New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
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Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Watson

FILED
STATE RECORDS
OCT 29 2021
DEPARTMENT OF STATE

Local Law No. 1 **of the year 20**21

A local law " Local Law Number One of 2021
(Insert Title)
Regulation of Solar Energy Systems in the
Town of Watson"

Be it enacted by the Town Board **of the**
(Name of Legislative Body)

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Watson **as follows:**

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. One of 2021 of the (County)(City)(Town)(Village) of Watson was duly passed by the Town Board on October 13, 2021, in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ and was deemed duly adopted

(Elective Chief Executive Officer)*

on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____.

(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)

(Name of Legislative Body)

(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No._____ of 20____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Christina M. Peery
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: October 13, 2021

(Seal)

Local Law Number One of 2021

Regulation of Solar Energy Systems in the Town of Watson

TITLE

This local law shall be known and cited as "Solar Energy System Law of the Town of Watson." being Local Law number one of 2021.

SECTION 1. AUTHORITY

This local law is adopted pursuant to the authority and power granted by Articles 2 and 3 of the New York State Municipal Home Rule Law, by Article 2 of the New York State Statute of Local Governments and by Town Law Section 261-263 to protect the health, safety, and welfare of the community, and "to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefor."

SECTION 2. PURPOSE

The Town Board of The Town of Watson finds that it is in the public interest to provide for development and regulation of solar energy projects in the Town of Watson.

1. STATEMENT OF PURPOSE

   A. The purposes of these zoning regulations are to advance and protect the public health, safety, and welfare of the Town of Watson by:

      1. Supporting energy independence and community resiliency by taking advantage of a safe, abundant, renewable, and non-polluting energy resources;

      2. Accommodating solar energy systems while balancing the potential impact on the environment, neighbors, and the community;

      3. Furthering the health, safety and welfare of the public.

2. DEFINITIONS

   Building Integrated Solar Energy System: A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows primarily intended for producing electricity for onsite use.

   Building-Mounted Solar Energy System- A solar energy system that is affixed to the roof and up to 8" off the roof or side(s) of a building or other legally permitted structure either directly or by means of support structures or other mounting devices.

Ground-Mounted Solar Energy System: A solar energy system that is directly anchored to the ground and attached to a pole or other mounting system, not attached or affixed to an existing structure, and detached from any other structure.

Onsite: Located on the lot that is the subject of an application for development.

Roof-Mounted Solar Energy System: A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity or solar thermal power generation.

Solar Energy Equipment: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

Solar Energy System: A photovoltaic (PV) electrical generating system composed of a combination of both solar panels and solar energy equipment. Several scale systems are addressed in this local law as follows:

Agricultural solar energy system: An on-farm, small-scale solar energy system that provides no more than 110% of the energy required to operate a farm operation as defined by New York State Agriculture and Markets Law 305-a. These may be roof-mounted or ground-mounted systems.

Large-Scale solar energy system: A solar energy system that produces energy primarily for supplying more than 25 MW of electrical energy into a utility grid for wholesale or retail offsite sale or consumption whether generated by photovoltaics, solar thermal devices or other solar technologies, and whether ground-mounted or building-mounted. A large-scale solar energy system may also be referred to as a 'solar plant', 'solar energy system', 'commercial solar energy system' or solar power plant'.

Medium-Scale solar energy system: A solar energy system or solar thermal system that is ground-mounted or building mounted and produces more than 25kW and up to 25MW of electricity for offsite sale or consumption.

Small-scale solar energy system: A roof-mounted or building-integrated solar energy system or solar thermal system servicing primarily the building or buildings on the parcel on which the system is located for onsite consumption for either residential or business use, and limited to those rooftop and building-integrated, roof-mounted, and ground-mounted solar collectors that produce less than 25 kW of electricity. An agricultural solar energy system shall be considered small-scale.

Solar Panel: A photovoltaic device capable of collecting and converting solar energy into electrical energy.

Solar Thermal System: Solar energy system that directly heats air; water or other liquid using sunlight. The heated air, water or other liquid is used for such purposes including but not limited to space heating and cooling, domestic hot water and heating pool water.

3. APPLICABILITY

A. The requirements of this law shall apply to all solar energy systems installed or modified after this law's effective date. Medium-Scale and Large-Scale solar energy systems shall require site plan approval pursuant to this local law and Articles 7 and 8 of the Town of Watson Zoning Law. Issuance of permits and approvals by the Planning Board/Zoning Board shall include review pursuant to the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617.

B. Small-scale, agricultural, and building-integrated solar energy systems as well as general maintenance of such systems do not require site plan review or special use permit approval and shall be considered accessory structures allowed in all zoning districts. Such systems shall be required to obtain a building permit or a solar building permit from the Town of Watson prior to placement and operation unless the Town exempts farm structures from requiring building permits and shall also meet all other requirements pertaining to accessory structures.

1. The following conditions shall be met:

a. Roof-Mounted Solar Energy Systems shall be installed parallel to the roof surface on which they are mounted, shall not extend higher than the highest point of the roof surface on which they are mounted or the top of the surrounding parapet, or more than 24" above the flat surface of the roof, whichever is greater.

b. All solar panels shall have anti-reflective coating.

c. Building-Integrated Solar Energy Systems shall be shown on the plans submitted for any building permit application for the building containing the system.

d. Decommissioning Expectation. To ensure the proper removal of Small-Scale Solar Energy Systems by New York State guidelines. Compliance with decommissioning expectation shall be made upon condition of a valid building permit and homeowner will assume proper decommissioning procedures. After the Small-Scale Solar Energy System is no longer in use, it shall be removed by the applicant or any subsequent owner within six months. This shall include the removal of any structures, debris, batteries, and cabling, including those below the soil surface.

C. Solar Energy System installations for which a valid building permit has been issued before the effective date of this local law shall not be required to meet the requirements of this local law.

D. All Solar Energy Systems shall be designed, erected, and installed in accordance with all

applicable codes, regulations and industry standards as referenced in the New York State Uniform Fire and Building Code, as well as may be required by the Public Service Commission regulations.

4. PERMITTING AND APPROVAL REQUIREMENTS FOR MEDIUM-SCALE SOLAR ENERGY FACILITIES

A. Medium-Scale Solar Energy Systems are permitted subject to receiving site plan approval by the Town of Watson Planning Board pursuant to Section 310 of the Town of Watson Zoning Law. All procedures including, but not limited to sketch plan review, public hearing, and time frames pursuant to the zoning law shall be met. The Planning Board review of Medium- Scale Solar Energy Systems shall include, but not be limited to consideration of the visual effect of the proposed solar installation on scenic and historic resources and viewsheds; impacts on community character; compatibility of the proposed solar system with adjacent and other nearby land uses; compatibility with agriculture and farmlands, managing stormwater runoff, and the effect of the proposed installation on ecologically sensitive land or water resources.

B. The application materials as required in Section 430 shall be supplemented by the submission of the following materials and information:

1. If the property of the proposed project is to be leased, legal consent between all parties, including easements and other agreements.

2. Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect. Plans shall show the proposed layout of the entire Solar Energy System along with a description of all components, whether on site or off site, existing vegetation, existing or proposed access, gates, parking areas, mounting systems, inverters, panels, fencing, proposed clearing and grading of all sites involved, and proposed buffering and screening.

3. Stormwater runoff calculations, drainage plan, clearing and grading plan. The clearing and grading plan shall also include methods to stockpile, reduce erosion of, and reuse all topsoil from the site. If one acre or more of land is to be disturbed, the applicant shall also submit a preliminary Stormwater Pollution Prevention Plan consistent with NYS DEC or local MS4 requirements. Clearing and/or grading activities are subject to review by the Planning Board and shall not commence until the issuance of site plan approval.

4. Photo simulations shall be included showing the proposed Medium-Scale Solar Energy System in relation to the building/site along with elevation views and dimensions, and photo simulations of the proposed Medium-Scale Solar Energy

System, solar collectors, and all other components. The Planning Board may require photo simulations to be provided from specific roads or other public areas that may be impacted. In the course of its review of a proposal for development of a Medium-Scale solar facility, the Planning Board may require an applicant to submit a viewshed analysis that meets the procedures identified within the New York State Department of Environmental Conservation's SEQRA publication entitled "Assessing and Mitigating Environmental Impacts."

5. Part I of the Full Environmental Assessment Form filled out, unless deemed a Type II action pursuant to Part 617 (SEQR).

6. Details of any proposed noise that may be generated by inverter fans, or other noise generating equipment that may be included in the proposal. The Planning Board may require a noise analysis to determine potential adverse noise impacts.

7. Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming, and fence maintenance as well as any proposed use of pesticides or herbicides.

8. Landscaping/Screening Plan. Such plan shall describe the methods and types of screening that is proposed, including but not limited to existing vegetation, topography, fencing and structures, and detailing the number, location and species of vegetation to be planted on site and the size and extent of berms. A plan showing appropriate performance criteria specifying minimum plant sizes and measures to be taken in the event that the proposed vegetation fails to survive, flourish or otherwise meet said performance criteria shall be submitted with a building permit application.

9. A location map of the connection point to the grid shall be provided along with a description of any easements or rights-of-way, clearing, infrastructure, appurtenances, and equipment that may be necessary or required to connect to the grid.

10. Decommissioning Plan. To ensure the proper removal of Medium-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted at the time of building permit application. Compliance with this Decommissioning Plan shall be made a condition of the approval under this Section. The Decommissioning Plan must specify that after the Medium-Scale Solar Energy System can no longer be used, it shall be removed by the applicant or any subsequent owner. The decommissioning plan shall also include:

    a. Provisions describing the triggering events for decommissioning of the solar energy facility;

    b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;

    c. Provisions for the restoration of the soil and vegetation. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil

and vegetation shall be conducted to return the parcel to its original state prior to construction.

d. A timetable approved by the Planning Board for site restoration;

e. An estimate of the decommissioning costs certified by a Professional Engineer. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a Professional Engineer or Contractor. Cost estimations shall consider inflation. Removal of Medium-Scale Solar Energy Systems must be completed in accordance with the Decommissioning Plan.

f. Financial Assurance, in the form of a security deposit, escrow account, bond or in a manner otherwise acceptable to the Town, shall be secured by the Owner or Operator, for the purpose of adequately performing decommissioning, in an amount equal to the Professional Engineer's certified estimate of removal and decommissioning costs. The financial assurance shall be reviewed by the Town Attorney annually to ensure the Owner or Operator and bond maintain the necessary assurances for decommissioning;

g. Identification of and procedures for Town of Watson access to Financial Assurances;

h. A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator or any of their successors, assigns, or heirs;

i. A provision that the Town of Watson, its officials, employees, agents or contractors, shall have the right of access to the site, pursuant to reasonable notice, to effectuate or complete removal and decommissioning;

j. Removal of machinery, equipment, tower, and all other materials related to the project is to be completed within one year of decommissioning. If the Medium-Scale Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system, restore the property, capture the bond or associated financial assurance and impose a lien on the property to cover these costs to the municipality.

k. The plan shall also include an expected timeline for execution.

11. If in the course of the delivery, installation, maintenance, dismantling, removal or transport of the solar energy system or any components thereof the property of the Town of Watson, including but not limited to roadways, shoulders, drainage structures, signage, guide rails, etc., is damaged by the efforts of the applicant or any agents thereof, the applicant shall, within 30 days of completing construction, completely replace or repair all damage in consultation with the Town Highway Superintendent.Furthermore a road agreement may be required by the Planning Board and compliance with New York State Highway Law Chapter 25, Article 11 Section 320 is required.

C. Standards.

The following shall be required:

1. Anti-Glare. All solar collectors and related equipment shall be surfaced, designed, coated with anti-reflective materials, and sited to minimize glare reflected onto adjacent residences and roadways.

2. Height and Setback. All ground-mounted Solar Energy Systems:

   a. Shall not exceed 20' in height when oriented at maximum tilt

   b. Shall be located at least 100' from the centerline of any State road and at least 100' from the centerline of any County or Town road.

   c. Shall be located at least 75' from side or rear lot lines

   d. Panels should be placed at least 350 feet from an occupied residence not involved in the project unless the owner of the residence agrees to waive the requirement. Property-line setbacks are only applicable to nonparticipating parcels.

   e. Inverters and battery systems should be placed near the center of the project, where practical, in order to reduce noise propagation from the site.

3. Lot Area: A parcel must have a minimum area of one acre for an accessory ground-mounted Solar Energy System to be permitted.

4. Fencing: All Medium-Scale Solar Energy Systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type of fencing shall be approved by the Planning Board. Solar equipment shall not be used for displaying any advertising.

5. Screening. All Medium-Scale Solar Energy Systems that are viewable from any public road shall be required to provide landscaping along the entire street frontage to ensure the site is screened and harmonious with the character of the property and surrounding area. Appurtenant structures such as inverters, batteries, equipment shelters, storage facilities, transformers, should be screened from adjoining residences. Planning Board can waive this requirement if sufficient justification is provided by the applicant.

6. Stormwater Management. The Solar Energy System shall be designed with the ground cover as pervious to the maximum extent practicable so that stormwater infiltrates as sheet flow across the system. If solar panels are constructed in such a manner as to promote effective infiltration of rainfall the Solar Energy System may be considered pervious for stormwater pollution prevention purposes. Other structures such as but not limited to transformers, buildings, or paved entrance roads shall still be considered impervious. The following criteria shall be used to establish a Solar Energy System as pervious cover:

a. Panels must be positioned to allow water to run off their surfaces.

b. Soil with adequate vegetative cover must be maintained under and around the panels.

c. The area around the panels must be adequate to ensure proper vegetative growth under and between the panels.

6. Wetland Protection.Solar Energy Systems shall avoid designated wetlands as defined by the New York State Department of Environmental Conservation to the extent practicable. Impacts that are not practicable to avoid shall be properly permitted or allowed by the applicable regulatory authority.

7. Protection of Critical Environmental Areas. No Solar Energy System shall be installed on Critical Environmental Areas (CEAs) as defined by the New York State Department of Environmental Conservation.

8. Protection of Agricultural Resources.

   a. Siting of any Medium-Scale Solar Energy System located on lots that contain Prime Farmland or Farmland of Statewide Importance shall be prioritized on portions of the lot that do not contain Prime Farmland or Farmland of Statewide Importance to the extent practicable. Medium-Scale Solar Energy Systems on Prime Farmland or Farmland of Statewide Importance shall be required to seed, buffer or border areas around the periphery of solar panel areas with native perennial vegetation designed to attract pollinators.

   b. To the maximum extent practicable, Medium-Scale Solar Energy Systems located on Prime Farmland shall be constructed in accordance with the construction requirements of the New York State Department of Agriculture and Markets.

5. PERMITTING AND APPROVAL REQUIREMENTS FOR LARGE-SCALE SOLAR SYSTEMS

A. Large-Scale Solar Energy Systems are permitted through the issuance of site plan approval, special use permit approval or both within the single zoning district in the Town of Watson, and subject to the requirements set forth in this Section. All procedures including, but not limited to sketch plan review, public hearing, and time frames pursuant to the zoning law shall be met. Whenever a solar energy facility requires both a site plan review and a special use permit, the Planning Board shall review those applications concurrently.

B. The application materials as required in Section 430 shall be supplemented by the following information:

1. If the property of the proposed project is to be leased, legal consent between all parties, including easements and other agreements.

2. Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect. Plans shall show the proposed layout of the entire Solar Energy System along with a description of all components, whether on site or off site, existing vegetation, existing or proposed access, gates, parking areas, mounting systems, inverters, panels, fencing, proposed clearing and grading of all sites involved, and proposed buffering and screening.

3. Stormwater runoff calculations, drainage plan, clearing and grading plan. The clearing and grading plan shall also include methods to stockpile, reduce erosion of, and reuse all topsoil from the site. If one acre or more of land is to be disturbed, the applicant shall also submit a preliminary Stormwater Pollution Prevention Plan consistent with NYS DEC or local MS4 requirements. Clearing and/or grading activities are subject to review by the Planning Board and shall not commence until the issuance of site plan approval.

4. Identification of wildlife species that may use the parcel including potential wildlife travel corridors, migration paths (including both ground and aerial pathways), or critical habitats. The site plan and supporting application shall include an on-site evaluation of wildlife species that may use or migrate through the project site. Any lake or waterbody within ½ mile shall also be identified on the site plan.

5. Photo simulations shall be included showing the proposed Large-Scale Solar Energy System in relation to the building/site along with elevation views and dimensions, and photo simulations of the proposed Large-Scale Solar Energy System, solar collectors, and all other components. The Planning Board may require photo simulations to be provided from specific roads or other public areas that may be impacted. In the course of its review of a proposal for development of a Large-Scale solar facility, the Planning Board may require an applicant to submit a viewshed analysis that meets the procedures identified within the New York State Department of Environmental Conservation's SEQRA publication entitled "Assessing and Mitigating Environmental Impacts."

6. Part I of the Full Environmental Assessment Form filled out unless deemed a Type II action pursuant to Part 617 (SEQR).

7. Details of any proposed noise that may be generated by inverter fans, or other noise generating equipment that may be included in the proposal. The Planning Board may require a noise analysis to determine potential adverse noise impacts.

8. Proof of application for grid interconnection shall be provided.

9. Landscaping/Screening Plan. Such plan shall describe the methods and types of screening that is proposed, including but not limited to existing vegetation,

topography, fencing and structures, and also detailing the number, location and species of vegetation to be planted on site and the size and extent of berms. A plan showing appropriate performance criteria specifying minimum plant sizes and measures to be taken in the event that the proposed vegetation fails to survive, flourish or otherwise meet said performance criteria shall be submitted with the building permit application.

10. Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming, and fence maintenance as well as any proposed use of pesticides or herbicides. Any damaged or unused components of the system shall be removed from the premises within 30 days and disposed of legally. All maintenance equipment and spare parts shall be kept in a designated storage area which is fenced and screened.

11. Decommissioning Plan. To ensure the proper removal of Large-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted at the time of building permit application. Compliance with this Decommissioning Plan shall be made a condition of the approval under this Section. The Decommissioning Plan must specify that after the Large-Scale Solar Energy System can no longer be used, it shall be removed by the applicant or any subsequent owner. The decommissioning plan shall also include:

    a. Provisions describing the triggering events for decommissioning of the solar energy facility;

    b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;

    c. Provisions for the restoration of the soil and vegetation. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction.

    d. A timetable approved by the Planning Board for site restoration;

    e. An estimate of the decommissioning costs certified by a Professional Engineer. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a Professional Engineer or Contractor. Cost estimations shall consider inflation. Removal of Large-Scale Solar Energy Systems must be completed in accordance with the Decommissioning Plan.

    f. Financial Assurance, in the form of a security deposit, escrow account, bond or in a manner otherwise acceptable to the Town, shall be secured by the Owner or Operator, for the purpose of adequately performing decommissioning, in an amount equal to the Professional Engineer's certified estimate of removal and decommissioning costs. The financial assurance shall

be reviewed by the Town Attorney annually to ensure the Owner or Operator and bond maintain the necessary assurances for decommissioning;

g. Identification of and procedures for Town of Watson access to Financial Assurances;

h. A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator or any of their successors, assigns, or heirs;

i. A provision that the Town of Watson, its officials, employees, agents or contractors, shall have the right of access to the site, pursuant to reasonable notice, to effectuate or complete removal and decommissioning;

j. Removal of machinery, equipment, tower, and all other materials related to the project is to be completed within one year of decommissioning. If the Large-Scale Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system, restore the property, capture the bond or associated financial assurance and impose a lien on the property to cover the cost to the municipality.

k. The plan shall also include an expected timeline for execution.

12. If the applicant does not complete construction of the project within 18 months after beginning construction, this may be deemed abandonment of the project and require implementation of the decommissioning plan to the extent applicable. The Town may notify the operator and/or the owner to complete construction and installation of the facility within 180 days. If the owner and/or operator fails to perform, the Town may notify the owner and/or operator to implement the decommissioning plan. The decommissioning plan must be completed within 180 days of notification by the Town.

13. Upon cessation of activity of a constructed facility for a period of one year, the Town may notify the owner and/or operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation equal to 80% of approved capacity or implement the decommissioning plan.

14. If the owner and/or operator fails to fully implement the decommissioning plan within the one-hundred-eighty-day time period, the Town may, at its discretion, provide for the restoration of the site in accordance with the decommissioning plan and may recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Town shall be assessed against the property, shall become a lien and tax upon the property, and shall be enforced and collected with interest by the same officer and in the same manner as other taxes.

15. If in the course of the delivery, installation, maintenance, dismantling, removal or transport of the solar energy system or any components thereof the property of the Town of Watson, including but not limited to roadways, shoulders, drainage

structures, signage, guide rails, etc., is damaged by the efforts of the applicant or any agents thereof, the applicant shall, within 30 days of completing construction, completely replace or repair all damage in consultation with the Town Highway Superintendent. Furthermore a road agreement may be required by the Planning Board and compliance with New York State Highway Law Chapter 25, Article 11 Section 320 is required.

C. Standards. All standards required for Medium-Scale solar energy facilities shall also be required for Large-Scale solar energy facilities. In addition, the following shall be required:

1. Lot Size. Large-Scale Energy Systems shall be located on lots with a minimum lot size of 10 acres.

2. All Large-Scale Solar Energy Systems shall be enclosed by fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type of fencing shall be approved by the Planning Board. Solar equipment shall not be used for displaying any advertising.

3. There shall be a minimum 100-foot buffer between any component of the Large-Scale Solar Energy System and the parcel boundary line.

4. Vegetation shall be maintained below the solar panels. The ground within the fenced perimeter shall not be tamped, compressed, or similar other treatment to inhibit the growth of natural vegetation. The Planning Board may allow for co-usage of the lands under and around installed solar panels for grazing or growing of crops that could be grown or harvested without damaging or interfering with solar facilities.

5. The Planning Board may require methods to mitigate adverse impacts to wildlife, wildlife habitats, travel corridors or migration routes. These may be but are not limited to use of fencing that allows for an 8" to 12" space at the bottom that allows wildlife passage, or other use of lights, colors or decoys.

6. All roadways associated with the Large-Scale Solar Energy System shall remain unpaved and of pervious surfaces.

7. Traffic and Roadway Impacts. The Planning Board may require a traffic impact assessment to evaluate potential adverse impacts on public roads. This may include New York State Department of Transportation review if the project is accessed from a state highway.

8. All Large-Scale Solar Energy Systems shall be adequately screened with a vegetative buffer or landscaping from all streets and adjacent residential uses to the extent practicable.

    a. Appropriate landscaping and/or site design features, including both the

maintenance of existing natural vegetation and the introduction of new plantings consisting of a naturally appearing blend of deciduous and coniferous species, shall be required to help screen the facility and accessory structures from roads, neighboring residences, and other uses. Any existing tree or group of trees which stands within or near a required planting area may be used to satisfy the screening and tree planting requirements. The protection of tree stands, rather than individual trees, is strongly encouraged.

9. The design, construction, operation, and maintenance of any Large-Scale Solar Energy System shall minimize glare onto neighboring properties and public roads in excess of that which already exists.

10. Artificial lighting of Large-Scale Solar Energy Systems shall be limited to lighting required for safety and operational purposes and shall be directed downward and not spill onto adjacent properties to the extent practicable.

11. Where feasible, all utilities serving the site shall be underground. If solar storage batteries are included in the Solar Energy System, the batteries must be placed in a secure container or enclosure meeting the requirements of the International Building Code, International Fire Prevention Code and NFPA 70. When the batteries are no longer in use, they shall be disposed of in accordance with the International Building Code, International Fire Prevention Code and NFPA 70 as well as the local laws of the Town, and any other applicable laws or regulations.

12. The manufacturers or installer's identification, contact information, and appropriate warning signage shall be posted at the site and clearly visible.

13. Following construction of a Large-Scale Solar Energy System, all disturbed areas where soil has been exposed shall be reseeded with grass and/or planted with low-level vegetation capable of preventing soil erosion and airborne dust. Pollinator-friendly vegetation is preferred.

14. When any Large-Scale Solar Energy System is installed and before it becomes active, the owner of the site and/or the Solar Energy System must contact the Town's emergency responders departments to make arrangements for a meeting at the site to review the components of the array and to be educated on safety issues and procedures for emergency response. This shall include detailed discussion related to the location of labeled warnings, access to the site and information on emergency disconnection of the system. In addition, the Town Board may require a plan for installation regarding the location of placards which provide mutual aid responders with sufficient information to protect themselves when responding to calls on site.

15. Any application under this Section shall meet any provisions, requirements and standards contained in the Zoning Law that, in the judgment of the Planning Board, are applicable to the Large-Scale Solar Energy System being proposed. If none of such requirements are applicable, the Planning Board may waive certain requirements under their respective review jurisdictions.

16. The Planning Board may impose conditions on its approval of any site plan approval under Article 7 and 8 of the Town of Watson Zoning Law in order to enforce the standards referred to in this Section, or in order to discharge its obligations under the State Environmental Quality Review Act(SEQRA).

17. If the ownership of a solar energy system changes, the special use permit and site plan approvals shall remain in full force and effect providing all the conditions of the special use permit, including bonding, letters of credit or continuing certification requirements or obligations, including maintenance continue to be obligations of successor owners. The change in ownership shall be registered with the Town Clerk with a copy to the Code Enforcement Officer. The Town Clerk shall notify the Town Board of such change.

6. GLARE ASSESSMENT FOR MEDIUM-SCALE AND LARGE-SCALE SOLAR ENERGY FACILITIES

A. Applicants should consult with the Wheeler-Sack Army Airfield and the Watertown International Airport early and throughout the planning process to ensure that a proposed project meets all FAA or other military requirements for such airfield. The Planning Board may require written submission of the project plan to the airfield.

In order to prevent unwanted visual impacts to air traffic control towers and airplane pilots, all applicants for Medium-Scale and Large-Scale solar energy facilities shall conduct a glare analysis.

7. REVIEW COSTS

A Solar Energy System application shall be accompanied by a fee per the fee scheduled as may be established by the Town Board of the Town of Watson. All costs that may be associated with the review of this project by the Town of Watson above this fee shall also be borne by the applicant. When the Planning Board determines that a review will require additional engineering, legal, environmental, or planning costs, they shall provide a cost estimate to the applicant for such services.
Subsequently, an escrow account shall be established, and the applicant shall pay into such escrow account sufficient funds to cover those costs. Such payment shall be made prior to commencement of any further Planning Board review.

8. ENFORCEMENT

Any violation of this Solar Energy System Law shall be subject to the same enforcement requirements, including civil and criminal penalties, provided for in the zoning regulations of the Town of Watson.

SECTION 4. APPLICABILITY

Small-Scale Solar Energy Systems, Medium-Scale Solar Energy Systems, and Large-Scale Solar

Energy Systems shall be considered a new industrial or commercial use allowed under Article 3 of the Town of Watson Zoning Law requiring a site plan review.

SECTION 5. SEVERABILITY

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

Full Environmental Assessment Form
Part 1 - Project and Setting

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 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of Watson Regulation of Solar Energy Systems		
Project Location (describe, and attach a general location map): Town Wide		
Brief Description of Proposed Action (include purpose or need): The purpose of these zoning regulations are to advance and protect the public health, safety, and welfare of the Town of Watson.		
Name of Applicant/Sponsor: Town of Watson Planning Board	Telephone: (315) 221-1705	
	E-Mail: nettie_prusinowski@townofwatsonny.com	
Address: 6971 Number Four Road		
City/PO: Lowville	State: NY	Zip Code: 13367
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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	Town of Watson Town Board	
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Watson Planning Board	
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☑Yes ☐No	Lewis County Planning Department	
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No		
h. Federal agencies ☐Yes ☐No		

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?
Entire Town

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? Beaver River Central School District, Lowville Central School District and South Lewis Central School District

b. What police or other public protection forces serve the project site?
NYS Police and Lewis County Sheriff's Department

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

d. What parks serve the project site?
Adirondack

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)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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)
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 _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☐No
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 _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

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 _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

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: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

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

- Construction: _____

_____

- Operation: _____

_____

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

- Construction: _____

_____

- 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:

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			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• 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:

_____

_____

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? _____ 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: _____ _____%
_____ _____%
_____ _____%

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

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% 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 _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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: _____

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): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ 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? _____

ii. Source(s) of soil rating(s): _____

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: _____

iii. Brief description of attributes on which listing is based:

_____

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 Nettie Prusinowski Date 08/02/2021

Signature Nettie Prusinowski Title Planning Board for Town of Wilson
Chairperson

PRINT FORM

Agency Use Only [If applicable]

Project :

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)

If "Yes", answer questions a - j. If "No", move on to Section 2.

☑ NO ☐ 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	☐	☐
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: _____		☐	☐

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: _____		☐	☐

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: _____ _____		☐	☐

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: _____	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: _____ _____		☐	☐

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: _____		☐	☐

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: _____		☐	☐
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.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

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

☑ NO ☐ YES

	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: _____ _____		☐	☐

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: _____ _____		☐	☐

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.) ☑ NO ☐ YES

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 components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, 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, E1b	☐	☐
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: _____ _____		☐	☐

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) ☑ NO ☐ YES

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: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project :

Date :

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.

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

_____

_____

_____

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ 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:
Name of Lead Agency:
Name of Responsible Officer in Lead Agency:
Title of Responsible Officer:
Signature of Responsible Officer in Lead Agency: Date:
Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person:

Address:

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

LEWIS COUNTY PLANNING BOARD
LEWIS COUNTY COURT HOUSE
7660 NORTH STATE STREET; LOWVILLE, NY 13367
PHONE: (315) 376-5422 FAX: (315) 377-3137

GENERAL MUNICIPAL REFERRAL FORM

Required pursuant to General Municipal Law Article 12B, Sections 239-l and 239-m

Date 08/24/2021

1. Municipality (check appropriate box):
   ☐ Town of Watson ☐ Village of _____

2. Referring body (check appropriate box):
   ☑ Town/Village Board ☐ Zoning Board of Appeals ☐ Planning Board

3. Name, title and address of official to whom our recommendation is to be mailed:
   Nettie Prusinowski-Chairperson for Town of Watson Planning Board
   6971 Number Four Road Lowville, New York 13367

4. Applicant's Name: Town of Watson
   Address: 6971 Number Four Road
   Lowville, New York 13367
   Phone: (315) 221 - 1705

5. Local project identification number (if applicable): N/A

6. Type of Referral (check each appropriate line):
   _____ Area Variance
   _____ Use Variance
   _____ Special Permit
   _____ Site Plan Review
   x Zoning Text Amendment(s)
   _____ Zoning Map Amendment
   _____ Other (specify): _____

7. Location of real property pertaining to referral **(fill out completely):**
   A. Frontage Road Name: Entire Town of Watson
   B. Nearest Intersecting Road:
      Name: _____ Direction: _____ Distance: _____
   C. Tax Map Parcel: Map _____ Block _____ Lot _____
   D. Dimensions/Area of Property: _____
   E. Existing Zoning District: _____

8. Brief written summary of proposed action: Adoption of proposed local law regulating solar energy systems in the Town of Watson.

9. Enclosures: **(please check all that apply)**

_____ * Sketch of proposal drawn to **scale** depicting existing and proposed buildings, proposed entrance/exit, internal traffic circulation pattern, designated parking areas, and north arrow.

_____ * Location map(s), example: (topographic map, real property tax map)

x_____ * SEQR Environmental Assessment Form (EAF)

_____ Existing Area Zoning

x_____ Agricultural Data Statement

x_____ Copies of textual amendments

_____ Other (specify): _____

*** <u>Mandatory for all referrals</u>**

10. Other involved agencies (i.e., other agencies having permitting authority) – **(Please check all that apply)**

_____ NYS Department of Environmental Conservation
_____ NYS Department of Health
_____ NYS Department of Transportation
_____ Lewis County Soil and Water Conservation District
_____ Adirondack Park Agency
_____ Other(s):

11. Is this parcel located in an Agricultural District? YES (yes or no)

If yes, then an Agricultural Data Statement needs to be completed and submitted with all applications for a Special Use Permit, Site Plan Approval or Use Variance Approval for projects occurring on property within an Agricultural District containing a farm operation, or on property with boundaries within 250 feet of a farm operation located in an Agricultural District. Please complete and submit the attached Agricultural Data Statement, if applicable.

Name of Local official completing this form: Nettie Prusinowski
Address: _____
Phone: (315) 221 - 1705

Send completed form and enclosures *(no later than 12 days before the next County Planning Board meeting – 3rd Thursday of each month)* to:

LEWIS COUNTY PLANNING BOARD
c/o LEWIS COUNTY PLANNING DEPARTMENT
7660 NORTH STATE STREET; COURT HOUSE
LOWVILLE, NY 13367

<u>OFFICE USE ONLY:</u>

Date Received: _____

Reviewed By: _____

AGRICULTURAL DATA STATEMENT

This statement is to be submitted with all applications required for a Special Use Permit, Site Plan Approval or Use Variance Approval for projects occurring on property within an Agricultural District containing a farm operation, or on property with boundaries within 250 feet of a farm operation located in an Agricultural District. (Ref. Town Law 283-a)

1. Applicant's Name: Town of Watson Planning Board

   Address: 6971 Number Four Road, Lowville New York 13367

   Phone: (315) 376 - 3627

2. Description of proposed project: Adoption of proposed local law regulating solar energy systems in the Town of Watson.

3. List names and addresses of farming operations * within 250 feet of the proposed project: (attach additional sheet if necessary)

   1. _____
   2. _____
   3. _____

4. Written description of exact location of proposed project: Please attach a tax map or clearly drawn map showing proposed project relative to all farming operations identified in the Data Statement:

* Farming operations, as defined by NYS Agriculture and Markets Law, Article 25-AA, means the land used in agricultural production, farm buildings, equipment, and farm residential buildings.