

TOWN OF LEICESTER PLANNING BOARD RESOLUTION
HIGHBANKS SOLAR PROJECT
2449 HIGHBANKS ROAD, TOWN OF LEICESTER, NEW YORK
SPECIAL USE PERMIT & SITE PLAN APPLICATION

SEQR – DETERMINATION OF SIGNIFICANCE RESOLUTION

WHEREAS, the Town of Leicester Planning Board (hereinafter referred to as Planning Board), is considering a Special Use Permit & Site Plan approval for the potential construction of a 20.0MW AC solar array which would occupy +/- 124.3 acres of the overall property of +/- 254.6 acres identified as tax ID 105-1-8.11, with a proposed access via porous gravel drive off Old Highbanks Road, an electrical connection would also be made to the existing NYSEG substation located on Highbanks Road located in the Town of Leicester, Livingston County, New York, and as described in the proposed Site Plans dated June 19, 2020, last revised August 20, 2020 and all other relevant information submitted as of September 21, 2020 (the current application); and

WHEREAS, the Planning Board has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Planning Board determined that said Action to be subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Planning Board has been designated the lead agency, under the provisions of Part 617.6 (3) and (4) of article 8 of the State Environmental Conservation Law; and

WHEREAS, the Planning Board has given consideration to the comments provided by the involved agencies and interested agencies at tonight's meeting; and

WHEREAS, the Planning Board has completed its review of Parts 2 and 3 of the Full Environmental Assessment Form (EAF); and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full EAF.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the findings contained in Parts 2 and 3 of the Full EAF and directs the Planning Board Chairperson to sign and date the Full EAF Part 3.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;

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- (v) the site is will not negatively impact an identified archaeological sensitive area;
- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Planning Board does hereby make a Determination of Non-Significance on the proposed development, and the Planning Board Chairman is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Planning Board’s determination.

The above Resolution was offered by Renee Fanaro and seconded by Katie DeGraff at a scheduled Planning Board meeting held on Monday, September 21, 2020. Following discussion, a voice vote was recorded:

Paula Smith	RECUSED
Rich Neumann	AYE
Tony Gullo	AYE
Renee Fanaro	AYE
Katie DeGraff	AYE

I, *Sue Kelly*, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Leicester Planning Board for the September 21, 2020 meeting.

Sue Kelly, Clerk of the Board