

APPROVED

The Organizational and Regular Meeting of the Planning Board of the Town of Clay, County of Onondaga held at Town Hall located at 4401 State Route 31, Clay, New York on the 12th day of January 2022. The meeting was called to order by Chairman Mitchell at 7:30 PM. All joined in the Pledge of Allegiance and upon roll being called, the following were:

PRESENT:	Russ Mitchell	Chairman
	Karen Guinup	Deputy Chair
	Michelle Borton	Member
	Hal Henty	Member
	Al McMahon	Member
	Jim Palumbo	Member
	Mark Territo	Commissioner of Planning & Development
	Judy Rios	Secretary
	Kathleen Bennett	Planning Board Attorney
	Ron DeTota	C&S Engineers

ABSENT: Scott Soyster Member

Organizational Items for the year 2022

A motion made by Michelle Borton seconded by Hal Henty to acknowledge the Town Board's appointment of C&S Engineers as the Planning Board's Engineers for the year 2022.

Motion Carried 6-0

A motion made by Hal Henty seconded by Jim Palumbo to appoint Kathleen Bennett of Bond, Shoeneck and King, as the Planning Board Attorney for the year 2022.

Motion Carried 6-0

A motion made by Michelle Borton seconded by Jim Palumbo to appoint Judy Rios as the Planning Board Secretary for the year 2022.

Motion Carried 6-0

A motion made by Hal Henty seconded by Karen Guinup to approve the Planning Board Meeting Calendar for the year 2022 as follows: January 12, 26, February 9, 23, March 9, 23, April 13, 27, May 11, 25, June 8, July 13, 27, August 10, September 14, 28, October 12, 26, November 16, and December 14.

Motion Carried 6-0

A motion made by Hal Henty seconded by Michelle Borton to appoint Karen Guinup as the Deputy Chairperson to the Planning Board for the year 2022.

Motion Carried 6-0

Regular Meeting Items:

A motion was made by Karen Guinup seconded by Jim Palumbo granting approval of the minutes from the December 15, 2021 meeting.

Motion Carried 6-0

Public Hearings:

New Business:

Case #2021-051 – **Marlow Subdivision (3)** – 8702 Henry Clay Boulevard – Preliminary Plat. David Bardoun, Bardoun Land Surveying, presented on behalf of the applicant noting Craig Marlow also in attendance. David stated this property received a 2-lot subdivision approval in 2000. The applicant is seeking to create a third lot by reducing the acreage at 8702 to 4 acres and 8700 to 10 acres and shifting the lot line adjustment. Currently, there are greenhouses on the property, which will be removed. Russ Mitchell noted quite a few access drives and asked what is the intent. David stated the existing drives used for 8700, an old farm, have old gravel drives and they intend to cover them with sod. Russ said a cross access agreement would be needed. David indicated Mr. Marlow is eventually seeking to sell lots 2 and 3. Russ explained the drive is still crossing on to 2 lots, which requires the cross access agreement. Russ noted two access roads on the northern side, another in the corner of the property and access across the back corner area to the Pine Plains cemetery. Craig spoke stating there is no access near the cemetery, his property butts up against it and is only open land. Karen Guinup asked if lot 1 has dirt drives to other parcels and Craig said there is none, however, the existing farmer may be creating these drives. Russ asked how long he owned the property and Craig said, since 1982. David stated this is old farm land and any adjoining drives are being made/used by the farmers; there are no private drives. Russ asked what the intent to exit is, and David said utilizing the 200’ of frontage on Henry Clay Boulevard. Russ stated the Board cannot approve a piece of land without the access agreements and the County comments request you approach them about these accesses. Russ noted, any access needs to be shown now. Russ read a few more County comments and a copy of these were provided to the owner. Russ reminded David and Craig, the need to see a written easement. David said he would get this information. Lastly, Russ said until the County is in agreement, the Board cannot move forward until the conditions are met. He asked the applicant to provide any revised drawings the Wednesday prior to the scheduled Board meeting.

Russ Mitchell stated this is a public hearing and asked if there were any questions or comments. None expressed.

A motion was made by Karen Guinup seconded by Michelle Borton to adjourn Case #2021-051 – Marlow Subdivision – 8702 Henry Clay Boulevard to February 9, 2022.

Motion Carried 6-0

Old Business:

****Case #2021-025 – *The Daniele Family Companies/Royal Car Wash* (3) – 7376 Oswego Road – Site Plan (Adjourned from 1 previous meeting).**

A motion was made by Hal Henty seconded by Jim Palumbo granting approval to adjourn Case #2021-025 – Daniele Family Companies/Royal Car Wash – 7376 Oswego Road to January 26, 2022.

Motion Carried 6-0

Russ Mitchell approved Case #2021-032 and Case #2021-033 be combined for speaking purposes.

****Case #2021-032 – *VP Road Solar, LLC/VerPlank Road Solar South* (3) – 4936 VerPlank Road – Site Plan (Adjourned from 3 previous meetings). Case #2021-033 – *VP Road Solar, LLC/VerPlank Road Solar North* (3) – VerPlank Road – Site Plan (Adjourned from 4 previous meetings).** Kevin O’Neill, VP Road Solar, LLC, spoke stating he has been in discussion with Robert Germain regarding the decommissioning notes and appears there is one specific piece needing to be addressed. He stated Robert has a difference in opinion. Ron DeTota spoke stating the bond security and the Town Board passing a new law which changed the requirement to half cash and half letter of credit. Kevin stated he would put that in the decommissioning plan and believes this is the final item. He also noted not hearing from the County and awaits this piece. The minor items in today’s drawings are a change in the culvert and size and a drainage ditch on VerPlank Road. Russ asked he get the drawings to the Board the Wednesday prior to the Board meeting. In closing, Kevin noted he spoke with the Army Corps of Engineers and they want to see what the lead agency is doing before giving approvals. Michelle Borton read Environmental Assessment Form – Part 2 – Identification of Potential Project Impacts and Environmental Assessment Form – Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance (copies attached to the minutes). Lastly, Kathy Bennett noted completion of a resolution, which goes into detail on the process and findings and covers all of the steps (copy attached). A copy was provided to Kevin.

Russ Mitchell stated this is a public hearing and asked if there were any questions or comments. None expressed.

A motion was made by Michelle Borton seconded by Karen Guinup to approve Environmental Assessment Form 2 – *Identification of Potential Project Impacts and Environmental Assessment* and Form 3 – *Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance* as well as the Resolution entitled *SEQR findings* prepared by Kathleen Bennett.

Motion Carried 6-0

A motion was made by Hal Henty seconded by Michelle Borton to adjourn Case #2021-032 – VP Road Solar, LLC/VerPlank Road Solar South (3) – 4936 VerPlank Road – Site Plan and Case #2021-033 – VP Road Solar, LLC/VerPlank Road Solar North (3) – VerPlank Road – Site Plan to February 9, 2022.

Motion Carried 6-0

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Planning Board
January 12, 2022

Case #2021-044 – **Clay Quad West, LLC/Kia Matthews Facility Expansion (3)** – 3885 State Route 31 – Site Plan (Adjourned from 1 previous meeting). James Trasher, CHA Consulting, Inc., spoke on behalf of the applicant and presented proposed improvements to the existing site. He noted recently receiving variance approval from the Zoning Board. The owner is seeking a refresh to the front of the building and service-base area addition to the rear of the building. The overall intent is to keep the vehicles that are for sale on site. A new dumpster enclosure was added to the northwest corner of the building and the details noted on the drawings. As suggested, this was modeled after the new Byrne Dairy site. James noted a conversation with the Highway Superintendent, Joe Nicoletti, regarding the addition of driveway shoulders and Joe is amenable to this. Landscaping has been spruced up at the front entrance and James provided a colored rendering of the site. He stated plans are to relocate an existing hydrant to a more appropriate location. James distributed update drawings and Russ Mitchell asked the square footage of all the buildings be placed on the drawings as well as the updated variance approval. Russ asked about lighting and James stated he would provide the photometrics. A discussion ensued over delivery of the vehicles and traffic build-up on Route 31 and Dell Center Drive. Russ requested James reconfigure the area to assist in getting trucks off the road(s). James agreed, however, stated the truck radiuses are very tight; he is trying to figure a second ingress/egress for health and safety purposes. Ron DeTota noted Joe Nicoletti is being accommodating by increasing the expansion of the shoulders, however, asked James if an approach to other owners in the strip mall had been made for vehicle parking purposes. For example, Pet Smart as they have a very large parking area where vehicles could be dropped off and driven over to the site. James stated they are willing to try this and work with their neighbors. Michelle Borton mentioned a color rendering is missing and will be needed for review purposes. Karen Guinup reminded any color combo changes should match. Lastly, Russ noted today's received drawings were not timely and reiterated revised drawings must be received the Wednesday prior to the next meeting.

Russ Mitchell stated this is a public hearing and asked if there were any questions or comments. None expressed.

A motion was made by Karen Guinup seconded by Hal Henty to adjourn Case #2021-044 – Clay Quad West, LLC/Kia Matthews Facility Expansion – 3885 State Route 31 – Site Plan to January 26, 2022.

Motion Carried 6-0

Case #2021-046 – **Todd Fritzen (3) – 4664 Wetzel Road – Special Permit (Adjourned from 2 previous meetings).

A motion was made by Michelle Borton seconded by Karen Guinup to adjourn Case #2021-046 – Todd Fritzen – 4664 Wetzel Road – Special Permit to February 23, 2022.

Motion Carried 6-0

Closed Hearings – Board/Applicant Discussions:

New Business:

Signs

Metropolitan Signs – *The Mattress Store* – 4081 State Route 31- Zoned RC-1, Permit #52,445.

David Razzante, Metropolitan Signs, presented on behalf of the applicant noting Joe Bright, Dunk & Bright, also in attendance. David explained the applicant is proposing one internally illuminated wall sign, 192 square feet in size when 199.68 square feet is allowed. It's noted: This sign will meet the code.

A motion was made by Hal Henty seconded by Karen Guinup granting approval of Sign Permit #52,445 – The Mattress Store – 4081 State Route 31.

Motion Carried 6-0

Metropolitan Signs – *Wilkins RV* – 4156 State Route 31 – Zoned RC-1, Permit #52,446.

David Razzante, Metropolitan Signs, presented on behalf of the applicant. David stated the applicant is proposing one internally illuminated wall sign, 150 square feet in size when 206.4 square feet is allowed. It's noted: This sign will meet the code. David distributed a color rendering for visual purposes and indicated the colors have not yet been decided. Hal Henty asked about the power and David said this is 24V and LED lighting. Karen Guinup asked if they had approached the owner of the mall about the deteriorating ring road and was told there are a few owners (Dunk & Bright, BJ's, Storage Facility) banding together to put pressure on the owner for resolve. Jim Palumbo asked about the existing sign over the door and David said this would be removed.

A motion was made by Jim Palumbo seconded by Hal Henty granting approval of Sign Permit #52,446 – Wilkins RV – 4156 State Route 31, with the condition the sign over the front door needs to be removed

Motion Carried 6-0

AP Architecture – *Hawaiian Holiday Tanning* – 7421 Oswego Road - Zoned RC-1, Permit #52,437.

The applicant is proposing one wall sign 19.6 square feet in size when 19.8 square feet is allowed. It's noted: This sign will meet the code.

A motion was made by Hal Henty seconded by Jim Palumbo granting approval of Sign Permit #52,437 – Hawaiian Holiday Tanning – 7421 Oswego Road.

Motion Carried 6-0

Work Session:

*Case #2020-031 – *Clay Marketplace PDD* (5) – northeast corner of NYS Route 31 and Henry Clay Boulevard Clay Marketplace PDD – Project Plan Referral.

A motion was made by Michelle Borton seconded by Karen Guinup granting approval to adjourn Case #2020-041 – Clay Marketplace PDD – northeast corner of NYS Route 31 and Henry Clay Boulevard Clay Marketplace PDD to January 26, 2022.

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Planning Board
January 12, 2022

Motion Carried 6-0

Russ Mitchell asked if there were any further comments or questions, hearing none he adjourned the meeting.

A motion was made by Karen Guinup seconded by Michelle Borton granting approval to adjourn the meeting at 8:53 p.m.

Motion Carried 6-0

The next meeting is slated for January 26, 2022

Respectfully Submitted,



Judy Rios
Planning Board Secretary

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

Agency Use Only [If applicable]
 Project : VerPlank Road Solar - North and South
 Date : January 12, 2022

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) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D,2,h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1 b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
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	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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 or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

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. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
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, E1b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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.

Potentially moderate to large impacts will be mitigated through the following permitting and approval processes:

The proposed project is inconsistent with the existing natural landscape and will be visible from publicly-accessible vantage points and adjacent properties, both seasonally and year-round. To mitigate these concerns, the Applicant has agreed to provide extensive landscaping to screen the project, and entered into a formal decommissioning agreement with the Town.

Potential impacts to wetlands will be addressed through compliance with the US Army Corps of Engineers permitting process.

Potential impacts to surface water quality, existing drainage patterns, and the potential for increased erosion and turbidity will be avoided through compliance with SPDES General Permit for Construction Activity, GP-0-20-001, and the Town of Clay stormwater management regulations.

Potential impacts to transportation will be mitigated through compliance with the Onondaga County Department of Transportation's permitting process.

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

Site plan

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Clay Planning Board _____ 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.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: VerPlank Road Solar - Clay

Name of Lead Agency: Town of Clay Planning Board

Name of Responsible Officer in Lead Agency: Mark Territo

Title of Responsible Officer: Planning Commissioner

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Mark Territo

Address: 4401 Route 31 Clay, NY

Telephone Number:

E-mail:

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

SEQR FINDINGS

WHEREAS, VP Road Solar, LLC (the “Applicant”) is proposing the construction of the applicant is proposing construction of a 4.975 MW AC ground-mounted photovoltaic solar farm on 25 acres of a 51-acre parcel identified as Tax Map # 047.-01-09.1 (“VP Road South”) and a 4.00 MW AC ground-mounted photovoltaic solar farm on 26 acres of a 45-acre parcel identified as Tax Map # 047.-01-07.0 (“VP Road North”) in the Town of Clay, Onondaga County, New York; and

WHEREAS, VP Road South and VP Road North are two separate projects they have been properly considered together for purposes of the review pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and will be referred to in this resolution collectively as the Projects; and

WHEREAS, the Projects are located in an Industrial-2 zoning district; and

WHEREAS, the Applicant has submitted applications to the Town of Clay Town Board for a special use permit and to the Town of Clay Planning Board for site plan and subdivision approvals; and

WHEREAS, the Applicant has prepared Part 1 of the Full Environmental Assessment Form (“FEAF”) for the Projects; and

WHEREAS, the Planning Board desires to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Projects; and

WHEREAS, at its meeting on September 1, 2021, the Planning Board declared the Projects to be a Type 1 action and declared its intent to act as the lead agency for purposes of the SEQRA review and no other involved agency objected to the Planning Board acting as the lead agency; and

WHEREAS, the Planning Board has considered all the comments and submissions submitted to date concerning the Projects; and

WHEREAS, the Planning Board is mindful of the criteria set forth in 6 NYCRR § 617.7 of the Regulations for determining the environmental significance of an action, and

WHEREAS, pursuant to the Regulations, the Planning Board has considered the significance of the potential adverse environmental impacts of the Projects by (a) using the criteria specified in 6 NYCRR § 617.7 of the Regulations, and (b) examining the EAF for the Projects, including the facts and conclusions in Part 1 of the EAF and its attachments, and completing Parts 2 and 3 of the EAF, together with all other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of relevant environmental concern.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Projects are subject to SEQRA and have been reviewed as one action.
2. The Planning Board is the lead agency and has undertaken a coordinated review with respect to the Projects.
3. The Planning Board classified the Projects as a Type I Action under SEQRA.
4. The Planning Board has compared the impacts that may reasonably be expected to result from the Projects to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations and evaluated the issues of causation and significance in light of the standards under the same Section of the Regulations.
5. The Planning Board has not identified any potential significant adverse environmental impacts associated with the Projects and none are known to the Board. Based upon its review, and for the reasons set forth in the FEA and its supporting documentation, the Planning Board hereby determines that the Projects will not present a potential significant adverse impact on the environment, and therefore, a Negative Declaration is warranted pursuant to SEQRA and an environmental impact statement need not be prepared.
6. The Planning Board reaches the following further conclusions:

- (A) The Projects will not result in substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic, or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems.

The Planning Board has considered potential impacts to wetlands. Potential impacts to wetlands have been avoided to the maximum extent practicable and the Applicant will mitigate the minimal impacts in accordance with the terms of the Nationwide Permit(s) to be issued by the Army Corps of Engineers.

Potential impacts to surface water quality, existing drainage patterns and the potential for increased erosion and turbidity will be avoided through compliance with SPDES General Permit for Construction Activity, GP-0-20-001, and the Town of Clay stormwater management regulations.

No significant potential adverse traffic impacts are anticipated as a result of the Projects and any potential impacts with respect to site access will be mitigated in accordance with the terms of the permit to be issued by the Onondaga County Department of Transportation.

- (B) There are no rare, threatened, or endangered species associated with the Projects. As a result, the Projects shall not present a potential significant adverse impact on rare, threatened, or endangered species.
- (C) The Projects will not result in other significant adverse impacts to natural resources.
- (D) The Projects will not affect a critical environmental area as designated pursuant to 6 NYCRR § 617.14(g).
- (E) The Projects will not conflict with the community's current plans or goals as officially approved or adopted.
- (F) The Projects will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community character. However, the Projects are inconsistent with the existing natural landscape and neighborhood character and will be visible from publicly accessible vantage points and adjacent properties, both seasonally and year-round. To mitigate these concerns, the Applicant has agreed to provide extensive landscaping to screen the Projects and will enter into a formal decommissioning agreement with the Town.
- (G) The Projects will not result in a major change in the use of either the quantity or type of energy.
- (H) The Projects will not result in the creation of a hazard to human health.
- (I) The Projects will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses.
- (J) The Projects will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.
- (K) The Projects will not result in the creation of a material demand for other actions that would result in one or more of the above consequences.
- (L) The Projects will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and
- (M) The Projects will not result in two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant

impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c).

7. The information available concerning the Projects was sufficient for the Planning Board to make its determination and issue a Negative Declaration for the Projects.
8. The Planning Board hereby adopts Parts 1, 2 and 3 of the FEAF, including the supporting written elaboration.
9. The Planning Board hereby directs the Chairperson of the Planning Board to execute the FEAF and to make any filing(s) and publications for the Projects in compliance with the Regulations.
10. The Planning Board hereby authorizes the Town Planning Department to take such other steps as may be necessary to carry out this Resolution.
11. This resolution shall take effect immediately.