ZONING BOARD OF APPEALS

Town of North Dansville & Village of Dansville
14 Clara Barton Street
Dansville, NY 14437

Minutes for Thursday, November 16, 2023

Meeting was called to order by Mark Specchio at 7:00pm

Pledge of Allegiance

Roll Call:

Board Members:	Chairperson, Mark Specchio –	Present
	Mary Ann Holden -	Present
	Dick Gillard -	Present
	Karen Schleyer -	Present
	Chuck Infantino	Present
	Bill Crowell (Alt.)	Absent
	Jennifer Howe (Alt.)	Present

Village/Town Code/Zone Officer Tammy Malone was present.
Village Attorney John Vogel was present.
Village Engineer Sherman Gittens was present.

Guests:	Quinn Golden	Henry Zawodzinski (Hodgson Ross)	Kevin Weidman
	Dennis Weidman	Ted Mark	Charlie Perkins
	Bill Bacon	Gary Kramer	Joe Coburn
	Barry Haywood	Shane FitzPatrick	Mufuta Tshimanga (Bergmann)
	Nancy Nice	Jim Helfrich	Ted Mark
	Sherry Kramer	Gary Cramer	Gerald Welch

Approval of 10/19/2023 Minutes:

A Motion was made by Dick Gillard to accept the October 19, 2023 Minutes.
2nd by Mary Ann Holden
All were in favor with **5 AYE, 0 NAY, 0 Abstain**.

NEW BUSINESS:

There was no new business to discuss.

OLD BUSINESS:

NY Dansville I LLC – Main Street Dansville Solar Farm Project:

-Review the SEQR.

Sherman Gittens, the Village Engineer clarified that though we have already gone through the process of SEQR when the area variance was requested, at that point, there were two line items that were identified as moderate to large impacts. Since the revision of the application, the project has been brough within the required setbacks. Item number 17 A and 17 C for the EIF part 2; at this meeting, we would need to determine, would be 17 A as It was marked as moderate to large impact because of their need for the variances and being in contrast of the surrounding area. This needs to be determined if it will stay the same, as moderate to large impact or changed to no, or small impact since they have met the variance. If it is determined that it is moderate to large impact, we need to identify what can be done to mitigate that impact.

Chairperson Mark Specchio stated he has reviewed the DEC's recommendations for this and their recommendations are that we consider the surrounding area and to be 1,500ft from the project, so we should consider the land use of the airport, school bus garage, surrounding housing and farmland.

There was a discussion between board members on the environmental impact of the project, after was a vote:
Those for changing 17 A to No or Small Impact: **4 votes of Aye.**
Those for not changing 17 A to No or Small Impact and keeping it Moderate to Large Impact: **1 vote Aye**.
The vote results in changing 17 A to: No or Small Impact.

There was a short discussion on 17 C. A vote was taken and there were **5 Aye** to keep 17 C as a No or Small Impact. There were **0 Nays.** All were in favor in keeping 17 C, No or Small Impact.

Motion was made to approve 17 A and 17 C by Mary Ann Holden.
2nd by Chuck Infantino

Roll Call Vote:	**Mark Specchio -**	**AYE**
	Mary Ann Holden	**AYE**
	Karen Schleyer-	**AYE**
	Dick Gillard -	**AYE**
	Chuck Infantino-	**AYE**

5 AYE, 0 NAY, 0 Abstain.

Sherman Gittens wanted to state for the record, the resolutions is identifying as a negative declaration.

There was a discussion of the approval or denial of the Special Use Application for the solar farm between the Board Members, the Village Engineer, and the Village Lawyer.
A motion to approve the special use permit with conditions to be set after the vote was made by Karen Schleyer
2nd by Mary Ann Holden.

Further Discussion:

Dick Gillard: Plain and simple, I am going to vote no. For two years we have had a crowd here expressing their disapproval of the solar from down on North Main Street. I believe I should follow the will our constituents. Further, the County Planning Board, as I recall, issued an SOP, suggesting Dansville, or any Village in the County, spruce up the entrances to their Village. I notice we have two other entrances to the Village that have been spruced up. I just look to the display off RT 70, going towards Canaseraga and I feel it's an eyesore. Other solar farms in the County are hidden, set back off the road. I don't see how this company can do that with this project, so I'm inclined to think it would be a negative and distracting appearance coming into the Village and that's my position.

Mary Ann Holden: I agree with Mr. Gillard. The point of the public hearings is to assess what the neighbors and communities support for changes in their neighborhood. The overwhelming input has been apposed to this. I think this is a factor we need to consider. There is no point in having public hearings if you are going to disregard the input. I think that is a significant consideration for us. I also agree that having the solar farm at the gateway wouldn't be the most attractive.

Karen Schleyer: I also agree with that. That has been a major issue from the beginning. And I am not inclined to disagree with the county on this.

Chuck Infantino: I also agree, with the results of the public meetings everyone was really concerned about where they lived and their surroundings. I have to support the people who live here. I also agree with Dick with it being the entrance to Dansville. Could it be put somewhere else? That way we can still have solar and the entrance of Dansville, so I vote no.

Mark Specchio: I concur as well. I think that location, in particular, is not beneficial to this community. It is the entrance and I question if that is the first thing I want to see driving into a community. There have been pictures going

around from other solar farms in the area and I have visited a few myself and I personally would not want to see that and our constituents have made that very clear as well.

A Roll Call Vote was taken:

Mark Specchio: I concur with the county planning board assessment that it is prime farmland. Moreso, I have concerns that his is the entrance to the Village this is the first thing tourists, visitors and residents will see when entering our village. The other solar farms in the area are not esthetically pleasing. I vote no.

Mary Ann Holden: My Vote is no. I agree with the County that having this as a gateway has a negative and distracting appearance to both tourists and residents.

Dick Gillard: My vote is no, as previously mentioned, for the same reasons I sited a couple of times. The County Planning Board recommended disapproval and I see no reason to go against them. The gateway to the Village I think would be a distraction. Last but not least, we have had people meet with us for the better of two years expressing they are against it. Recognizing my constitutes, I vote no.

Karen Schleyer: My vote is no. I am in agreement with the County Planning Board, not only is this prime farmland but also the gateway to our community. We have a beautiful valley. We have a beautiful entrance on any state road you want to take, and I'm not inclined to change that. My vote is no.

Chuck Infantino: My vote is also no. Mainly due to the response from the public, those who live around the area, and the community being negative regarding it. Also, it is the gateway coming into the Village. It would be an eyesore. I agree with the County Planning Board, and I vote no.

Roll Call Vote:	**Mark Specchio -**	**NAY**
	Mary Ann Holden	**NAY**
	Karen Schleyer-	**NAY**
	Dick Gillard -	**NAY**
	Chuck Infantino-	**NAY**

0 AYE, 5 NAY, 0 Abstain.

The Special Use Permit Application was DENIED.

ADJOURNMENT

A Motion was made by Mary Ann Holden to adjourn the meeting.

2nd by Dick Gillard

All were in favor with **5 AYE, 0 NAY, 0 Abstain**.

Adjourned at 7:41pm

Next Meeting is Thursday, December 21, 2023, at 7pm – Town Hall 14 Clara Barton St. Dansville.

Respectfully Submitted,
Jennifer Howe, ZBA Secretary

VILLAGE OF DANSVILLE ZONING BOARD OF APPEALS RESOLUTION
NY DANSVILLE 1 SOLAR PROJECT
MAIN STREET, DANSVILLE, NY
TAX MAP ID: 189.10-1-1
SPECIAL USE PERMIT & SITE PLAN

AMENDED SEQR – DETERMINATION OF SIGNIFICANCE

WHEREAS, on July 14, 2022, NY Dansville 1 Solar LLC ("Applicant") submitted applications to the Village of Dansville Zoning Board of Appeals ("ZBA") for area variances and a special use permit to construct and operate a 3.741 megawatt ("MW") solar facility ("Project") on Main Street (Tax Map No. 189.10-1-1) ("Property") in the Village of Dansville ("Village") (together, "Initial Application"); and

WHEREAS, the Zoning Board has determined the Initial Application was a Type I action under the New York State Environmental Quality Review Act ("SEQRA"), thus a full Environmental Assessment Form ("FEAF") Part 1 was prepared as part of the Initial Application; and

WHEREAS, pursuant to Section 239-m of the New York General Municipal Law, the Initial Application was referred to the Livingston County Planning Department; and

WHEREAS, the ZBA declared its intent to be the Lead Agency under SEQRA, and following the required 30-day notice period with no objection from any involved agencies, the ZBA was established as the Lead Agency for review of the Project; and

WHEREAS, the ZBA duly considered the application, the EAF Part 1, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

WHEREAS, the ZBA identified the relevant areas of environmental concern regarding the Initial Application, and made a Determination of Non-Significance on the proposed development, and issued the Negative Declaration as evidence of the Zoning Board's determination on December 15, 2022.

WHEREAS, the ZBA later made a Determination to deny the requested variances after the review of the Initial Application on February 16, 2023.

WHEREAS, in response, the Applicant revised the Project layout to obviate the need for any area variances, and submitted updated applications on June 8, 2023 for site plan approval and a special use permit, which included a revised EAF Part 1 and all other documents received as of November 16, 2023 ("Revised Application");

WHEREAS, the ZBA, as the Lead Agency reviewing the Project, has considered the Revised Application and revised EAF Part 1, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, and such other information deemed appropriate; and

WHEREAS, the ZBA has reviewed the Revised Application and environmental concern, reviewed the FEAF Part 2 and 3 to reflect the amended review, on November 16, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Village of Dansville Zoning Board of Appeals as follows:

VILLAGE OF DANSVILLE ZONING BOARD OF APPEALS RESOLUTION
NY DANSVILLE 1 SOLAR PROJECT
MAIN STREET, DANSVILLE, NY
TAX MAP ID: 189.10-1-1
SPECIAL USE PERMIT & SITE PLAN

AMENDED SEQR – DETERMINATION OF SIGNIFICANCE

1. Due to the Applicant's modification of the Project layout, the Revised Application does not request any area variances and will comply fully with the Village's zoning regulations.

2. The proposed Project, as modified in the Revised Application, is still in contrast with the existing and surrounding use of land. According to the NYSDEC Full Environmental Assessment Form Workbook, this is considered a small impact. Therefor the Revised Application will not result in any larger impacts and, therefore, it remains to be an action which will not have a significant adverse impact on the environment per the ZBA's review.

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

The above resolution was offered by *Dick Gillard* and seconded by *Mary Ann Holden* at a meeting of the Planning Board held on Thursday, November 16, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Mark Specchio, Chair	**[AYE]**	**[NAY]**	**[ABSENT]**	**[ABSTAIN]**
Mary Ann Holden	**[AYE]**	**[NAY]**	**[ABSENT]**	**[ABSTAIN]**
Dick Gillard	**[AYE]**	**[NAY]**	**[ABSENT]**	**[ABSTAIN]**
Karen Schleyer	**[AYE]**	**[NAY]**	**[ABSENT]**	**[ABSTAIN]**
Chuck Infantino	**[AYE]**	**[NAY]**	**[ABSENT]**	**[ABSTAIN]**

I, Jennifer Howe, Clerk for the Zoning Board of Appeals, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Village of Dansville Zoning Board of Appeals for the November 16, 2023, meeting.

Jennifer Howe

Jennifer Howe, Zoning Board of Appeals Clerk

Village of Dansville
North Dansville Town Hall
14 Clara Barton Street
Dansville, NY 14437
PHONE: (585) 335-5330

BUILDING, ZONING, AND CODE ENFORCEMENT DEPARTMENT

ZONING BOARD OF APPEALS DECISION SHEET

Project Name/Number: NY Dansville I, LLC – Mainstreet Dansville Solar Farm Project

Subject Property Address: Main Street

Zoning District: Light Industrial (LI)

Tax Account #: 189.10-1-1.1

Agenda Item: The Village of Dansville Zoning Board of Appeals (hereinafter referred to as Dansville ZBA), is considering a Special Use Permit approval for the construction of a 2.6 megawatt (MW) alternating current (AC) solar photovoltaic facility on approximately ±13.20-acres of a ±29.85-acre property parcel with parcel ID 189.10-1-1.1, located at the boarder of the Town of Sparta and Village of Dansville on Main Street in the Village of Dansville, Livingston County, New York, and as described in the Site Plans last revised July 06, 2023 and all other relevant information submitted as of November 16, 2023 (the application).

Motion made by: *Karen Schleyer* **Seconded by:** *Mary Ann Holden*

Board Members	Present	Motion		Recusal
		Aye	Nye	
1. Mark Specchio, Chairman	**YES**	☐	☒	

Supporting Information:

I concur with the county planning board assessment that it is prime farmland. Moreso, I have concerns that his is the entrance to the Village this is the first thing tourists, visitors and residents will see when entering our village. The other solar farms in the area are not esthetically pleasing. I vote no.

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BUILDING, ZONING, AND CODE ENFORCEMENT DEPARTMENT

Board Members	Present	Motion		Recusal
		Aye	Nye	
2. Mary Ann Holden	**YES**	☐	☒	

Supporting Information:

My Vote is no. I agree with the County that having this as a gateway has a negative and distracting appearance to both tourists and residents.

Board Members	Present	Motion		Recusal
		Aye	Nye	
3. Dick Gillard	**YES**	☐	☒	

Supporting Information:

My vote is no, as previously mentioned, for the same reasons I sited a couple of times. The County Planning Board recommended disapproval and I see no reason to go against them. The gateway to the Village I think would be a distraction. Last but not least, we have had people meet with us for the better of two years expressing they are against it. Recognizing my constitutes, I vote no.

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BUILDING, ZONING, AND CODE ENFORCEMENT DEPARTMENT

Board Members	Present	Motion		Recusal
		Aye	Nye	
4. Karen Schleyer	YES	☐	☒	

Supporting Information:

My vote is no. I am in agreement with the County Planning Board, not only is this prime farmland but also the gateway to our community. We have a beautiful valley. We have a beautiful entrance on any state road you want to take, and I'm not inclined to change that. My vote is no.

Board Members	Present	Motion		Recusal
		Aye	Nye	
5. Chuck Infantino	YES	☐	☒	

Supporting Information:

My vote is also no. Mainly due to the response from the public, those who live around the area, and the community being negative regarding it. Also, it is the gateway coming into the Village. It would be an eyesore. I agree with the County Planning Board, and I vote no.

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Board Members	Present	Motion		Recusal
		Aye	Nye	
6. Bill Crowell (Alternate)	NO	☐	☐	

Board Members	Present	Motion		Recusal
		Aye	Nye	
7. Jennifer Howe (Alternate)	YES	☐	☐	X

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BUILDING, ZONING, AND CODE ENFORCEMENT DEPARTMENT

Approved: ☐ **Denied:** ☒

Conditions:

I, Jennifer Howe, Secretary to the Zoning Board of Appeals, do hereby attest to the accuracy of the above decision sheet being acted upon and recorded in the minutes of the Village of Dansville Zoning Board of Appeals for the November 16, 2023 meeting.

Jennifer Howe, Zoning Board of Appeals Secretary

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: NY Dansville I, LLC - Main Street Dansville Solar Farm Project		
Project Location (describe, and attach a general location map): The proposed project is located off of Main Street, in the Village of Dansville, Livingston County, New York (refer to Figure 1, Site Location Map).		
Brief Description of Proposed Action (include purpose or need): The proposed Project consists of a ±2.6 MWAC solar farm on approximately ±13.34 acres of a ±33.10 acre parcel (Parcel ID: 189.10-1-1). It will involve the installation of ground mounted photovoltaic panels as well as associated access road, electric utility upgrades, power inverters and perimeter fencing for the solar farm.		
Name of Applicant/Sponsor: NY Dansville I, LLC c/o Peter Dolgos	Telephone: (646) 998-6495 E-Mail: peter.dolgos@delawareriversolar.com	
Address: 140 East 45th Street, Suite 32B-1		
City/PO: New York	State: New York	Zip Code: 10017
Project Contact (if not same as sponsor; give name and title/role): Bergmann c/o Kristin Jacobs	Telephone: (585) 498-7830 E-Mail: kjacobs@bergmannpc.com	
Address: 280 East Broad St., Suite 200		
City/PO: Rochester	State: NY	Zip Code: 14604
Property Owner (if not same as sponsor): Livingston County IDA	Telephone: (585) 243-7124 E-Mail: N/A	
Address: 6 Court Street		
City/PO: Geneseo	State: NY	Zip Code: 14454

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Village of Dansville ZBA - Area Variance, Village of Dansville Planning Board - Site Plan Approval	7/8/2022
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☑Yes☐No	Livingston County Industrial Development Agency	7/8/2022
e. County agencies ☑Yes☐No	Livingston County Planning Board - GML 239 Ref	7/22/2022
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	SHPO-Sign Off, NYSERDA, NYSDEC	TBD
h. Federal agencies ☑Yes☐No	USFWS consultation, Federal Aviation Administration	TBD

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☑No
If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No
If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Light Industrial Uses (I-1)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Dansville Central School District

b. What police or other public protection forces serve the project site?
Village of Dansville Police Department

c. Which fire protection and emergency medical services serve the project site?
Dansville Fire Department

d. What parks serve the project site?
Babcock Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Community Solar Farm

b. a. Total acreage of the site of the proposed action? 33.10 acres
b. Total acreage to be physically disturbed? 13.34 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 50.16 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Subdivision intended to purchase land from IDA for the community solar farm, remaining land to be vacant forrest and access.
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No
If Yes,
i. Total number of structures 1
ii. Dimensions (in feet) of largest proposed structure: 7" height; 661' width; and 1438' length
iii. Approximate extent of building space to be heated or cooled: 0 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No
If Yes,
i. Purpose of the impoundment:
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
iii. If other than water, identify the type of impounded/contained liquids and their source.
iv. Approximate size of the proposed impoundment. Volume: million gallons; surface area: acres
v. Dimensions of the proposed dam or impounding structure: height; length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging?
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe.

v. What is the total area to be dredged or excavated? acres
vi. What is the maximum area to be worked at any one time? acres
vii. What would be the maximum depth of excavation or dredging? feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☑No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.013 acres (impervious surface)

_____ Square feet or 33.1 acres (parcel size)

ii. Describe types of new point sources. N/A, no new point sources are proposed.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☑Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☑ Randomly between hours of 8 to 5.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): 1 truck per day, 10 trucks maximum for lifespan of the project

iii. Parking spaces: Existing 0 Proposed 10 Net increase/decrease + during construction

iv. Does the proposed action include any shared use parking? ☐Yes ☑No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☑No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☑No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☑No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8 AM - 6 PM
- Saturday: 8 AM - 6 PM
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: N/A
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 0.1 tons per month (unit of time)
- Operation : N/A tons per N/A (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Waste will consist of office waste and cardboard items from deliveries. Most of the waste will be recyclable.
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: A refuse container will remain on site during construction and be emptied by a licensed hauler as needed.
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Site uses include: agriculture
Adjoining/near site uses include: residential and forest

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.013	+0.013
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	33.1	+33.1
• Agricultural (includes active orchards, field, greenhouse etc.)	33.1	0	-33.1
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.088	0.088	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0		
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes☐No

If Yes,

i. Identify Facilities:

Dansville Central Schools

e. Does the project site contain an existing dam? ☐Yes☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☑No

If Yes:

i. Has the facility been formally closed? ☐Yes☐No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☑No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >6.56 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Wayland silty clay (10A)	1.8 %
Howard gravelly loam (24A)	29.16 %
Teel silt loam (4A)	69.04 %

d. What is the average depth to the water table on the project site? Average: >6.56 feet

e. Drainage status of project site soils:

☑ Well Drained:	29.16 % of site
☐ Moderately Well Drained:	0 % of site
☑ Poorly Drained	70.84 % of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	100 % of site
☐ 10-15%:	% of site
☐ 15% or greater:	% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 821-233 Classification C
- Lakes or Ponds: Name N/A Classification N/A
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size Unknown-off project site
- Wetland No. (if regulated by DEC) N/A

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
squirrel | rabbit | chipmunk
deer | raccoon | migratory birds

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): Rich Shrub Fen
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: 4.0 acres
- Following completion of project as proposed: 4.0 acres
- Gain or loss (indicate + or -): 0 acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No
i. If Yes: acreage(s) on project site? 32.5 acres
ii. Source(s) of soil rating(s): USGS Web Soil Survey

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii Name: Hartman, William, Farmstead

iii Brief description of attributes on which listing is based:

Almost completely original 1848-50 farm home and buildings. Example of mid-century farm culture

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s):

ii Basis for identification:

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i Identify resource:

ii Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i Identify the name of the river and its designation:

ii Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Peter Dolgos Date 5/10/23

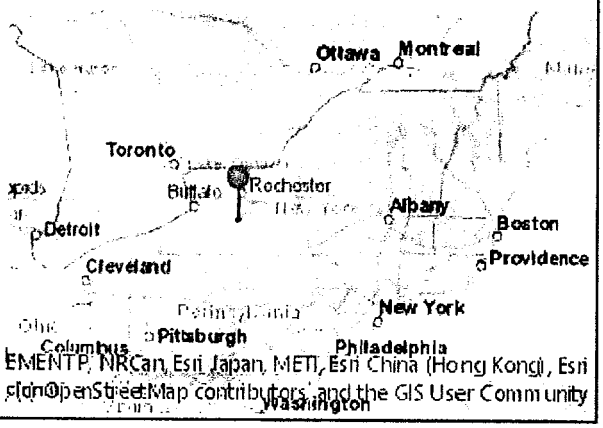
Signature Peter Dolgos Title SVP - NY Dansville I, LLC

PRINT FORM

EAF Mapper Summary Report

Monday, April 17, 2023 3:15 PM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	821-233
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

	Workbook.
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Rich Shrub Fen
E.2.n.i [Natural Communities - Acres]	4.0
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Hartman, William, Farmstead
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Town Of North Dansville, New York: **Agricultural District Statement**

	Name	Address	City, Town, State	Telephone Number
Applicant	NY Dansville I, LLC c/o Peter Dolgos	140 East 45th St. Suite 32B-1	New York, NY	646.998.6495
Owner (if different)	Livingston County IDA	6 Court St.	Geneseo, NY	585.243.7124

List below the farmland owners of lands that are in an agricultural district that are located within five hundred (500) feet of the boundary of the property of the proposed project. List additional owners on reverse.

Tax map	Name	Address	City, Town	Telephone Number
189 -1-57.12	NA Marks + Sons Inc.	Main Street	North Dansville	
189.-1-31	Mark Nicholas + Sons	9401 Main St.	North Dansville	
175.-1-52	Mark Nicholas + Sons	Dieter Rd	Sparta	

Please attach a map showing the site of the property relative to the farm operations listed above. The Tax assessor may be able to provide a tax map that includes all the required property.

Describe the proposed project and its location

Location of site:	Main St. Village of Dansville			
Tax map description	Section 189	Block 10	Lot 1-1	
Total site area	Acres: ± 13.34 acres		Square feet:	
Ownership intentions/ Proposed use of site	NY Dansville I, LLC plans to install a ±2.5 MW solar farm			
Anticipated Construction Time		Start October 2023	Finish May 2024	
Brief description of farm operation(s) that might be affected	Project will not impact agricultural operations of surrounding parcels			

Signature	Applicant:	Owner (if different)
03/08/2021 Date		

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

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐NO ☑YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: N/A		☑	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
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.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
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.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
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.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: N/A		☑	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts:		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐NO ☑YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☑	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☑	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☑	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☑	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☑	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☑	☐

g. Other impacts: N/A		☑	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐NO ☑YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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.	E2o	☑	☐
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.	E2o	☑	☐
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.	E2p	☑	☐
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.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: NYSDEC Environmental Resource Mapper	E2n	☑	☐
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.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source:	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: N/A		☑	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐NO ☑YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☑	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☑	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☑	☐
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.	E1b, E3a	☑	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☑	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☑	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☑	☐
h. Other impacts: Performing construction Activitiy contiguous to Property in Ag District		☑	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
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	E3h	 ☐ ☐	 ☐ ☐
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	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: N/A		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts:		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts:		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☑ YES
(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: N/A		☑	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: N/A		☑	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☐ NO ☑ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use component may be different from or in sharp contrast to current surrounding land use pattern(s).	C2,C3, D1a, D1g, E1b	☑	☐
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%.	C2	☑	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☑	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☑	☐
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.	C3, D1c, D1d, D1f, D1d, Elb	☑	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☑	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☑	☐
h. Other: N/A		☑	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☐ NO ☑ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☑	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☑	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☑	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☑	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☑	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☑	☐
g. Other impacts: N/A		☑	☐

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The Zoning Board of Appeals, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Revised Action and have identified the following potential impacts:

Question 17. Consistency with Community Plans: The proposed action is not consistent with adopted land use plans.

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

A small impact: The proposed project is not consistent with surrounding land use patterns, but the community has specifically zoned the area for those new uses and the project is consistent with those community laws.

Based upon this evaluation, the Zoning Board, in a separate resolution adopted on December 1, 2022 and confirmed on November 16, 2023 has determined the proposed Action will not likely result in a significant adverse impact upon the environment per the NYSDEC Full Environmental Assessment Form Workbook and issued a Negative Declaration.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
EAF Supporting Information and project information & maps

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Village of Dansville Zoning Board of Appeals as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: NY Dansville 1 Solar LLC Project

Name of Lead Agency: Village of Dansville Zoning Board of Appeals

Name of Responsible Officer in Lead Agency: Mark Specchio

Title of Responsible Officer: Chairman, Village of Dansville Zoning Board of Appeals

Signature of Responsible Officer in Lead Agency: Date: November 16, 2023

Signature of Preparer (if different from Responsible Officer) Sherman A. Gittens - MRB Group Date: November 16, 2023

For Further Information:

Contact Person: Tammy Sylor Malone

Address: 14 Clara Barton St., Dansville, NY 14437

Telephone Number: 585-335-6955

E-mail: tammysylor@yahoo.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

LIVINGSTON COUNTY
PLANNING DEPARTMENT
Livingston County Government Center
6 Court Street, Room 305
Geneseo, New York 14454-1043

Telephone: (585) 243-7550
(585) 335-1734
Fax: (585) 243-7566
www.livingstoncounty.us/planningboard.htm

August 11, 2023

Jennifer Howe
14 Clara Barton Street
Dansville NY, 14437

Re: Zoning Referral #2023-059, Village of Dansville, Special Use Permit for a 2.6 MW Solar Energy Project on Main Street (Applicant: NY Dansville I, LLC)

Dear Ms. Howe:

The Livingston County Planning Board, at its regular meeting on August 10, 2023, reviewed the zoning referral from the Village of Dansville of the above mentioned pursuant to Sections 239-l and m of the General Municipal Law of the State of New York. The Planning Board voted to recommend "Disapproval" because of potential countywide impacts to Livingston County prime agricultural soils. The Planning Board forwards the following advisory comments:

1. The Livingston County Planning Board and AFPB recognize the potential impact of Solar Energy Systems on Livingston County's prime agricultural farmland as a serious concern. Agriculture is the number one industry in Livingston County, and prime soils are identified in the Livingston County Agricultural & Farmland Protection Plan as an important resource to be protected.

2. The potential impact of large-scale solar development on Livingston County's prime agricultural soils is a serious concern. Agriculture is the number one industry in Livingston County, and prime soils are an important resource to be protected. Several resources are now available to the municipalities for guidance with solar law development. Resource documents provided by the NYS Department of Ag. & Markets, American Farmland Trust, and NY-SUN / NYSERDA include:

    a. Guidelines for Solar Energy Projects
    b. Conditional Use Permits & Site Plan Regulations to Allow Large-Scale Solar Installations While Protecting Farmland
    c. Model Solar Energy Local Law
    d. Smart Solar Siting Principles & Examples of Land Use Laws that Support Renewable Energy While Protecting Farmland
    e. Solar Guidebook for Local Governments
    f. SEQR for Large-Scale Solar Energy Systems

    These resource documents can be found on the County Planning Department website at: https://www.livingstoncounty.us/1078/Solar-Energy

The County Planning Board recommends that each community take a look at its current or proposed regulations on large scale solar developments to ensure that there is adequate protection of prime farmland, and other locally important agricultural or natural resources.

3. The regulations of Village Law § 7-706 apply to this proposal because this proposal involves lands that are within 500 feet of the Towns of North Dansville and Sparta boundary. The Village should ensure all the necessary notifications are completed at least ten days prior to the public hearing, as required.

4. If not done already, the Village may wish the Applicant to include a hammerhead or other turnaround for the interior access road for emergency access.

5. According to NYS Agriculture & Markets Law Section 303-B, the board reviewing the application "shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district."

6. The SEQR identified a Federal Waters Class C stream onsite, one hundred feet east of the proposed fence line. According to SEQR, the parcel is adjacent to a building or buildings of Historic Significance, located on the west side of Route 63. Any development on this parcel should take these natural and historic resources (located to the east and west of the property) into consideration.

7. The Village should complete the SEQR process before final action is taken.

8. If not done already, the Applicant should ensure that the proposed meets the satisfaction of the Municipal Attorney and Engineer, including the comments addressed in the MRB Group letters, dated June 5, June 15 and June 27, 2023.

9. Pending the approval of the Special Use Permit, Village Zoning Code requires Site Plan Review. The site would also be subject to County Planning Board review, per General Municipal Law § 239 l & m.

10. If not done already, the Applicant should provide the Municipality with data on anticipated truck trips per day, including during peak material delivery periods, and anticipated totals for the entire project. Truck trip and traffic data for the construction phase should also be included in the State Environmental Quality Review (SEQR) Full EAF Part 1.

11. The Applicant should ensure that the proposed project minimizes potential parking, delivery, and traffic impacts onto the State Highway. The proposed Site Plan should provide adequately sized construction staging and parking areas, including for the anticipated number of workers and equipment. These areas should be placed in order to minimize potential impacts to the State Highway and nearby residences/structures. At no time is loading or unloading equipment or materials allowed on State Highway. Adequate turning radii for trucks should be considered in the design of the staging and parking areas.

a. The Applicant should comply with NYS DOT permitting requirements and any additional needs for signage on the State Highway for traffic safety.

b. The Applicant should submit the Site Plan, hauling/truck routes, and truck trip data to the State Department of Transportation and Village Engineer to ensure that the proposal meets all Village approvals and permit requirements. The Village may require additional signage on the State Highway for traffic safety.

12. If not done already, the Municipality should evaluate the need for a Road Use Agreement due to the scale of the proposed project and the potential for repetitive heavy vehicle/truck traffic related to both large solar projects and/or cumulative impacts from multiple smaller solar projects during construction. A baseline investigation including photos/videos should be required by the Municipality prior to construction beginning to determine roadway integrity. A final investigation including photos/videos after construction should be considered to determine if any substantial impacts have occurred due to the construction of the proposed project. The Municipality should consider requiring, as part of the Road Use Agreement, an adequate road maintenance surety provided by the Applicant to be in place for any needed repairs prior to construction beginning.

13. The Municipality should consider Applicant requirements for compliance with current New York State Department of Agriculture and Markets Guidelines for Solar Energy Construction Mitigation on Agricultural Lands, which establish construction, decommissioning and restoration guidelines to help protect prime farmland soils and facilitate full remediation and restoration of the site upon decommissioning.

14. As identified in the New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects Construction Mitigation for Agricultural Lands, the Municipality should consider requiring an Environmental Monitor (EM) and setting a minimum acreage that would trigger this requirement. The EM should be retained by the solar PV system Applicant and Operator(s) to oversee the construction, follow-up monitoring of the project, decommissioning of the system and restoration of the agricultural field(s) to their original state, to the extent practical. Based on total project acreage, the Guidelines identify roles, responsibilities and coordination with AGM. Additionally, the Municipality may include coordination with the Local Code Enforcement Officer and other Municipal Officials.
https://agriculture.ny.gov/system/files/documents/2019/10/solar_energy_guidelines.pdf

15. If not done already, the Municipality should consider Applicant requirements that ensure the restoration of the site to its pre-construction condition that is both useful and non-hazardous and within a specified timeline from the removal. Provisions for adequate decommissioning and restoration funds should be considered. Further, identification of the responsible party and the process/criteria used to make the determination that decommissioning/restoration is confirmed acceptable, should be specified.

    Pre-construction condition documentation can include but may not be limited to: written and visual records of existing site conditions, and pre-construction soil testing. Requirements for and proper implementation of Operations & Management (O&M) Plans and Decommissioning Plans can support site restoration.

16. Agrivoltaics or dual-use solar is the practice of co-locating solar energy production and agricultural operations. Pollinator planting is often proposed to be co-located with agrivoltaics or solar PV systems, it can be used to support dual-use solar. Agrivoltaic uses may require site-specific features, such as specialized fencing; customized plantings/seeding; access to water, electric, and parking; and design specifications for solar panel arrangement and ground-to-panel height. Dual uses may be an integral part of solar project operations, such as sheep grazing used primarily for vegetation management under and around panels.

    If the Applicant proposes and/or the Municipality intends on supporting the use of agrivoltaics, the Municipality may want to consider:

    - Requirement of an Agrivoltaics Integration Plan designed by a Professional Engineer and supported by a licensed Biologist/Botanist for proposed dual-use activities, such as grazing, crop production, or beekeeping.

    - Soil testing and forage testing prior to construction and at intervals throughout operations to determine suitability and safety for agrivoltaic uses and pollinators. Ongoing maintenance and third-party inspections to ensure that forage and/or pollinator plantings are fully established and persist over time. *(interval to be determined by the Municipality)*

    - Proposed projects should ensure that pesticide applications will not be utilized in areas with pollinator plantings and appropriate signage should be posted in and around such planted areas.

    - Submission of the proposed agrivoltaic activity at the time of Site Plan/Special Use Permit application may be prioritized in order to address site-specific needs and support successful integration into the overall Site Plan. The Municipality may want to address how to handle Site Plan review if the dual use details/Agricultural Integration Plan are not provided or available at time of Application submission, or become available after the Special Use Permit has been granted.

    - Project details or specific site features associated with the agrivoltaic operations should be included in the Site Plan, O&M Plan, and Emergency Response Plan and protocols, as applicable.

17. The Municipality should consider requiring a detailed soils classification map of the entire lot(s)/parcel(s) of land. Potential soils data source could include NYS AGM, or National Resource Conservation Service USDA Soils Survey. The Municipality may require this map for any application involving land being actively farmed, land located within an established Agricultural District, or lands where the proposed project would involve Prime or Farmland of Statewide Important soils.

18. A soil sampling program should be considered to establish a relevant benchmark of soil conditions over representative sections of the lot/parcel on which the solar energy system would be sited, and then provides for periodic sampling comparisons to monitor conditions of the soils beneath and around the solar arrays used. *(period/interval to be determined by the Municipality)* The Municipality may consider the requirement that NYSDEC be consulted if the results of the soil testing require soil mitigation measures, and that soil testing be in accordance with Cornell University's soil testing guidelines.

Sampling procedures should ensure survey grade accuracy in locating comparison samples.

19. If not done already, the Applicant should supply full details in the O&M Plan and SEQR for pesticide/herbicide/fertilizer use, including for vegetative abatement and maintenance procedures, and water use/well drilling. Practices should adhere to applicable local, state and federal regulations. In order to minimize impacts to pollinator habitat, on-site wetlands and any potential/future agricultural co-location practices, alternatives to chemical treatments should be prioritized.

20. If not done already, the Municipal Engineer should review the final design including equipment specification sheets, material safety data sheets and chemical composition for compliance with applicable local, state and federal regulations. Submission should include the identification of solar panel manufacturers and all hazardous and non-hazardous components. Any potential hazardous components should be identified and impacts mitigated by the Applicant to the satisfaction of the Municipality. No permits or certificates of compliance should be issued prior to Engineer approval.

    The Municipality may want to consider the requirement that the solar installer provide certified documentation that solar panels, solar components and associated electrical equipment do not contain per-and polyfluoroalkyl substances (PFAS) including PFOA, PFOS, and GenX chemicals.

21. If not done already, the Municipality may want to consider requirements within the O&M Plan for preventative maintenance inspections at designated intervals and after severe weather events, submission of inspection reports to the Municipality, inspections of the security systems and safety inspections of the Solar Energy System, at intervals that meet the satisfaction of the Municipality.

22. If not done already, the Applicant should submit all proposed recycling and removal/disposal/containment/hauling procedures, covering all solar energy system components/panels, costs and timelines. All practices should comply with the most current local/State/Federal regulations.

23. If not done already, the Applicant should identify waste disposal sites and certified recyclers to be used for both decommissioning and regular maintenance removals.

24. The Site Plan/SWPPP should ensure that the proposed minimizes potential discharge of soils/chemicals from entering on-site waters/wetlands utilizing stormwater management strategies as needed.

25. If not done already, the O&M Plan should address outdoor/enclosed storage and removal requirements of out-of-service/inoperable/damaged/replacement panels that may be temporarily or regularly held on site, and the maintenance and upkeep of panels to the satisfaction of the Municipality. To ensure that these requirements are advanced on to all future facility owners, such requirements may be incorporated into Special Use Permit conditions.

26. Municipalities should consider including wildlife requirements for ground mounted solar projects. This may include requiring the Applicant to provide fence design and installation that is animal friendly/allows for small animal migration. If the project also

proposes grazing co-location, the Applicant should ensure that the fence design does not conflict with and supports this use.

27. If not done already, the Municipality should consider requiring the Applicant to establish a solar energy system escrow account, or other financial surety at the Municipality's discretion, for the costs to the Municipality for both application review (engineering, environmental impact, legal or other professional services) and for reimbursement of Municipal oversight expenses from application through decommissioning (administration, permits, (re)licensing, inspection, engineering, and other professional/legal costs).

28. Some solar projects in Livingston County have experienced issues with pile driving into bedrock resulting in the reinforcement of posts, pouring of concrete for adequate anchoring, and additional truck trips for materials. Such changes can have impacts on SWPPP, SEQR, Decommissioning Plans and financial sureties. The Municipality should consider requiring the Applicant to provide adequate on-site testing, a Post-Refusal Plan/Study, to determine proper foundation selection and avoid installation issues. Soil bore testing should also be performed and alternate foundation designs should be considered and planned for if post refusal occurs. Results should be provided to the Municipality, Local Code Enforcement Officer, and Municipal Engineer for review.

29. If not done already, the Applicant should evaluate tree buffers for tree species composition, and any anticipated or potential tree loss due to invasive species. The potential impact of tree mortality on the effectiveness of the buffer should be assessed and the Applicant should supply data to the Municipality that visual screening requirements are met, or additional screening should be provided.

30. If not done already, the Municipality should consider utilizing a landscape professional to ensure that the proposed buffering/landscaping is sustainable. A variety of native, non-invasive deciduous and evergreen trees and/or shrubs, of various sizes/heights/planting off-sets, could be used to create a natural appearance and protect against possible disease. Details should be noted on the landscaping plan and be approved by the Planning Board and/or the Zoning Board of Appeals.

31. If not done already, the Municipality should consider requirements that the Applicant provide a Glare Analysis that meets the satisfaction of the Municipality and Municipal Engineer. Solar Energy Systems should be designed and located in such a way to prevent reflective glare toward any inhabited buildings on adjacent properties, roads or from impacting aircraft flight path as provided in Federal Aviation Administration guidance.

32. If not done already, the Municipality may want to require the submission of visual renderings of actual fencing design under consideration to ensure compatibility and avoid adverse aesthetic impacts.

33. Solar facility construction in Livingston County has shown that pile driving of posts can span over a number of weeks, creating noise impacts. The Site Plan should provide adequate buffering, landscaping, and perimeter tree retention to help mitigate noise impacts, to the satisfaction of the Municipality. The Applicant should adhere to the construction hours/days of the week, per the SEQR and approved by the Municipality.

34. If not done already, the Municipality should consider the location of staging/stockpile areas directed away from non-participating residences/structures, and any needs for additional berms or buffering.

35. The Local Fire Chief/Fire Code Official/County Emergency Management Director/County Emergency Medical Services Director and Municipal Engineer comments *(as required by the Municipality)* on the Emergency Operations/Response Plan shall be provided to the Planning Board/Zoning Board for review. In addition, the Local Fire Chief/Fire Code Official will need to make a final determination on NYS Fire Code compliance. The Emergency Operations/Response Plan should include site-specific conditions in order to provide year-round emergency response access, and a checklist within the Plan should be provided.

36. Consideration of NYS Fire Code, Section 503 for Fire Apparatus Access Roads should be given. The Applicant should ensure that the proposed meets Local and Fire Code requirements, including length and width of access roads to adequately reach the proposed site, turnarounds and bump outs required to allow for emergency vehicle access/passing, and an approved driving surface capable of supporting the heavy weight of fire apparatus.

    During construction, sediment will build up on access roads, potentially making emergency vehicle access difficult. A maximum depth of sediment on the access roads should be regulated to keep the access roads navigable at all times during construction. The Local Fire Chief/Fire Code Official should be consulted and this requirement should be further clarified in the O&M Plan.

37. The Emergency Operations/Response Plan should include emergency responder *site specific* training, to be provided by the Applicant/Systems Owner/Operator, and that meets the satisfaction of the Municipality. Training should involve both Municipal and County responders, and be conducted prior to operation, and periodically at intervals as determined by the Municipality. Training expenses to be paid by Applicant/Systems Owner/ Operator.

38. The Final Site Plan should address posting and maintaining up to date safety and emergency contact signage and requiring lock box access for key Municipal and County personnel and should be in place prior to construction.

39. A Snow Removal Plan should be provided on the Site Plan by the Applicant and certified by the Local Fire Chief/Fire Code Official. It should include plow frequency, proposed snow storage locations, and a maximum allowable snow cover at any one time. This can also be further clarified in the O&M Plan for the project.

40. If not done already, the Applicant should provide the Municipality with details on the Community Solar Program, including electricity discounts to the Municipality, residents and businesses, and support for priority access/sign up.

41. The County Planning Board expressed concern regarding how any noise emitted from the solar project, either during construction or normal operation, would affect students at the nearby school, located approximately one mile from the site.\

42. The County Planning Board expressed concern that there was insufficient emergency access, and the access road should extend as far as the back fence line.

43. The County Planning Board expressed concern that responses to two of the three MRB letters had not been made available by the time of the meeting.

44. The County Planning Board raised objection that land containing Prime Soils were being taken out of agricultural use, and suggested other site without Prime Soils be considered.

There was a quorum at this meeting. There was a majority vote on this matter. A copy of the Staff Report has been included for your information.

Thank you for submitting the proposed for County Planning Board review. If you have any questions regarding this referral, please do not hesitate to call me or Deputy Planning Director Heather Ferrero at 243-7550.

Sincerely,

Theodore G Griswold

Ted Griswold
Planner

cc: Alexander Pierce, Chairman, Livingston County Planning Board
Tim Brinduse, Village of Dansville representative, Livingston County Planning Board
NY Dansville I, LLC, Applicant

STAFF REPORT

Zoning Referral #2023-059, Village of Dansville
Special Use Permit for a 2.60 MW Solar Energy Project on Main Street
(Applicant: NY Dansville I, LLC.)

August 10, 2023

Description of the Proposal

The Village of Dansville is considering a proposal to install a ± 2.6 MW community solar photovoltaic energy facility with access on Main Street (State Route 63). The parcel is located on the east side of Main Street, opposite Zerfass Road. The proposed system is composed of bifacial ground-mounted solar modules on single axis trackers, with a maximum height of 15 feet. Seven-foot-high security fencing is proposed around the perimeter of the site. A concrete equipment pad for an inverter is centrally located, and is serviced by a 20 foot wide utility access road from Main Street.

The proposed involves one tax parcel (Tax ID# 189.10-1-1) with a total acreage of ±29.85 acres and a leased site of ±13.34 acres. The Project, NY Dansville I, LLC, will be constructed, owned and operated by Delaware River Solar, LLC. The solar project is proposing to connect to the NYS Electric & Gas Corporation sub-transmission line located along Route 63.

In November 2022, the County Planning Board received Zoning Referral #2022-075 for Area Variances for setbacks for the proposed, including front, side and dwelling setbacks. The County Planning Board recommended disapproval. The submitted project has been redesigned since the November 2022 referral. The Special Use Permit has been submitted to the Planning Board at this time.

A public hearing is scheduled for August 17, 2023.

INTER-COMMUNITY & COUNTY-WIDE ISSUES

1. **Municipal Notifications.** Per Village Law § 7-706, written notice of any proposed regulations, ordinances or amendments, affecting property within 500 feet of the following shall be served by the Village upon each person or persons listed below:
   a. The boundary of a village or town; upon the clerk thereof.
   b. The boundary of a county; upon the clerk of the board of supervisors or other person performing like duties.
   c. The boundary of a state park or parkway; upon the regional state park commission having jurisdiction over such state park or parkway.

   Advisory comment: The regulations of Village Law § 7-706 apply to this proposal because this proposal involves lands that are within 500 feet of the Towns of North Dansville and Sparta boundary. The Village should ensure all the

necessary notifications are completed at least ten days prior to the public hearing, as required.

2. **Traffic.** The site is located along the east side of Main Street (State Route 63). The proposed has one new access point on Main Street. The Village Law indicates the need for a Street Use Agreement prior to Special Use Permit Approval. According to the provided Environmental Assessment Form and Construction Flowchart, the Applicant anticipates no more than two trucks per day, or twelve truck trips per week, during the construction phase.

   Advisory Comment: If not done already, the Applicant may want to consider a hammerhead or other turnaround for the interior access road.

   Advisory comments:
   T. 1. A. Truck trip data/hauling routes
   T. 1. B. Traffic impacts
   T. 1. C. Road Use Agreement

3. **Agricultural District #3.** The proposed is not located in Agricultural District #3, but is located within 500 feet of properties within Ag District #3, listed below. The Applicant has submitted an Ag Data Statement to the Village for review.

   - Farm #30935 owned by Mark Nicholas & Sons (NA Marks & Sons, Inc.)

   Advisory Comment: According to NYS Agriculture & Markets Law Section 303-B, the board reviewing the application "shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district."

4. **Livingston County Agricultural & Farmland Protection Plan (AFPP), Livingston County Agricultural Protection Board (AFPB), Livingston County Planning Board, Livingston County DAN Plan, NYS Department of Agriculture & Markets (AGM).** The Livingston County AFPP recognizes that the County has one of the highest concentrations of Prime and Productive Soils in the state, which should be protected. The Village Solar Law protects prime soils with lot coverage restrictions (Type 2 Solar Energy Systems coverage shall not exceed 60% of the total parcel size). Per the submitted Site Plan, the proposed meets the lot coverage restriction with a coverage of 44.7%. The acres under development are classified as Prime Farmland/Soils.

   The Village Solar Law contains provisions for the protection of prime soils through the Decommissioning Plan/Agreement, Operations and Maintenance Plan, and compliance with NYSDAM Guidelines for Solar Energy Projects.

   Advisory Comments:
   A. 2. A. Prime Farmlands
   A. 2. C. NYS AGM Guidelines for Solar Energy Construction Mitigation
   A. 2. D. Environmental Monitors
   A. 2. E. Pre-Construction Condition Documentation

A. 2. F. Agrivoltaics
A. 2. G. Soils Classification Map
A. 2. H. Soil Sampling Program

5. **Natural Resource Inventory.** The SEQR identified a Federal Waters Class C stream onsite, one hundred feet east of the proposed fence line. According to SEQR, the parcel is adjacent to a building or buildings of Historic Significance, located on the west side of Route 63.

   Advisory Comment: Any development on this parcel should take these natural and historic resources (located to the east and west of the property) into consideration.

   Advisory Comment: All standard advisory comments under "N. 1. Natural Resources Inventory (NRI) and Hazard Mitigation" apply.

Local Issues

1. **SEQR.** Planning Staff believes that the proposed is a Type I Action under SEQR because it involves the physical alteration of 10 or more acres of soil and is not a residential use. The Applicant has submitted the Full EAF.

   Advisory comment: The Village should complete the SEQR process before final action is taken.

2. **Land Use Compatibility.** The surrounding land uses are agricultural, residential, health care, and forested in nature. Land use compatibility of large-scale solar installations adjacent to non-commercial and/or rural residential uses may be a visual or aesthetic concern for the Municipalities, which can be addressed during Site Plan Review.

3. **Village Engineer's Report.** The letters from MRB Group dated June 5, June 15 and June 27, 2023, forwarded comments on the following, but not limited to: SWPPP details, fencing concerns, CCTV monitoring, Vegetation Management and Snow Removal.

   Advisory Comment: If not done already, the Applicant should ensure that the proposed meets the satisfaction of the Municipal Attorney and Engineer, including the comments addressed in the MRB Group letters, dated June 5, June 15 and June 27, 2023.

4. **Zoning.** The proposed is located in the Light Industrial (I-1) District. According to the Village of Dansville Local Law governing solar energy systems, Type 2 SES are permitted subject to Site Plan Review and Special Use Permit Requirements.

Solar	Required, in ft	Proposed, in ft (as shown on Site Plan
Front Yard Setback	200	200
Side Setback	100	At least 100
Rear Setback	100	100
Max Panel Height	15	15
Setback from off-site residential structure	400	400

Advisory Comments:

Z.2. B. Escrow Accounts
Z. 3. B. Piledriving into Bedrock
Z. 4. B. Tree mortality
Z. 4. C. Landscape Professionals
Z. 4. D. Glare Analysis
Z. 5. B. Fencing Visual
Z. 6. B. Piledriving Noise
Z. 6. C. Inverter and Staging Locations
Z. 7. Emergency Operations/Response Plan, Access and Training
Z. 9. Host Community/ Solar Benefits

5. **Site Plan Review.**

Advisory Comment: Pending the approval of the Special Use Permit, Village Zoning Code requires Site Plan Review. The site would also be subject to County Planning Board review, per General Municipal Law § 239 l & m.

6. **Comprehensive Plan.** The Town & Village of Dansville Comprehensive Plan identifies an objective to investigate the feasibility of green energy technologies for the community, including solar. The Plan calls for an environmental assessment of green options for Dansville that maintains their rural character. The proposed site is zoned for industrial use, and is located within the Dansville Business Park, which is a Livingston County Industrial Park.

STAFF REPORT ADDENDUM

Standard Advisory Comments for Solar Projects

T. 1. Traffic Safety / Road Use. It is anticipated that the proposed project would increase traffic levels during the construction phase, primarily early in the construction phase for material delivery. Roads may be subject to damage or degradation by heavy vehicle traffic related to solar development.

T. 1. A. If not done already, the Applicant should provide the Municipality with data on anticipated truck trips per day, including during peak material delivery periods, and anticipated totals for the entire project. Truck trip and traffic data for the construction phase should also be included in the State Environmental Quality Review (SEQR) Full EAF Part 1.

T. 1. B. The Applicant should ensure that the proposed project minimizes potential parking, delivery, and traffic impacts onto the State/Local/County Rd. The proposed Site Plan should provide adequately sized construction staging and parking areas, including for the anticipated number of workers and equipment. These areas should be placed in order to minimize potential impacts to the State/Local/County Rd and nearby residences/structures. At no time is loading or unloading equipment or materials allowed on State/Local/County Rd. Adequate turning radii for trucks should be considered in the design of the staging and parking areas.

- The Applicant should comply with NYS DOT permitting requirements and any additional needs for signage on State Rd. for traffic safety.

- The Applicant should submit the Site Plan, hauling/truck routes, and truck trip data to the Town/Village/County Highway Superintendent and Town/Village Engineer to ensure that the proposal meets all Town/Village/County approvals and permit requirements. The Town/Village/County may require additional signage on the Town/Village/ County Rd for traffic safety.

T. 1. C. If not done already, the Municipality should evaluate the need for a Road Use Agreement due to the scale of the proposed project and the potential for repetitive heavy vehicle/truck traffic related to both large solar projects and/or cumulative impacts from multiple smaller solar projects during construction. A baseline investigation including photos/videos should be required by the Municipality prior to construction beginning to determine roadway integrity. A final investigation including photos/videos after construction should be considered to determine if any substantial impacts have occurred due to the construction of the proposed project. The Municipality should consider requiring, as part of the Road Use Agreement,

an adequate road maintenance surety provided by the Applicant to be in place for any needed repairs prior to construction beginning.

A. 2. Livingston County Agricultural & Farmland Protection Plan (AFPP), Livingston County Agricultural Protection Board (AFPB), Livingston County Planning Board, Livingston County DAN Plan, and NYS Department of Agriculture & Markets (AGM). The Livingston County AFPB recognizes that the County has one of the highest concentrations of Prime and Productive Soils in NYS, and promotes agricultural land preservation. In 2016, the AFPB issued a memo recommending that each community look at its current regulations on Solar Energy Systems to ensure adequate protection of prime agricultural resources. In 2019, the Livingston County Planning Board issued a memo regarding the emergence of solar development in the County and the potential impacts on prime farmland soils. An overall land use goal of the Livingston County DAN Plan is to place future development "in those areas which minimize adverse impacts on the County's natural resources and agriculturally productive lands."

NYS AGM recognizes that prime farmland soils or the highest-grade mineral soils (MSG 1-4) have the best combination of characteristics that enable them to be among the most productive and valuable agricultural soils in NYS, and recommends avoiding or minimizing impacts to these prime soils.

A. 2. A. The Livingston County Planning Board and AFPB recognize the potential impact of Solar Energy Systems on Livingston County's prime agricultural farmland as a serious concern. Agriculture is the number one industry in Livingston County, and prime soils are identified in the Livingston County Agricultural & Farmland Protection Plan as an important resource to be protected. The identification and protection of these resources on site can be addressed during Site Plan and Special/Conditional Use Permit review.

A. 2. C. The Municipality should consider Applicant requirements for compliance with current NYS AGM Guidelines for Solar Energy Construction Mitigation on Agricultural Lands, which establish construction, decommissioning and restoration guidelines to help protect prime farmland soils and facilitate full remediation and restoration of the site upon decommissioning.

A. 2. D. As identified in the NYS AGM Guidelines for Solar Energy Projects Construction Mitigation for Agricultural Lands, the Municipality should consider requiring an Environmental Monitor (EM) and setting a minimum acreage that would trigger this requirement. The EM should be retained by the solar PV system Applicant and Operator(s) to oversee the construction, follow-up monitoring of the project, decommissioning of the system and restoration of the agricultural field(s) to their original state, to the extent practical. Based on total project acreage, the Guidelines identify roles, responsibilities and coordination with AGM. Additionally, the Municipality may include coordination with the Local Code Enforcement Officer and other Municipal Officials.

https://agriculture.ny.gov/system/files/documents/2019/10/solar_energy_guidelines.pdf

A. 2. E. If not done already, the Municipality should consider Applicant requirements that ensure the restoration of the site to its pre-construction condition that is both useful and non-hazardous and within a specified timeline from the removal. Provisions for adequate decommissioning and restoration funds should be considered. Further, identification of the responsible party and the process/criteria used to make the determination that decommissioning/restoration is confirmed acceptable, should be specified.

Pre-construction condition documentation can include but may not be limited to: written and visual records of existing site conditions, and pre-construction soil testing. Requirements for and proper implementation of Operations & Management (O&M) Plans and Decommissioning Plans can support site restoration.

A. 2. F. Agrivoltaics or dual-use solar is the practice of co-locating solar energy production and agricultural operations. Pollinator planting is often proposed to be co-located with agrivoltaics or solar PV systems, it can be used to support dual-use solar. Agrivoltaic uses may require site-specific features, such as specialized fencing; customized plantings/seeding; access to water, electric, and parking; and design specifications for solar panel arrangement and ground-to-panel height. Dual uses may be an integral part of solar project operations, such as sheep grazing used primarily for vegetation management under and around panels.

If the Applicant proposes and/or the Municipality intends on supporting the use of agrivoltaics, the Municipality may want to consider:

- Requirement of an Agrivoltaics Integration Plan designed by a Professional Engineer and supported by a licensed Biologist/Botanist for proposed dual-use activities, such as grazing, crop production, or beekeeping.

- Soil testing and forage testing prior to construction and at intervals throughout operations to determine suitability and safety for agrivoltaic uses and pollinators. Ongoing maintenance and third-party inspections to ensure that forage and/or pollinator plantings are fully established and persist over time.
  (interval to be determined by the Municipality)

- Proposed projects should ensure that pesticide applications will not be utilized in areas with pollinator plantings and appropriate signage should be posted in and around such planted areas.

- Submission of the proposed agrivoltaic activity at the time of Site Plan/Special Use Permit application may be prioritized in order to address site-specific needs and support successful integration into the overall Site Plan. The Municipality may want to address how to handle Site Plan review if the dual use details/Agricultural Integration Plan are not provided or available at time of Application submission, or become available after the Special Use Permit has been granted.

- Project details or specific site features associated with the agrivoltaic operations should be included in the Site Plan, O&M Plan, and Emergency Response Plan and protocols, as applicable.

A. 2. G. The Municipality should consider requiring a detailed soils classification map of the entire lot(s)/parcel(s) of land. Potential soils data source could include NYS AGM, or NRCS USDA Soils Survey. The Municipality may require this map for any application involving land being actively farmed, land located within an established Agricultural District, or lands where the proposed project would involve Prime or Farmland of Statewide Important soils.

A. 2. H. A soil sampling program should be considered to establish a relevant benchmark of soil conditions over representative sections of the lot/parcel on which the solar energy system would be sited, and then provides for periodic sampling comparisons to monitor conditions of the soils beneath and around the solar arrays used. *(period/interval to be determined by the Municipality)* The Municipality may consider the requirement that NYSDEC be consulted if the results of the soil testing require soil mitigation measures, and that soil testing be in accordance with Cornell University's soil testing guidelines. Sampling procedures should ensure survey grade accuracy in locating comparison samples.

N. 1. Natural Resources Inventory (NRI) and Hazard Mitigation. The NRI advocates for well thought-out development that weighs environmental impacts and encourages alternatives that minimize impact to natural resources. Impacts to natural and historical resources can be identified and mitigated using the local SEQR authority, and Site Plan and Special Use Permit Review provisions.

Solar panel life expectancy and degradation rates can be impacted by different technologies used by the manufacturer, such as panel composition and solar panel/system design; installation issues; climate/temperature; and damage from weather events. Degraded or damaged panels can be a concern. Potential leaching from damaged panels may present issues if the panels are not properly decommissioned/disposed of. Many of the solar panel components can be recycled. Currently, there are no regulations requiring solar panel recycling in NYS. Potential waste challenges could result for both the consumer and local governments.

In order to avoid potential environmental and health impacts, and to ensure accountability, the Municipality may consider the following Applicant requirements, including but not limited to:

N. 1. A. If not done already, the Applicant should supply full details in the O&M Plan and SEQR for pesticide/herbicide/fertilizer use, including for vegetative abatement and maintenance procedures, and water use/well drilling. Practices should adhere to applicable local, state and federal regulations. In order to minimize impacts to pollinator habitat, on-site wetlands and any potential/future agricultural co-location practices, alternatives to chemical treatments should be prioritized.

N. 1. B. If not done already, the Municipal Engineer should review the final design including equipment specification sheets, material safety data sheets and chemical composition for compliance with applicable local, state and federal regulations. Submission should include the identification of solar panel manufacturers and all hazardous and non-hazardous components. Any potential hazardous components should be identified and impacts mitigated by the Applicant to the satisfaction of the Municipality. No permits or certificates of compliance should be issued prior to Engineer approval.

The Municipality may want to consider the requirement that the solar installer provide certified documentation that solar panels, solar components and associated electrical equipment do not contain per-and polyfluoroalkyl substances (PFAS) including PFOA, PFOS, and GenX chemicals.

N. 1. C. If not done already, the Municipality may want to consider requirements within the O&M Plan for preventative maintenance inspections at designated intervals and after severe weather events, submission of inspection reports to the Municipality, inspections of the security systems and safety inspections of the Solar Energy System, at intervals that meet the satisfaction of the Municipality.

N. 1. D. If not done already, the Applicant should submit all proposed recycling and removal/disposal/containment/hauling procedures, covering all solar energy system components/panels, costs and timelines. All practices should comply with the most current local/State/Federal regulations.

N. 1. E. If not done already, the Applicant should identify waste disposal sites and certified recyclers to be used for both decommissioning and regular maintenance removals.

N. 1. F. The Site Plan/SWPPP should ensure that the proposed minimizes potential discharge of soils/chemicals from entering on-site waters/wetlands utilizing stormwater management strategies as needed.

N. 1. G. If not done already, the O&M Plan should address outdoor/enclosed storage and removal requirements of out-of-service/inoperable/damaged/replacement panels that may be temporarily or regularly held on site, and the maintenance and upkeep of panels to the satisfaction of the Municipality. To ensure that these requirements are advanced on to all future facility owners, such requirements may be incorporated into Special Use Permit conditions.

N. 1. H. If not done already, the Municipality should require the Applicant to submit a Landscaping Plan, including NYS native non-invasive species for vegetative screenings. For pollinator plantings, the highest-grade pollinator plant seed mixes, providing a greater percentage of pollinator plants over grasses, should be utilized. The Municipality should consider utilizing a licensed landscape professional/Biologist/ Botanist to assist with site-appropriate native non-invasive landscaping plant and seed mix selections and any future plant replacements.

N. 1. I. Municipalities should consider including wildlife requirements for ground mounted solar projects. This may include requiring the Applicant to provide fence design and installation that is animal friendly/allows for small animal migration. If the project also proposes grazing co-location, the Applicant should ensure that the fence design does not conflict with and supports this use.

Z. Zoning

Z. 2. Site Plan Review/Special Use Permit.

Z. 2. B. If not done already, the Municipality should consider requiring the Applicant to establish a solar energy system escrow account, or other financial surety at the Municipality's discretion, for the costs to the Municipality for both application review (engineering, environmental impact, legal or other professional services) and for reimbursement of Municipal oversight expenses from application through decommissioning (administration, permits, (re)licensing, inspection, engineering, and other professional/legal costs).

Z. 3. NYSDEC Stormwater Regulations.

Z. 3. B. Some solar projects in Livingston County have experienced issues with pile driving into bedrock resulting in the reinforcement of posts, pouring of concrete for adequate anchoring, and additional truck trips for materials. Such changes can have impacts on SWPPP, SEQR, Decommissioning Plans and financial sureties. The Municipality should consider requiring the Applicant to provide adequate on-site testing, a Post-Refusal Plan/Study, to determine proper foundation selection and avoid installation issues. Soil bore testing should also be performed and alternate foundation designs should be considered and planned for if post refusal occurs. Results

should be provided to the Municipality, Local Code Enforcement Officer, and Municipal Engineer for review.

Z. 4. Landscaping, Buffering & Glare.

Z. 4. B. If not done already, the Applicant should evaluate tree buffers for tree species composition, and any anticipated or potential tree loss due to invasive species. The potential impact of tree mortality on the effectiveness of the buffer should be assessed and the Applicant should supply data to the Municipality that visual screening requirements are met, or additional screening should be provided.

Z. 4. C. If not done already, the Municipality should consider utilizing a landscape professional to ensure that the proposed buffering/landscaping is sustainable. A variety of native, non-invasive deciduous and evergreen trees and/or shrubs, of various sizes/heights/planting off-sets, could be used to create a natural appearance and protect against possible disease. Details should be noted on the landscaping plan and be approved by the Planning Board and/or the Zoning Board of Appeals.

Z. 4. D. If not done already, the Municipality should consider requirements that the Applicant provide a Glare Analysis that meets the satisfaction of the Municipality and Municipal Engineer. Solar Energy Systems should be designed and located in such a way to prevent reflective glare toward any inhabited buildings on adjacent properties, roads or from impacting aircraft flight path as provided in Federal Aviation Administration guidance.

Z. 5. Visual Impacts.

Z. 5. B. If not done already, the Municipality may want to require the submission of visual renderings of actual fencing design under consideration to ensure compatibility and avoid adverse aesthetic impacts.

Z. 6. Noise

Z. 6. B. Solar facility construction in Livingston County has shown that pile driving of posts can span over a number of weeks, creating noise impacts. The Site Plan should provide adequate buffering, landscaping, and perimeter tree retention to help mitigate noise impacts, to the satisfaction of the Municipality. The Applicant should adhere to the construction hours/days of the week, per the SEQR and approved by the Municipality.

Z. 6. C. If not done already, the Municipality should consider the location of staging/stockpile areas directed away from non-participating residences/structures, and any needs for additional berms or buffering.

Z. 7. Emergency Operations/Response Plan, Access and Training. NYS Fire Code sets requirements for fire apparatus access roads. Access roads will need to be maintained,

with details provided in the O&M Plan. The fenced perimeter reduces the points of ingress and egress for first responders.

Z. 7. A. The Local Fire Chief/Fire Code Official/County Emergency Management Director/County Emergency Medical Services Director and Municipal Engineer comments *(as required by the Municipality)* on the Emergency Operations/Response Plan shall be provided to the Planning Board/Zoning Board for review. In addition, the Local Fire Chief/Fire Code Official will need to make a final determination on NYS Fire Code compliance. The Emergency Operations/Response Plan should include site-specific conditions in order to provide year-round emergency response access, and a checklist within the Plan should be provided.

Z. 7. B. Consideration of NYS Fire Code, Section 503 for Fire Apparatus Access Roads should be given. The Applicant should ensure that the proposed meets Local and Fire Code requirements, including length and width of access roads to adequately reach the proposed site, turnarounds and bump outs required to allow for emergency vehicle access/passing, and an approved driving surface capable of supporting the heavy weight of fire apparatus.

During construction, sediment will build up on access roads, potentially making emergency vehicle access difficult. A maximum depth of sediment on the access roads should be regulated to keep the access roads navigable at all times during construction. The Local Fire Chief/Fire Code Official should be consulted and this requirement should be further clarified in the O&M Plan.

Z. 7. C. The Emergency Operations/Response Plan should include emergency responder *site specific* training, to be provided by the Applicant/Systems Owner/Operator, and that meets the satisfaction of the Municipality. Training should involve both Municipal and County responders, and be conducted prior to operation, and periodically at intervals as determined by the Municipality. Training expenses to be paid by Applicant/Systems Owner/ Operator.

Z. 7. E. The Final Site Plan should address posting and maintaining up to date safety and emergency contact signage and requiring lock box access for key Municipal and County personnel and should be in place prior to construction.

Z. 7. F. A Snow Removal Plan should be provided on the Site Plan by the Applicant and certified by the Local Fire Chief/Fire Code Official. It should include plow frequency, proposed snow storage locations, and a maximum allowable snow cover at any one time. This can also be further clarified in the O&M Plan for the project.

Z. 9. Host Community/Community Solar Benefits. If not done already, the Applicant should provide the Municipality with details on the Community Solar Program, including

electricity discounts to the Municipality, residents and businesses, and support for priority access/sign up.

NOTIFICATION OF FINAL ACTION

Zoning Referral # 2023-059

Please fill out the following and return this form to the Livingston County Planning Department. Thank you.

On November 16, 2023 (date) the Zoning Board of Appeals (name of municipal board) of the Village of Dansville (name of municipality) reviewed the following proposal which was referred to the County Planning Board:

August 18, 2023

Applicant: NY Dansville I LLC / Delaware River Solar

The Board took the following action on the proposal *(please check one)*:

- ☐ Approved or adopted without modification
- ☐ Approved or adopted with modification
- ☑ Disapproved
- ☐ No action

Name: Jennifer Howe

Title: ZBA Secretary