

Attachment A –

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts  
Delaware River Solar, LLC, Dryden Road Solar Farm  
State Environmental Quality Review  
Full Environmental Assessment Form

**Action:** Delaware River Solar, LLC, Dryden Road Solar Farm

**Location:** 2243 Dryden Road, Freeville, NY - Tax Parcel No. 47.-1-7.3

**Lead Agency:** Town of Dryden Town Board

**Description:** The project involves the construction of one 2.0MWac and one 1.3MWac solar photovoltaic arrays for generation of 3.3MWac of electricity for sale to local NYSEG rate payers through net metering bill credits under the community distributed generation program. The arrays will be situated on the 115+/-acre parcel owned by Evan and Brenda Carpenter. Delaware River Solar, LLC, acting on behalf of Mr. and Mrs. Carpenter, is proposing to subdivide the parcel to create three separate lots which they will lease two lots from Mr. and Mrs. Carpenter for the construction of two solar photovoltaic arrays. The two arrays will be fenced which will encompass an area of approximately 22 +/- acres on Lots 1 and 2.

Solar arrays will consist of photo-voltaic modules mounted on galvanized metal racking systems anchored into the ground using galvanized metal posts. Arrays will be fenced and electric transformers will be installed on concrete pads. A permanent access drive will be installed for construction, maintenance and emergency access. . No significant land grading is proposed except for the initial construction of the access drive which will be installed along the natural terrain.

Delaware River Solar will be applying for a Special Use Permit and Site Plan approval for the project. The Town Planning Department will consider Subdivision approval for the creation of three parcels. Other potential Regional, State or Federal agencies that may issue a funding approval or environmental permit include the Tompkins County Industrial Development Agency (IDA), New York State Energy Research and Development Authority (NYSERDA), New York State Department of Environmental Conservation (NYSDEC) and New York State Department of Transportation (NYSDOT). The proposed action is Type 1 pursuant to 6 NYCRR 617 State Environmental Quality Review.

Part 2 of the Full Environmental Assessment Form (FEAF) was completed based on information contained in Part 1 of the FEAF and the following supplemental documents:

- General Permit Application- General Information and Special Use Permit Worksheet
- Notice of Ground Disturbance form
- Agricultural Data Statement
- Project Summary and Solar Project Plans
- Decommissioning plan and agreement
- Viewshed Study with visual simulation and line of sight plans
- Wetland Findings Letter

- Storm Water Pollution Prevention Plan (SWPPP)
- Site Plans
- Topographic and Boundary Survey
- Glare Assessment Report
- Common Driveway Agreement
- Vegetative Maintenance Plan
- Office of Parks, Recreation and Historic Preservation (OPRHP) findings letter

In addition to the documents listed above, information submitted by Involved Agencies, the general public and information presented by the applicant at Town Board meetings was reviewed and considered. The FEAR workbook provided guidance in determining the appropriate responses to questions 1-18 of Part 2.

Using the Part 2 guidance, the Board determined that there would be no negative impact to the environmental resources evaluated in Questions 2 (Geologic Features), 3 (Surface Water), 4 (Groundwater), 5 (Flooding), 6 (Air), 10 (Historic and Archeological Resources), 11 (Open Space and Recreation), 12 (Critical Environmental Areas), 13 (Transportation), 14 (Energy), and 16 (Human Health). Each of these were checked "No".

The Board determined that questions 1 (Land), 7 (Plants & Animals), 8 (Agricultural Resources), 9 (Aesthetic Resources), 15 (Noise, Odor, Light), 17 (Consistency with Community Plans) and 18 (Consistency with Community Character) warranted further evaluation and were checked "Yes". Although each principal question was checked "Yes", further evaluation resulted in nearly all the subset of questions in each category receiving a "No, or small impact may occur" response.

The Board determined that a 'Moderate to large impact may occur' relative to some subset questions in 9 (Aesthetic Resources), 17 (Consistency with Community Plans) and 18 (Consistency with Community Character).

### **1. Impact on Land**

#### Brief description of the impact on land:

The 115 +/- acre parcel consists of a mix of agricultural fields, woodlands, wetlands and multiple outbuildings used for farm operations. The parcel is generally bounded on the north by NYS Route 13 (Dryden Road), on the east by private residences along Hilton Road and agricultural, on the south by Ferguson Road, and on the west by agricultural fields. The site has an existing curb cut on Ferguson Road and a long farm lane (approximately 3,000 feet) that accesses the rear of Mr. and Mrs. Carpenter's residence located at 2265 Dryden Road.

Based on Part 1 of the FEAR, 100% of the site contains slopes between 0-10%. Upon review of the Topographic and Boundary Survey (Sheet 1) the land associated with these slopes is active agriculture fields. Depth to bedrock is reported at greater than 5 feet per Part 1 of the FEAR.

No significant grading is proposed for the arrays, however, excavation for two transformer/inverter concrete pads (364 square feet each) is expected and trench excavation for installing roughly 5,700 feet of buried electric cables will also be necessary. The metal racking system supporting the photo-voltaic modules will be anchored by driving metal posts into the ground. According to Part 1 of the FEAF the project will disturb 7.1 acres of soil primarily for the installation of the access drives, electrical trenching and site work associated with the installation of approximately 0.02 acres of impervious surface for the concrete inverter pads. The proposed access drive will be built upon portions of the existing farm drive and a new section of drive will be installed to the northern inverter. The new section of gravel drive area will be offset by the section of farm drive that will be abandoned running east/west along the common boundary line of Lot 1 and 2. As stated in the Stormwater Pollution Prevention Plan (SWPPP) there will be no net addition impervious cover from the access drive. The SWPPP identifies temporary and permanent erosion control measures to stabilize disturbed soils. All disturbed soils will be seeded and mulched to achieve long-term stabilization of soils. All open space around and below the arrays will be planted with grass and will be mowed as needed. No herbicides, pesticides or insecticides will be used during construction or operation to maintain the site as stated in Part 1 of the FEAF.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- a. *The proposed action may involve construction on land where depth to water table is less than 3 feet.*
- b. *The proposed action may involve construction on slopes of 15% or greater.*
- c. *The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.*
- d. *The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.*
- e. *The proposed action may involve construction that continues for more than one year or in multiple phases.*
- f. *The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).*
- g. *The proposed action is, or may be, located within a Coastal Erosion hazard area.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'small impact':

- h. *Other impacts: Construction of Access Drives*

The typical detail for construction of the 16 foot wide access drives, as illustrated on Drawings C550 titled Erosion and Sediment Control Details indicates that 8 to 10 inches of crushed stone will be placed on native subsoil after the top 4 to 6 inches existing material is removed. The temporary erosion and sediment controls required by the SWPPP and Drawing C150 titled Erosion and Sediment Control Plan will minimize the impacts of exposed subgrade soils to erosion, therefore, no significant adverse impacts to land are anticipated as a result of the proposed action.

## **7. Impacts on Plants and Animals**

Brief description of impacts on plants and animals:

A wetland evaluation was conducted by North Country Ecological Services, Inc. on September 6, 2017 for the project site. The evaluation concluded that there are no NYSDEC regulated wetlands but there are USACE regulated wetlands present on the property that have been delineated and shown on sheet C130. The proposed project will not disturb the delineated wetland area.

The evaluation notes the property has been actively farmed for alfalfa, hay and row crop production, such as corn. Some fields were noted to be fully vegetated and some were noted to be recently tilled. Vegetation within the fields was noted to contain alfalfa (*Medicago sativa*), wild carrot (*Daucus carota*), common plantain (*Plantago major*), English plantain (*Plantago lanceolata*), dandelion (*Taraxacum officinale*), common milkweed (*Asclepias syriaca*), red clover (*Trifolium pratense*), cow vetch (*Vicia cracca*), daisy (*Chrysanthemum leucanthemum*), campion (*Lychnis alba*), grasses (*Graminae*), orchard grass (*Dactylis glomerata*), and corn (*zea mays*).

According to endnotes within Part 1 of the FEAF, it has been stated that there are no known occurrences of endangered, threatened, or rare species or significant natural communities in the vicinity of the project per NYSDEC Environmental Resource Map (Figure 6). Therefore, no request for records was sent to the NY Natural Heritage Program by the applicant. During the SEQR lead agency determination process, the Town submitted the application dated August 17, 2017 to NYSDEC for review and determination for lead agency. NYSDEC responded with regards to lead agency and also commented that the project may be within the Northern Harrier habitat and requested the project be reviewed by NYSDEC Fish, Wildlife, and Marine Resources Biologist to determine if the project will impact valuable habitat. Upon subsequent review, NYSDEC issued a jurisdictional determination letter dated March 6, 2018 that the project will not likely result in the "take" of a threatened or endangered species. The US Fish and Wildlife Service IPaC Trust Resources Report for the site indicates the potential for one threatened species, the Northern Long-Eared Bat (NLEB) and that there are no critical habitats at the project site. There are no trees or other woody plants on the project site that could serve as roosting sites for the NLEB, therefore the applicant did not request further review by USFWS or NYSDEC.

The proposed fencing is an 8-foot high woven wire fence on wood posts (also called an agricultural fence). Each of the two solar sites will be contained within an 8-foot tall agricultural fence. No barbed wire or razor wire is being proposed. The fence style will allow small animals to pass freely through the arrays while restricting larger predatory animals, such as coyotes as well as deer. There are currently multiple areas on the site that are enclosed with pasture fencing that will be removed completely for the solar panel installation. No wildlife corridors are proposed for the project although open space will remain to the north and south of the solar sites to allow for larger animals to move east/west through the site.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- a. *The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.*
- b. *The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.*
- c. *The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.*
- d. *The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.*
- e. *The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.*
- f. *The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.*
- g. *The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.*
- h. *The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.*
- i. *Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.*

Since the solar arrays will be constructed entirely in actively farmed lands, no significant impacts on plants and animals are anticipated as a result of the proposed action.

## **8. Impact on Agricultural Resources**

### Brief description of impact on agricultural resources:

The property is located within the Tompkins County Agriculture District #1 and the site is being actively tilled. The Wetland Evaluation Letter stated that the fields are actively farmed for alfalfa, hay and crop production, such as corn. The soil groups mapped by USDA NRCS within these fields include Erie, Langford and Bath. All of these soils are classified by USDA NRCS as farmland of state importance (not prime farmland). Of the three soil types, Langford soils are considered by the NYS Department of Agriculture and Markets to be highly productive soils or soils classified within soil group 1 through 4 of the NYS Land Classification System. The applicant has determined that approximately 7.47 acres of these highly productive soils are located within the proposed fenced areas of the solar arrays.

The Agricultural Data Statement (ADS) submitted by the applicant identified six farm owners within 500 feet of the property; the G. Carpenter field crops, P. Cook dairy farm, H. Jonas field crops, E. Carpenter field crops, W. Pelt field crops and the Maryhill Farm, LLC field crops.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- b. *The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).*
- c. *The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.*
- e. *The proposed action may disrupt or prevent installation of an agricultural land management system.*
- f. *The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.*
- g. *The proposed project is not consistent with the adopted municipal Farmland Protection Plan.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of ‘small impact’:

- a. *The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.*
- d. *The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.*

The property is located in the Town’s Rural Agriculture District. Zoning districts surrounding the site are all within the Town’s Rural Agriculture District. Active farmland will remain surrounding the solar sites. At the time, the 2005 Town Comprehensive Plan estimated approximately 13,500 acres of land in the town were actively farmed. Another 3,500 acres were classified as inactive agricultural land. The Town’s Zoning Law allows the installation of ground-mounted, large-scale solar arrays in Rural Agriculture Zone. The site is not disturbing prime farmland soils as classified by USDA NRCS, therefore no special approval by the Town Board is required in conjunction with the Special Use Permit approval process under the Town Solar Law.

The solar panels have a relatively long useful life (30 +/- years) but the system can be decommissioned and removed relatively easily, allowing the land and the underlying 7.47 acres of highly productive soils (soils classified within soil group 1 through 4) to revert back to agricultural uses. Trenching required for buried electrical conduit will be conducted in a manner in which topsoil will be protected and not mixed with underlying soils, allowing topsoil to be replaced on top of the trench.

The project will reduce the actively farmed land in the Town by less than 0.06%. The site immediately abuts other farm operations but has been orientated such that the project will not fragment agricultural land resources. There is an existing drainage channel and overhead electric running along the west boundary of the site. If the system is ever decommissioned, the underlying land could revert to agricultural use without having lost the highly productive soils. Based on this information, no significant impacts on agricultural resources are anticipated as a result of the proposed action.

## **9. Impact on Aesthetic Resources**

Brief description of impact on aesthetic resources:

The project will introduce approximately 5.95 acres of solar panel surfaces across the 22 +/- acre fenced site. The solar arrays maintain a relatively low profile, the lower edge of a panel being 2 feet above grade and the upper edge being 8-10 feet above grade. The panels are tilted at 25 degrees to the horizon and facing south. The land generally slopes from south to north toward NYS Route 13 and the relative difference in ground elevation between the southernmost array on Lot 2 and the northernmost array on Lot 1 is 72 feet lower. The arrays will follow the natural contours of the land and no significant grading is proposed.

Given the footprint of the solar panel arrays, the change in view sheds will be large for the immediate neighbors. Landowners and the general public at distant vantage points to the south, such as along Irish Settlement Road and Ferguson Road will also experience a change in the view shed. Motorists traveling along NYS Route 13 will have a very transient view of the back side of the solar arrays.

Neither the Town's 2005 Comprehensive Plan nor Open Space Inventory designate scenic or aesthetic resources that incorporate this site. Further, this site is not included in a viewshed considered either 'distinctive', 'noteworthy' or 'characteristic' in the 2007 Tompkins County Scenic Resources Inventory.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- a. *Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.*
- b. *The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.*
- e. *The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'moderate to large impact':

- c. *The proposed action may be visible from publicly accessible vantage points:*
  - i. *Seasonally (e.g., screened by summer foliage, but visible during other seasons)*
  - ii. *Year round*
- d. *The situation or activity in which viewers are engaged while viewing the proposed action is:*
  - i. *Routine travel by residents, including travel to and from work*
  - ii. *Recreational or tourism based activities*
- f. *There are similar projects visible within the following distance of the proposed project:*
  - iii. *0-1/2 mile*
  - iv. *1/2 -3 mile*
  - v. *3-5 mile*
  - vi. *5+ mile*

The applicant has submitted a Viewshed Study (Study) dated January 2=6, 2018 and prepared by Delaware River Solar, LLC. The Statement follows the guidelines contained in the NYSDEC Program Policy document titled "Assessing and Mitigating Visual Impacts" and specifically the procedure to verify the visual assessment using either graphic viewshed analysis or more sophisticated visual simulations and digital viewshed analysis. The applicant's inventory of scenic resources included the views along

Ferguson Road looking north and northwest and views along NYS Route 13 looking south. The Study utilized visual simulations to assess the viewshed changes experienced at three locations along Ferguson Road and two locations along NYS Route 13. Line-of-sight profiles were generated for nine views for residential properties along Ferguson Road, Irish Settlement Road and Route 13 looking towards the solar arrays.

Simulated views from Ferguson Road (Simulations 1, 1A, 2, 5, and 5A), without the addition of vegetative screening or 'buffer', depict the solar arrays to be in sharp contrast to the existing agricultural field setting. Vegetative screening proposed along Ferguson Road as shown on sheet C130 does breakup the view of the solar array but does not completely block the view allowing the distant valley views to be maintained. A few transient views along Ferguson Road will allow direct line of sight of the solar arrays but these views are minimal and narrow in comparison to the distant views.

Simulated views from NYS Route 13 (Simulations 3, 3A and 4), without the addition of vegetative screening or 'buffer', depict the back, or under side, of the solar arrays which is in sharp contrast to the existing agricultural field setting. Vegetative screening proposed along NYS Route 13 Road does breakup the view of the solar array while allowing the distant hillside views to be maintained. A few transient views along NYS Route 13 will allow partial views of the solar arrays but these views are minimal and narrow in comparison to the distant views.

Minimal distant views will be visible north of the site along NYS Route 38 and Hart Road. Three residences along NYS Route 38 (House Number 198, 214, and 220) will potentially have view of the backside of the solar arrays which will be visible over the vegetative screening along the north side of the arrays. These distant views are approximately 0.75 miles away from the solar array and are limited in comparison to the larger distant views.

Limited views of the solar array are also possible from Irish Settlement Road although these views will be approximately 0.5 mile away from the arrays and will be partially or entirely blocked by existing vegetation along Willow Glen Creek located west of the site. A line-of-sight profile from No. 98 Irish Settlement Road has been created to show the view with and without the natural vegetation. Without the natural vegetation a line of sight would be possible based on the existing topography shown in the profile. Although existing vegetation has been incorporated in the analysis, the applicant does not have control of the long-term existence of the natural vegetation that aids in mitigation for the site.

The site of a proposed 10 MWac solar array facility located at 2150 Dryden Road is a similar type of project and is within ½ mile of this project site. The applicant has stated in the response to comments dated November 20, 2017 *"DRS has driven the area and from what can be inferred from publically available information does not believe any residents will have a materially impacted view of both projects."* The topography as well as the existing and proposed vegetative screening adjacent to the arrays screen each site from distant vantage points. The applicant does not have control of the long-term existence of the natural vegetation that aids in mitigation for these two sites.

Mitigation strategies that the applicant is utilizing to reduce the visibility of the project include the following:

1. Vegetative Screening:
  - a. Drawing C130 titled Site Plan illustrates a layout of evergreen trees abutting the northern side of Lot 1 and the southern and eastern sides of Lot 2. The selected species

of trees and shrubs are not on the NYSDEC Nuisance or Invasive Species lists or the Tompkins County invasive species list. The height of all proposed trees at time of planting is indicated to be 6 feet tall as stated on the Viewshed Study. At maturity, the trees could be 40 feet tall along the north side of Lot 1 and east side of Lot 2 (north of the access gate). Trees along the south and east side (south of the access gate) of Lot 2 will be trimmed to a max height of 25 feet to prevent shading on the solar panels as stated in the Vegetative Maintenance Plan.

2. Setbacks: Based on Drawing C130, the applicant is proposing the following separation distances between the adjacent property lines and the lot lines enclosing the arrays:
  - a. Lot 1 north lot line is at least 734 feet from NYS Route 13 right-of-way (784 feet to the fence line).
  - b. Lot 2 south lot line is at least 310 feet from Ferguson Road right-of-way (409 feet to the fence line).
  - c. Along the west property line of the site, the distance to the lot line of Lots 1 and 2 is minimally 32 feet (82 feet to the fence line).
  - d. Along the east property line of the site, the distance to the lot line of Lot 1 is minimally 624 feet (707 feet to the fence line).

The Glare Assessment included a summary of the results from a solar glare hazard analysis performed using GlareGauge Service provided by ForgeSolar. The analysis utilizes the Solar Glare Hazard Analysis Tool technology developed by Sandia National Laboratories, that provides a quantified assessment of when and where glare will occur throughout the year, as well as potential effects on the human eye at locations where glare occurs. Twenty sites were analyzed surrounding the property as identified in Figure 2 titled Glare Analysis Observation Points. Ten receptors have been identified to potentially experience glare from the proposed solar arrays and these have been identified as properties located at 215, 189, 181, 175, 169, 153, and 151 Ferguson Road, 24 Hilton Road, and two locations at 114 Irish Settlement Road.

The ForgeSolar output is in 3 categories; “potential for after-image zone (Yellow)”, “low potential for after-image zone (green)” and “permanent retinal damage zone (red)”. After-image is a visual illusion in which retinal impressions persist after the removal of a stimulus (e.g. the spot of light one sees after a camera flash has been fired). Results of the analysis of the ten sites indicate there is a “potential for after-image zone (Yellow)” and “low potential for after-image zone (green)” to occur at the sites either early morning or early evening with a maximum daily glare of 25 minutes for the majority of spring and summer months. The ForgeSolar analysis, however, does not account for the presence of existing or proposed vegetation that will interrupt the line of site and thus separate the source of glare from the receiver. In consideration of the topography, existing and proposed vegetation on and around the project site, the applicant has stated the solar arrays will have little to no glare impact on the surrounding properties.

The applicant has prepared numerous visual simulations to inform the selection of reasonable and effective mitigation strategies that lessen the visual presence of the solar panels to the immediate neighbors. These strategies include a combination of adjustments to the array layout and property line separation distances and very specific vegetative screening requirements. Therefore, no significant adverse impact to aesthetic resources are anticipated as a result of the proposed action.

## **15. Impact on Noise, Odor, and Light**

Brief description of impacts on noise, odor and light:

During construction, it is anticipated that hand-held power tools with portable generators will be used for array installation. Track mounted excavators, skid steers, dump trucks and tractor trailers will also be common and generate engine exhaust as well as noise. The applicant has indicated construction will occur in a single phase for a period of 3 months. The hours of operation during construction are proposed to be 7 AM and 7 PM Monday through Friday.

The applicant has indicated that during sunlight operation, the inverters within each array will produce a low hum comparable to a household blender and at a distance of 590 feet the hum is indistinguishable from ambient noise. The nearest inverter to a neighboring residential property line is from the inverter at Lot 1 to the residence at 2297 Dryden Rd at a distance of 840 feet. The same property is also the nearest residential structure to the inverter at a distance of approximately 985 feet.

There is no proposed outdoor lighting for the project.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- a. *The proposed action may produce sound above noise levels established by local regulation.*
- b. *The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.*
- c. *The proposed action may result in routine odors for more than one hour per day.*
- d. *The proposed action may result in light shining onto adjoining properties.*
- e. *The proposed action may result in lighting creating sky-glow brighter than existing area conditions.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'small impact':

- f. *Other impacts: Construction noise.*

Common and ordinary construction equipment and tools used for the site preparation and installation of the solar array panels, underground electric cables, access drives and fencing will generate noise that is not uncommon in rural residential and agricultural settings. This construction noise will be of a temporary nature, therefore, no significant impacts on noise, odor and light are anticipated.

**17. Consistency with Community Plans**Brief description of the impact on community plans:

The Town 2005 Comprehensive Plan, as amended, envisions that relative to land use planning *"While small scale solar energy generation exists on some small private lots, there is a desire to provide more options for solar energy generation. Large solar installations will allow this but the impacts should be mitigated through careful siting and adequate buffering."* Further, the Plan recommends *"To diversify our electrical supply grid large scale solar installations should be allowed in the town with careful siting and adequate buffering provided to mitigate adverse impacts."* The Town's Zoning Law permits ground-mounted large-scale solar energy systems as principal and accessory uses through the issuance of a

Special Use Permit and Site Plan as approved by the Town Board with prior review and recommendations on the Site Plan by the Planning Board within Conservation, Rural Agriculture, Rural Residential, Mixed-Use Commercial, and Light Industrial Zoning Districts. The property is also located in the Rural Highway Corridor. The Commercial Development Design Guidelines applicable to this corridor dictate parking and access management, landscaping and site details. No parking lots are proposed and additional vegetative screening as described previously will be planted along NYS Route 13 and Ferguson Road. No new road cuts are proposed although an access point may be required on NYS Route 13 for the sole purpose of NYSEG being able access disconnect switches adjacent to the road right-of-way. Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of ‘no impact’:

- b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.*
- c. The proposed action is inconsistent with local land use plans or zoning regulations.*
- d. The proposed action is inconsistent with any County plans, or other regional land use plans.*
- e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.*
- f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.*
- g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)*

The Town’s Zoning Law does permit ground-mounted, large-scale solar energy systems as principal and accessory uses in this district subject to Special Use Permit and Site Plan approval by the Town Board. The proposed layout of solar panel arrays relative to the proposed subdivision parcel lines conform to the 50-foot front yard, rear yard and side yard setback and 10-foot setback along the common lot line between Lots 1 and 2. The layout proposed maintains a planned 70-foot setback from the solar arrays around the perimeter of the two Lots and a planned 11 to 12-foot setback along the common boundary line between Lots 1 and 2.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of ‘moderate to large impact’:

- a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).*

Ground-mounted, large-scale solar energy systems are an allowed use under the Zoning Law, but the erection of 5.95 acres of solar panel surfaces across the 22 +/--acre fenced site presents a land use that does not currently exist, and as such the solar energy systems will have a moderate to large impact on the surrounding land use pattern. Similar large-scale solar energy systems have been approved at 2150 Dryden Road but have not yet been constructed. This new land use will not be building up gradually but will immediately be on par with the business and agricultural use of the surrounding areas. There are no nearby businesses that erect structures at this scale. This large-scale solar facility shares some land use characteristics with the surrounding agriculture in that the fenced fields can support grazing opportunity

for sheep and the land cover within the fenced areas will take on either a meadow or grazed pasture condition. Much of the discussion in Sections 18 applies here also.

Although the solar panels present a visual contrast to other surrounding land uses, the majority of the 115-acre property will be maintained in a vegetative condition and the existing wetland will retain the current character.

The physical mitigation measures the applicant is utilizing (vegetative screening and setbacks from NYS Route 13 and Ferguson Road), along with site topography, vegetation that will be retained, and the low profile of the arrays, all minimize the impact of this contrast. Therefore, no significant adverse impacts on community plans are anticipated as a result of the proposed action.

### **18. Consistency with Community Character**

#### Brief description of the impact on community character:

The architectural and landscape characteristics of current uses in the immediate vicinity of the property include single family residential; agriculture; cemetery; electric substation; church; VFW organization, and numerous businesses including auto repair, equestrian tack shop and floor coverings. This is a Rural Highway Corridor with a very broad spectrum of uses and little pattern. If any uses predominate, they would be business and agriculture.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'no impact':

- a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.
- b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)
- c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.
- d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria are deemed to be of 'moderate to large impact':

- e. The proposed action is inconsistent with the predominant architectural scale and character.
- f. Proposed action is inconsistent with the character of the existing natural landscape.

By virtue of the structural characteristics of solar arrays, the proposed project introduces architectural components inconsistent with the character of the existing architectural and natural landscape. Much of the discussion in Sections 17 applies here also. Also as discussed in Sections 17, there are many design features and mitigation strategies to be implemented by the applicant that will lessen the visual impacts of this project. Once the project is operational, there are no traffic, noise, light, or other impacts that accompany many of the existing surrounding land uses. The design features and mitigation strategies that lessen the visual impacts, together with the lack of impacts that often accompany other types of

development, mitigate the impact caused by the fact the solar energy facility is different from the current broad spectrum of surrounding uses. Therefore, no significant adverse impacts to community character are anticipated as a result of the proposed action.

DRAFT