

I will not be attending this meeting as we are again in the middle of a Covid surge. I would like This to be read in solidarity with those opposed do the cutting down of trees in Croton. I am against this proposal that would allow cutting of trees on steep slopes please make this known in this meeting. Secondly I feel that passing this ruling is not sound environmentally and as members of the community our voices are not being heard thank you respectfully Lauren Davis 14 Hamilton Avenue Croton

Sent from my iPhone

-Lauren Davis

Hello all,

We're writing to reiterate our strong opposition to the proposed plan, which trades solar (which we otherwise support!) for the destruction of trees and wildlife habitat.

Surely, there's a better site for this solar field!

Thank you for considering the potential long-term impact of the proposed project.

All the best,

Sharon AvRutick and Joseph Wallace

47 Beekman Ave

Croton-on-Hudson, NY

Stop the non sense, this doesn't look good or ethical and is all on you guys.  
Best regards  
Alex betancourt.

Sent from my iPhone

I certainly hope you do not pass this idiotic proposal for the stupid golf course . This proposal goes against everything the people of croton and Westchester hold so dear. I will leave it up to you.  
Thankyou. Mike.

Sent from my iPhone

- Michael Mamone

Dear Board of Trustees and the Planning Board,

I oppose the HNGC Solar Field Project.

Like many young families, I moved to Croton six years ago due to Croton's reputation for being tranquil and nature oriented. Croton has always prided itself in being a tree town, conserving its natural beauty, and maintaining nature trails throughout the town.

The HNGC Solar Field Project goes completely against the ideals that this town has maintained for so long. Moreover, allowing the project to go forward will discourage future young families from moving to the town.

Thank you for your time. Please vote no on the HNGC Solar Field Project.

Best regards,

Chris Gafner

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Chris Gafner  
[chris.gafner@gmail.com](mailto:chris.gafner@gmail.com)

Dear Trustees,

I urge the board to require a full Environmental Impact Statement prior to any approval of the HNGC proposal. Here in Tree city USA I as a homeowner must obtain a \$50 permit to cut a tree and they want to cut hundreds. Why is this proposal even being considered.

The original HNGC agreement should stand.

Take another look at the purpose of our tree and steep slope laws.

50 year resident,

George Wieland

Good morning, As a resident, a homeowner and a local realtor I want it to be known I am against allowing HNFG Solar Project:

- To clear cut 7 acres of protected forested steep slopes?
- Isn't Croton an official Tree City?
- We all know deforestation plays a significant role in flooding: I have seen one tree affect drainage (!)
- Solar is awesome but to take down trees? This would be a poor trade off, honestly does not make sense.
- Hello?? what about the wildlife
- Save the trees, put the the panels in their parking lot, and the benefits of solar are still there
- As a realtor with land for sale on Prickly Pear Hill, this "conversation" is stalling offers
- This is a no brainer!



**Suzanne Welch - Home on the Hudson Team**

Associate Broker - Seller Representative Specialist SRS, Coldwell Banker Realty -  
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366 Underhill Avenue, Yorktown Heights, NY 10598



We have enough solar infrastructure . Save the trees! We need trees more!

Linda Hanley

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Sent from Gmail Mobile



I am once again writing to express that I am opposed to the HNGC removing acres of trees for the sake of installing solar panels.

Yes our society needs solar panels.

No we should not allow the removal of trees and wildlife habitat for the sake of said solar panels.

Solar panels can go elsewhere. Places that are already cleared. You've already gotten creative with their placement and you know destroying forest area is counterintuitive. Please please please vote for what's right.

Thank you,  
Kate Bellingham  
7 Wells Ave

Cutting on steep slopes

Sent from my iPhone

Lauren Davis

As a resident of The Town of Cortlandt, I view our old tree growth as part of our property value.

I do not support, and urge the Board not to support, a project that runs against the Village's own Tree Laws, its own Steep Slopes laws and overwhelming public opinion.

Trading trees and wildlife for solar is not environmentally sound. We need clean energy but we also need to sustain this environmentally important area that the Village Board itself set aside for protection as a no-disturbance area in 1999.

Honor the voices of your own Conservation Advisory Council, which voted unanimously against endorsing this project.

At the very least, the Board should honor the spirit of NY State's SEQR laws by issuing a positive declaration of environmental impacts and requiring a full Environmental Impact Statement. To consider destroying this kind of habitat without a full EIS is simply not responsible

Respectfully,

Kristin Irwin

Encouraging careful development of solar power is important to our future. Clear-cutting a slope to do it doesn't qualify as careful, only as cheap and quick. I am writing to urge you to vote against the HNGC Solar Field project today. There are good alternatives for HNGC that will avoid the damage to our environment.

Thank you.

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- Jessa

Susan Ealer

12.18.21

**Croton Deserves Responsible Solar**

5 Prickly Pear Hill Road  
Croton On Hudson, NY  
10520

**Net Zero is Not Achieved by Covering Towns With Solar Fields**

Dear Board of Trustees,

I am writing this letter in response to statements that I have seen online, in other letters to this Board, and in the press that I feel are based on **erroneous assumptions** regarding the path to Net Zero and the role the HNGC project plays in that plan.

As an architect with over 20 years of experience working on large campus master plan projects, most with LEED accreditation, I am concerned that there are some in this community who believe we must endorse the HNGC Solar Project because we must cover as much of this town as we can with solar fields. **That is simply not the case.** In most cases, including our own, this strategy will not be able to meet energy needs or achieve Net Zero goals.

Attaining **Net Zero** is a complicated process that involves a number of complex strategies that do include creating solar and other renewable energy sources **but must also include:** building and retrofitting buildings to meet sustainability goals, developing an ecologically sensitive waste stream management plan, creating a low-emission public transportation system, creating a carbon offset program, implementing regulations that support Net Zero, etc.

It is not appropriate or necessary to make the argument that we must endorse environmentally harmful projects that may be harmful to the community as well in the name of Net Zero.

Please consider this when casting your vote re: the HNGC project.

Thank you,

Susan Ealer

Dear Board of Trustees,

As neither my letter to the board, other members of our community and the CACs letter to the board have been down loaded for public view for the 12/20 Board meeting. Allow me to state my disapproval for the proposed plan for the Hudson National GC to clear and fence 7 acres of forested steep slopes and somehow entertain that this is some form of wholly environmental benefit.

Unfortunately former trustee Ian Murtaugh with his letter to the gazette demonstrated how little the board is concerned with the environmental impacts of this community. To include how little the understanding of how this administrations democracy of the people works.

Guy Pardee

Sent from my iPhone

Please listen to the members of the village and do not allow the golf club to remove the trees for their solar plan.

Wendy Brovetto



We support solar energy.

We have solar panels on our roof.

My husband is a well known university faculty member and author who teaches about sustainability.

Removing an excessive amount of greens which would primarily a very small group, not even part of our community, and at times actually hostile to our community, is a poorly thought out plan.

We moved here because of Croton's reputation for controlling developmental . This is antithetical to that principle.

Please do not compromise our green spaces in this manner.

Dr. Marie Werner

Professor Emeritus, Pace University

Warren Road, Croton

Dear Croton Board of Trustees,

I wanted to urge you to vote against a permit application for the solar array at Hudson National Golf Course.

This proposal is a bad idea; it is ill-conceived.

Cutting down a working forest located on steep slopes adjacent to a Audubon Preserve on land that was to be deemed to be uncut only a few years ago to install a solar array is the worst possible location for a solar array.

This is a no-brainer; it is an ill-conceived plan. We the Village, and you the Board, have wasted too much time with this proposal.

If the developer wants to build solar, let Matrix and the Golf Course install solar on their parking lot and on their monumental clubhouse.

Many of you know me and I hope you respect my opinion. I am a big proponent of solar; my engineering degree was about solar systems (albeit in 1984!). I do not think this is a NIMBY issue, either.

This is simply the wrong location for a large array.

As I have noted to Mayor Pugh and Trustee Simon in our Sustainability Meetings, I think Croton should develop a planning document – perhaps added to Village Code 230.48.1 for Tier 3 systems – that prohibits installation of large arrays on forested lands.

Thank you.

Bernie Yozwiak

64 Sunset Drive

Croton on Hudson, NY 10520

(914) 703-1860

[byozwiak@optonline.net](mailto:byozwiak@optonline.net)

# *Domna Candido*

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1299 Albany Post Rd, Croton on Hudson, NY 10520

December 20, 2021

The Honorable Brian Pugh, Mayor, Village Board of Trustees,  
Village Manager Healy and Village Attorney Whitehead  
Village of Croton-on-Hudson  
1 Van Wyck Street  
Croton-on-Hudson, NY 10520

**Re: Hudson National Golf Course Solar Plan – Public Concerns re Board of Trustees Handling:  
1) Lack of Care, Deliberation & Inconsistent with Duties and Process under existing Laws and SEQRA**

Dear Mayor Pugh, Board of Trustees, Village Attorney Whitehead and Village Manager Healy,

It is disappointing that after all that has been submitted to this Board in opposition to the HNGC Solar Plan with substantive comments regarding significant adverse impacts, we are now being informed by Village Manager Healy that the current plan of the Board and Village Attorney is likely to have the Board adopt a declaration for SEQRA purposes (it appears likely it will be a Negative Declaration) and a statement in relation to the Village's LWRP (likely one of consistency) at the January 4, 2022, Board meeting, then a vote on the Special Permit Application would take place that same evening. Interesting how there's absolutely no mention of any possible Positive Declaration, Environmental Impact Statement, denial, or Negative Declaration with Conditions. Just the Negative Declaration, statement of consistency and likely approval which has apparently been the Board's plan all along! Hence, I am again writing to you to voice my strong opposition against the HNGC Solar Plan, and again submitting reasons why I believe that this Board has a legal obligation to deny this application, and that in no case should this go forward without a full Environmental Impact Statement conducted and analyzed by a truly Independent competent Engineer.

Thank you for your email of 11/7/21 (attached below). It was also disappointing, however, that your reply did not in any way respond to the substantive concerns set forth in my 5 pg. letter and 19 pg. PowerPoint (attached to my 11/3/21 email and uploaded to the Village site) which enumerated and gave detailed bases for a multitude of issues relating to the HNGC Solar Array Plan... Or, the comments I made at the 11/3/21 Board Meeting, which the Board later appeared to cut back so significantly that the Minutes didn't even communicate to the Public the points that I made. The public record for this matter shows that you and the Board have also received numerous submissions from a growing number of other Croton residents in opposition to this project, setting forth in detail what certain of the significant adverse impacts are and how the manner in which the Board has, to date, not been proceeding consistent with SEQRA. It is a growing swell of substantive comments from the public which SEQRA requires this Board to consider and to which this Board, except for Trustee Sherry Horowitz, has decided to turn a deaf ear.

Your 11/7/21 email to me did not just ignore all those issues. It made proactive, blanket assertions as to the Board's continued "care and deliberation in this matter" and that the Board has been handling the HNGC Application for a Special Permit for the HNGC Solar Plan "consistent" with the requirements of SEQRA. It should come as no surprise that I and many others disagree with those statements. Just from the obviously uninformed and unprepared manner in which the Board (except for Trustee Horowitz) and the Village Attorney were approaching the requirement to assess all possible significant environmental adverse impacts of the proposed HNGC Plan in Part 2 of the Short EAF at the 11/3/21 Board Meeting, it was also readily apparent that the Board was not adequately familiar with the facts in the documents submitted by HNGC and have given short shrift to the submissions and comments of the Public, which is also not consistent with SEQRA. Despite known warnings, even from NYSEDA, that Solar farms should not be placed on sites comprising steep slopes, particularly the Very Steep and Extremely Steep 15-35+% Slopes existing here, which other municipalities have heeded, this Board incomprehensibly is moving forward. When having all the information available, but "blindly" mishandling situations involving known hazards or squandering natural resources, for which this Village has laws to protect against, willful ignorance will not be a defense if damages from those hazards and squandering come to fruition.

That is why your response was curious to the extent that it begs the question of how this Board could continue to use “care and deliberation” and continue to act “consistent” with SEQRA, when that isn’t what appears to have been happening in its review of the HNGC Solar Plan, as Lead Agency, to date. There is additional cause for concern because the Board now seems to be following its own unusual “process”, far from the accepted standards set forth by SEQRA in vetting this Application, (and far from previous processes this Village has used in the past for similar situations) all in its apparent quest to approve this HNGC Solar Plan, notwithstanding the swell of opposition from the public based on safety, hazard, environmental, erosion, deforestation and watershed concerns... all, by the way, set forth in our Laws, and all substantively being ignored by the Board. There hasn’t been anything put forth as justification for your assertions or nontransparent process. Therefore, it feels like mere gaslighting, and basically asking Croton residents to “not believe our lyin’ eyes.”

(Throughout this letter, Hudson National Golf Course, Matrix Development, Ralph Mastromonaco, P.E., the Tim Miller firm, their respective counsel, experts, and representatives, including those who have advocated for, have admitted being part of the HNGC “Team,” presented facts or conducted walk-throughs of the HNGC property, on behalf of HNGC, but who also, at times, claim to be Croton residents, such as Alan Milton, will be referenced collectively as “HNGC,” and the HNGC Solar Array Plan as the “HNGC Solar Plan,” “HNGC Plan” or the “Plan”. The past referenced actions of the “Board” are referencing those of the Board as constituted prior to the swearing in of our new Trustee Alejandro Rosales.)

#### **I. The Board Does Not Appear to Have Been Acting with Care and Deliberation in its Handling of the HNGC Solar Array Plan and Its Duties under Village and State Laws**

The HNGC Solar Plan contains elements, that just on its face, indicate that it warrants that the Board needs to act with a particular level of heightened care and deliberation. Anyone sitting on the Village of Croton Board of Trustees familiar, not only with Croton, its topography and natural resources, its scenic views, its steep slopes and forests, and its wildlife, should know that these elements warrant particular care, and that the Village of Croton-on-Hudson has historically enacted laws to protect those resources. The responsibility of Village Officials sworn to uphold the Law, requires knowing the Village Laws... can’t enforce them, if you don’t really know them. That includes, knowing that they exist, what they contain, if and how they apply to the HNGC Solar Plan and then to apply them. In this matter, the Board has not been doing that. The Steep Slopes Law and Tree Law are important to the analysis and seem to have been cast aside in favor of carbon calculators!

**The Board owes Croton residents transparency,** something that I believe you yourself complained about regarding prior administrations and promised to provide while campaigning in the past. Unfortunately, that promised transparency has not been apparent in the Board’s review and handling of the HNGC Special Permit Application for this Solar Array Plan... at least, not with respect to Croton’s Residents, your constituents. The Board has allowed for minimal opportunities for 5-minute comments, which are then ignored. Despite the fact that the arrogance is palpable, SEQRA and the Courts require that you consider the substantive comments that you have been hearing and receiving. The trite, non-substantive boilerplate responses have been woefully inadequate, as has been the review of the issues and the process that is being used.

#### **The Board has a Duty to Protect our Environment, Trees, Steep Slopes and Scenic Views and is NOT Doing So**

Our Village Officials should actually be following the applicable Village Laws as well as SEQRA, and fulfilling their mandated fiduciary responsibilities and obligations under those laws, as they swore to do when they took their oaths of office. That does not appear to be happening here. **SEQRA §617.1(b)** and the **Village Tree Law (Ch 208)** impose on the Village, the Board and the Planning Board a duty of being stewards of air, water, land and living resources and the obligation to protect the environment for the use of this and further generations. The **Village Steep Slopes Law (Ch 195)** obligates the Village as a matter of public policy, to preserve, protect and conserve its steep slopes so as to maintain and protect the full range of our natural resources as set forth in the text of that law below. These mandated duties are not being fulfilled by this Board.

## II. The Board Has Not Held HNGC Accountable for Its Inaccurate and Misleading Statements and Submissions, Or for Not Being a Good Neighbor to the Village of Croton...

### It's Been Over a Year, Where's the Truth? What are the Real Facts? Croton Needs to Know!

SEQRA requires the Board to review and ensure accuracy of information provided by HNGC. The Board has not done so. The numerous misrepresentations and inaccuracies are still in some documents after many months, and the Board's passivity throughout this process has enabled HNGC to make a mockery of the process.

HNGC's pattern of inaccurate statements has been largely ignored (when anyone having this matter before them for 1+ years should know the issues well enough to know the facts relating to the substantive issues involved, e.g., that trees of all ages sequester CO2, or that the work will be done on Forested land, or that the nature of the use of the land will actually change after all the disruption has been done)... and be able to see through the inconsistencies, misstatements and HNGC's conveniently chosen facts when more accurate information is required under law to be revealed!

The Board appears not to be holding HNGC accountable for inaccuracies and/or misrepresentations, not requiring supporting documentation to justify the suppositions and even the conclusory statements and "unilateral decisions" made by HNGC's Engineer Ralph Mastromonaco when he summarily seems to be dismissing suggested recommendations and steps needed to be implemented to address possible drainage and erosion issues (such as, when he just crosses out Chazen's recommendations for crucial measures such as a viable Post Construction Management Plan or other remediation, or other such recommendations making statements, such as, 'not needed'... with not support for that supposition.) To be able to state with accuracy that the Mayor, the Board and its Village Attorney are proceeding with "care and deliberation", more substantive focus on the fact that their fiduciary duty is to the Village, its residents and resources, **not** in assisting HNGC to shepherd its Plan through without paying close attention to the requisite details or because as HNGC's "team" revealed in one meeting "that it would cost them too much to do so"!

By not holding HNGC accountable, calculations and proof of benefit are doubtful, at best. Trust is not there for HNGC or the Board. HNGC's advocates and "experts" have put forth certain unsubstantiated Funny Numbers and Fuzzy Facts, that are then picked up by others, which then are introduced into an echo chamber of sheer nonsense, because those Funny Numbers and Fuzzy Facts have not been supported, and have no basis in real fact... they are just not true.











The fact is that it is almost immediately apparent upon reviewing the submitted documents and videos of in-person comments made in the official records of the Application for Special Permit of HNGC Solar Array Plan on the Village website, that they are replete with inaccuracies, misrepresentations, inconsistencies and misleading information. It doesn't appear to be from lack of experience or familiarity with the forms or process. Whatever the reason, it's not acceptable ... we are entitled to the truth! On display is the full range of **Greenwashing** (i.e., **Half-truths or nontruths, Vagueness, Focus on Lesser Evils, No Proof, Hidden Trade Off, Irrelevancy and a full range of Nonsense**) from the entire HNGC team... the classic tactics used by so many companies in this field to deflect attention away from the environmental harm they cause or are about to cause, or when they cast themselves as allies in the fight for climate justice when, in reality, they are more concerned about selling something...and that isn't just coincidental... and that's just not OK! That hasn't instilled trust in the information itself, or in the "experts" who are signing off on it, or in this process. It's left Croton Residents feeling like we are living in "Croton Through the Looking Glass" because, at times, nothing is making any sense! These are the same "experts" and "licensed professionals" that this Board is telling Croton Residents that you are looking to for assurances. The same "experts" and "licensed professionals" that this Board looked to to gather vital information to make determinations for your requisite "Hard Look" mandated by SEQRA and under the *H.O.M.E.S.* case.

If anyone contends that this isn't blatant Greenwashing, then the other even more concerning possibility is that if these were not intended misrepresentations, then is this the inept level of performance that we are to expect from HNGC's Engineer and Developer who are supposed to be signing off on critical documents relating to the Solar Farm installation, i.e., the gross lack of detail and carelessness that the whole HNGC Solar Plan team and operation is functioning, so sloppy and unreliable, with so little attention to detail that information is consistently inconsistent and incorrect... or so inclined to exaggeration and fantasy that the information is so unreliable and false? If so, then what are we to expect as to its performance regarding accuracy of representations made as to safety, necessity and adequacy








of remediation relating to storm water drainage, erosion and flooding, e or of actually installing solar farms on extremely steep slopes (where they shouldn't even be installed to begin with) in a manner that will not ultimately be detrimental to the natural environment, man-made structures and the safety of persons, and the degradation of aesthetics as forewarned by the Village Steep Slopes Law, NYSEDA and numerous other sources that are definitely reliable, unlike the HNGC "experts".

### **HNGC Has Made a Mockery of This Process...Greenwashing Should NOT Be Allowed!**

**1) Half-truths or non-truths.** There is evidence of different variations of this, on documents, in comments, etc. Most under this category have been submitted and signed by HNGC's Engineer, Ralph Mastromonaco, who you and the Board are telling us you have a comfort level with and who will be signing off on critical documents. **How expert and reliable is an Engineer and the important technical information he is signing off on relating to safety and integrity of the project, if he can't be relied upon to provide verifiable, factual information on the documents required for this Special Application and SEQRA process:**

- The Tree Law refers to our Village as "rural", HNGC's Engineer does not check that box for the Forest area that he seems to refuse to acknowledge is a "Forest," which is what the No Disturbance Area agreement calls it; 
- "Typical habitat types that occur on, or are likely to be found on [the Forest project site] are just checked as "Suburban", not "Forest", 
- HNGC indicates that after they disturb the 7 acres, by clear cutting the approx. 600 trees, destroying the wildlife habitat so the wildlife moves out, that 7 acres parcel with the solar arrays "IS CONSISTENT with the predominant character of the natural landscape of the existing [Forest with Wildlife] Habitat in a No Disturbance Area"; 
- That "No storm water discharges flow to adjacent properties", when there do now! The Village Engineer wrote to an Arrowcrest resident admitting that there will be runoff on the Prickly Pear Hill Rd side of the HNGC project; 
- On the Coastal Assessment Form submitted to the WAC which advised that the following falsely answered questions needed to be changed to "YES": HNGC had Falsely answered "NO" to all the following questions:
  - "Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the coastal area map?" 
  - "Any adverse effect on any a) significant wildlife habitats b) Scenic resources of local or statewide significance?" 
  - "Will the proposed action have a significant effect upon Scenic quality of the coastal environment?" 
  - "Does the present site offer or include scenic views/vistas known to be important to the community?" 
  - "Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?" 
- Falsely stating that old trees do not sequester CO2 (a M. Doud statement); 

**2) Vagueness.** Most of this has come from statements made by Mike Doud (Matrix Development) in presentations. These are very concerning since, as the Developer, if Mike Doud doesn't seem to be able to keep his facts straight, or facts upon which we can rely, then there is great concern. **Why is the Board comfortable with this?:**

- That the "Scenic Views will not really be affected"; 
- That we "will just notice that some trees are missing"; 
- Falsely creating an impression that the solar array is not really on steep slopes; 
- Downplaying by saying that the arrays are just being placed "on areas that are 'not as steep'"; 
- Creating false impression that the HNGC Plan is very inconsequential 
- Saying there "will be no real or significant adverse impacts" 
- Just involves a "small section" that was "carved out" with just "limited vegetation; 

- Falsely stating that the HNGC Solar Plan will have “relatively little impact”; X
- Falsely stating that the Solar Array will be totally “shielded” and “screened from the Village” X
- Not mentioning the viewshed from along the Croton Riverfront, X
- Claims that they “will be replanting a forest” X
- “10% of Croton Residents will be able to participate in the Solar Power” and get a discount X

**3) Focusing on Lesser Evils...**...to the exclusion of other important things, such as the benefits of the solar, but never admitting downsides of solar or product, e.g., what about revealing how the solar panels are “not entirely green” even if sited in an appropriate location, or that there’s carbon imprint and toxicity in the manufacture and disposal of the solar panels.

**4) No Proof.** Statements made without substantiation, e.g., old trees do not sequester carbon.

**5) Hidden Trade Off.** Just focusing solely on the CO2 reduction calculations, and CO2 comparison with the Trees, but not using all the data, such as release of previously sequestered CO2 of cut trees and those trees and stumps left to rot for years on site, and not bringing in all of the other benefits of trees that will be lost if trees are cut and forests are destroyed; totally ignoring that they are destroying the forest that engages in fighting climate change, not just CO2-sequestering, and supports the eco and biosystem natural habitat that is home to abundant wildlife of numerous species.

**6) Irrelevancy...** focusing on red herring issues to divert attention from real issues:

- Falsely creating impression that the whole HNGC Plan project in which 7 acres will be covered by the solar arrays, a fact that is referenced by other experts in the documentation submitted by HNGC, is much smaller than the actual 7 acres, by focusing on an irrelevant fact i.e., “a 2-acre land area” that would be covered “if solar panels were placed edge to edge” ...which they will not be. X
- Alan Milton’s theory trying to justify destruction of forest based on specious devaluation theory due to being a “Second Growth Forest” filled with irrelevant facts is baseless because most forests in Eastern US are “second growth forests” and most of those evolved from previous “agricultural land”; monetary value, specimen and native status, as well as presence of endangered animals or plants are not relevant in determining value for these purposes.; non-native trees only account for approx. 12-15% of the trees, the rest are native, mostly hardwood forest trees. Can’t justify destroying a whole forest for that, but Alan Milton (who is also in the business of providing financing and capital for renewable energy companies, in addition to having this ecology “expertise”) advocates that it’s fine to destroy this 7-acre forest, so HNGC, of which he is a member, can build the Solar Farm that is primarily for its financial benefit! X

**Alan Milton is not credible as an expert upon which this Board should be relying to approve the HNGC Solar Plan, since most environmentalists and scientists do not agree with his position, and given the Board’s duty to be acting as stewards of our air, water, land and living resources, and that it has an obligation to protect our environment, relying on an unreliable “expert” does not satisfy the Board’s fiduciary duty. Alan Milton’s opinion is obviously a carefully crafted one that seems to have been adopted by all of the HNGC “experts”, but does not appear to be supported by other scientists and environmentalists seriously interested in fighting global warming. The HNGC “experts” have even tried to put forth the argument that the cooling effect of trees is not relevant as it is merely a local effect. If that were the case than no forest would be valuable... and that just is not the case! As someone who is in the renewable energy business and also a Member of HNGC, Alan Milton’s “expertise” on the forest and trees, particularly given the novelty and use of convenient “facts” should be taken for what it is... self-interested, and evaluated as such. It is not appropriate for this Board to be placing weight on such “expert” opinions when making determinations of adverse impacts and levels of significance of such adverse impacts. Objective opinions are needed before coming to conclusions that negative declarations should be issued and no EIS will be sought. Any other**




letters of support or opinions based on these theories should be discounted, particularly when organizations, such as Croton 100 also are comprised of self-interested solar energy business people, and have a close association with someone who already has an ethical conflict under the Croton Code of Ethics which should be addressed. **X**

- Other very well-respected environmentalists and scientists, and even those at the Union for Concerned Scientists an organization to which he belongs, disagree stating that not only are these second growth forests over most of 2/3 of the NE United States, but that they are very valuable, particularly in the fight against climate change. <https://blog.ucsusa.org/doug-boucher/restoring-u-s-forests-by-mid-century/>
- Even the **COP26** U.N. Climate Change Conference does not support Alan Milton's bases and frivolous justifications for destroying this 7-acre Forest. Rather, as of 11/2/21, it now has an historic **Deforestation Declaration** signed onto by over 140 countries committing to **halting and reversing forest loss and land degradation by 2030** and has a pledge of \$12 billion from 12 countries to do so, **emphasizing the critical and interdependent roles of forests of all types**, biodiversity and sustainable land use in enabling the world to meet its sustainable development goals, **to adapt to climate change and to maintain other ecosystem services**. It also **reaffirmed commitments to the conservation, protection, sustainable management and restoration of forests and other terrestrial ecosystems**.
- And when the WAC evaluated the referral of HNGC's Application stating that it was not consistent with the LWRP policy standards and conditions for Policies 25 and 25a indicating that HNGC Project would affect the scenic quality of the coastal area and diminish the scenic quality of an identified resource and that may have a significant impact on the scenic quality of the coastal area, HNGC gave the following irrelevant responses:
  - pointing out that "when the golf course was built, the concern for the scenic quality was at the ridge line and the removal of the trees for the solar matrix project does not impact the ridge line" (But the 7 acres is visible just below the ridge line!!); **X** and that "during the summer, there will be leaves on the existing trees" (what about the other 3 seasons!) and claimed the "panels will not be visible to the viewer from other locations in the village (e.g., Route 9, Croton Point Park, Pedestrian Bridge)" (they violate the Steep Slopes Law as significantly impacting the visual impression and detrimental to the visual character of the Village!) **X**
  - WAC did not appear to accept those irrelevant and nonsensical, red herring responses:
  - Instead, the WAC responded by expressing concerns as to whether or not the project is consistent with these policies given the number of trees (587) being proposed for removal. After discussion, the WAC determined that they could not definitively recommend consistency and therefore, it would be up to the Village Board to determine consistency with the above policies. To the contrary, the Board summarily changed the WAC's 2 "No's" as to consistency with Policy to 2 "Yeses"!!

**7) Nonsense:** The proverbial use of "Baffling" to confuse those who are not adequately informed needs no explanation at this point. At times a ploy to divert attention from the real issues, at other times to just not address the real issues. This has left Croton Residents with a lack of Trust and Confidence in the "sign off" of Applicant's Engineer and Biodiversity Assessment Experts:

**Expert Issues: Assessment of Wildlife Who Live in Forest Not Conducted...HNGC Submitted Assessment of the Quality of Habitat to be Destroyed and Reasons Why a Meadow with Bunnies Would Be Nice!!**

**Tim Miller Assoc. has not conducted a Full Wildlife and Habitat Assessment.** The Biodiversity Assessment is Merely Speculative and Conjecture and Not Reliable. We discovered that a Full Wildlife and Habitat Assessment had not even been done and, after receiving the latest “update” letter to the file, it doesn’t appear that one will be ordered! What was done instead was a “**Biodiversity Assessment... to determine habitat quality in relation to the ability of these habitat to support a diverse and healthy wildlife population!!**” As to the Wildlife and their Habitat, anyone living in Croton near any of its forested areas knows that the list attached to the letter did not reflect the abundance of wildlife living here because many species of that wildlife come and visit us on a regular basis! (a photographic sample of which was submitted by Susan Ealer). Fragmenting and decimating their forest home so that it is no longer contiguous and no longer exists is NOT environmentally sound or responsible, especially when as the Tim Miller letter stated, that “expert” really doesn’t know exactly what wildlife is living in there and the reports HNGC submitted were really just speculative. Moreover, the speculations that Tim Miller Assoc. has, in fact, provided have been proven to be not very accurate since **what Miller thought was “likely” is not on the list of what types of wildlife “actually” appear on our properties. Moreover, his list doesn’t even include the “bunnies or groundhogs” that Mike Doud has indicated would be populating the “meadow”.** Chazen just seems to accept these brazen incongruities for a number of issues relating to this matter. 

**Expert Issues: HNGC’s Engineer Did Not Submit a View Study of Solar Farm Placement -- He Submitted a Deceptively Camouflaged Missing Tree Study!!**

This “Study” below dated 12/12/2020, was not even submitted until 11/2021! And, again, **yet another apparent deceptive ploy in not providing the information needed to address the important issues to assess significant adverse impact as to scenic views and vistas pursuant to the Steep Slope Laws, but it appears that this Board intends to rely on.** The language in italics below is what HNGC’s Engineer, R. Mastromonaco, described in his cover letter (again, the same Engineer that this Board is indicating that it feels comfortable relying on for very important confirmations and sign-offs as to safety, possible hazards, what drainage and erosion control is necessary to avoid the flooding, mudslides, landslides and possible slope failure that are known to occur, particularly when & acres of very steep and extremely steep slopes have been denuded) ... **sounds like this is just camouflaged! WHY? and Why was this accepted by Chazen and the Board?**

The HNGC Matrix View Study, is **not a View Study of the Solar Arrays and how they will be seen by the Public.** Instead, it’s **a study to determine how the hillside would appear if the trees were removed**... which is irrelevant and does not provide the critical information needed to address the important issues to assess significant adverse impact on the views which are material to the Steep Slopes Law and SEQRA. Like much of what HNGC and its Team has already submitted, said, and presented, thus far, it is deceptive with actions taken and words chosen to create a false and misleading impression. Greenwashing the real effects of this purportedly “green” project!

First, in Ralph Mastromonaco’s own words it is clear that there was admitted intentional coloration of the photos to show a “brownish” color to match the trees. Moreover, the language used also seems purposely unclear as to the area covered. Ralph Mastromonaco’s language states: **“In each case the visible portion of the array system was colored by superimposing a brownish color to the portion tree loss that may be seen from the vantage point.”** Fact: If one looks at the tree diagram in the file, there wouldn’t be actual tree loss on every square foot of where the solar array system would exist; therefore, this language leaves open the question as to whether the size of the area that is shown is the actual 7 acres of the Solar Array? which it doesn’t appear to be...or just the parts where the trees were actually removed?... or is this yet more gamesmanship being played? Second, the purpose of doing the View Study was to give the most accurate depiction possible of **what impact the solar array installation would have on the scenic view, NOT what impact just clearing the trees with no solar array will have on the view!** This is a very different question. HNGC and their Team knows this and is dancing around it. We had been told that “it will be like we are just seeing that some trees are missing.” The question is **WHY the lies?**

This example from the HNGC View Study is MISLEADING, along with the rest of their View Study! 



**WHY** is HNGC's View Study trying to camouflage the Significant Adverse Visual Impact on Croton's Scenic Views when HNGC has been saying that it would be barely noticeable?...


**WHY** are the Board and Chazen accepting this study as valid? Solar Arrays are NOT "brownish color"!

**WHY** are the Board and Chazen accepting that a "Study" of where the trees are missing is at all relevant as to an assessment of significant adverse impacts?

The issues with this "View" Study, together with all the issues with misstatements and inaccuracies submitted by this "expert," should **disqualify** him from being someone who the Board relies on to sign off on anything of importance relating to the HNGC Solar Plan given all the potential significant risks and adverse impacts involved.

The photo below with the array areas colored blue-ish may be more accurate as to what will be seen and how significant and adversely Croton's scenic views and vistas will be potentially impacted.



**Expert Issues: Chazen Companies** Given all of the false statements, misrepresentations, lack of information from HNGC and the complacent manner in which Chazen has handled these, has been submissively seeming to accept the unilateral dismissal of certain of its recommendations by HNGC's Engineer, not proactively asserting the necessity of measures to be satisfied, like a post-construction management plan, substituting its own subjective opinion for what constitutes something that might be significantly detrimental to the visual impression Croton residents might form relating to the scenic views, is very concerning. Why is it that Chazen has not been more proactive in pointing out, following up, and letting the Board know. It has been obvious that Chazen either is not well-equipped professionally to handle this particular matter containing so many issues or is this how they have been instructed. There are many potential issues with Very Steep Slopes, Extremely Steep Slopes, the drainage, flooding, erosion issues, mudslide, landslide issues with the slopes and solar array themselves, but also affecting the very nearby wetlands that HNGC seems to be inclined to ignore, that could be caused by this project not just in calm, beautiful weather, but in the severest of storms, or that Chazen has its own subjective point of view which is not what it has been hired or paid to do... unless it is being asked to handle this way, in which case, that's also unacceptable. 

### III. The Board Has Not Been Handling the HNGC Solar Plan Consistent With SEQRA

You claim in your email that the Board has been acting consistent to SEQRA. However, SEQRA requires that the Board protect Croton's environment by "ensuring that all the information submitted by HNGC is accurate" and that the integrity of the SEQRA process has been protected! Neither the Board, who has a duty under the law to review and ensure accuracy, nor Chazen who has been hired to do so, has done even an adequate job of vetting this information. Furthermore, blindly relying on "experts" who are not credible makes no sense, and is not responsibly carrying out the duties imposed by law on this Board.

The facts in this case require a Full EIS conducted with a truly independent consultant who will carefully review everything so that we might know whether we can actually rely on the information with someone being accountable for the veracity of that information...that is what is required under the Law and what the Public is entitled to expect!

### The Board Has Been Remiss in Not Considering Valid Bases for Denial of the HNGC Solar Plan

In addition, there have been multiple reasons that the HNGC Plan should have been denied. But it's apparent that denial was never even an option that this Board or the Village Attorney (former counsel to HNGC) were planning to consider. At the 11/3/21 BoT Meeting, after completing Part 2 of the Short EAF the Board Members were reminded by the Village Attorney that "mitigations" is what is to be considered. Denial was not even mentioned as an option.

The Village Steep Slopes Law is not just an administrative mechanism for the Board or Planning Board to require developers and homeowners to come before them to get a permit stamped! This vitally important law **allows Croton's steep slopes to be disturbed only if NO practicable alternatives to the disturbance exists.**

The "practicable" (i.e., feasible, possible) standard doesn't entail whether HNGC likes this site, wants to install a solar farm for its own energy and financial benefit (but has NIMBY issues and doesn't want to see it, doesn't want to spend more to run lines closer to its main Golf Course on the parking lots, or roofs, etc.) The legal "practicable" standard is not about HNGC's convenience or HNGC's or anyone else's self-interests. It's met only if HNGC and the Board can show that there is NO WHERE ELSE that Solar Farm can practicably be sited. **This HNGC Solar Plan does not meet that requirement** of the Croton Steep Slope Law because there are other Responsible Solar alternatives: like parking lots, car ports, sides of buildings, roofs and, perhaps HNGC's old driving range as a member of the Public had commented at the Public Hearing. **On that basis alone, there are strong grounds for outright denial of the HNGC Plan.** Also, given the really high standard set by the Steep Slope Law as to when an exception could be made by the Planning Board in approving any permit for the HNGC Plan to go forward on the Very Steep and Extremely Steep Slopes, it would be so obviously apparent from initial viewing of this Plan that significant adverse impacts would be inherent, which should have been the basis of a Type 1 classification with use of the Full EAF from the start, since contrary to this Board's belief, the SEQRA Type 1 list is "illustrative, not exhaustive". Moreover, Lead Agencies have the discretion to add other types of actions as Type 1, which from the start would have required a Full EAF and led to an Environmental Impact Statement.

### **"At First Do No Harm" ... The Very Possible Dangers and Hazards Created by Placing This Solar Array on These Very Steep and Extremely Steep Slopes Are Significant Adverse Impacts Rising to Deniability of Plan**

The **Village Steep Slopes Law** has as its core intent and purpose the grave concerns that significant adverse impacts can result... these are universally known dangers and hazards relating to steep slopes that are incorporated into many local, State and Federal steep slope laws, such as those stated in the Village Law itself. These potential significant adverse environmental impacts should be considered for the Board's "Hard Look" and as a basis to deny the HNGC Plan, as the Village has already made a determination of likely detrimental impact when passing this legislation: (a) The improperly managed disturbance of steep slopes **can aggravate erosion and sedimentation** ... Erosion and sedimentation often include the **loss of topsoil, a valuable natural resource ...can result in the disturbance of habitats, degradation of the quality of surface water, alteration of drainage patterns, the gullyng of land, obstruction of drainage structures and intensification of flooding both on and off the subject site;** (b) The inadequately controlled disturbance of steep slopes can lead to the **failure of slopes and the mass movement of earth,**



**danger to the natural environment, man-made structures and the safety of persons, and the degradation of aesthetics; (c) Steep slopes, including vegetation and rock outcroppings located thereon, are important environmental features that contribute significantly to the visual impression one forms while traveling through Croton-on-Hudson; and (d) Areas that are highly visible from the roadways are particularly important in maintaining the Village's semirural character. Overdevelopment of or improperly managed disturbance to these areas are detrimental to the visual character of the Village."**

Below are photos of solar farms installed on steep slopes that failed, or mudslides or landslides resulted when erosion occurred during or after heavy storms. As stated in the Village Steep Slope Law (Ch 195) failure was a legislative concern...that is also a major reason why solar farms are not recommended to be installed on steep slopes.

Given the history and pattern of behavior of HNGC over the years of violating Village Code, then asking for "forgiveness" as noted by the Planning Board recently, it is even more important that consideration be given to how the Board of Trustees or the Planning Board would need or be able to put sufficient protections in place in case any issues arise in this very risky endeavor with widely known dangers of allowing a solar farm to be installed on these very steep and extremely steep slopes after clear-cutting them, making them subject to erosion and instability that could make them fail and cause mudslides and landslides.

#### **Steep Slope solar installations, after heavy rain and storms caused mudslides in Korea and Japan.**



**After a hurricane on flat land in the U.S. Doesn't take much to imagine what this would look like on Steep Slopes!**

**We've heard nothing** of the possibility of the Board requesting that HNGC might need to come back with alternative sites, as per the **Steep Slopes Law (Ch 195)**, which only allows the slopes to be disturbed if NO practicable alternatives to the disturbance exists. Here, there are practicable alternatives (previously disturbed space, e.g., parking lots, carports, roofs, old driving range, etc.). There are practicable alternative sites. If HNGC needs to consider an alternative site, will it have concerns about increased costs or the impacted views of its members? That's for HNGC to figure out... that is not for Croton, its residents and its environmentally sensitive resources to bear! Cost to HNGC is NOT part of the significant adverse impact analysis. HNGC and its members, who are the primary energy and financial beneficiaries of this sweetheart deal with Croton (as there is minimal benefit to Croton or its residents),

should be the ones to address their own NIMBY issues in a Responsible Solar way if they want some version of this project to go forward... not on Steep Slopes, not destroying a Forest that is already fighting climate change, and wildlife habitat, not destroying Scenic Views, and not creating more potential drainage and erosion issues, dangers and hazards, particularly with increasing ferocity of storms in this climate change era!

**We've heard nothing** of denial based on **NYSERDA** indicates that Steep Slopes should be avoided and these are Very Steep and Extremely Steep slopes of 15-35+%

**We've heard nothing** of denial based on **SEQRA (Ch 3 Sec F (5))** Project sponsors [i.e. HNGC] are responsible for the accuracy of the information they provide for EAFs and EISs. Presentation of misleading or knowingly false information by an applicant **may lead to rejection of his proposal, or to subsequent litigation**. Presentation of a misleading or knowingly false statement on such a document could also result in criminal prosecution of the person making the statement. This action would be considered **"Filing a false instrument," a "D" felony** in New York. HNGC's pattern of misrepresentations, inaccuracies, false impressions, false statements, etc. throughout this whole process (application, EAF, Comments, Submissions, etc., is outrageous as it shows knowing intent. **On those grounds alone, the HNGC Plan should be denied and this pattern of enabling this behavior on the part of the Board should not continue.** It certainly even appears to rise to the level of criminal.

**We've heard nothing** of denial based on violation of the **Village Tree Law (§ 208-16(D)(6))** because the removal of the approx. 600 trees **is inconsistent with good silvicultural, horticultural or vegetation management** and **will have an adverse visual or ecological impact**. Therefore, the Board should really have no other alternative under Ch 208, than to deny the HNGC Plan as submitted.

**We've heard nothing** of denial based on **SEQRA** states: **"where public need and benefit cannot be shown to outweigh the environmental impacts of a project, the agency may be compelled to deny approvals for the action"**. Given that the primary benefit of the HNGC Plan is to HNGC, and Croton residents would receive only minimal benefit (i.e., only 170 homes receive 10% discount of electrical supply cost), all the significant adverse environmental impacts listed below far outweigh the minimal Public benefit, therefore, under SEQRA, the Board should have no other alternative than to deny the HNGC Solar Plan, as submitted.

### **How Could There Not Be One Significant Adverse Impact Justifying and EIS?**

The fact that Village Manager Healy's letter, in consultation with Village Attorney Whitehead is foreshadowing the possibility that not even one significant adverse impact might be found sufficient to trigger conducting a full Environmental Impact Statement is incomprehensible and ludicrous given that you have represented that you and the Board are handling this matter consistent with SEQRA and SEQRA's Criteria for determining significance as set forth in §617.7(c) are as follows, many of which apply and indicated below:

#### **(c) Criteria for determining significance:**

**(1)** To determine whether a proposed **Type I or Unlisted action** may have a significant adverse impact on the environment, the impacts that may be reasonably expected to result from the proposed action must be compared against the criteria in this subdivision. **The following list is illustrative, not exhaustive. These criteria are considered indicators of significant adverse impacts on the environment:**

- (i)** a substantial adverse **change in existing air quality, ground or surface water quality or quantity...; a substantial increase in potential for erosion, flooding, leaching or drainage problems;**
- (ii)** the removal or destruction of large quantities of vegetation or fauna; impacts on a significant habitat area; or other significant adverse impacts to natural resources;
- (v)** the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vii)** the creation of a hazard to human health;
- (viii)** a substantial change in the use, or intensity of use, of land including ...open space or in its capacity to support existing uses;
- (xi)** changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

(xii) **two or more related actions undertaken**, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when **considered cumulatively would meet one or more of the criteria** in this subdivision.

(2) For the purpose of **determining whether an action may cause one** of the consequences listed in paragraph (1) of this subdivision, the lead agency **must consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:**

(i) **included in any long-range plan of which the action under consideration is a part;**

(ii) **likely to be undertaken as a result thereof, or**

(iii) **dependent thereon.**

(3) The **significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:**

(i) **its setting (e.g., urban or rural);**

(ii) **its probability of occurrence;**

(iii) **its duration;**

(iv) **its irreversibility;**

(v) **its geographic scope;**

(vi) **its magnitude; and**

(vii) **the number of people affected.**

Moreover, if Village Attorney Whitehead (former counsel of HNGC), and others on the Board are confused as to how to apply this law, as the Village Attorney appeared to be at the 11/3/21 BoT Meeting while leading the Board in completing the Short EAF, but also when she inaccurately dismissed Trustee Horowitz's request for assistance to be provided to the Board in completing the EAF and possible EIS from those more expert in environmental issues by falsely making it seem to Trustee Horowitz and the Board Members as if SEQRA doesn't really allow for that, when, in fact, §617.14(c) specifically does, as set forth below, then maybe more expert assistance should be brought in! 617.14(c) states:

(c) Agencies may find it helpful to seek the advice and assistance of other agencies, groups and persons on SEQR matters, including the following:

(1) advice on preparation and review of EAF's;

(2) recommendations on the significance or nonsignificance of actions;

(3) preparation and review of EISs and recommendations on the scope, adequacy, and contents of EISs;

(4) preparation and filing of SEQR notices and documents;

(5) conduct of public hearings; and

(6) recommendations to decisionmakers

**Village Attorney Conflict of Interest:** In addition to the practice issues mentioned, it is obvious that Village Attorney Whitehead has a professional ethics conflict of interest per the NY Attorneys Rules of Professional Conduct and should recuse herself from HNGC matters based on her prior representation of that client, and also based on the fact that if Attorney Whitehead is finding herself in situations like the 4/13/21 Planning Board Meeting in which HNGC's current attorney Robert Davis, Esq. is cautioning Croton's Village Attorney to be careful what she is saying regarding HNGC, his current client, due to her prior representation of that same client, then this is obviously not in the best interest of Croton and needs to be addressed as soon as possible!

### **The Board Erred: A Full EAF, EIS and Other SEQRA Protection Is Required Based on These Facts**

Also, perhaps if the Full EAF was used, given the complexities and number of obvious adverse impacts these facts present even with a casual review of the facts and the relevant Village Steep Slopes Law (Ch 195) and Tree Law (Ch 208), the relevant adverse impacts and the significance of such would have been more obvious to our Village Attorney, Mayor and the Board. Since it is apparent that the Village Officials, through the BoT and Planning Board have used the Full EAF in the past, as well as the EIS in many situations over the years, I don't believe anyone should need to explain to them why it is appropriate in this case, and how to apply SEQRA. **The question is why it wasn't and why this is being handled so inadequately for this HNGC Solar Plan?!**

- **SEQRA §617.7** provides that a **Full EAF** should have been used. Board used that in high percentage of Special Permit Applications (see BOT Minutes) **even for Single Use Plastic Bags** and for a previous Hudson National Golf Course matter involving a Practice Hole in which not only was a **Full EAF** done but also an **Environmental Impact Statement** was conducted! Why is that not being done in this HNGC Solar Plan involving clear-cutting of 600 trees clear cut on 7 Acres of No-Disturbance Forest on Extremely Steep Slopes?
- **SEQRA §617.7** provides that the **Board needs to assess ALL significant adverse impacts to the environment.**
- **SEQRA §617.7(b) “Hard Look”** is more than just asking HNGC for more information; particularly since much of HNGC’s information, to date, contains inaccuracies and misrepresentations... Must be according to *H.O.M.E.S. v New York State Urban Dev. Corp* test **1)** identify relevant areas of environmental concern, **2)** thoroughly analyze those areas to determine if the action may have a significant adverse impact, and **3)** support its determination with reasoned elaboration... not just the **“arbitrary and capricious”** approach being used here!
- **SEQRA - Board needs to take information received from the Public into account when doing its “Hard Look” inquiry**... Courts have required this... Board has been ignoring information from the Public.
- **SEQRA §617.7** requires an EIS given the significant adverse impacts of the HNGC Solar Plan.

Sometimes fires occur when arcing under the PV Solar Panels happens. Most of these fires are not tracked by U.S. Fire Administration at this time, classified as “other”, not accurately attributable to “solar farms”.

**What happens if there’s a fire in a Solar Farm located within a forested area not easily reached because it’s on Very Steep and Extremely Steep Slopes? Spreading to nearby homes?**



What story is HNGC and/or their “experts,” Alan Milton, Mike Doud, Ralph Mastromonaco, or Matrix going to be telling us about that? Given the irrefutable responsibility that Village Law and SEQRA places on the Board and the Planning Board to protect our environmentally sensitive natural resources, how will this Village Administration answer to that? Special Training is necessary and appropriate equipment for electrical fires with PV Panels that are live even when switch is off. Accountability is there because the information is available at the point of decision. What level of care and deliberation is being used to ensure that these foreseeable and real possibilities don’t happen?

**Summary:** There are practicable alternative sites. If HNGC needs to consider an alternative site, will it have concerns about increased costs or the impacted views of its members? That’s for HNGC to figure out... that is not for Croton, its residents and its environmentally sensitive resources to bear! Cost to HNGC is NOT part of the significant adverse impact analysis. HNGC and its members, who are the primary energy and financial beneficiaries of this sweetheart deal with Croton (as there is minimal benefit to Croton or its residents), should be the ones to address their own NIMBY issues in a Responsible Solar way if they want some version of this project to go forward... not on Steep Slopes, not destroying a natural Forest that is already fighting climate change, and wildlife habitat, eco and biosystems, not destroying Scenic Views, and not creating more potential drainage and erosion issues, dangers and hazards, particularly with increasing ferocity of storms in this climate change era!

**SEQRA states: “Where public need and benefit cannot be shown to outweigh the environmental impacts of a project, the agency may be compelled to deny approvals for the action”.**

**The Risks and Adverse Impacts of the HNGC Solar Plan are Too Great... The Benefit is Too Small... The HNGC Solar Plan Must Be Denied... or a Full EIS Correctly Conducted in Good Faith.**

Sincerely,

Domna Candido



Sun, Nov 7, 2021 8:51 pm

**Brian Pugh** (bpugh@crotononhudson-ny.gov) To: you [Details](#)

Dear Ms. Candido,

Thank you for your message. As you note in your letter, it's been more than a year since we received the application re: the Matrix Solar Array at Hudson National. We've moved with care and deliberation on this matter and there is no rush to reach a decision.

The Board is evaluating the Hudson National Golf Course special permit application for the Matrix Solar Array proposal consistent with the New York's State Environmental Quality Review Act (SEQRA) and § 230-48.1 of the Village Code regarding solar energy systems.

As I think you know, at Wednesday's meeting, the Board began the Environmental and Consistency Review of the application. The Board identified several areas (intensity of use, aesthetics, habitat and drainage) where moderate to large impact MAY occur.

This automatically triggers Full Environmental Assessment Form review by the Board. We will review these potential impacts and mitigation by the applicant with the help of an outside engineering consultant, Chazen, selected by the Board and paid for by the applicant.

After completing this review, the Board can approve or deny the application for a special permit or issue a special permit with conditions. Even if a special permit is issued, it is subject to site plan review by the Planning Board.

No special permit has been issued and no final decision has been made. Before we can make a decision one way or another on the special permit application, we have to investigate the factual questions raised by the application carefully.

Take care & be well,

Brian Pugh

Mayor, Village of Croton-on-Hudson

Stanley H. Kellerhouse Municipal Building, 1 Van Wyck Street, Croton-on-Hudson, NY 10520

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**From:** [dlcandido@aol.com](mailto:dlcandido@aol.com) <[dlcandido@aol.com](mailto:dlcandido@aol.com)>

**Sent:** Wednesday, November 3, 2021 11:32 AM

**To:** Brian Pugh <[bpugh@crotononhudson-ny.gov](mailto:bpugh@crotononhudson-ny.gov)>; Ann Gallelli <[agallelli@crotononhudson-ny.gov](mailto:agallelli@crotononhudson-ny.gov)>; Sherry Horowitz <[shorowitz@crotononhudson-ny.gov](mailto:shorowitz@crotononhudson-ny.gov)>; [jmurtaugh@crotononhudson-ny.gov](mailto:jmurtaugh@crotononhudson-ny.gov) <[jmurtaugh@crotononhudson-ny.gov](mailto:jmurtaugh@crotononhudson-ny.gov)>; Len Simon <[lsimon@crotononhudson-ny.gov](mailto:lsimon@crotononhudson-ny.gov)>; Bryan Healy <[bhealy@crotononhudson-ny.gov](mailto:bhealy@crotononhudson-ny.gov)>; Thomas Morzello <[tmorzello@crotononhudson-ny.gov](mailto:tmorzello@crotononhudson-ny.gov)>; [doconnor@crotononhudson-ny.com](mailto:doconnor@crotononhudson-ny.com) <[doconnor@crotononhudson-ny.com](mailto:doconnor@crotononhudson-ny.com)>

**Subject:** Candido Documents re HNGC Solar Plan for 110321 Board of Trustees Mtg for Posting today

\*\*\***CAUTION:** External sender.\*\*\*

To the Mayor Pugh, the Board of Trustees and the Village Manager,

I am a resident of Croton and have been for over 21 years. Attached in connection with tonight's Board of Trustees Meeting for posting on the Village Site today are a letter from me and slides from a PowerPoint in pdf format that I created in support of my request to the Board 1) **Not to take a vote** on the Hudson National Golf Course Plan tonight and putting it off for as long as it takes for the Board to obtain all information and conduct all studies and assessments relevant to this matter upon which fully informed action can be taken; and 2) If and when the Board decides the go forward with taking that vote, I urge the Board to **vote "NO"** because I believe that the HNGC Plan is not environmentally solar responsible and will be damaging to the environment.

Thank You,

Domna Candido

[Reply](#) [Reply All](#) [Forward](#)