

**RESOLUTION OF THE PLANNING BOARD
OF THE TOWN OF KNOX
ISSUING A NEGATIVE DECLARATION PURSUANT TO THE
NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, the Planning Board of the Town of Knox has accepted an application from RIC Development (“RIC“) for Site Plan Review to construct and operate a solar electric generating facility at 1716 Thompsons Lake Road (“the Project“). The Project will be a stand-alone, ground-mounted system mounted on a fixed steel structure. As designed, the Project will have a nameplate capacity of 4,400 kW at the point of connection to the existing three phase circuit; and

WHEREAS, a Full Environmental Assessment Form (“EAF”) for the Project has been prepared pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law and its implementing regulations (6 N.Y.C.R.R. Part 617); and

WHEREAS, the Planning Board classified the action as Type I under SEQRA, declared its intent to act as lead agency for purposes of conducting the coordinated SEQRA review for the Project and circulated its intent to act as lead agency to involved and interested agencies in November 2020; and

WHEREAS, the Planning Board did not receive any objections with respect to it acting as lead agency for the purpose of conducting the SEQRA review; and

WHEREAS, the Planning Board has accepted lead agency status for the Project and conducted a coordinated review of the Project pursuant to 6 N.Y.C.R.R. § 617.4 of the SEQRA regulations; and

WHEREAS, the Planning Board accepted public comment on the application at a public meetings and held public hearing on December 10, 2020 at which all persons desiring to speak were given an opportunity to do so; and

WHEREAS, the Planning Board referred the application to the Albany County Planning Board on December 15, 2020; and

WHEREAS, the Planning Board has completed Part 2 of the EAF.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWN OF KNOX AS FOLLOWS:

Upon due consideration by the Planning Board of the FEAF, supporting materials provided by RIC including information on lighting and landscaping and all comments provided by the public, the Planning Board of the Town of Knox makes the following findings which also constitute the Planning Board’s completion of Part 3 of the EAF:

Section 1. The Planning Board has considered the Project pursuant to the parameters set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g) of the SEQRA regulations.

Section 2. The Planning Board classifies the Project as a Type I action pursuant to the SEQRA regulations.

Section 3. The Planning Board has carefully reviewed the FEAF prepared by the applicant and all supporting materials, the criteria set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, as well as considered the comments received from the public regarding the Project. Based on the foregoing, the Planning Board has thoroughly and comprehensively analyzed the potential relevant areas of environmental concern, and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

(a) Land. The Project will not have a significant adverse impact on terrestrial resources and land use. The Project Site consists of approximately 21.46 acres. New land disturbance, primarily for the purpose of stormwater management, will increase the impervious area by less than 2 acres (0.015 acres). The Project will not result in the modification or destruction of any unique or unusual land forms (e.g., cliffs, dunes, fossils, caves) or other significant terrestrial or archeological resources.

(b) Air Quality. The Project will not negatively impact air quality. In fact, because electricity produced by solar energy is emissions-free, the Project will benefit air quality. Because electricity produced from solar energy is anticipated to displace electricity produced from the combustion of fossil fuels, the Project can be expected to reduce the emission of greenhouse gases.

(c) Water Resources. The Project will not result in a potential significant adverse environmental impact to water resources, wetlands and fisheries. The Project will be subject to coverage under NYSDEC's General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001) and an Erosion and Sediment Control Plan. Based upon the Board's own review of the stormwater pollution prevention plan, the project will not result in significant adverse impacts to water resources.

(d) Traffic and Transportation. The Project will not have a significant adverse impact on existing traffic and transportation levels. Construction related traffic will not have a significant adverse impact on local roads.

(e) Noise. The Project will not result in significant levels of noise resulting in an adverse impact to the surrounding areas. The Planning Board has reviewed the plans for the Project and confirms that the setback requirements applicable to the Project will provide an adequate distance from receptors so as to avoid adverse impacts.

(f) Solid Waste. Beyond the Project's construction activity, the Project will not result in the generation of solid waste. Waste generated through construction will be managed in accordance with applicable laws and regulations.

(g) Erosion. The Project will not have a significant adverse impact on soil resources resulting in erosion, flooding, leaching or drainage problems. All activities at the Project site will be subject to coverage under the General Permit for Stormwater Discharges from Construction Activities (GP-0-10-001) pursuant to the applicable NYSDEC stormwater permitting requirements. A site-specific stormwater pollution prevention plan (“SWPPP”) and an Erosion and Sediment Control Plan has been reviewed by the Planning Board and will not result in significant adverse impacts in this regard.

(h) Vegetation and Wildlife. The Project will not result in a potential significant adverse impact to existing vegetation and potential wildlife located in the vicinity of the Project Site. The Project will retain significant naturally occurring vegetation at its periphery, which will be augmented through additional plantings required by the Planning Board.

(i) Critical Environmental Area. The Project is not located in the vicinity of a Critical Environmental Area.

(j) Aesthetic and Cultural Resources. The Project will not impact aesthetic or cultural resources. The Project Site will be well buffered through naturally occurring vegetation, and will be augmented through additional plantings required by the Planning Board.

(k) Energy. The Project will not result in an adverse impact to energy. It is not anticipated to cause a significant increase in use of any form of energy. The Project will result in the availability of additional emissions-free electricity in furtherance of the objectives of New York State’s Climate Leadership Community Protection Act (CLCPA).

(l) Agricultural Resources. The Project will not result in an adverse impact to agricultural resources and/or established agricultural districts located in the region.

(m) Open Space and Recreational Uses. The Project will not result in an adverse impact to open space and recreational uses.

(n) Public Health. The Project will not create a hazard to public health and safety. To the contrary, because the Project will result in the production of increased volumes of emissions-free electricity, public health will be benefitted to the extent that electricity generated by this Project reduces the demand for electricity produced through the combustion of fossil fuels.

(o) Growth and Community Character. The Project will not have an adverse impact on the character of the community or neighborhood. The Project is consistent with local zoning and is not located in close proximity to any other structures.

Section 4. Based on the foregoing, and the additional analyses set forth in Parts 1 and 2 of the EAF, the Planning Board finds that the Project will not have a potential significant adverse impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and, in particular, pursuant to the criteria found at 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The Planning Board therefore issues a Negative Declaration for the Project pursuant to SEQRA.

Section 5. The Planning Board further directs that notice of this resolution shall be filed and circulated to the extent required by any applicable ordinance, statute or regulation.

Motion by _____, seconded by _____, to approve the foregoing resolution.

	Yes	No	Absent
_____, Chair	<u> x </u>	—	—
_____	<u> x </u>	—	—
_____	<u> x </u>	—	—
_____	<u> x </u>	—	—
_____	<u> x </u>	—	—
_____	<u> x </u>	—	—
_____	<u> x </u>	—	—

The Resolution was thereupon duly adopted on _____, 202_

_____, Chair

Date