

Attachment A –

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

Action: NY Dryden III, LLC, Morris Road Solar Project

Location: 30 Morris Road, Dryden, NY - Tax Parcel No. 24.-1-4

Lead Agency: Town of Dryden Town Board

Description: The project involves the construction of a 5.0MW AC solar facility for generation 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 117+/-acre parcel owned by Kim and Karin LaMotte. Delaware River Solar, LLC, acting on behalf of the LaMottes, is proposing to lease approximately 28 acres from Mr. and Mrs. LeMotte for the construction of a solar facility.

The solar facility will consist of photo-voltaic modules mounted on metal racking systems anchored into the ground using metal posts. The solar array will be enclosed with an eight-foot high deer fence and electric transformers and inverters will be installed on concrete pads. A permanent access drive will be installed for construction, maintenance and emergency access.

Delaware River Solar will be applying for a Special Use Permit and Site Plan approval for the project. Other potential Regional, State or Federal agencies that may issue a funding approval or environmental permit include New York State Energy Research and Development Authority (NYSERDA) and/or New York State Department of Environmental Conservation (NYSDEC). 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
- Storm Water Pollution Prevention Plan (SWPPP)
- Site Plans
- Topographic and Boundary Survey
- Redacted Landowner Agreement
- Decibel Report
- Operation and Maintenance Plan

- Office of Parks, Recreation and Historic Preservation (OPRHP) Letter of No Impact

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 FEAF 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), 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), 3 (Impacts on Surface Water), 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 3 (Impacts on Surface Water), 17 (Consistency with Community Plans), and 18 (Consistency with Community Character).

1. Impact on Land

Brief description of the impact on land:

The 117.39 +/- acre parcel consists of a mix of agricultural fields, woodlands, and wetlands. The parcel is generally bounded on the north by Morris Road, on the east by agricultural fields and a private residential lot along West Malloryville Road and agricultural, on the south by agricultural fields along Hile School Road, and on the west by wetlands and woodlands along Ed Hill Road.

Based on Part 1 of the FEAF, 44% of the site contains slopes between 0-10%, 26% of the site contains slopes between 10-15%, and 30% of the site contains slopes greater than 15%. Upon review of the Exiting Conditions Plan (Sheet C-100) the active agriculture fields are primarily within the land sloped 0-10%. The steeper sloped areas are generally within the woodland areas of the site. Depth to bedrock is reported at greater than 10 feet per the Boring Logs (Sheet B-001).

Significant grading is proposed for the arrays, and excavation for two transformer/inverter concrete pads is expected and trench excavation for installing 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 37.42 acres of soil primarily for re-grading the site to a more suitable slope (<10%), the installation of the access drives, electrical trenching and site work associated with the installation of approximately 0.03 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 western inverter. The Stormwater Pollution Prevention Plan (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.*
- 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.*
- 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’:

- b. *The proposed action may involve construction on slopes of 15% or greater.*
- f. *The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).*

The proposed action involves re-grading a portion of the site that has slopes exceeding 15%. The intent of the grading plan, shown on Sheet C-200, is to maintain existing drainage patterns while lessening the existing steep slopes to a more favorable slope for solar installation and maintenance. The site excavation will not result in steeper slopes than existing conditions. In addition, water bars will be added every 125' to maintain sheet flow across the site and to dissipate the energy of stormwater runoff through the site. The adjustments to the site grading will have minimal effects on the visibility of the site as shown in the Viewshed Study.

Given the nature of the site, steep slopes greater than 15%, the project is subject to increased erosion during earthwork and vegetation removal. As described in the SWPPP, the construction of the solar facility will occur in eight phases in order to limit the amount of disturbed soil at one time. Temporary erosion and sediment control measures will be installed to control erosion and protect downstream waterbodies. These measures include silt fence, sediment traps, stone check dams, a stabilized construction entrance, erosion control blanket, and designated concrete washout areas. Permanent rain gardens will also be installed to treat and control runoff from the two concrete transformer/inverter pads.

3. Impacts on Surface Water

Brief description of impacts on surface water:

Based on the information contained in Part 1, the project parcel contains two surface water bodies; a state wetland (± 9.82 acres) and a regulated class C(t) stream.

A wetland delineation survey, conducted on April 22 & 23, 2024 by P.W. Grosser Consulting, resulted in a potentially larger wetland footprint than shown on the NYSDEC Environmental Resource Mapper. The extents of the delineated wetland and 100 ft buffer are shown in the Wetland Delineation Report as well as on the stamped plans.

As shown in the Conceptual Site Layout Plan (Sheet C101), all proposed site improvements will be east of the delineated wetland and class C(t) stream. Minor grading will be conducted within the 100ft buffer, but no permanent structures will be installed within the buffer area. As demonstrated in the SWPPP, the proposed action will not result in a significant change in the drainage patterns and amount of stormwater runoff across the site as compared to pre-construction 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 'no impact':

- a. *The proposed action may create a new water body.*
- b. *The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.*
- c. *The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.*
- f. *The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.*
- g. *The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).*
- i. *The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.*
- j. *The proposed action may involve the application of pesticides or herbicides in or around any water body.*
- k. *The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.*

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':

- d. *The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.*
- h. *The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.*

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 may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.*

The proposed action involves construction of a solar array that adjoins a freshwater wetland and class C(t) stream. The temporary changes in site are limited in size and will only have a small-to-no impact on each of the surface waters. Based on the SWPPP, the changes in grade and land cover will not result in higher stormwater runoff rates. Permanent rain gardens will be installed to control runoff from the additional impervious areas. No disturbance of the stream bed or bank is proposed.

Temporary erosion and sediment control measures will be implemented to minimize soil erosion and discharge that may lead to siltation or degradation of the receiving water bodies.

The proposed action will likely result in temporary and minor turbidity in a small portion of the downstream regulated water body during the construction phase. Temporary erosion and sediment control practices will be employed prior to site clearing and grading to prevent/limit turbid runoff from leaving the project area. During construction, a Qualified Inspector will conduct inspections at least once every seven calendar days. Inspection reports will be sent to the Town of Dryden Stormwater Management Officer and any turbid discharge will be recorded. If turbid runoff is observed, the contractor or sub-contractor will be given one business day to begin implementing corrective actions.

The temporary erosion and sediment controls required by the SWPPP and Drawings C-202 Titled Conceptual Erosion and Sed. Control Plan and sheet C-603 titled Phasing 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:

The wetland delineation report concluded that due to the hydrology, hydric soils, and presence of hydrophytic vegetation it is likely that NYSDEC will extend the existing regulated wetland boundary to the extents delineated in the report. The proposed project will not disturb the delineated wetland area.

The evaluation notes that the north field within the project parcel has been actively farmed for row crops, such as corn. Within the area considered for solar installation there are three low lying areas that contain hydrophytic vegetation including gray dogwood, common rush, purpleleaf willowherb, reed canary grass, sensitive fern, silky dogwood, green ash, wild teasel, sphagnum moss, and buckthorn.

According to the Project Summary, it has been stated that there are no known occurrences of endangered, threatened, or rare species in the vicinity of the project per NYSDEC EAF Mapper. The NYS Environmental Resource Mapper indicates that there are two significant natural communities within the project parcel. These include rich sloping fen and rich hemlock hardwood peat swamp. The project summary suggest that that both communities are located west of the project site. Additionally, the New York Nature Explorer

indicates that Hill's Pondweed (threatened) and Schweinitz's Sedge have been documented on or near the subject property, but it is likely that both species will not occur outside of the wetland areas.

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':

- 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.*
- i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.*

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 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.*
- 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.*

Since the solar arrays will be constructed largely within 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 farmed. The Wetland Delineation Report stated that the fields are actively farmed for crop production, such as corn. The soil groups mapped by USDA NRCS within the project site include Howard gravelly loam, Palmrya, Phelps, and Fredon silt loam. Approximately 3.84 acres are classified by USDA NRCS as farmland of state importance (prime farmland). Of the four soil types, Fredon soils and Howard gravelly loam (0-5 percent slopes) 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 3.84 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 three farm owners within 500 feet of the property; the Crecent Crest Dairy, Charles Hartfield, and Stephanie S. Debuck.

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).*
- 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.*

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.*
- c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.*
- 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.*
- g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.*

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. The Town’s Zoning Law allows the installation of ground-mounted, large-scale solar arrays in Rural Agriculture Zone. The site is prime farmland soils as classified by USDA NRCS, therefore 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 3.84 acres of highly productive soils (soils classified within soil group 1 through 4) to revert back to agricultural uses. Prior to the re-grading of the site, top soil will be stripped, stored and reinstalled after final grading. 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 applicant has also committed to consulting with NYS Department of Agriculture and Markets as part of submitting the Notice of Intent.

The site immediately abuts other farm operations but has been orientated such that the project will not fragment agricultural land resources. If the system is ever decommissioned, the underlying land could

revert to agricultural use without having lost the prime farmland soil. 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 7.81 acres of solar panel surfaces across the ±28 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 upwards of 15 feet above grade. The land generally slopes from east to west towards the wetland area and the relative difference in ground elevation between the easternmost array and the westernmost 80 feet lower. The arrays will generally follow the proposed grading contours and will be constructed of a single- axis tracking racking system that will rotate to track the sun.

Given the natural vegetative screening created by mature trees surrounding the site and the proposed Leyland Cypress trees along the southern end of the site, the change in view sheds for immediate neighbors as well as landowners and the general public at distant vantage will be very minor as demonstrated in the Viewshed Analysis.

Neither the Town's 2045 Comprehensive Plan nor Open Space Inventory designate scenic or aesthetic resources that incorporate this site. This site is located near a viewshed that is considered 'noteworthy' in the December 2010 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':

- 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 'small impact':

- a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.*
- 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**

As shown in the Conceptual Grading and Drainage Plan (Sheet C-200), the project site is located in a low-lying valley surrounded by gradual sloping hills. The solar array is screened to the north by a mature hardwood forest, a mixture of hardwoods and conifers to the east, proposed cypress trees to the south, and wetlands/woodlands to the west. The proposed grading plan has been designed to remove any localized high points to create a more uniform slope across the site and to aid in site screening.

The project site is located within five miles of a number of publicly accessible aesthetic resources including the Genung Nature Preserve, Groton Ave Park, Mill Dam Park, Montgomery Park, Yellow Barn State Park, and two scenic resources (Candidate No. 53 & 57) listed in the 2007 Tompkins County Scenic Resources Inventory. Candidate 53, located approximately 0.5 miles east of from the project site, includes views of the Malloryville Swamp within the Nature Conservancy's O.D. von Engeln Preserve. The dense vegetation within and surrounding the nature preserve hinders the view of the proposed solar facility. Candidate 57, located approximately 0.75 miles north of the project site at the Peruville Road/Salt Road intersection, includes 270-degree views to the south southeast. From this viewpoint, the woodland located between Morris Road and the proposed solar array provides significant screening. The 2010 Tompkins County Protecting Our Scenic Resources Inventory study suggests that a portion of the site is within a Noteworthy Viewshed. The Noteworthy Viewshed vantage point is located on NYS Route 13, 0.5 mile south of the Gulf Hill Road Intersection and approximately 3 miles away from the site.

A viewshed analysis was conducted for the closest eight residences to the site. Based on this analysis, the five residents east of the West Malloryville Road intersection, the farm located at 230 West Malloryville Road, and the resident at 199 West Malloryville Road will not be able to see any of proposed solar array. According to the viewshed generated from Viewpoint 8, 24 Hile School Road, a limited portion of the solar array will be visible.

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

1. Vegetative Screening:
 - a. Drawing C-101 titled Conceptual Site Layout Plan illustrates a layout of evergreen trees abutting the southern side proposed array. 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 Analysis.
2. Setbacks: Based on Drawing C-101, the applicant is proposing the following separation distances between the adjacent property lines and the arrays:
 - a. Northern limit is at least 790.4 feet from centerline of Morris Road.
 - b. Southern limit is at least 90.8 feet from the property line.
 - c. Western limit is at least 153.2 feet from the property line.
 - d. Eastern limit is at least 637.8 feet from the property line.

In addition, the solar panels will be equipped with an anti-glare coating to minimize the amount of sunlight that is reflected off of the panel. The applicant has committed to coordinate with the Town of Dryden *should any glare occur following full operations of the proposed solar facility* (Response to Comments dated July 11, 2024).

The initial site plan submission included a proposed pole farm be installed at Morris Road along the access drive as well as new poles and overhead electric along Morris Road to a point of interconnect (POI) on Peruville Road. After discussion with the Town, the applicant has modified the POI to connect to and upgrade existing infrastructure along West Malloryville Road. This change reduce visual impacts by eliminating the need for tree clearing and pole installations along Morris Road. Additionally, the pole farm, or transition point from overhead electric to underground electric, has been shifted $\pm 300'$ south of Morris Road to further reduce visual impacts.

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 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 5 months. The hours of operation during construction are proposed to be 8 AM and 6 PM Monday through Saturday.

The applicant has indicated that during sunlight operation, the inverters within each array will produce a low hum comparable to a washing machine or dishwasher and at a distance of 590 feet the hum is indistinguishable from ambient noise. The nearest inverter to the closest residence is a distance of 1,024 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.*” Similarly, the 2045 Comprehensive Plan, adopted in July 2022, committed to assisting the State in reaching its goal of achieving 70% renewable energy by 2030. The Plan also identified exploring “*opportunities for installing additional solar photovoltaic arrays at town facilities and/or supporting a local community solar farm.*” 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 Rural Agriculture Design Guidelines applicable to this site dictate farmland protection. In addition, the Town of Dryden Agriculture and Farmland Protection Plan, adopted in March 2018, provides additional guidelines for agricultural mitigation for solar energy project. Such guidelines, involve topsoil preservation, proper soil decompaction, and decommissioning practices.

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)*

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 7.81 acres of solar panel surfaces across the ±28 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 recently been approved and constructed at 2150 and 2243 Dryden Road. 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 117-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 Morris 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 and agriculture. If any uses predominate, they would be 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 is 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 land uses. Therefore, no significant adverse impacts to community character are anticipated as a result of the proposed action.

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