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**IN THE MATTER  
Of  
STATE ENVIRONMENTAL QUALITY REVIEW  
ACT  
DETERMINATION FOR  
THE CSG SOLAR PROJECT PROPOSED BY  
BALDWINSVILLE PV I, LLC**

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**Resolution 2022- No. 1  
DETERMINATION OF  
ENVIRONMENTAL  
SIGNIFICANCE**

**FINAL**

The **TOWN PLANNING BOARD OF THE TOWN OF LYSANDER**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Lysander, located at 8220 Loop Road, Baldwinsville, New York 13027, County of Onondaga, State of New York, on the 8th day of December, 2022, at 7:00 p.m. The meeting was called to order by John B. Corey, as Chairman, and the following were present, namely:

John B. Corey	Chairman
Hubert D. Kimball	Member
Steve Darcangelo	Member
Doug Beachel	Member
Matt Hunt	Member

Absent: None

MOTION BY COREY, SECOND BY DARCANGELO

**WHEREAS**, Baldwinsville PV I, LLC (the “Applicant”) is proposing the construction of a ground mounted photovoltaic solar energy generating facility generating 4 megawatts (MW) alternating current, located northwest of the intersection of East Oneida Street and Sixty Road (the “Project”). The Project is situated within an approximately 18-acre portion of an approximately 159-acre parcel (the “Property” or “Project Site”).

**WHEREAS**, the Applicant, through its engineers Tetra Tech has submitted a site plan package (the “Site Plan Package”) entitled Baldwinsville (Lysander) CSG Solar Project, which consists of

the following Sheets: Title Sheet C-001; Notes C-002; Existing Conditions C-101; Tre Clearing Plan CD-201; Site Plan C-201; Grading Plan C-202, Erosion & Sediment Control Plan C-203; Landscaping Plan C-204; Line of Sight C-205; Previous Access Road Details C-401; Fence & Gate Details C-402; Erosion & Sediment Control Details C-403; Erosion & Sediment Control Details C-404; as Project No. 194-1081-0016 , dated May 12, 2022 last revision date November 23, 2022.

**WHEREAS**, the Planning Board and its engineer have reviewed the Site Plan Package and have considered it in relation to the SEQRA review and findings set forth herein;

**WHEREAS**, the existing zoning for the Project Site is AR-40 which allows the Project as set forth in the Application;

**WHEREAS**, land uses in the adjacent surrounding area are primarily single family houses on Sixty Road and the Property is most woodlands;

**WHEREAS**, because 10 acres of the Property will be disturbed by removal of trees for the Project, it qualifies the Action as a Type I action under Article 8 of the New York State Environment Law and 6 NYCRR (“SEQRA”);

**WHEREAS**, on June 9, 2022, pursuant to NYCRR Part 617.6(b), the Lysander Planning Board (the “Planning Board”) declared itself the Lead Agency and issued to all involved agencies a Notice of Intent that classified the Project as a Type I action and further stated that it intended to be the Lead Agency for the Action;

**WHEREAS**, no involved agency responded in objection to the Notice of Intent for Lead Agency;

**WHEREAS**, by letter dated September 1, 2022, November 7, 2022 and December 5, 2022 the Engineer for the Town has reviewed the Site Plan Package and based on his review has determined that the Site Plan Package meet the engineering and State/Town standards for a solar voltaic system in the Town of Lysander (See Engineer’s Review Letter of December 5, 2022 in review to Tetra Tech’s responses of December 1, 2022 to previous engineering questions);;

**WHEREAS**, Tetra Tech submitted to the Engineer for the Town a Stormwater Pollution and Prevention Plan (“SWPPP”) dated December 2022, which identifies stormwater run-off issues and proposed stormwater facilities that will meet the NYS Department of Environmental Conservation regulations (See Engineer’s Review Letter of December 5, 2022 in review to Tetra Tech’s responses of December 1, 2022 to previous engineering questions);

**WHEREAS**, by resolution dated June 15, 2022 the Onondaga Planning Agency determined that the Project would not have a inter-county wide impact and offered one modification, which modification is agreed to by the Planning Board;

**WHEREAS**, on November 10, 2022, at its monthly meeting, the Planning Board reviewed, discussed and asked questions to Tetra Tech regarding Part 2 of the Full Environmental Assessment Form (the “EAF”) and answered the 18 questions set forth therein based on the Project;

**WHEREAS**, for the reasons set forth in the minutes of the November 10, 2022 meeting, the information on Part 1 of the EAF, the notes set forth on Part 2 of the EAF and the personal knowledge of the Planning Board members of the Project site, the Planning Board determined that there would be no environmental impact on Geological Features, Surface Water, Groundwater, Flooding, Air, Plants and Animals, Agricultural Resources, Historical and Archeological Resources, Open Space and Recreation, Critical Environmental Areas, Transportation, Energy, Noise/Oder/Light, Human Health, Consistency with Community Plans, and/or Consistency with Community Character;

**WHEREAS**, the Planning Board did identify two potential environmental impacts as follows: (i) Impact on Land; (ii) Impacts on Aesthetic Resources;

**WHEREAS**, of the two potential environmental impacts set forth in the previous paragraph, the Planning Board determined that the standards set forth in the EAF sub-questions indicated “no, or small impact may occur”, except for mitigation measures that would be required related to Impacts on Land and Aesthetic Resources, as set forth in the next paragraph;

**WHEREAS**, although there are no significant environmental impacts based on the Planning Board’s review of Part 2 of the EAF, the Planning Board has the following concerns from a

SEQRA and Site Plan mitigation perspective: (i) the visual impact on the fifteen (15) residential homes on Sixty Road, (ii) impact on wetlands; and (iii) potential impact on land from erosion.

**WHEREAS**, the State of New York has adopted the 2015 New York State Energy Plan, which sets forth various renewable energy goals for the State;

**WHEREAS**, on July 18, 2019, the Climate Leadership and Community Protection Act (Climate Act) was signed into law which was among the most ambitious climate laws in the world and requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. <https://climate.ny.gov/>

**WHEREAS**, the Planning Board agrees with the goals set forth in these and all the State policies on renewable energy and encourages the production of renewable energy in the Town of Lysander;

**WHEREAS**, based on the review of the Site Plan Package, Part 1 and Part 2 of the EAF, the Planning Board's familiarity of the Project Site, the Town's Comprehensive Plan, the zoning designation of the Property as AR-40, the comments received by the public, and all of the Recitals stated above, the Planning Board hereby makes the following **FINDINGS and DETERMINATIONS**, which will be added as a supplement to the EAF Part 2 and 3:

1. **FINDING and DETERMINATIONS**: The above recital paragraphs serve as the basis for the FINDINGS and DETERMINATIONS set forth herein and are made part thereof.
2. **FINDING and DETERMINATION**: The Project is consistent with the State policy goals to develop renewable energy opportunities and reduce the use of fossil fuels.
3. **FINDING and DETERMINATION**: The SWPPP presented to the Planning Board and reviewed by the Town Engineer addresses the concerns raised by members of the Planning Board related to erosion, especially during the construction phase of the Project. Before any building permit can be issued, a final SWPPP will be submitted and approved by the Engineer for the Town.

4. **FINDING and DETERMINATION:** The impacts on the land will be minimal because of the nature of constructing a tracking panel structure that would be placed on a reeking system that is pile-driven, thus reducing the impact on the surface area of the land.
5. **FINDING and DETERMINATION:** Based on the Application and Site Plan Package, the amount of land that will be disturbed (approximately 20 acres) is minimal in the context of the large size of the Property (159 acres).
6. **FINDING and DETERMINATIONS:** The tree removal for the project should not have a material impact on the water table for the adjacent residential properties based on the fact that the groundwater table typically following the grade of the ground surface elevation (the trees being removed are at a lower elevation than the residences).
7. **FINDING and DETERMINATION:** Based on the Viewshed Analysis submitted December 5, 2022, submitted by the Applicant, because the Property is largely wooded and the Site Plan shows a 50 ft. buffer area between the residential property boundaries and the Project that will not be disturbed and remained wooded, the aesthetic or visual impact on the fifteen (15) residential homes on Sixty Road will be minimal.
8. **FINDING and DETERMINATION:** The Army Corp of Engineers has provided the Town with a “Letter of No Effect” regarding the impact on wetlands on the Property thus alleviating any environmental concerns as it relates to impact on surface water.
9. **FINDING and DETERMINATION:** As of the day of this Resolution, the Engineer for the Town has reviewed the U.S. Fish & Wildlife and New York State DEC rules, regulations, and mapping data and per such data has determined that there shall be no tree removal from the Property while the Long Eared and Indiana Bat may be roosting on the Property (April 1 through October 31).

**NOW, THEREFORE BE IT RESOLVED,** that having reviewed the EAF and relating it to the criteria set forth in Section 617.8(c) of the SEQRA regulations, having held the public hearing

and making the Findings and Determinations contained in this Resolution, the Planning Board hereby issues a Negative Declaration under Article 8 of the Environmental Conservation Law;

**BE IT FURTHER RESOLVED**, that the Lead Agency is the Planning Board of the Town of Lysander, with a mailing address of 8220 Loop Road, Baldwinsville, Town of Lysander, New York;

**BE IT FURHTER RESOLVED**, that the Project is a Type I Action under SEQRA;

**BE IT FURTHER RESOLVED**, that the proposed Action is located near Sixty Road on near the Village of Baldwinsville boundary line in the Town of Lysander;

**BE IT FURTHER RESOLVED**, that this Resolution be appended to the EAF Part 2 and Part 3 and made a part thereof;

**BE IT FURTHER RESOLVED**, that Secretary to the Planning Board is hereby directed to file this Negative Declaration with the appropriate entities as set forth under 6 NYCRR Part 617.

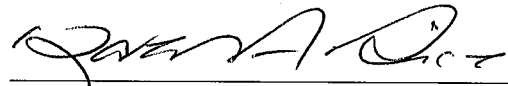
5 Ayes -- 0 Noes

I, **KAREN RICE**, Secretary of the Planning Board, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Planning Board of the Town of Lysander at a regular meeting of the Board duly called and held on the 8th day of December, 2022 that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Lysander, this 9<sup>th</sup> day of December, 2022.

DATED: December 9, 2022  
Baldwinsville, New York



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**Karen Rice**  
**Secretary**  
**Planning Board of the Town of Lysander**  
**Onondaga County, New York**