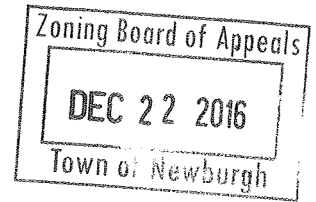


December 21, 2016



Memo to: Town of Newburgh Zoning Board of Appeals

Subject: Public comment on Use and Area Variances, Troon Properties Inc.

A handwritten signature in black ink, appearing to be "JF".

I am opposed to the Use and Area Variances to Troon Properties for solar farm to operate near Old Post Rd and River Rd, in an Ag / Residential (A/R) Zoned District. Comment should be included in the official record of the public hearing on 12/22/2016.

1. Numerous Area and Use Variances would be needed, attesting to the poor selection of this site for the intended use.
2. The town requirements for a set back from resident property lines seem to be missed at every lot that borders the plan.
3. The total area required for 1 Solar Farm is 100 Acres where the plan is to have one lot of 17 acres and another 11 acres. This is a significant miss of the stated requirements!
4. We requested a Tree Protection Plan along our property in past meetings on this land. The planned use at that time was for 8 residential lots. A Tree Inventory was done at that time, near the planned road by KALA. We are now requesting a complete Tree Protection Plan along our 455 foot property line. The KALA tree inventory only covered a third of this line and 4 "very good to Excellent condition" trees (Black walnut / Hickory) were not even included in the Tree Protection Plan / Erosion Control Plan. There are hundreds of feet of undocumented trees that need to be identified and saved from the planned CLEAR CUT of trees. Many of the tree tags are missing and most are not readable. (Attached are the memos to the Zoning Board, KAKA comments)
5. I feel Tree Protection Plan is a reasonable request which should also include other property owners given an industrial plan use.
6. The Residential Erosion Control Plan should also be re-examed in light of the industrial deforestation plans. Levinson Hgt and Cedar Street have in the past experienced severe flooding from this property.

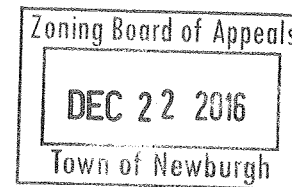
Thank you for your attention on this matter.

Bob and Ruth Scott
51 Old Post Road
rdscottrms@verizon.net

Two handwritten signatures in black ink. The top signature is "Robert M. Scott" and the bottom signature is "Ruth Scott".

Ruth Scott

From: Karen Arent [kala@hvc.rr.com]
Sent: Wednesday, July 11, 2007 11:52 AM
To: 'Ruth Scott'
Cc: Town of Newburgh Planning Board
Subject: RE: Lands of Scaturro



Hello:

At the public hearing, the planning board requested that I visit the site to determine which trees if any could be preserved. After visiting the site to mark trees to preserve, we requested for the engineers to redesign the site to preserve as many trees as possible...it seemed possible to reroute the road and avoid cutting thereby reducing the quantity of trees that needed to be removed. The engineer did redesign the site, saving large wooded areas, thereby preserving many more trees than what was preserved on the originally submitted plan. In addition to redesigning the site to save more trees, the engineer is required to show a disturbance limit line along the edge of all disturbed areas along with notes that require the disturbance limit line to be fenced before construction begins. Other notes will also be on the drawing to make it clear that there can be no construction, or storage of materials within the no disturbance area. All this information will be on the Erosion Control Plan since a separate Tree Preservation Plan sometimes gets lost and is not necessary.

On this site, our goal was to save forested areas, not individual trees since there are really no "specimen trees" and more forested areas. Therefore I do not think it is wise to install fencing around the drip lines but instead to install fencing around the edges of large swaths of forested areas, this way, saving as many trees as possible. So don't worry, they are required to put all these items on the Erosion Control Plan and I will make sure the plan is complete before signing off on the project. The chairman looks for all of our sign offs before he signs the plans.

One thing that you can do as a concerned citizen is if you see construction activities before safety fencing is installed, please call the building department and let them know. This would be a violation of the site plan and the developer will be asked to stop work.

Regards,
 Karen Arent Landscape Architect

From: Ruth Scott [mailto:rdscott@hvc.rr.com]
Sent: Wednesday, July 11, 2007 9:44 AM
To: Karen Arent; Nbg Planning Board
Subject: Lands of Scaturro

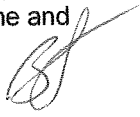
We would like the Planning Board to request a Tree Protection Plan.

Presently there exists only a Tree Inventory. Our entire Public Planning Meeting discussion was about saving trees to minimize their removal impact on adjoining properties. Tree Protection was mentioned several times during the meeting and Mr. O'Donnell even suggested that a buffer zone would not be inappropriate. The Inventory only suggests that the contractor should try to "save the trees whenever possible".

The Protection Plan should show trees to remain and trees to be removed. The plan should show existing conditions including tree location, tree species and tree diameter (DBH). DBH is the diameter of trunk, measured at breast height (4.5 ft above ground). Trees to be saved should be clearly marked on the site plan and show fencing at the dripline of each tree or group of trees. The dripline is defined as a vertical line that runs from the outermost portion of the crown of a tree to the ground. Tree fencing must be of durable material - silt fencing will not provide adequate protection - sturdier fencing such as orange plastic construction fencing should be used.

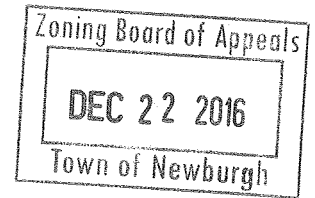
7/11/2007

Protective fencing must be in place before any construction, excavation, demolition, land clearing or grading is allowed to begin. All fencing should remain in place until construction is completed. No materials or vehicles should be stored within this fenced area. Penalties for unauthorized removal of trees slated for protection, including those that meet with any unfortunate "construction accident", should be determined ahead of time and noted on the site plan.



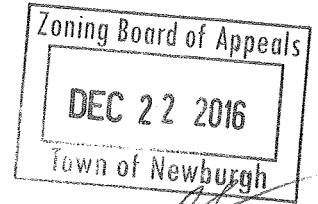
Thank you very much for your attention on this matter.

Bob and Ruth Scott



KALA

KAREN ARENT
Landscape Architect



Scaturro Subdivision
Tree Inventory
Dated May 30, 2007

Trees along the stone "wall on the western side of the Scaturro site were inventoried., along with three trees (18,19, 20) on lot 5 that are worthy of saving. Trees were marked as good, very good or excellent. Trees marked as good will appear better if left in groups~ they are not well branched all the way around since they were grown in close proximity to other trees. Trees marked as very good or excellent can stand alone and have a good shape. All trees marked appeared in relatively good health. The consultant should locate the trees on the survey and save the trees wherever possible.

Key	<u>Common Name</u>	<u>Size In dbh</u>	<u>Appearance</u>	<u>Dist. from Stonewall (ft)</u>
1	Black Walnut	22"	Very good	
2	Black Walnut	14"	Very good	
3	Black Walnut, twin	20" base	Very good	
4	Black Walnut	15"	Good	27
5	Black Walnut	11"	Good	35
6	Black Walnut	16"	Good	20
7	Black Walnut	11"	Good	20
	Another tree 3' away from #7 was not marked and is in good condition.			
8	Black Walnut	14"	Good	35
9	Black Walnut	12"	Good	5
10	Black Walnut	28"	Very good	0
11	Black Walnut	26"	Very good	5
12	Black Walnut	16"	Good	15
13	Black Walnut	14"	Good	30
14	Black Walnut	11"	Good	40
15	Black Walnut, triple	15", 12", 9"	Good	
16	Black Walnut, twin	33"	Good	
17	Black Walnut	14 "	Very good	
18	Black Walnut, twin	36"	Very good	
19	Black Walnut	16"	Very good, excellent	
20	Hickory	1 5"	Very good, excellent	