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Date: May 21, 2019

Time: 7:00 pm

Location: LaFayette Town Offices

Planning Board Meeting

Meeting called by: LaFayette Planning Board

Chair: Jim Nakas, Chairman

Secretary: Sue Marzo

Attendees: Planning board members: Jim Nakas, Chairman, Brad Bush, Jerry Marzo, Barb Laskey, and Rick Markoff, Board Members, Sue Marzo, Secretary, Jeff Brown, Town Counsel, Ralph Lamson, Codes Officer, Mark Chambers, Town Engineer, Bryan Stump of Cypress Creek, Erin Sullivan, resident, Paul Baltzersen, resident

Minutes

- Agenda Items:**
1. Approval of April 16, 2019 minutes
 2. SEQR – Case #1-2019 – Application by Cypress Creek for a specific use permit for a solar farm located at 3660 Apulia Rd. Jamesville, NY 13078, east side ¼ mile north of Palladino Road in an Ag/Residential District (Tax Map No. 006.-03-01.3)

Discussion:

Jim Nakas, chairman welcomed attendees for the Type 1 SEQR analysis of the Cypress Creek application for a specific use permit and site plan approval. Agenda was corrected to read east side of road where incorrectly identified as west. Zoning is Agricultural. Mark Chambers, Town Engineer was asked to walk the Board through SEQR. Before commencing, Jim Nakas asked if any changes were required to the April 16 Planning Board minutes. There was no opposition. Brad Bush motioned to approve the minutes, second by Jerry Marzo, all other Board members were in favor. Minutes will stand as written.

Mark Chambers provided the Board with a draft completed of part 2 and 3 of the long form EAF for review prior to tonight's meeting. Bryan Stump of Cypress Creek stated that he met with Town of LaFayette and Jamesville Fire Departments as well as with LaFayette Highway Superintendent, John Greeley since last meeting on plans.

Mr. Chambers proceeded with SEQR review:

#1 IMPACT ON LAND - Due to the size of the project, there will be some impacts on land. Project will take 12-16 weeks. Erosion control consideration and a NYS DEC permit will need to be obtained by developers.

#2 IMPACT ON GEOLOGICAL FEATURES – No geological features of concern.

#3 IMPACTS ON SURFACE WATER – There are adjacent wetlands that are of concern during the project. There are 100-year elevations that will be encroached upon and 500-year elevations as well. Jim Nakas asked if this was creating a new body of water or is it considered a detention basin? Mr. Chambers stated during a storm event there will be a puddle of water or less over a 22-hour period. Jim Nakas asked about the number of panels. Mr. Stump advised 18,000 approximately but actual pole racking could be less. NYS DEC provided some guidance on solar panels. The size of the solar panels, their width and required spacing between the panels. 20 or 22 ' and panels are 6' 6" so there is plenty of space between the two. Attorney Brown noted it is two separate sites, 9,000 per property. Mr. Stump added that the intent is to use wildflower pollinators/native wildflowers. To keep some of the invasive species out there will be controlled use of nontoxic biodegradable and in some cases vinegar for weed control. After four years there is not much need for continued maintenance. It will maintain itself in time. The area will not require monthly or weekly maintenance of the grass field. Jim Nakas asked about the potential for polluting ground water. Mark Chambers said there will be an infiltration basin that will be directed into one location.

#4 IMPACT ON GROUNDWATER – Discussed in #3 above.

#5 IMPACT ON FLOODING – Due to the construction in the flood plains low or small impact.

#6 IMPACTS ON AIR – Exhaust from equipment will be minimal after constructed and there will be no emissions issues.

#7 IMPACT ON PLANTS AND ANIMALS – Because the project location is a habitat for the Indiana bat, once the trees are cleared that habitat won't exist. DEC allows that habitat to be removed but only during certain timeframes. When they come back, they will habitat elsewhere. Jim Nakas asked about the long-nosed bat. Mr. Chambers indicated no impact on those species. They are located 5 miles from site and there are local habitats they can move to.

#8 IMPACT ON AGRICULTURAL RESOURCES – Per the Town of LaFayette Protection Plan, the project is taking farmland out of production. Mr. Nakas stated the land will be changed to non-agricultural. Mr. Stump reviewed the Town code and stated this project is considered temporary and once the panels are removed, the land is considered rejuvenated.

#9 IMPACT ON AESTHETIC RESOURCES – There is little to compare it to since there are very few solar farms in the Town. Mr. Lamson stated that 10-15 homes will be impacted by this project.

Mr. Stump pointed out on the map that there will be a vegetative buffering and impacted residents will see trees from their homes instead of panels. Existing trees and landscape plan will be evergreens and white pines staggered between the trees and Douglas firs or blue spruce to fill out. The buffer will be 25' deep. Erin Sullivan, resident pointed out her home on the map shown by Cypress. Her home appears to be impacted the most significantly by this project. Attorney Brown stated this will be going

to ZBA for specific use permit and back to the Planning Board for site plan review, both of which will include public hearings.

#10 IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES – There are no known historical resources on the proposed site, however, there is one that is adjacent. Jim Nakas strongly suggests reviewing with SHIPPO to assure this is not an archeological area. Bryan Stump advised that these agencies will be performing tests and that they did reach out to SHIPPO, but confirmation has not been received yet.

#11 IMPACT ON OPEN SPACE AND RECREATION – This is not a park but open land.

#12 IMPACT ON CRITICAL ENVIRONMENTAL AREAS – Not applicable.

#13 IMPACT ON TRANSPORTATION – Very little traffic once constructed.

#14 IMPACT ON ENERGY – No significant impacts.

#15 IMPACT ON NOISE, ODOR AND LIGHT – Jim Nakas asked whether the potential to reflect light is a significant concern. Bryan Stump advised that the applicant doesn't want visual pollution of light. At night there will be no artificial light. It is the frame the way they are positioned and oriented towards the south that may provide glare. The sun would bounce off the aluminum frames where someone might fly over. Homes above the panels would have to be very high up with a view of the panels for there to be a problem and they are not aware of any such situations. Mr. Nakas asked if there is any way to prove that. Mr. Stump advised, the FAA has done studies at airports. It should be included in the application. If not, they can provide it. Mr. Nakas asked for Cypress to consider doing a quick analysis of homes on the top of these hills that could suffer some ill effects and what can be done to fix that. Ralph Lamson asked if the aluminum was painted. Mr. Stump advised no because they want to reduce the number of artificial contaminants, and aluminum would attract more sunlight.

#16 IMPACT ON HUMAN HEALTH – Small impact with use of pesticides. Minimal risk.

#17 CONSISTENCY WITH COMMUNITY PLANS – Not an issue.

#18 CONSISTENCY WITH COMMUNITY CHARACTER – Small impact.

Attorney Brown advised the Board could permit informal public comment on the SEQR review. Erin Sullivan is the most impacted by the project and did choose to speak. The project is deeply upsetting to her. She found out about the project three weeks ago and was dismayed that the farmer made no attempt to inform them of the project. She has lived at this residence for 5 years and enjoys a beautiful view. She is not against solar energy but is distraught over losing their view. It is very disappointing. Paul Baltzersen, resident also chose to speak. He has lived for 17 years on Ransom Road. He is currently renting on Apulia Road, 1 mile south of the project. His concern is with the pesticides. He is an avid fly fisherman and is worried about the impact of pesticides. He would like to do landscaping without pesticides. He is also concerned with access in and out of the site. The trucks from the concrete plant fly by his house at 65mph. Where is the access road on Apulia or Palladino? He is concerned about safety. Mr. Stump pointed out all access roads to the Mr. Baltzersen on his map. He also advised that after construction there will be little traffic going in and out. Mr. Stump advised residents that the project will likely start early next year 2020. There is a tree clearing window. There is a chance it could be later this year. He also advised that the SWPPP permit is intended to show that the water flow will not change. They will hire a local landscaper and whoever is hired may have their own ideas. Cypress Creek very much understands the concerns and they are invested harmoniously with the community. Maybe for Ms. Sullivan's household 10% is not a huge benefit for energy savings. He advised there are

other community benefit packages available. Benefits for the school, panels for student education, etc. The applicant is open to things that can be done for the community.

Part 3- Wetland permitting must go out to DEC, Army Corps, and a County permit needs to be obtained. The following motion was made by Rick Markoff, Jerry Marzo second with all Board members in favor.

RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE REQUEST FOR A SPECIFIC USE PERMIT AND SITE PLAN APPROVAL FOR A COMMUNITY SOLAR FARM

WHEREAS, pursuant to Article 8 of the New York State Environmental Conservation Law, as amended, and the regulations of the New York State Department of Environmental Conservation promulgate thereunder (collectively “SEQR”), the Planning Board of the Town of LaFayette, Onondaga County, New York (the “Board”), is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQR) to be taken by the Board (the “Action”); and

WHEREAS, the Action contemplated is the approval of a specific use permit and site plan for a community solar farm proposed by Carley Farm Solar, LLC and Dimon Solar, LLC; and

WHEREAS, pursuant to SEQR, the Board desires to determine whether the Action may have a significant adverse impact on the environment (as defined by SEQR); and

WHEREAS, to aid the Board in determining whether the Action may have a significant adverse impact upon the environment, the Board has been supplied with a Long Environmental Assessment Form (the “EAF”), a copy of which is on file at the office of the Clerk of the Board; and

WHEREAS, the Board desires to declare itself Lead Agency for this Type I Action under SEQR with a coordinated review; and

WHEREAS, the Board and its representatives have consulted with various interested parties, considered the impacts of the applications and otherwise undertaken the requisite “hard look” with respect to the Action;

NOW, THEREFORE,

BE IT RESOLVED by the Board as follows:

1. Based upon the foregoing, an examination of the EAF and the criteria contained in 6 NYCRR §617.7, the Board makes the following determination with respect to the Action:
 - A. The Board hereby declares itself as Lead Agency for this Type I Action with a coordinated review;
 - B. The Action will not have significant adverse impact on the environment;
 - C. As a consequence of the foregoing, the Board hereby directs that a Negative Declaration be issued with respect to the Action; and
 - D. The requirements of SEQR have been met.
2. The Clerk of the Board is hereby directed to file a Negative Declaration with respect to the Action in the Office of the Clerk in a file that will be readily accessible to the public.

3. This Resolution shall take effect immediately.

Attorney Brown advised that a public hearing will likely be held at June's ZBA meeting for a specific use permit. In July or August, the Planning Board would do a public hearing for a controlled site plan. Notices will go out to all neighbors.

Bryan Stump asked about the County Planning referral. Ralph Lamson stated that this is not normally done until the public hearing has been scheduled. In the next week or two they will send it to County Planning.

Brad Bush thanked Mark Chambers for the thorough explanation of the SEQR document.

Motion was made to adjourn by Rick Markoff, Second by Brad Bush, all Board members were in favor.

Meeting adjourned at 7:55 pm.

Respectfully submitted,

Sue Marzo
Planning Board Secretary

