for up to three (3) minutes on matters currently before the Planning Board as open projects. Comments should be relevant to the Planning Board's jurisdiction under Subdivision, Site Plan, and Special Use Permit regulations. This opportunity is intended to allow the public to provide input or raise concerns related to active applications under review.

Chris Collazo, 11 Hendrick Hudson Way, stated he is here tonight about the cement plant on Route 9. He stated he has looked at the Census data from 2020 and analyzed it for 1, 2 and 3 miles from the proposed plant and stated there are 703, 10,000, and 25,000 residents in the area and he can provide copies. Mr. Ferraro stated he can send this information to the Planning Department and Planning Board members can see and review this information. Mr. Ferraro stated that Mr. Scott Reese still has Lead Agency consideration out to DEC and the packet is over 1,000 pages.

Christine Matthews, 5 Cinnamon Lane, stated she is here for the 1910 Route 9 cement plant project. She stated that on January 15, 2026 the Saratoga County Planning Board responded to the project stating there is no impact; she stated the findings are not supported and needs more scrutiny. Ms. Matthews stated this impacts both the Clifton Park residents as well as the Halfmoon residents and the General Municipal Law 239 reflects this. She stated the County does not address exposure and the maps clearly show a 5 mile radius of affect. Ms. Matthews stated the winds blow west to east and particle will travel beyond the site. She stated it has been found that the particle matter can travel and exceed health regulations and the wind patterns should be considered. Ms. Matthews stated she would like to see accountability before consideration. Mr. Ferraro thanked Ms. Mathews for her concerns and stated that because of some of these concerns, is why they are asking DEC o take Lead Agency Status.

Jason Lawyer, Spice Mill, stated he appreciates the Town involving DEC and the cumulative effect is important. Mr. Lawyer stated that particles can collect in the bloodstream and build up over time so this needs to be looked at carefully. He stated that since the census of 2020 there has been new development so the numbers quoted before are higher. He stated there is an aquifer under the proposal site as well as the Dwaas Kill next to it so it also. Mr. Lawyer stated traffic; noise and dust are also a concern and asked the Board if they would build a home within 1-2 miles of the proposal.

2/10/26

Rob Bonanni, 22 New Netherland Way, stated he is in the Town of Halfmoon and lives east of the proposed plant. He stated he believes the wind will bring particles to his home. He stated this is not the right area for this but he is not against building. He stated there will be impacts with breakdowns, traffic, congestion, and asked that the Board takes into account the study done of the impacts of the runoff from the site. Mr. Bonanni stated he will also be going to the Town of Halfmoon Board about his concerns.

Public Hearing:

None

Old Business:

#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)

SBL: 264.-3-5.1 Proposed 5 MW Cooley solar project Mac Elroy RD , Zoned: CR - Conservation Residential, Status: Revised Concept Applicant: DG Cooley, LLC Consultant: DG Cooley, LLC – B. Chan Last Seen On: 12/09/2025

Consultant/Applicant Presentation:

Billy Chan, representing the applicant, indicated that the applicant intends to provide safe energy solutions and environmental support. He noted that their previous appearance before the Board was on December 9, 2025, during which they received feedback to divide the wildlife array and consider alternative locations on the site for its placement. He stated the applicant is back tonight with a new concept plan which still includes about 19 acres of land for the solar array's development, the northern setback has been increased to 500', and all other setbacks have been met per the zoning requirements. Mr. Chan stated they put a landscaping buffer on MacElroy and to the north the array has been divided to allow for a 50' wildlife corridor. Due to these changes Mr. Chan stated the 100' wetland buffer has now been changed to a 50' buffer and would need a DEC permit. He stated they have assessed other area on the parcel further to the east but found it to be impractical due to the access from MacElroy Road which would add an additional roadway and cross wetlands on the property that otherwise are avoided. He stated going further to the east would also increase the tree clearing. Mr. Chan stated a memorandum was submitted in regards to the public's comments and feedback tonight is appreciated.

Staff and Professional Comments:

Certain staff comments were highlighted by John Scavo, Director of Planning & Zoning, and MJ Engineering, the Town Designated Engineer. Copies of all remarks read into the record for the agenda items are included and attached to these minutes.

2/10/26

Public Comments:

Mr. Scavo stated that all written comments by the public have been provided to the Board and added to the project file.

Ray Zanta, 41 Tipperary Way, stated he has concerns of the noise levels as a result of the project. Mr. Chan stated there is some noise and it reduces with distance and the panels in the way. Mr. Zanta asked the decibels, Mr. Chan stated he can get those.

Carrie Ann Hants stated she lives 2 homes over from the proposal. She asked how the noise levels next to her home.

Henry Hants, 720 MacElroy Road, showed on the map being resented where his home is in relation to the application. He asked if the inverter would be loud.

Elanor Bullock, 717 MacElroy Road, stated she will be able to look out her window and see the array as she is across the street from the application and feels there will be no time that they will not hear it. She stated she has other concerns as well and no one wants it here, not that they don't want it, just not here.

John Ranker, 869 Route 146A, stated he has owned his property for 35 years and lives downstream from this proposal. Mr. Ranker stated it makes no sense to change the use of the land here; just because it is close to a substation does not mean it belongs. He stated that this should not be next to homes and wells that the homes use because the runoff implications are unknown. He stated this is also a fire risk and if the applicant moves forward with no waivers or permits they need to adhere to the law as the ECC had suggested from their comments from the February 3rd meeting. Mr. Ranker stated there needs to be no battery storage allowed. Mr. Ranker stated that the buffers need to be greater than the proposed 50' as the project is presented from a large company, one of the world's largest and they should not be allowed to cut corners. Mr. Ranker stated he thinks solar should be in an industrial area. Mr. Ferraro stated that solar is not permitted as of right, but it is allowed thru the granting of a Special Use Permit.

Jane Monast, 691 MacElroy Road, stated she also lives across from this proposal and at the last meeting people objected to this. She stated the objections still stand and her biggest question is why the Town makes standards if there are exceptions to the standards. She stated the guidelines are there for a reason and the Board needs to find balance. Ms. Monast stated she moved here because of the CR zoning and owns 8 acres of land.

Judy Morley, 8 Wheeler Drive, Stated she attended a meeting in Charlton about solar the other night. She asked what would happen if the company abandons the project and who would be responsible. Mr. Ferraro stated there is a decommissioning plan that the applicant is required to prepare a plan. Mr. Scavo stated in addition to the decommissioning plan the Town requires a performance bond for community solar and cell towers/monopoles and costs with bonding amounts are updated annually. He stated that NYSERDA and Massachusetts provide

2/10/26

decommissioning values for cost components that are updated regularly to reflect current market conditions.

Michael Murphy, 686 MacElroy Road, handed out a letter he submitted to the Board and read it out loud (the letter is attached to the file). He stated he bought the property years ago due to the zoning and the character of the area.

George Leombruno, 7 Fieldstone Drive, asked if the land is private or owned by the Town. Mr. Ferraro stated it is private property. Mr. Leombruno stated the owner is trying to make money on the property which makes sense, however, if this does not get approved the owner will look at other options like stores or possibly 20+ homes to be built. He stated it is not realistic to compare the solar proposal to nothing as it won't stay open, but to the other possibilities such as future homes. He stated he feels that things may become worse than a solar farm.

Raymond Seymour, 7 Nadler Road, stated he is also a member of the Open Space and Friends of Open Space. He stated that the previous speaker made a good point and in 2000 there was no plan for western Clifton Park and there was a committee formed to look at the open space plan and they wanted to create a less densely populated area to the west. Mr. Seymour stated when this was done the technology was not what it is today and there is a loophole for the Special Use Permit to develop here. He stated he feels this has been used too much and out of the 8 solar farms in the Town, 7 of them are in the CR zones. Mr. Seymour stated he submitted a letter in December that should help explain this as well.

Kerensa Rybak, 52 Tipperary Way, stated there are also neighbors behind this application as well as wetlands. She stated that when Rolling Meadows was developed they saw an increase of wildlife such as deer, coyote, turkey, and bald eagles. She stated that solar farms are also found to decrease home values by 1.5% and that she echoes the concerns that were voiced by others. Ms. Rybak state she supports solar but in non-residential areas.

Mary Skillin, 5 Denhelder Drive, stated she has lived in Clifton Park for 39 years. She quoted from a quote on the Town's website and stated she thinks the applicant's intentions are good but failing. She stated the wild animals in this area will be missed.

Eve Bucwinski, 1067 Ballston Lake Ave, stated she is just before Ashdown Road and spends time at the Veteran's Park and the Elks. Ms. Bucwinski stated she is a nature lover and she will speak for the creatures that cannot. She state that eagles and turkeys travel from her home to this area and they will no longer be able to do so. She stated the blue birds, which are the State bird, will have an impact as well as the corridor is only 50' and you cannot tell animals where to go. She stated she has seen 33 deer hits last year near her home and 28 the year before and they are all in the western part of Clifton Park so if this is approved where will the deer go.

Dan Wheeler, 619 MacElroy Road, stated his family lives at 627, 637, 647, and 648 MacElroy Road and they do not want this application to be approved.

2/10/26

Planning Board Review:

Ms. Coons asked what the height of the panel is and what the clearance under it is. Mr. Chan stated it is about 11'-12' but is unsure of the clearance. Ms. Coons asked if they would consider farming under the panels as there is a lot of misinformation about this. She stated she also attended the meeting in Charlton and noted that the farmland trust was there to preserve farming and these entities need to work together. She stated that this site can be farmed again in 25 years or when the lease expires as there is no leaching from the panels. Ms. Coons this is not industrialization but green energy. She stated that she saw the plantings being proposed for the project but asked if corn could be an option for buffering to keep the farming working with solar. Mr. Chan stated they are not intending to farm the land. Ms. Coons stated they could also look at bringing in sheep for grounds control instead of mowing.

Mr. Ferraro asked if farming could be discussed with the owner. Mr. Chan stated they could talk about this.

Ms. Westrick asked if the land owners need to approve farming or the use of sheep on the land. Ms. Coons stated it would be the responsibility of the solar company if it is inside of the fencing. Mr. Chan stated they are using pollenating plants under the panels and mowing is the current plan. Ms. Coons stated she would like to see the plan.

Mr. Andarawis stated he agrees with Mr. Seymour's concerns and referred to Chapter 208 79E-1 the continuation of visual resources and stated the land had been farmed up until recently. Mr. Andarawis stated that the last plan had shown all useable farmland being utilized. He stated that he is less concerned about the panels than he is with maintaining the overall character that can be seen. He stated the plan is moving in a better direction with visuals which was specifically called out for this parcel in the 2005 GEIS findings. Mr. Andarawis asked if there is sufficient remaining land in front of the solar array to support future agricultural use. M. Chan stated that only the land outside of the panels and fencing can be used by the owner. Mr. Andarawis stated that the buffers identified as part of this project need to be excluded from any future development even though it is not part of the lease.

A member of the public asked what the benefit to the Town is for this application.

Mr. Ferraro stated there needs to be a rational basis used with a Special Use Permit to see if the project is or is not allowed with a Special Use Permit.

Ms. Bagramian asked where the power generated from the array would go. Mr. Chan stated it would go to the power grid. Ms. Bagramian asked if it would go downstate or stay in Clifton Park. Mr. Chan stated he is not an engineer but the distribution of the power would go to the substation which is a community substation and the residents would have to subscribe. Ms. Bagramian asked if this would benefit lower income residents and if the applicant has looked at other sites other than in the CR zoning. Mr. Chan mentioned that the property is in the CR zoning, and other evaluated lands are also classified under the same CR zoning. Ms. Bagramian

2/10/26

stated the Board needs to see if they fit in the area and asked why the companies are not looking at parking lots. Mr. Chan stated he believes the lease cost would increase in a commercial zone so they are targeting the CR zones. Ms. Bagramian stated she does not like them in the CR zone and does not like the look of them in the community and feels this is a loophole that solar companies are taking advantage of. She stated that the project should meet the CR criteria and there are a lot of homes in the area. She stated she feels Clifton Park is being targeted and the Town Board should be petitioned to evaluate it.

Mr. Ferraro stated he has similar concerns to Ms. Bagramian but the applicant has to provide a rational basis due to the Special Use Permit (SUP) requirements and that this use is allowed if they are addressing concerns and meeting the conditions of the SUP. Mr. Ferraro stated he was not at the December meeting since he was not on the Planning Board at that time but has reviewed the minutes and the applicant did address concerns from then but now there may be an impact to the wetlands. He stated that another concern of his is there are more than 3 acres impacted with the new plans and he is not yet convinced the SUP conditions are being met. Mr. Chan stated the original plan had 100' setbacks and it was suggested by the Planning Board to change locations and redesigned so this was why the plans changed. He stated the project would not work if they went smaller, so they are looking for permit coverage from NYS DEC.

Ms. Bagramian stated there are density regulations for homes in the CR Zone, and she feels solar comes with its own regulations which tells the Board what they need. She stated this is not a fair balance for other applicants and this should be looked at and addressed.

Mr. Andarawis stated he agrees with Ms. Bagramian but the Town Code does not have solar density calculations beyond setback requirements, and the Planning Board needs to see where it fits within the SUP requirements.

Ms. Conway stated there are four factors of the SUP and referred to Chapter 208-80 B(3) and stated the max surface area is in relation to the lot size. Mr. Chan went over the application on the map and what is proposed on the site.

Mr. Ferraro stated the tree line is insufficient along the roadway and he wants to see visual simulations that would include a berm. He stated he would like to see an increased buffer along the road as well as neighboring properties. Mr. Chan stated he will look into the berm but he has and will be able to provide the initial, 5, and 10 year visual simulations of the buffer.

A member of the public asked what types of trees would be planted and asked about the risks of wildfires when this land is fully developed and fully matured. Mr. Ferraro stated he would welcome the fire department to come and provide feedback and the Board can condition approval for the sign-off from them as there is no water on hand at the site.

Mr. Murphy, resident, stated he is a part of the fire department, Mr. Ferraro asked if he would answer come of the questions. Mr. Murphy stated he feels the department can handle the site if

2/10/26

needed if requests are accommodated. He stated he can contact the Chief and have him send his beliefs on the project to the Board as he does not want to speak for the Chief but he was at the battery storage meeting and sees that every department needs adequate resources and water supply. Ms. Coons stated Rolling Meadows is about 600', and that is the closest water site, she called today and verified the information with the Water Department. Mr. Ferraro stated that since the January 20th, 2026 Town Board meeting, battery storage is prohibited in the Town. Mr. Scavo stated anything submitted from the Fire Department will be added to the application file and will be distributed to the Planning Board members.

A member of the public asked about the Zoning and allowing solar in the CR zoning in regard to the SUP. Mr. Andarawis stated that only uses listed in the town code under the SUP can be considered, and that the zoning code for the CR zone under 208-16 specifically includes Tier 2 and Tier 3 solar, so this is how the board reviews them.

A member of the public stated no resident in attendance has been in support of the application and therefore questioned why the Town is evening considering the application. Mr. Ferraro stated that the Board takes public comments into consideration. Mr. Andarawis stated that the concerns of the residents are important not the number of them, however they cannot make a vote based on resident denial. Mr. Scavo explained that public sentiment is not a valid reason to deny a Special Use Permit application, as case law has already confirmed this principle. .

Ms. Coons stated that the event that happened in Castleton had 17,000 solar panels and not one of them was damaged, only vegetation. Mr. Andarawis asked if there were any other official reports on the Castleton fire other than the news. Mr. Murphy stated he can try to get info from the Fire Department.

Marilee Fuss, resident, asked how they will ensure the well water does not become contaminated. Ms. Coons stated the panels do not leech. Mr. Ferraro stated he would also like a response from the applicant about this.

Paul Wigger, resident, stated the fire hazard is the grass and asked if the panels can catch fire from it.

John Del Judas, Halfmoon resident, asked if hail is significant enough to damage the panels.

New Business:

None

Discussion Items:

2/10/26

Mr. Scavo stated that the Town Board has scheduled a meeting on September 15th, so the Planning Board will have to find an alternate date for the September meeting and he will send out a Doodle Pole to see what works best for this Board.

Mr. Scavo stated there is a possible primary on June 23 so this meeting may need to be moved as well.

Mr. Scavo stated that live stream for the Planning Board Meeting will start March 1, 2026.

Public Privilege

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John Del Judas, 49 Mann Blvd., stated some has faced a similar situation and referred to previous minutes regarding the concrete plant. He stated he found 3 studies on asthma and particulate matter and reviewed the findings. Mr. Del Judas stated he would send the studies to the Planning Department so they can go in the file.

Mr. Ophardt moved, seconded by Ms. Bagramian, adjournment of the meeting at 9:22 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on March 10, 2026.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary

ATTACHED:

**PROFESSIONAL STAFF, TOWN
DESIGNATED ENGINEER & ADVISORY
COMMITTEE COMMENTS**

Review Comments by Permit#

Permit Number: SOL26-000001

File#	Permit#	Project Name	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		Clifton Park Code Â§208 80 requires: â 100 ft minimum setback from property boundaries (Tier 3). â Vegetative screening to mitigate glare and viewshed impacts. Revised plan now exceeds these zoning requirements at 250 ft from Mac Elroy Road and 500 ft north boundary, representing improvements in visual mitigation.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		The applicant provided formal written responses to public comments, including: â Wildlife access now incorporated via two array layout & 6 inch fence gap. â Agricultural concerns addressed by emphasizing reversibility and soil preservation during the facility life. â Noise and EMF concerns addressed using national research consensus; inverter noise minimal at >750 ft to nearest residence. â Fire access to comply with 2020 NYS Fire Code and coordinated with Town Fire Marshal.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		NYSERDA siting guidance available for review at: https://www.nyserdera.ny.gov/All-Programs/Clean-Energy-Siting-Resources/Solar-Guidebook encourages avoidance of high value wetlands, wildlife corridors, and unnecessary forest clearing.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		Applicant indicates minimal grading, removable infrastructure, and long-term soil protection. Minimal grading assists to ensure prime soils and the topsoil layer is preserved for potential future farming and agricultural operations after the site is decommissioned.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		The revised conceptual plan materially responds to the Planning Board's direction for the applicant to improving visual mitigation and providing wildlife passage while balancing environmental constraints and constructability.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP &	Solar Permit - Revised Concept	Planning Director Plans Review	John Scavo		The revised conceptual plan materially responds to the Planning Board's direction for the applicant to improve visual mitigation and provide wildlife passage while balancing environmental constraints and constructability. If the Board

		Site Plan (Stryker)					<p>prefers this conceptual layout over the prior design I recommend the applicant address the following items with a future preliminary site plan submittal for consideration: Wetland General Permit - Obtain NYSDEC solar general permit for activity within regulated adjacent areas. Archaeological Review Provide SHPO consultation and a letter of no effect or any Phase 1A/1B investigation if deemed necessary. Vegetative Screening Plan Provide full details of species mix, height at planting, and long term maintenance. Wildlife Corridor Confirmation Provide plan details showing corridor width, fencing gap locations, and maintenance plan. SWPPP & Stormwater Basin Sizing Provide full hydrologic modeling demonstrating no increase in off site flow. Decommissioning Plan Update Ensure bonding aligns with current NYSERDA Guidance and Town Standards and inflation adjusted estimates. Emergency Access Plan Include turning templates, gate design, Knox Box specification, and any other information as may be required by the Town's Fire Marshall.</p>
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	SUP Review	Scott Reese	01/28/2026	<p>This Special Use is permitted per Town Code 208-16 D. (3)(a)[22] identifies Tier 2 and Tier 3 solar energy systems, subject to the requirements of Article XIV and Article XVI as a special use pursuant to chapter 208-79. Before granting approval to any special use, the Planning Board shall determine whether the proposed special use will, among other things, satisfy the the considerations listed under 208-79 E. (1) (a-k).</p>
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	<p>The ECC notes that the applicant has increased the setback further away from Mac Elroy Road. However, we continue to request a screen of a combination of a berm and substantial vegetation in order to maintain the character of this area. This site location is in an area where the town has a significant open space and recreational facility investment (e.g. Veterans Park, Pickleball facilities, etc.). In addition, the project site abuts residential areas. For these reasons Mac Elroy Road is highly traveled highway. In order to maintain the aesthetics of the area consistent with the present uses. The ECC requests that the proposed range of plantings heights as delineated on the previous Planting Plan should be at the maximum range as a minimum height. The applicant shall supply an updated planting plan for the next submittal.</p>

25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	The limits of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan. In addition, NYSDEC has identified it's jurisdictional wetlands (W02005C, W02005C-2, W02005D). It does not appear the current buffer complies with current regulations. The ECC requests a new site plan demonstrating compliance with NYSDEC jurisdiction wetlands regulations.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	Per 208-79 E. (3)(b)[1], The ECC recommends that the Planning Board shall determine an appropriate combination of natural vegetative buffer, landscaping or other such screening so as to minimize significant adverse visual and or auditory impacts to the residences along Mac Elroy Road and NY Rt 146A.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	The Planning Board shall require demonstration that all these conditions have been met prior to issuing the Special Use Permit.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	The ECC requests a copy of the decommissioning plan and cost estimates for decommissioning.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	ECC Review	Scott Reese	02/05/2026	The ECC requests that the Planning Board require that the applicant to commit to never installing a Battery Energy Storage System (BESS) at this location as a condition of this approval for Special Use Permit.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	SEQR Review	John Scavo	02/06/2026	I agree with the SEQR comments in the latest review letter from MJ Engineering, the Town Designated Engineer.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP &	Solar Permit - Revised Concept	Zoning Plans Review	Scott Reese	02/06/2026	This application meets Town Code 208-80 C. (2) Space and bulk standards for Tier 3 solar energy systems. The applicant should update their Description of Proposed Use Section 6.0 C. to correspond to the updated application.

		Site Plan (Stryker)					
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Zoning Plans Review	Scott Reese	02/06/2026	This parcel is located in the Conservation Residential Zoning District (CR). The proposed application is permitted by Special Use under 208-16 D.(3)(a)[22] Tier 2 and Tier 3 solar energy systems, subject to the requirements of Article XIV and Article XVI.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Zoning Plans Review	Scott Reese	02/06/2026	The application is for a new 5 MWac community solar project. Per Town Code Chapter 208-7 Definitions and word usage - Solar Energy System (3) Tier 3 solar energy systems include ground-mounted solar energy systems with a capacity of 25 kW AC or more, that are not included in the list for Tier 1 solar energy systems.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Stormwater Review	Scott Reese	02/06/2026	Since the plans have been updated there are new locations for the proposed stormwater management areas. When plans progress, provide test hole information showing seasonal high water elevations and required separation of the stormwater treatment facilities shall be documented and included in the Stormwater Management Design Report.
25-000829	SOL26-000001	#2025-028 MacElroy Rd Solar SUP & Site Plan (Stryker)	Solar Permit - Revised Concept	Stormwater Review	Scott Reese	02/06/2026	The plans show a 50FT wetland setback from NYSDEC Classified Class III: contiguous with a class C stream Wetland boundary. Applicant shall provide reasoning why it is not shown as the required 100-foot Adjacent Area to the NYSDEC wetland boundary.



February 4, 2026

Mr. Billy Chan
Nextera Energy
700 Universe Blvd.E5E/JB
Juno Beach, FL 33408

Re: MacElroy Road Solar & Storage SUP
Tax Map ID 264.-3-5.1
CP File: 2025-028
MJ File: 700.424

Dear Mr. Chan:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Full Environmental Assessment Form signed and dated May 30, 2025.
- Cooley Solar Project, 10% Civil Package as prepared by DG Cooley, LLC, 1 sheet in total, dated January 5, 2026
- Memorandum as prepared by DG Cooley, LLC, dated October 21, 2025
- Wetland Delineation Map as prepared by DG Cooley, LLC, dated October 25, 2025.

Based upon our review of the above documents, we offer the following comments for consideration.

STATE ENVIRONMENTAL QUALITY REVIEW

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Type I" action pursuant to Part 617.4(b)(6)(i) which states:

"activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds: a project or action that involves the physical alteration of 10 acres."

2. Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
 - a. Town of Clifton Park Planning Board – Plan approval
 - b. NYS Dept of Environmental Conservation –permit coverage under stormwater SPDES and potentially Article 24 Permit.
 - c. NYS Office of Parks, Recreation and Historic Preservation – potential need to obtain a "no affect" letter.
 - d. United States Army Corps of Engineers – potential Nationwide Permit and/or joint permit application.

Additional agencies may be identified by the Town during their review of the project.



3. Part I.D.1.b: The total area of disturbance is identified as 19.10 acres. Subsequent submissions shall include the requisite Stormwater Pollution Prevention Plan (SWPPP). Should a 5-acre disturbance waiver be requested, the applicant shall submit a separate request to the Town noting that such waivers are considered on a case-by-case basis with appropriate justification provided.
4. Part E.2.o - The report indicates that the project site may contain species of animals or associated habitats, listed by the State or Federal government as threatened or endangered, including the Bald Eagle and Golden Eagle. The applicant will need to provide correspondence from the permit staff at the NYSDEC Region 5 Office to confirm the presence or absence of the listed species and for any permit considerations. The applicant should also provide correspondence from the NY Natural Heritage Program to confirm the presence or absence of rare plants or animals and significant natural communities as well as the US Fish and Wildlife Service IPaC database.
5. Part E.3.e- The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a correspondence letter from SHPO to confirm the presence or absence or archeologically sensitive resources. Confirm the previous correspondence from SHPO incorporated the new project area.

SITE PLANS

6. The stormwater facilities shown are conceptual in nature. Subsequent submissions shall provide detailed design supported by a SWPPP.
7. The site access layout shall be provided to the responding emergency services for review and comment.
8. The overall disturbance is greater than 5-acres. As such, the plan needs to show phasing that keeps the disturbance below 5-acres or a 5-acre disturbance waiver shall be prepared and submitted to the Town for review.
9. The Planning Board may consider visual simulations from various perspective views to confirm that adequate screening is provided throughout.
10. Considering the plan is conceptual in nature, additional comments will be provided when the details site plans are prepared and submitted.

STORMWATER POLLUTION PREVENTION PLAN

11. We will review and provide comments once an updated SWPPP is submitted.

DECOMMISSIONING PLAN

12. We will review and provide comments once an updated decommissioning plan is submitted.

The applicant shall provide written responses to all technical comments provided by Town staff and



consultants as part of the next submission. Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Lippmann', written over a light gray signature line.

Walter F. Lippmann, P.E.
Associate, Land Development Group Manager

ecc: Clifton Park Planning Board
John Scavo, Director of Planning
Scott Reese, Zoning Administrator/Stormwater Management Officer
Jennifer Viggiani, Open Space Coordinator
Melinda Acker