

TOWN OF LYSANDER
PLANNING BOARD MEETING
8220 LOOP ROAD
Monday, June 15, 2020 @ 7:00 p.m

The regular Planning Board meeting was held Monday, June 15, 2020 at 7:00 p.m. at the Lysander Town Building 8220 Loop Road, Baldwinsville, New York.

- BOARD MEMBERS PRESEN John Corey, Chairman and Hugh Kimball
- BOARD MEMBERS VIA ZOOM: Joanne Daprano; William Lester; Steve Darcangelo;
Doug Beachel and Keith Ewald
- OTHERS PRESENT: Al Yager, Town Engineer; Bernard Schader; Elizabeth
Schader; Steve Sehnert, Applied Earth Technologies;
John Killian; Marilyn Toth; James Stirushnik and Karen
Rice, Clerk
- OTHERS PRESENT VIA ZOOM: Tim Frateschi, Planning Board Attorney; Eric Kenna,
C&S Engineers; Glen MacKay, OYA Solar; Wendy
Hafner; Tom Gilhooley; Eve Ryan; and others only
identified by their device name

The meeting was called to order at 7:00 p.m.

I. PUBLIC HEARING -- 7:00 p.m.

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| 1. Minor Subdivision | Merle, Scott |
| Case No. 2020—002 | 8245 Emerick Road |

The Public Hearing opened at 7:00 p.m.

Al Yager, Town Engineer, facilitated the meeting and stated that Steve Sehnert will introduce the project and we'll try to get him on camera for the folks at home.

Steve Sehnert, Applied Earth Technologies, represented the applicant stating that the parcel is approximately 55 acres in size. It is zoned AR-40. Lot 1 has an existing residence, 518' x 306' with frontage on Emerick Road; Lot 2 is approximately s16 acres with 550' of frontage; Lot 3 is approximately 20 acres with 517' of frontage and Lot 4 is approximately 18 acres with 353' of frontage. There are no freshwater wetlands associated with the site nor any 100 flood hazards. At one time it was considered to expand Whispering Oaks, Section 4 into this property but that is no longer the desire. Single family houses are proposed.

Mr. Yager opened the discussion to any viewers at home asking them to use the raise your hand feature and we'll call on you. them to raise Board members can just turn of their mute button and speak freely.

Mr. Yager...anybody, going once, going twice...Jack?

John Corey, Chairman, there being no w questions at this time we will close the Public Hearing at 7:0 p.m.5

PUBLIC HEARING -- 7:15 p.m.

2. Minor Subdivision
Case No. 2020—008

OYA Solar NY/Hafner, Wendy
Church Road

The Public Hearing opened at 7:05 p.m.

John Corey, Chairman, stated that we will open the Public Hearing, however there will be no discussion as we are still waiting for the recommendation from the Onondaga County Planning Board. This item will be tabled until the July 9, 2020 Planning Board meeting.

The Public Hearing adjourned at 7:05 pm.

Controlled Site Use
Case No. 2020—006

OYA Solar NY/Hafner, Wendy
1671 Church Road (A)

Before opening the Public Hearing, the Planning Board has to review the Long Environmental Assessment Form.

Tim Frateschi, Esq., stated that the applicant completed Part 1, it is the Board's responsibility to review Part 2 to determine whether or not this Solar Farm has any significant environmental impacts. Earlier today Al Yager, Town Engineer and I went over the form and answered to the best of our ability; as we go through it and you have questions, please let us know. We are talking about a 5 megawatt and 1 megawatt site comprising approximately 43 acres of 100 acres.

Steve Darcangelo questioned why two Long EAF's were prepared.

Eric Kenna, C & S Engineers, stated that the project is divided into two parcels, Sites A & B, a Long EAF for each. Each solar facility is capped at 5 megawatt each and under so it has to be two separate tax parcels.

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. Yes, Paragraphs a through g, No, or small impacts may occur. Paragraph h: Other impacts: Not displacing any water—simple hole for each panel.

- Bond has to be in place for removal
- Plan for maintaining fence screening
- Lease needs to be provided, signed lease agreement.

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).
No

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). Yes, Paragraphs a through k, No, or small impacts may

occur. Paragraph I: Other impacts: Exempt activity because they are not grading area. Email from Army Corp of Engineers.

4. Impacts on Groundwater
The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. No
5. Impacts on Flooding
The proposed action result in development on lands subject to flooding. No, Stormwater Pollution Prevention Plan (SWPPP) provided.
6. Impacts on Air
The proposed action may include a state regulated air emission source. No
7. Impacts on Plants and Animals
The proposed action may result in a loss of flora or fauna. No
8. Impacts on Agricultural Resources
The proposed action may impact agricultural resources. Yes, Paragraphs a through g, No, or small impacts may occur.
9. Impact on Aesthetic Resources
The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. No.
10. Impact on Historic and Archeological Resources
The proposed action may occur in or adjacent to a historic or archaeological resource. No. Letter from State Historic Preservation Office (SHPO) saying No Impact
11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. No
12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental Area. No.
13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. No
14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy.
Other Impacts: Project will provide opportunities for renewable energy.
15. Impact on Noise, Odor and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. No
16. Impact on Human Health
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. No
17. Consistency with Community Plans
The proposed action is not consistent with adopted land use plans. No
18. Consistency with Community Character
The proposed project is inconsistent with the existing community character. No

Comments, questions and concerns of the review are shown.

William Lester questioned whether or not batteries will be used. The applicant's representatives indicated that there will not be at this time. Any change to the site plan will require an amendment and will be brought back before the Board.

Steve Darcangelo questioned if there would be any transformers. The applicant's representative stated there would be some transformers on pads throughout the site.

Mr. Darcangelo questioned if that was taken into consideration during the assessment.

Al Yager, Town Engineer, stated that it was.

Mr. Darcangelo suggested that that be noted because with a Solar Farm sometimes that's not recognized as part of a Solar Farm.

Mr. Frateschi stated that he will make a note of that.

RESOLUTION #1 -- Motion by Darcangelo, Second by Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is a TYPE I ACTION, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the OYA SOLAR/Wendy Hafner Solar Project, on property located at 1671 & 1680 Church Road, Baldwinsville, New York, the Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

Controlled Site Use
Case o. 2020—007

OYA Solar/Hafner, Wendy
1680 Church Road (B)

The Public Hearing opened at 7:20 p.m.

Comments from the public:

Woman not identified: Will this interfere with our Direct TV or Verizon Wireless Cell Phone Service.

Eric Kenna, C & S Engineers, stated that there will not be any interference with any frequencies.

Tom Gillhooley, Church Road, stated that he lives across the street and questioned what impact, if any, on property values, pro or con, with this type of project.

Glen MacKay, OYA Solar, stated that there is some information on line in that regard; showing no material impact. We can provide the Board with some documentation for the few studies that have been done.

Mr. Darcangelo stated that he has read up on this as well and finds that property value impacts tend to be site specific.

Mr. MacKay stated that it is very site specific and they have not seen any impacts. There is a general concern which is natural, when they first go in, once they're in it pretty much fades from people's minds. They're very benign.

Mr. Darcangelo questioned if the Town has a 'closure plan'.

Mr. Yager concurred stating that they do as part of the building permit process; as well as requiring the applicant to securities in place.

Mr. Darcangelo questioned if the applicant has a closure plan in place, even if it's generic.

Mr. MacKay stated that decommissioning plans are common plans, especially in New York State. There is a NYSERTA guideline publication with respect to decommissioning and the bonds that need to be posted.

Mr. Lester added that as part of the decommissioning the site has to be restored to its original state.

Mr. Yager concurred.

Jim Stirushnik, Dinglehole Road, questioned what the response was with regard to archaeological impacts as part of SEQR.

Mr. Yager stated that we received a letter from the NYS Historic Preservation Office stating no concerns and no additional studies would be required for further archaeological assessment.

Mr. Stirushnik questioned how you prevent this from becoming a hazard if there were some very large event like a solar flare that would interrupt the electrical service. Are there any provisions in place for such an event.

Mr. Kenna stated that the fire department did come out for a site inspection. Typically, what they do is contain a fire on site to make sure it doesn't spread off site. If there were ever an electrical fire the department would make sure it's contained. The equipment would just burn itself out.

Mr. Yager reiterated that the question is with regard to solar flares and non-typical disruptions.

Mr. MacKay stated that he'd be more concerned about my own health with a solar flare to be candid. The panels themselves would probably fair better than most things on the planet.

Mr. Yager stated reiterated that human health and welfare would be more of a concern than the solar power facility.

John Corey, Chairman, stated that the Board received concerns from Bernie Schader, Babcock Road, that will be made part of the public record:

OYA/HAFNER SOLAR FARM 1671 and 1680 Church Road: Monday, June 15, 2020

6/10/2020: Bernie Schader, 1590 Babcock Road

- 1) Change in the character of the neighborhood. Predominantly all agricultural land in the area, development is on the peninsula, ag land eastern portion of the Town.
- 2) Using up all the agricultural land. Afraid it will set a precedence and all the farm land will be filled with solar panels.
- 3) Fencing/Trees for a visual buffer
- 4) Any consideration for wildlife.

Mr. Corey stated that there will be appropriate fencing and screening as part of the project. There will be fencing all around the project that will keep people and wildlife out of the solar field. As for using up all the agricultural land, the farmers own their land and have the right to use it as they so choose as long as it conforms with the rules and regulations of the Town of Lysander, State of New York and Ag & Markets.

Mr. Yager added that in addition to that, it's worth noting that this is a low impact development with pile driven posts that they sit on and minimal excavation for utility cabling and not much else. This land can revert back to agricultural land in the future if solar power is no longer warranted on the site.

Mr. Corey stated that this is the best place to put solar farms, in open space. It's the nature of the beast I guess.

Hugh Kimball stated that it is his opinion that the impact on farmland is minimal.

Mr. Darcangelo stated that regarding the impact on wildlife and the fact that we could be directing wildlife, particularly deer to roadways and create deer/car issues. Perhaps we need a study as part of projects of this magnitude with fenced in areas to look at the movement of the wildlife and how it might impact traffic.

Mr. Yager: Duly noted.

The Public Hearing closed at 7:35 p.m.

II. APPROVAL OF MINUTES

Review and approval of the minutes of the May 14, 2020 Planning Board meetings.

This item will be tabled until the July 9, 2020 Planning Board meeting.

III. OLD BUSINESS

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| 1. Minor Subdivision | Merle, Scott |
| Case No. 2020—002 | 8245 Emerick Road |

John Corey, Chairman, stated that Steve Sehnert, Licensed Land Surveyor, presented the project that is a simple subdivision. Taking a large parcel, creating four parcels. Everything conforms to the Code. The Town Engineer has prepared his report. Are there any other questions from Board members with regard to this application?

Eve Ryan, Emerick Road, asked to be heard via ZOOM.

Al Yager, Town Engineer, stated that we already closed the Public Hearing on this, I don't know if you were a late arrival...but go ahead.

Ms. Ryan stated that this development is going up around us. We are the only home on this spot and the development is going up right around our home. What will the property value impacts be when all of these other homes go up around us, or will it have an impact.

Mr. Yager stated that's not up to this Board but as long as you don't make changes to your own property your assessment is based on what similar properties in the neighborhood sell for based on age and amenities.

Ms. Ryan stated that they won't be similar properties at all. This is largely a rural street, with agricultural land and a couple of farm houses and this subdivision is going up with suburban homes and is wildly different.

Mr. Yager stated that these aren't what he would consider 'suburban' lots, sixteen acres and up. These are not like the lots in Whispering Oaks or Irene Drive lots. This isn't anything new for the neighborhood around you. It has been going on for thirty plus years in your neighborhood why would this have any more effect on your assessment than the lots on Farm Pond Road and three relatively new homes on Emerick Road.

Ms. Ryan stated because this development is going up around me.

Steve Darcangelo stated that this is nothing new. We have break outs of property where there was a farm home and they isolate the home and subdivide the land around it. It can create problems in some instances, but why wouldn't you think the property that surrounds you could be further developed?

Ms. Ryan stated that they bought the property with the understanding that it would remain agricultural around us.

Mr. Darcangelo stated that was an incorrect understanding, there is no mandate that it had to remain agricultural. The owners of the property have the right to develop it in accordance with zoning. I understand what you are saying, you have a piece of property that literally surrounds you and we consider that when we see subdivisions like that, but I think it should have been clearly understood that when you purchase the property that you were surrounded on three sides by another property owner who has the right to subdivide the property. He may have continued to farm it at one time; but he has the right to develop it as long as it conforms to the regulations.

Ms. Ryan stated that that is not correct. That is not correct; when we bought this property, the surrounding land was zoned Agricultural and when it was sold off/subdivided we were not part of that discussion and we had no voice of that.

Mr. Yager questioned if Ms. Ryan was the owner of the surrounding property.

Ms. Ryan stated that she was not.

Mr. Yager continued stated that in the USA a real estate transactions occur between the owner and the and the buyer. You don't have to talk to your neighbor, you won't have to talk to your neighbors before you sell your house.

Ms. Ryan questioned what impacts there will be on her property with a development going up around us on the land...is there going to be water and sewage impacts through this area; is there going to be a problem with the water tables, swamp land....there's wetlands behind us, is there going to be water runoff or wildlife diversion into the street. Anything like that?

Mr. Yager stated that there will be no more than what has occurred with all of the other residential development that has happened around you in the last 30+ years.

Tim Frateschi, Esq., questioned if the property has been rezoned?

Mr. Yager stated that it's the same zoning that is has always been for quite some time. It has been AR-40 (Agricultural-Residential Uses, 40,000 sf lots).

Mr. Frateschi stated that the zoning has always been what it is and the Town has zoning districts that will allow certain things, in this district houses are allowed; and that's why the applicant is asking for a subdivision so he can build three (3) houses.

Mr. Frateschi questioned if the concern is that the assessment will go up or down?

Ms. Ryan stated that everybody wants their home to be valued well, but if our assessment goes up by a lot then our taxes go up by a lot.

Mr. Frateschi stated that the value of your home could actually increase having new homes around you.

Ms. Ryan...one would think, but it's not the same type of home. This is a 200-year-old farmhouse. It's not really in the same type of home. I'm curious about the water and sewage, roads, any issues that we might need to be aware of a new street going up right behind us.

Mr. Yager stated that there are no proposed roads. These are simply three (3) private driveways off of Emerick Road.

Mr. Darcangelo stated that currently there are no sewer or water available. This subdivision does not include the extension of any public utility.

Ms. Ryan stated that they are on a well on her property and questioned if it would impact the water table.

Mr. Yager stated that it should not have any impact on the water table there.

Ms. Ryan thanked the Board for their time.

Mr. Corey thanked Ms. Ryan for her questions.

Hugh Kimball questioned if County's comments were ever read into the record.

Mr. Corey concurred.

The application was forwarded to the Onondaga County Planning Board for their review and recommendation, that will be made part of the public record, in part:

WHEREAS, the site does not have existing drinking water or wastewater services and is located within the Onondaga County Sanitary District in an area that does not have access to public sewerage; the referral notice indicates private septic systems are proposed so as not to have to extend sewer lines to serve the proposed lots; per the submitted Environmental Assessment Form (EAF) dated February 6, 2020, drilled wells are proposed for the new lots; and

WHEREAS, the US Fish and Wildlife Service (FWS) National Wetland Inventory Maps show a possible federal wetland area occurring at the northwest corner of the site; this appears to be contained at the rear of proposed Lots 2 and 3 in an area that is currently wooded;
ADVISORY NOTE: per the US Army Corps of Engineers, the FWS National Wetland Inventory Maps indicate the potential presence of federal wetlands and should not be used to confirm the presence/absence of federal wetlands; and

WHEREAS, the site is located over, or immediately adjoining, primary and principal aquifers (per EAF Mapper) and

WHEREAS, the site or portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

There is a letter on file prepared by Al Yager, Town Engineer, dated June 15, 2020 that will be made part of the public record, in part:

I have completed my review of the final plat for the Merle Minor Subdivision prepared by Applied Earth Technologies, dated January 15, 2020. Overall it appears that the proposed subdivision conforms to all applicable Town Code requirements as presented. I have no objections the Planning Board approving this minor subdivision at this time.

FINDINGS:

An environmental assessment indicates that this action will not result in any significant or adverse environmental impacts.

This action is consistent with the Town's Comprehensive Plan.

This action is consistent with the Town's current zoning ordinances.

This was forwarded to the Onondaga County Planning Board who made the following recommendation, in part: NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring board.

This action will cause no adverse effects on the public health, safety and welfare in the neighborhood or district.

RESOLUTION #2 -- Motion by Corey, Second by Kimball

RESOLVED, that a Public Hearing having been held and there being no findings or grounds for decision contrary to the laws and regulations of the Town of Lysander, County of Onondaga or State of New York, Final Plat approval for a four (4) lot subdivision application by Scott Merle, for property located at 8245 Emerick Road, Baldwinsville, New York, 049.-02-02.1,

as shown on a made dated January 15, 2020, prepared by Stephen Sehnert, Applied Earth Technologies, is hereby approved.

7 Ayes -- 0 Noes

RESOLUTION #3 -- Motion by Corey, Second by Corey

RESOLVED, that in granting a subdivision to Scott Merle, for property located at 8245 Emerick Road, Baldwinsville, New York, the Planning Board invokes its right to impose a fee of \$250.00 per lot for three (3) lots in lieu of land for the development of parks, playgrounds, recreation or open land areas in the Town.

7 Ayes -- 0 Noes

There is an existing home on one of the lots.

All fees associated with this application are paid.

State law states that the applicant shall file the final plat in the Onondaga County Clerk's office within sixty-two (62) days from the date of final approval or such approval shall expire. The applicant shall also file one copy of the final plat in the Lysander Clerk's office.

Mr. Sehnert thanked the Board for their time.

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| 2. Minor Subdivision Case No. 2020—008 | OYA Solar NY/Hafner, Wendy Church Road |
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This item is tabled until the August 13, 2020 Planning Board meeting.

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| 3. Controlled Site Use Case No. 2020—006 | OYA Solar NY/Hafner, Wendy 1671 Church Road (A) |
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| Controlled Site Use Case No. 2020—007 | OYA Solar/Hafner, Wendy 1680 Church Road |
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John Corey, Chairman, asked if anybody else had any questions with regard to the OYA Solar Farm that was not covered during the Public Hearing.

Hugh Kimball questioned if the developer is leasing or buying the entire property; or just the portion that is going to have the solar on?

Glen McKay, OYA Solar, stated that they are leasing the land that the arrays will be on, the fenced in area.

Mr. Kimball questioned what the intended use of the part that is not going to be part of the Solar Farm.

Mr. MacKay stated that he thinks the Hafner's plan on continuing to farm the area outside the fence.

Steve Darcangelo questioned the screening.

Al Yager, Town Engineer, stated that they have proposed a chain link fence, green fiberglass inserts for visual blockage; in addition, I think we just heard that they're going to continue to farm the area around the fence which will provide additional screening as well.

There was additional discussion with regard to screening with representatives stating that they are basically filling in the areas on the north and south sides, closest to the roads that aren't screened by existing trees and plantings.

Mr. Darcangelo questioned if we have anything that dictates what that screening should be.

Mr. Yager stated that the Board does have discretion in that, in what they would like to see.

Mr. Darcangelo expressed his concern with the fiberglass slats, from a security standpoint it's nice, but from an aesthetic standpoint it's bare at best. I know it's green, but it fades in time and gets brittle from the sun and break. The life of those slats is not 20 years. I don't know how to dictate what would be there and I know the agricultural use might soften the appearance of that fence line; but if the applicant would at least take into consideration the possibility along the road line. It's certainly going to be visible to those who would be driving the road; if there could be a consideration for some vegetative screening. Put the slats down as well as something that was a low-maintenance growth in there that would come up in five or six years that might be substantially more appealing.

Mr. MacKay stated that when we look at these types of solutions for screening, I remember my grandparent's old fence with pieces missing...in short order it looks worse and defeats the purpose, but what they have now is a lot more durable. I think what we could do along certain boundaries and we've done this in the past is to leave a 4 to 6 wide swath on the outside of the fence that we would then plant with native grasses or scrub. I would be happy to say we'll do the green slats or some other dark color as well as an exterior 4' wide swath planted with natural grasses, scrub from the area. We can certainly add that as a condition if it is something the Board would like to see.

Mr. Darcangelo stated that he would like to see that. Thank you!

Tim Frateschi, Esq., stated that we can make that a condition of the resolution. We'll have the engineer look at the screening plan and sign off on it.

Mr. MacKay concurred.

Mr. Kenna stated that they can have their Landscape Architect take a look and pick some stuff that makes sense and blends in. We will then run the plan by the Board and Al.

Mr. Yager concurred.

Mr. Corey added that it makes a lot of sense.

Joanne Daprano stated that she recalls having this same exact discussion before. Steve and I both have the same objection to the green slats.

Mr. Frateschi stated that he's writing in language in the resolution right now that would basically what is being proposed.

Mr. Frateschi further questioned what type of slats would be used.

Mr. MacKay stated that there are a bunch of different types. We can come back with specifics on the visual screening and the Board, prior to the issuance of the building permit, can approve that.

There being nothing further, the Public Hearing closed at 7:02 p.m.

RESOLUTION #4 -- Motion by Corey, Second by Lester

RESOLVED, that the Town Planning Board of the Town of Lysander, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Lysander, located at 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York on the 15th of June 2020 at 7:00 p.m. The meeting was called to order by John Corey, as Chairman and the following were present, namely:

John Corey, Chairman
Joanne Daprano, Member
Hubert Kimball, Member
William Lester, Member
Steve Darcangelo, Member
Doug Beachel, Member
Keith Ewald, Member

WHEREAS, the OYA Solar NY L.P. (the “Applicant”) has proposed the construction of a 5 MWA (OYA Church Road A) and a 1 MWA (OYA Church Road B) grid-tie photovoltaic system solar farm (the “Project”) adjacent to each other on approximately 104 acres of currently vacant land (the “Land”), situated along Church Road in the Town of Lysander;

WHEREAS, approximately 39 acres of the Land (approximately 40%) will be used for the Project with the remaining 64 acres will remain open space as set forth on that site plan package, prepared by C&S Companies (Project Number 2017-004-56A, Project Cover Page dated 2-3-20 and 2017-004-56B – Project Cover Page dated 1-29-20 – the “Site Plan”);

WHEREAS, land uses in the surrounding area are low density residential with large tracts of undeveloped forestland and agricultural land;

WHEREAS, the residential properties in the area will be screened from seeing the solar array panels by keeping the natural screening available and by providing a fence to screen areas not naturally screened as set forth on the Site Plan;

WHEREAS, over 10 acres of the Land will be disturbed by the construction of the Project, which qualifies the Action as a Type I action under Article 9 of the New York State Environment Law and 6 NYCRR (“SEQRA”);

WHEREAS, on February 20, 2020, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the “Planning Board”) issued to all involved agencies a Notice of Intent that classified the Project as a Type I action of further stated that it intended to be the Lead Agency for the Action, to which no involved agency objected;

WHEREAS, the Land is zoned Agricultural (A) under the Town Code and the use proposed by the Applicant is in keeping with the allowed zoning and the character and nature of this area;

WHEREAS, the Application fits within the New York State Energy Plan of encouraging and creating new opportunities for alternative fuels, which the Governor declared a priority for the State in his 2014 “Reforming the Energy Vision”. The goals of the State are: (i) 40% reduction in greenhouse gas emissions from 1990 levels; (ii) 50% electricity will come from renewable energy resources; (iii) 600 trillion Btu increase in statewide energy efficiency.

WHEREAS, by letter dated June 10, 2020, the Town Engineer provided a letter to the Applicant’s engineers requesting additional information, which requests have been met by the Applicant.

WHEREAS, on June 15, 2020, at its monthly meeting, the Planning Board reviewed Part II of the Long Environmental Assessment Form (the “EAF”), which was received by the Town of Lysander on or around June 11, 2020;

WHEREAS, the Planning Board identified the only area(s) under Part 2 of the EAF where the Project would have a potential impact on the environment as: (a) Impacts on Land, but such impacts will be small because the holes that will be drilled will not affect the agricultural ability of the land when the Project’s useful life is over; and (b) Impacts on Surface Water, but the Army Corp of Engineers has provided correspondence that indicates that development is not jurisdictional as it relates to the wetlands and such correspondence is attached to the EAF;

WHEREAS, each of the issues identified as potentially causing an environmental impact in the previous paragraph were discussed at the Planning Board meeting of June 15, 2020 and were addressed as set forth below in the Planning Board’s minutes and finding of facts and conclusions;

WHEREAS, on June 15, 2020 the Planning Board held a public hearing at which the public was offered the opportunity to speak in favor or against the Project;

WHEREAS, the Onondaga County Planning Board, by letter dated March 18, 2020 reviewed the Project and determined that it would not have any countywide impact.

NOW, THEREFORE, THE PLANNING BOAR OF THE TOWN OF LYSANDER MAKES THE FOLLOWING FINDINGS AND DETERMINATIONS:

The relationship of the Land to the surrounding community, including significant buffer land, will surround the Project, the character of the developed land is compatible as set forth under the Lysander Town Code Section 320-39;

1. The Application fits within the New York State Energy Plan of encouraging and creating new opportunities for alternative fuels, which the Governor declared a priority for the State in his 2014 "Reforming the Energy Vision". The goals of the State are: (i) 40% reduction in greenhouse gas emissions from 1990 levels; (ii) 50% reduction electricity will come from renewable energy resources; (iii) 600 trillion Btu increase in statewide energy efficiency.
2. Providing the opportunity for renewable energy is an important policy consideration of the Town of Lysander and encouraging such development is in the best interest of the residents of the Town, County and State of New York.
3. The importance of renewable energy outweighs the impacts of the Project, which impacts will be minimal based on these findings and the conditions set forth herein.
4. The Site Plan shows that the natural screening will be available for most of the areas around the Project therefore minimizing the visual impact on neighboring properties.
5. The Planning Board is requiring fence screening in those areas of the Project that may be visual from public or private lands.
6. A removal bond will be required before a building permit is issued to ensure that the solar array panels will be removed at the end of the Projects useful life.
7. Sufficient capacity on the Land (open space) exists to handle stormwater run-off and detention pond issues, which is set forth on the Storm Water Pollution and Prevention Plan submitted by the Applicant and reviewed and approved by the Town Engineer.
8. The size and scope of the Project does not conflict with the officially adopted plans or goals of the Town.
9. Based on the findings and determinations, the Planning Board further finds and determines that the Project will NOT have a significant environmental impact on the aesthetics of the neighborhood and the community character of the surrounding area(s).

NOW THEREFORE BE IT RESOLVED, that having reviewed the EAF and relating it to the criteria set forth in Section 617.(c) of the SEQRA regulations , and making the Findings and Determinations contained in this Resoluti0n, the

Planning Board issues a Negative Declaration under Article 8 of the Environmental Conservation Law; and

BE IT FURTHER RESOLVED, that the Lead Agency is the Planning Board of the Town of Lysander, with a mailing address of 8220 Loop Road, Baldwinsville, Town of Lysander, New York;

BE IT FURTHER RESOLVED, that the Project is a Type I Action under SEQRA;

BE IT FURTHER RESOLVED, that the proposed action is located on Church Road in the Town of Lysander;

BE IT FURTHER RESOLVED, that the Secretary to the Planning Board is hereby directed to file this Negative Declaration with the appropriate entities as set forth under 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Site Plan package is hereby approved with the following conditions:

1. A removal bond and deconstruction plan shall be submitted to the Town in an amount to be determined by the Town Engineer before a building permit is issued by the Town.
2. A Planting Plan to screen both Church Road and Babcock Road will be submitted to the Town Engineer for approval before a building permit is issued . Put in natural and native grasses along a 4' swath on Babcock and Church Road.
3. The Applicant will provide an executed lease for the Property indicating its authority to use and develop the Project.

7 Ayes -- 0 Noes

OYA Solar representatives thanked the Board for their time.

IV. NEW BUSINESS

1. Minor Subdivision
Case No. 2020—009

Zieno, Jonathan
2061 Rabbit Lane

Karen Rice, Clerk, stated that this is a simple two lot subdivision on Rabbit Lane. The applicant wants to subdivide his house and out buildings from the overall parcel. To the best of our knowledge there are no plans for the remnant piece at this time.

Al Yager concurred stating that it will remain agricultural. There's no intension to do anything with it at this time.

Hugh Kimball reiterated that they're just carving out the house.

Karen concurred stating we don't know the reason, whether it's financial, refinancing, sell...we don't know.

Karen added that it doesn't have to go to County. It doesn't back up to Three Rivers Game Management, nor is it on a Town road.

RESOLUTION #5 -- Motion by Corey, Second by Kimball

RESOLVED, That the Planning Board having followed the prescribed SEQR procedures and having received no comments to the contrary, hereby designates itself as Lead Agency for Jonathan Zieno, 2061 Rabbit Lane, Phoenix, New York Minor Subdivision application.

7 Ayes -- 0 Noes

The applicant has completed Part I, Project Information; John Corey, Chairman, reviewed Part Two—Environmental Assessment, with the board.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? No
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?
7. Will the proposed action impact existing:
 - a. public / private water supplies? No
 - b. public / private wastewater treatment utilities? No

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health? No

RESOLUTION #6 -- Motion by Corey, Second by Kimball

RESOLVED, that having reviewed the SEQR regulations, determined this is an UNLISTED ACTION, and having reviewed the Short Environmental Assessment form, and finding no significant or adverse impacts resulting from the Jonathan Zieno 2061 Rabbit Lane, Phoenix, New York, Minor Subdivision application, the Planning Board issues a NEGATIVE DECLARATION.

7 Ayes -- 0 Noes

RESOLUTION #7 -- Motion by Corey, Second by Kimball

RESOLVED, that a Public Hearing be held at a date and time designated by the secretary, on the application of Jonathan Zieno, for a subdivision of property located at 2061 Rabbit Lane, Phoenix, New York, Tax Map No. 017.-02-23, for a development of two (2) lots from a parcel of approximately 29 acres.

7 Ayes -- 0 Noes

V. **ADJOURN**

William Lester stated that before he makes the Motion to adjourn he would like to give high praise to all the people who put this whole thing together for us to meet in this way and to accommodate the needs of the community and the people who want to build in our community.

Board members, representatives and staff all concurred.

RESOLUTION #8 -- Motion by Lester, Second by Kimball

RESOVLED, that the Town of Lysander June 15, 2020 special Planning Board meeting adjourn at 8:25 p.m.

7 Ayes -- 0 Noes

Respectfully submitted,

Karen Rice, Clerk

