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State rejects Copake solar project but new plans can be submitted

The project was too far along in the approval process to significantly change its plans after a group of farmers bought land slated for development, according to the ORES.

By [Lana Bellamy](#)

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Soar panels in the Columbia County community of Craryville, near Copake. A development application from Hecate Energy that sought to build a large solar project in Copake, known as Shepherd's Run, was rejected by the state Office of Renewable Energy Siting on Tuesday, Feb. 6, 2024.

Times Union file photo

COPAKE — The state Office of Renewable Energy Siting has rejected the controversial Shepherd's Run solar project application about a month after [a group of farmers bought a key portion of land slated for development.](#)

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The decision handed down by ORES Executive Director Houtan Moaveni on Tuesday comes after a series of recent twists in the project's approval process. It reverses an earlier decision by a judge to deny Copake's motion to dismiss Hecate Energy's proposal, which the town filed the same day that Craryville Farms LLC purchased 60 acres planned for the solar array. The next day, Jan. 5, lawyers for Copake filed a request for appeal, which was granted and prompted ORES to abruptly postpone the public hearings pending a ruling on the appeal.

"This is a welcome decision, but it's certainly not the end of the story," Copake Supervisor Richard Wolf said Wednesday. Moaveni's decision dismissed the Hecate application without prejudice, meaning the company can still submit a new proposal.

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And it does plan to submit a new scaled-back version of its plans, according to Wolf.

The rejected proposal, which received draft approval in October, sought to build a solar array on about 220 acres of an 880-acre footprint along and around routes 23 and 7 that would connect to a nearby New York State Electric & Gas substation. Once connected, Shepherd's Run planned to provide 60 megawatts of power back to the grid, enough to power 15,000 homes annually, according to Hecate.

Wolf said he hopes Hecate and the town can work more closely to plan the company's next run at the project.

"As I've been saying all along, we are not in any way opposed to renewable energy, we just think that the way this was sited — the location of the site and the fact that it was too big for our little town — so the question becomes how can we make this like a win-win?" Wolf said.

The Times Union has reached out to Hecate for a response.

Why ORES rejected the application

Since the Shepherd's Run project was first proposed in 2017, opponents have fought it in court, unsuccessfully, and organized against it. Tuesday's decision was their biggest win yet. As they had hoped, the land purchase was dealt a fatal blow to the proposal and shed light on errors made by Hecate that ORES could not accommodate, according to Moaveni's decision. The group was able to purchase it because the lease option on the property expired in September and was not renewed by the landowner.

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In ORES filings, Copake contended the current proposal should not move forward because of the company's purported failure to inform the state of any uncertainty over obtaining property rights for what they called a key portion of the project. The town also argued that since ORES had granted the company a draft permit, ORES was too far along in the approval process to allow for a significant redesign of the project that would address the land purchase.

More generally, opponents have said the solar array would mar scenic views and detract from the bucolic nature of this part of Columbia County, which has historically been dairy farm country but in recent years has also seen an influx of affluent second homeowners, many from New York City. Hecate officials have said they are aware of local concerns and have downsized and adjusted their original plans for a 480-acre project. They are looking at creating pollinator habitats and may help farmers grow Christmas trees, which would act as visual screens for the solar panels.

Linda Senk, a member of an opposition group called Sensible Solar for Rural New York, celebrated the ORES decision in a statement Wednesday, and thanked Moaveni.

"From the outset, the proposed project went against local ordinances and the wishes of the community," she said. "The pivotal loss of a 60-acre parcel from the project was Hecate's responsibility alone. We agree with ORES Executive Director Houtan Moaveni that Hecate Energy LLC failed to act transparently at a critical point in the process."

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She added: “Sensible Solar continues to support the town of Copake’s view that this project is deeply flawed, and believes that Hecate should abandon its plans for Shepherd’s Run.”

Despite the widespread opposition, the proposal also sparked the creation of a group that favors the idea, [Friends of Columbia Solar](#), which said it was deeply disappointed by the land purchase and reiterated its support for Hecate to develop a solar project in Copake.

“However this critical chapter in the renewables saga turns out, one thing is clear: its outcome should be determined by some combination of the state, town, and public, not by an anonymous group (Crarryville Farms LLC) whose only authority is money,” Friends of Columbia Solar member Dan Haas said in a statement Wednesday. “FOCS remains optimistic that a quality project can yet be built.”

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By **Lana Bellamy**



Lana Bellamy works for the Times Union’s Hudson Valley team. An eastern Kentucky native, she began her reporting career covering government and politics in 2013 at The Daily Independent in Ashland, Ky. In 2017, she moved to New York to cover Middletown for the Times Herald-

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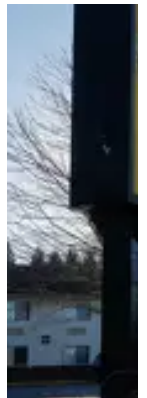
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