

NOVEMBER SOLAR UPDATE

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November 12, 2020

Approximately 275 people attended the Town Board's "Town Hall Informational Meeting" on October 28th, at which we presented information, fielded attendees' questions, and solicited comments about Chicago-based Hecate Energy's proposed Shepherd's Run industrial-size solar plant. With a planned 60 megawatt capacity, its sheer size enables Hecate, invoking Article 10 of the NYS Public Service Law, to do an end-run around Copake's Zoning Law and local site-plan review, and to seek and obtain siting approval from a State Siting Board.

At the meeting, we reviewed Hecate's rather elastic and ever-expanding Project Area — the area inside of which would be sited, on 500 acres of farmland, 200,000 solar panels. Hecate originally told us the Project Area was 900 acres; our environmental engineers determined it actually was more than 2,100 acres; then, in its Preliminary Scoping Statement, Hecate completely changed the map of the area: the "new" Project Area is more than 2,400 acres. This change obscures the identities of the landowners with whom Hecate has entered into option-to-lease agreements, and keeps the Town in the dark as to Hecate's intentions for as long as possible.

The Town's website homepage (www.TownofCopake.org) has a link to Solar Project Updates. There you can find the latest Hecate map, and a link to a complete recording of the October 28th meeting at which the Board unanimously passed a resolution opposing the construction of Shepherd's Run. The resolution was adopted because, although the Town Board supports renewable energy, we cannot support *this* project. It simply is much, much too large for our small town and would, in our view, forever change Copake's very character. Supervisor Mettler sent the resolution to Governor Cuomo, the NYS Senate, and the Assembly, and to the the Columbia County Board of Supervisors. Links to the letters are found on the Solar Projects Update page, along with links to two important new local laws passed at the October 8th regularly-scheduled meeting of the Town Board. One, "Revisions to the Copake Town Code as it Pertains to Solar Energy Facilities", updates Code provisions to better conform with State law regarding

solar-energy facilities. The other, “A Local Law to Opt-Out of Real Property Tax Law §487 Exemption”, will allow the Town to fully tax the value of the solar energy plant equipment, if the project ever gets built. If we had not taken this action, Hecate would automatically receive a 15-year exemption from those taxes and we would have had to negotiate a PILOT (Payment in Lieu of Taxes) agreement, which likely would have short-changed Copake as compared to the taxes we could otherwise assess. And, as we previously reported, the Taconic Hills School Board also has decided to opt-out of the exemption.

The next step in the Article 10 process is underway, the confidential Stipulations Process. Copake’s solar attorney and environmental engineer will be submitting responses to Hecate’s proposed stipulations, which are dated October 30th, concerning the nature and scope of studies to be undertaken to assess the likely impacts on Copake and the surrounding areas of the proposed solar installation. Hecate has indicated that it intends to unilaterally conclude negotiations in 30 days.

Be sure to check the Solar Project Updates Page for the latest information.

Thank you.