

ATTACHMENT C
SPECIAL USE PERMIT WORKSHEET

General Permit Application Worksheet - Special Use Permit

Below or on a separate sheet, or in a letter of application, please provide the information required in the list below. All Special Use Permits require Site Plan Review, and applications must proceed beyond Sketch Plan Review in that procedure in order to be approved. The Town Board may waive further Site Plan Review based upon the Sketch Plan (see Site Plan Review Worksheet)

As you can see from the requested information, Special Use Permits are allowed uses so long as they are not disruptive to neighboring properties. The actual performance of the site with regard to traffic, lighting etc. is addressed in the Site Plan Review process. The Town Board may, and likely will, condition any approval to ensure this compatibility (letter E. below). These conditions often have to do with hours of operation, lighting, signs, and outdoor storage that will also have to be shown on the approved Sketch Plan, or Site Plan (if required).

A. Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance;

Please refer to the Zoning Ordinance (Section 400) and review the descriptions of the zoning districts. These generally describe the intent of the district. Your application should refer to the proper description and state why your proposed project is compatible with the intent of the zoning district.

The Zoning District is Rural Agricultural (RA). DRS works with farmers all over New York State. "Farming" the sun and harvesting energy instead of, or along with, commodity crops or livestock diversifies the farmer's income stream and gives them, and the industry, a better economic model to continue their farming operations.

B. Compatibility of the proposed use with adjoining properties and with the natural and manmade environment;

This requirement is concerned with compatibility with neighbors, and the environment. This is mainly concerned with the over use of the property, and appearance. Essentially how does the proposal blend in with the existing neighborhood?

The PV Facility Site is expected to be approximately 24 acres of the 135 acre parcel. The placement of the solar array is set back from the roads towards the middle of the subject property which, along with screening, is expected to minimize views from nearby roads and residences. There will be minimal disturbance to the land (i.e. there are no permanent foundations, parking or roads) such that when the solar facility is decommissioned and removed at the end of its term the land characteristics (i.e. soil) will be similar to its pre-construction characteristics. We will work with the Town, landowner and neighbors to minimize views; a visual line of sight analysis will be provided to the Planning Board during the review process.

C. Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police, and emergency vehicles;

Here, describe how utilities (phone, gas, water, sewer, etc.) will serve the site. And a basic description or reference to the Site Plan Review documents with regard to parking and circulation.

The use of utilities will not include water, sewer, gas, etc. as the facility will be remotely monitored and there will be no permanent onsite personnel subsequent to construction period. There will be satellite service used to remotely monitor the operation of the solar facility. During construction, the lay-down area and parking area will be on the project site and public roads/areas will not be required. It is expected that construction activities (2-3 months) would not necessitate a traffic control plan but one can be provided if required. Please see the accompanying Project Memorandum for more detail.

D. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances;

The potential environmental impacts, or not, of the project should be described here, along with the ways that these impacts will be lessened, or made better. You may want to supply this on a separate sheet to be included in Part D. of the long Environmental Assessment Form.

Construction Phase: The construction phase is expected to be up to three months. Work hours will be limited to 7:00am to 7:00 pm. The traffic impact is expected to be minimal and would be limited to deliveries (not daily) and construction personnel vehicles. Vehicles will be parked on the subject property. There is minimal land movement and as such dust is expected to be minimal. There will be "construction" noise when racking is driven into the earth but for the remainder of construction noise is expected to be minimal.

Operational Phase: There will be no permanent on-sight personnel during operation of the facility; facility maintenance is expected to be semi-annually and landscaping (primarily mowing) as needed. T such traffic will be minimal. There is no dust, odors, release of harmful substances or waste during the operation of the facility. The facility will be set back from the roads towards the middle of the subject property and, along with screening, will minimize concern of glare or reflection from the facility; a glare analysis will be provided to the Planning Board during the review process.

Decommissioning Phase: The decommissioning phase is expected to be 30-60 days and would be similar in activities to the construction phase regarding traffic, noise and dust. A decommissioning plan will be provided to the Planning Board during the review phase and will cover removal, recycling and disposal.

E. Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;

Here please indicate how the Site Plan and other operational approaches will reduce impacts, or improve, the compatibility with surrounding uses.

The panels will be mounted on racking that will be pile driven into the ground with minimal ground disturbance. Aside from the access road, there will be a single concrete pad (approximately 6'x30') to house the inverters and transformers. There will be no other structures and the panels are not expected to exceed 8' in height at the highest point. The placement of the solar array is set back from the roads towards the middle of the subject property which, along with screening, is expected to minimize views from nearby roads and residences. Construction is not expected to exceed 3 months. There will be no permanent on-sight personnel during operation of the facility; facility maintenance is expected to be semi-annually and landscaping (primarily mowing) will occur as needed. Please see the attached Project Memorandum for more detail.

F. Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.

Please review the appropriate design guidelines and state how your project reflects the ideas included in the design guidelines such as vegetation along roadway, peaked roof, lighting, parking on side or in the rear of the building etc.

As described above, the solar facility will have no permanent structures (buildings) and will consist primarily of (a) racking and panels and (b) a single concrete inverter/transformer pad (no building structure). All set back requirements will be adhered to. Lighting will be limited to the electrical equipment set forth on the inverter/transformer pad and will be directed in a manner to provide minimal visual disturbance. Screening using a variety of vegetation native to the local environment will be used.

Notices and Disclaimers – Signature Required

1.) Right to Farm Law

Be advised:

“This property may border a farm, as defined in Town of Dryden Local Law #1 of the year 1992, a Local Law known as “Right to Farm Law.” Residents should be aware that farmers have the right to undertake good or acceptable farm practices which may generate dust, odor, smoke, noise, and vibration.”

Amendment #12, Local Law #1 of 1992, “Right to Farm Law” Adopted by Dryden Town Board July 14, 1992, Resolution #130. Local Law #1 of 1992. Effective July 20, 1992.

Enforcement

The Town of Dryden will strictly enforce all requirements and regulations of both the N.Y.S. Building & Fire Prevention Code and the Town of Dryden Zoning Ordinance. The following is the general policy of the Town of Dryden Planning Department.

- 1) No Building Permits will be issued to any applicant until such time that all other required permits, certificates and documents have been submitted to this office and found to be acceptable and complete.
- 2) No Public Hearings or Town Review will be scheduled for any purpose until this office has reviewed and found that all application and supporting documents are accurate and complete.
- 3) If at any time prior to the issue of an above permit or authority to proceed has been granted, it is found that construction or occupancy has begun or taken place, the violator, and property owner may be prosecuted in a court of law.
- 4) If after permits have been issued a permit holder takes occupancy, opens its doors to the public or uses a permitted device without obtaining a Certificate of Occupancy or Certificate of Compliance, the holder of that permit may be prosecuted in a court of law.
- 5) The Town of Dryden will not tolerate a violation of either the Dryden Town Zoning Ordinance or the New York State Building and Fire Prevention Code. Action will be taken against all violators.
- 6) Inspections are required per inspection sheet. A mandatory final inspection is required from the Town of Dryden Code Enforcement Officer, to close out permit and to allow use. Permits expire one year from date of issue and will need to be renewed by applicant and a fee of one-half of the permit fee at time of issue will be due. Demolition permits expire six months after issue.

Fees

- 1) FEES MUST BE SUBMITTED WITH THIS APPLICATION
- 2) You are responsible for complying with these terms and conditions.
- 3) All plans that are for Commercial Use or are more than 1500 Sq. Ft. of usable space in single-family construction must be stamped by a N.Y.S. Licensed Architect or Engineer as to code and construction compliance.

Special Use Permit Fee: \$165

Planned Unit Development SUP: \$250

Large Scale Retail Development SUP: \$250

Escrow

Reimbursable Costs, fees and disbursements. The reasonable and necessary costs, fees or disbursements incurred by the Town or its officials for consultation or review by professionals including architects, landscape architect, engineers, surveyors, attorneys or others, on any Application for a Zoning Permit, Certificate of Occupancy, Appeal to the Zoning Board of Appeals, Application for Subdivision Approval, Application for a Planned Unit Development or application for a Special Permit or a Special Permit for a mobile home park shall be paid by the applicant.

Signature required

By signing you agree that you have read and understand and will be responsible for issued permits.

Owner or responsible party signature:  Date: 10/3/17

Print name: Peter Dolgos