

# **Saugerties Conservation Advisory Commission**

October 16, 2025

Zoom Video Conferencing

## **MINUTES**

Present: Skip Arthur, Carole Furman, Stephen Shafer, Mary O'Donnell, Elizabeth Shafer, Mike Harkavy, Linda Armour, Margarita and Janet Asiain, Ken Goldberg, Marc Brodtkin, Gaetana Ciarlante, Zach Horton

### **Approval of September 25, 2025, Minutes**

Carole corrected her earlier reference to "Purple Rain" to "Purple Air." With those clarifications noted, the minutes were accepted.

### **Town Community Solar Outreach Program**

Skip relayed a note from Town Supervisor Fred Costello about the temporary lull in Community Choice Aggregation (CCA) while new regulations are pending. The former CCA administrator, Joule, indicates the program is on hold, and in the meantime the Supervisor has reached out for comment. Skip shared that he had some reservations about Joule based on past performance but was impressed with Nexamp, which he and Mike regard as a solid company. He anticipated that the Town might ask the CAC to help with outreach, possibly via email or a Zoom event, and he wanted to know if members felt it was worth the effort.

Elizabeth said she would like more information, remembering issues the last time the community solar program ran. Skip promised to send the Supervisor's note and Joule's outreach materials to everyone so they could review the details. Carole asked that the information go to the entire CAC, and Skip agreed. Mary added context from the previous community solar effort, which the CAC had done in cooperation with Ulster County. She explained that administratively it had not been onerous; the materials were largely prepared in advance, and the process was fairly simple. She emphasized that because community solar is specifically mentioned in the Community Climate Action Plan (CCAP) as a greenhouse-gas reduction strategy, reviving a program like this is aligned with the plan's greenhouse gas reduction strategies. Stephen raised the question of how best to email town residents if they do proceed, and he and Skip agreed to follow up on the mailing list logistics after members have reviewed Joule's materials.

### **Water Supply Issue at Winston Farm/Supplemental EIS**

Skip summarized hydrologist Paul Rubin's October 1 presentation to the Town Board, which he had previously circulated in written form. Rubin had raised concerns about water use assumptions in the DGEIS, especially the proposed draw of 220 gallons per minute from the

aquifer and additional proposed use from the Montano well. Skip described a conversation he had with Adriana, the town's planning consultant, who told him that the full 220 gallons per minute would not automatically be allocated to the developer; the Town intends to reserve part of that capacity for its own future needs. Adriana also said that the 50 gallons per minute from the Montano well would not be granted until there was a clear plan for how that water would be transported across Route 9W and what the environmental impacts of that conveyance would be.

Skip highlighted a key procedural issue: Paul Rubin believes his analysis justifies a Supplemental Environmental Impact Statement, but because the issues he raises are already under consideration by staff, they may not qualify as "new" information in the strict SEQRA sense. He noted that Adriana had not yet fully reviewed Rubin's statement but would do so and advise the CAC on what might meet the legal thresholds for a Supplemental EIS. In parallel, Town Board member Zach Horton had requested "privilege of the floor" so Paul Rubin could return to the Board and give a more complete, on-the-record presentation of his findings.

Mary reported on what she had found in the SEQR Handbook about Supplemental EIS requirements. She explained that a Supplemental EIS can be needed if the project sponsor changes the proposal, or if one or more significant adverse environmental impacts were not adequately addressed in the draft or final EIS. New information must be important and relevant, and the Handbook adds further criteria: it needs to be accurate, "genuinely" new, and sufficiently detailed. The Handbook also distinguishes between when a supplemental EIS is "needed" and when it may be "required," noting that it can be required during review of an EIS, based on comments from agencies or the public, or even after the lead agency has accepted the final EIS and issued findings. For generic EISs like the DGEIS, Mary added, supplemental EISs after findings are "typical," and while the sponsor writes the supplemental EIS, the lead agency must agree to it.

Mike added that any additional CAC positions or recommendations could be captured in the "findings" after the final GEIS, which might avoid some of the legal complications around reopening the EIS record. Skip responded that Adriana had also said supplemental EIS questions are typically addressed after the EIS is issued, when details become clear. The unresolved question, he noted, is who ultimately decides whether information is truly "new" and significant enough to justify a supplemental; that is something Adriana will clarify.

Stephen stated that Paul Rubin's material is clearly relevant and important, and while Rubin may have known some of it before the July 28 deadline, it has never been put on the record in a way the SEQR process can use. He suggested that the Town Board could proactively ask the GEIS preparers to address Rubin's concerns in the final GEIS, or else face the conclusion that water impacts were inadequately handled and that a Supplemental EIS is warranted.

Mary reiterated that the CAC has not yet seen the final EIS and does not know whether Rubin's points may already have been incorporated, or at what level of detail. Since the public comment period on the draft has closed, she suggested that it may be more prudent to wait for the final EIS, compare it to Rubin's analysis, and then consider whether to recommend a supplemental at that stage.

Elizabeth raised a legal point about Article 15 of the Environmental Conservation Law, which gives DEC the final say on water withdrawal permits. Skip said Adriana had explained that DEC's authority kicks in later, after zoning and development plans are complete; DEC reviews the final plan and decides how much water use is acceptable but does not intervene in the earlier GEIS planning stage.

Janet stated that while Paul Rubin appeared in public alongside members of Beautiful Saugerties, he is not connected to the group; he is an independently motivated hydrologist. Janet wanted the CAC to understand that Rubin is acting on his own professional judgment, not as a representative of an advocacy organization.

The committee addressed Rubin's numbers, especially the 220 gallons-per-minute figure used in the DGEIS and Rubin's own suggestion that a long-term equitable share might be more like 26 gallons per minute. Skip said that the Town is actively considering how much of the 220 gallons per minute to allocate to the project, taking into account town needs and environmental constraints. Mike asked whether the Town could simply set a lower threshold without needing a supplemental EIS, while Stephen countered that the DGEIS seems to assume that the full 220 gallons per minute will be available for project build-out, and that this assumption itself is problematic.

The discussion returned to Paul Rubin's forthcoming appearance at the Town Board. Skip emphasized that Rubin's prior comments were recorded as part of a regular Town Board meeting, but not as formal SEQR testimony. Giving him privilege of the floor next time would allow a longer, more structured presentation that could be evaluated against the SEQRA criteria Mary described. Carole asked about the open space overlay and how that interacts with water constraints to limit development, and she and Mary both suggested that the CAC formally recommend to the Town Board that Rubin be granted extended speaking time.

Carole pointed out that the Plattekill Creek and Blue Mountain Reservoir material Rubin prepared previously is already attached to the CAC's written submission and includes conclusions about drought and streamflow. This led to a more technical contribution from guest Marc Brodtkin. Marc introduced himself as a microbiologist, not a geologist, but described his careful reading of the report. He noted that figures show a 35-day drawdown test followed by a 31-day "recovery" period in which pumping stopped and the aquifer level stabilized. During the test, rainfall appears to have been fairly "optimal" for sustaining the aquifer, with more rain

during drawdown and less during recovery, which he argued might not reflect worse drought conditions.

Marc stressed that the standard disclaimer is more than boilerplate: by explicitly limiting the applicability of their pumping test to the tested period and conditions, they are effectively warning that real-world yields could be lower during long-term operation, particularly under drought. He tied this to Rubin's assertion that the aquifer is primarily recharged not vertically through the 90 feet of clay above it, but laterally from higher western and northwestern upland areas with exposed rock and forested wetlands. Marc connected this hydrology to the CAC's own recommendation that 69 acres of upland forest and the subzone beneath it be preserved; he believes those areas are the primary recharge zones for the aquifer. Disturbing or developing them could possibly impair the aquifer's ability to recharge, especially given that, under real conditions, the well would be pumping 24/7 rather than stopping after 35 days.

Marc emphasized that his goal is accuracy rather than scoring points. He said he plans to contact Paul Rubin directly to share his observations and either be corrected if he is wrong or encourage Rubin to incorporate any useful points into his own professional analysis. Skip welcomed this and said that having Rubin respond and, if appropriate, endorse Marc's concerns would strengthen the CAC's ability to rely on those points in any recommendation.

Skip asked Zach whether there was any update on Rubin's requested privilege of the floor. Zach replied that he had recommended to the Town Board that Rubin be given extended time and that he was aiming for the second meeting in November, given a crowded agenda at the first November meeting. He said he had not yet received a response from the other Board members and requested that the CAC send him a brief letter of support.

The CAC agreed it would be helpful for their committee, in addition to Zach, to formally request that Rubin be given privilege of the floor. Skip said he would prepare a memo to the Town Board for that purpose. Mary and Carole both supported this approach, and Skip asked for a quick vote. No one opposed, so Skip said he would draft and send the memo.

### **Town Liaison Report**

Zach then gave a brief budget update. He said the Board was still debating how to handle committee funding lines for the next year, but that the current leaning is to restore previous funding levels rather than zero everything out and require case-by-case Board approval. He has been advocating for maintaining the CAC's existing budget line and expects a more definite answer soon.

### **CCAP Overview Slide Presentation for Public Comment**

Mary presented an overview of the Community Climate Action Plan (CCAP). She reminded everyone that the CCAP is a recommended action under the New York State Climate Smart Communities program and that Saugerties, as a Climate Smart Community, is expected to identify actions to reduce greenhouse gas emissions. The CCAP sets reduction goals for the community, identifies nine emissions sectors, and proposes strategies to meet those goals, using a greenhouse gas inventory prepared by the Ulster County Department of the Environment for the year 2022.

She walked through the inventory findings. In 2022, Saugerties community-wide emissions were 250,445 metric tons of MTCO<sub>2</sub>. Transportation accounted for roughly 55 percent of this total and is the largest emitting sector. Industrial energy, the Northeast Solite facility, was the second-largest contributor. Residential emissions were the third-largest category at about 12.3 percent. Agriculture was a very small share in the 2022 inventory (about 135 metric tons). Mary contrasted these figures with the 2010 baseline, 267,287 metric tons, noting that transportation emissions increased significantly between 2010 and 2022, industrial emissions stayed roughly the same, residential emissions decreased from about 52,000 to about 31,000 metric tons, and agriculture also dropped markedly.

Mary said she was frustrated by the limits of the data: the inventory did not come with detailed narrative explanations, so they could not fully explain those shifts. The group discussed possibilities such as fewer dairy farms, larger vehicles, or more vehicle miles traveled, but they acknowledged these were hypotheses rather than confirmed facts.

Leslie and Carole suggested creating a side-by-side bar chart comparing 2010 and 2022 sector emissions for better visualization. Mary noted that the CCAP currently shows the 2010 figures mainly as percentages, but Leslie volunteered to take a crack at creating a slide with a 2010-versus-2022 bar graph if Mary would send her the 2010 data. They recognized the challenge of keeping fonts readable on a slide but agreed it would be a useful visual improvement.

Mary then reviewed the CCAP's reduction goals: reducing emissions 30 percent by 2030, 40 percent by 2040, 85 percent by 2050, and reaching 100 percent zero-emission electricity by 2050, all relative to the 2010 baseline. She mentioned that the State's target is a 40 percent reduction by 2030 from a 1990 baseline, but the CAC had felt that pace was unrealistic for a town starting from 2010 data, so a slightly less aggressive but still ambitious goals are suggested. Given that emissions have already decreased by about 17,000 metric tons since 2010, these targets are challenging.

She moved on to sector strategies. For transportation, she highlighted promoting electric vehicles (EVs), working with local dealerships, installing more charging stations, improving bike routes and pedestrian walkways, encouraging carpooling and local shopping, and supporting the

transition to zero-emission buses and trucks. She mentioned the New York State Truck Voucher Program, which helps fleet operators purchase electric trucks with vouchers and discounts.

Carole asked for clarification on a slide line that read “100% zero emissions by electricity by 2050.” Mary agreed the wording was confusing and said it should be clarified as “100% zero-emissions electricity by 2050.”

On the residential side, Mary pointed to measures like home energy audits, weatherization, and upgrades to heat pumps. She and Carole linked this to their ongoing energy-efficiency outreach work. Mary also mentioned rooftop solar and renewable supply options as important tools; she said that CCA, if revived, would be a powerful mechanism for shifting the town’s electric supply to renewable sources, and community solar can help residents directly support solar farms even if they cannot put panels on their own roofs.

Mary briefly touched on the industrial sector and reiterated the CCAP’s recommendation to create a task force focused on reducing emissions from Northeast Solite. She then outlined the next steps: finalizing the draft plan, recommending it to the Town Board for formal adoption, asking the Board to designate someone to oversee implementation, and tracking progress toward the reduction goals. She closed with a slide stressing that urgent action is needed and that achieving the town’s goals depends on choices made now. She reminded everyone that the plan is posted on the town website, and CAC is soliciting public comments at the Saugerties Climate Plan email address through November 11, though Leslie reported that no comments had come in yet.

## **EMC**

Carol reported that there had been no Environmental Management Council (EMC) meetings since the CAC last met, but she had been asked to submit a résumé to serve on EMC again and was awaiting a decision. She mentioned that she planned to attend the upcoming NYSAC/NYACC conference later in the month.

Mary also pointed Carol to the “Initiatives” section of the CCAP, which lists more than twenty actions the town has already taken, from installing a state-of-the art chiller at the Kiwanis Ice arena, to LED lighting at Town Hall, streetlights conversions to LED, and the Solarize Saugerties campaign. Mary suggested Carol use that list when speaking at the EMC conference about Saugerties’ accomplishments.

## **Planning Board**

Carole said there was no new news from the Planning Board yet; the next meeting was scheduled for the following week. She noted that Adriana had asked if the CAC wanted to comment on the

Witt's Pond matter, and Carole had conveyed that the CAC was content to rely on DEC's involvement and did not feel the need to weigh in further.

### **Announcements**

Linda gave a detailed report on the recent Repair Café. She said about fifty people attended, supported by eighteen fixers and several additional volunteers. Approximately 85 percent of items brought in were repaired, a very high success rate, and even when items could not be fixed, attendees were grateful for the advice they received. Linda described the event as highly social and community-building, with guests and volunteers chatting while they waited. Mary reminded Linda to write up the event so it can be documented as a Climate Smart Action for the year.

### **Adjournment**

The motion carried at 6:26 p.m.

*Prepared by: Kevin Freeman, Secretary*