

APPLICATION COMPLETENESS STATUS

- EXCLUDES SITE PLAN APPLICATION
- EXCLUDES SPECIAL USE PERMIT FOR ANNUAL MEMBERSHIP CLUBS

Solar Energy Systems

Pursuant to ZS 230-48.1.G(2), the special use permit application requirements for Solar Energy Systems include that the site plan application be supplemented with the following:

(a) If the property of the proposed project is to be leased, legal consent of all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.

Incomplete. Applicant has provided additional information. The Board should consider whether this is sufficient.

(b) Plans showing the layout of the solar energy system signed by a professional engineer or registered architect.

Complete. Plans prepared by Ralph G. Mastromonaco P.E., P.C.

- Proposed Subdivision Solar Array System, dated 4/22/2019, revised 12/3/2020, Sheet 1
- Overall Map, dated 1/22/2019, revised 12/3/2020, Sheet 1
- Tree Plan, dated 3/25/2020, revised 12/1/2020, Sheet 1
- Tree Schedule, dated 4/25/2020, Sheet 4
- Erosion Control Plan, dated 7/2/2020, Sheet 5
- Details/Notes, dated 7/2/2020, revised 12/3/2020, Sheet 6

Note that the planset will need to be stamped.

(c) A one- or three-line electrical diagram detailing the solar energy system layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.

Incomplete. Additional detail has been provided. However, a layout of the configuration of the equipment on the proposed concrete pad remains outstanding and should be provided.

(d) A preliminary equipment specification sheet that documents all proposed solar panels, significant components, mounting systems, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.

Incomplete. Additional detail has been provided. The Applicant should provide specifications on the inverters and remaining significant components, as applicable.

(e) Property operation and maintenance plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.

Complete. The Applicant should provide this information as a standalone document for Village project files.

(f) Any application under this section shall meet any substantive provisions contained in the site plan and special permit sections of this Code as, in the judgment of the Planning Board, are applicable to the system being proposed.

Complete. To date, Chazen is not aware of additional provisions and/or sections being applied by the Village at this time.

(g) The Planning Board or Board of Trustees may impose conditions on its approval of any special use permit under this section 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).

Complete. To date, Chazen is not aware of additional conditions being imposed on the Applicant at this time.

(h) Decommissioning plan. A decommissioning plan generally in a form to be provided by the Village and signed by the owner and/or operator of the solar energy system shall be submitted by the applicant as part of the special permit application, addressing the following:

Incomplete. The Applicant has provided a Decommissioning Plan, dated 12/8/2020, prepared by Matrix Development, LLC and Prickly Pear Solar, LLC, but it is missing required information. See below.

(1) The cost of removing the solar energy system.

This information is missing from the Plan.

(2) The time required to decommission and remove the solar energy system and any ancillary structures.

This information is missing from the Plan.

(3) The time required to repair any damage caused to the property by the installation and removal of the solar energy system.

This information is missing from the Plan.

(4) A tree restoration plan, restoring the decommissioned area to a condition similar to the condition that existed prior to the installation. Recognizing that mature plantings cannot be easily relocated, the Planning Board may exercise discretion in determining the number, caliper,

type and location of plantings in reviewing any such plan, but all plantings shall be native noninvasive species.

This information is missing from the Plan.

Pursuant to ZS 230-48.1.G(3), the following special use permit standards are required:

(a) Height and setback. Large-scale solar energy systems shall adhere to the height and setback requirements of the underlying zoning district.

Complete. A copy of correspondence with the Building Inspector relative to the side yard setback should be included in future submittals.

(b) Lot size. Large-scale energy systems shall be located on lots with a minimum lot size of four acres.

Complete. The proposed lot size is 544,366 square feet or approximately 12.5 acres.

(c) Lot coverage.

[1] The following components of a Tier 3 solar energy system shall be considered included in the calculations for lot coverage requirements:

Complete.

[a] Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

Complete. Additional information has been provided by the Applicant.

[b] All mechanical equipment of the solar energy system, including any pad-mounted structure for batteries, switchboard, transformers, or storage cells.

The proposed system may include batteries or associated storage in the future. Further detail is needed on the transformers and switchboard and should be included in the next submission.

[c] Paved access roads servicing the solar energy system.

The Applicant does not propose to pave any roads.

[2] Lot coverage of the solar energy system, as defined above, shall not exceed the maximum lot coverage requirement of the underlying zoning district.

Complete. The underlying RA-60 Zoning District does not have a maximum allowed lot coverage requirement. The Applicant has provided the proposed building coverage.

(d) Fencing. All mechanical equipment, including any structure for storage batteries, shall be enclosed by a fence, as required by NEC, with a selflocking gate to prevent unauthorized access. Warning signs with the owner or operator's contact information shall be placed on the entrance and perimeter of the fencing. The type and height of fencing shall be determined as part of the site plan and special permit review. The fencing and the system may be further screened by any landscaping needed to avoid adverse aesthetic impacts.

Incomplete. The Applicant has provided a detail for a seven-foot high fence; however, the plans should be updated to indicate the proposed locations.

(e) Lighting. Lighting of the solar energy systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

Complete. No lighting is proposed.

(f) Tree cutting. Tree removal shall be subject to the permit requirements of Chapter 208.

Incomplete.

Pursuant to 208-16, a tree removal permit is required before removing:

(1) Any tree eight inches or more in DBH on any parcel of land capable of being subdivided under the zoning provisions applicable to the district in which the parcel is situated or on any parcel of land without a residential structure or on any property which would require site plan approval to be developed.

Complete.

(2) Any tree four inches or more in DBH growing on slopes of over 20%.

A legend should be provided on the tree plan and should identify the number of trees four inches or more in DBH on slopes over 20% that are proposed to be removed.

(3) Any threatened or endangered species of tree, regardless of size, as defined by the New York State Department of Environmental Conservation.

Please provide information about the presence or removal of threatened or endangered species of trees, if any are present.

(4) Landmark trees as herein defined, regardless of size.

No information is provided about the presence or removal of landmark trees, if present.

(5) Any tree four inches or more in DBH, the trunk of which is wholly or partially located in a regulated buffer zone as herein defined.

Chazen is not aware of a regulated buffer existing on the proposed 12.5-acre area to be subdivided.

(6) More than 10 trees with a DBH of four inches or greater on a lot, within any twelve-month period.

See response to #2 above.

(g) Underground requirements. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

Complete. The Applicant should provide a layout of proposed trenching and details of pole mounted equipment, including locations in the next submission.

(h) Vehicular paths. Vehicular paths within the site shall be designed to minimize the extent of impervious materials and soil compaction.

Complete. The Applicant has indicated that the access paths will be have grass surfaces.

(i) Signage.

[1] No signage or graphic content shall be displayed on the solar energy systems except the manufacturer's name, equipment specification information, safety information, and twenty-four-hour emergency contact information.

Complete. Sign details should be provided prior to issuance of building permit. The Applicant has indicated that no commercial signage will be implemented on site and that signage will be limited to the content noted above.

[2] As required by the National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

Complete. Sign details should be provided prior to issuance of building permit. The Applicant has indicated that the information noted above will be provided on site.

(j) Glare. All solar panels shall have antireflective coating(s).

Complete. The Applicant has provided this information in the following report:

- **Sunpower Corporation, Photovoltaic Systems: Lower Levels of Glare and Reflectance Vs. Surrounding Environment dated January 10, 2020**

(k) Screening and visibility.

[1] Solar energy systems smaller than 10 acres shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.

Incomplete. The Applicant states that the cumulative surface area of the solar panels is approximately 2.4 acres and the area used by the arrays will be approximately 7.3 acres including access paths and borders. A visibility analysis was conducted, including a balloon test, and information is provided in:

- **Overall Map Sight Lines, Sheet 1, dated February 25, 2020.**
- **Views Looking from Adjacent Properties, Sheets 2 – 5, dated February 25, 2020**
- **Views Looking from Offsite Locations, No Sheet Specified, dated April 28, 2020**

These drawings include transect profiles at various vantage points. The Applicant identified an area along the north bound lane of Route 9 where there is potential for

panels to be visible. In addition, they noted that tree cutting will change the visual character of the site.

The Applicant previously provided line of sight drawings; however, based on neighbor's comments, the solar array may be visible from upper stories of nearby residences. The Board may wish to request that the Applicant address these concerns.

[2] Solar energy systems larger than 10 acres shall be required to:

[a] Conduct a visual assessment of the visual impacts of the solar energy system on public roadways and adjacent properties. At a minimum, a line-of-sight profile analysis shall be provided. Depending upon the scope and potential significance of the visual impacts, additional impact analyses, including, for example, a digital viewshed report, may be required to be submitted by the applicant.

Not applicable.

[b] Submit a screening and landscaping plan to show adequate measures to screen through landscaping, grading, or other means so that views of solar panels and solar energy equipment shall be minimized as reasonably practical from public roadways and adjacent properties to the extent feasible. The screening and landscaping plan shall specify the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping, and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system, following the applicable rules and standards established by the Village.

Not applicable.

APPLICATION COMPLETENESS STATUS

General Special Permit Use Requirements

Article X Special Permit Uses:

Per ZS 230-57, a Special Permit Application should include the following documentation:

- A. A description of the proposed use, with reference to the appropriate use and regulations of this chapter, including any supplementary regulations applying thereto.
- B. A cost-benefit analysis or similar study to review the estimated municipal costs, services and prospective revenues which would be generated by the proposed use.
- C. Evidence that the proposed use is consistent with the goals of the Village Master Plan.
- D. A traffic and circulation study projecting the effects of the proposed use of the existing and probable future traffic and access in the vicinity of the proposed use.
- E. Copies of environmental assessments or permit applications and supporting materials which may be required to meet New York State or federal regulations.

F. A stormwater pollution prevention plan (SWPPP) consistent with the requirements of Chapter 196, Article I, Stormwater Management and Erosion and Sediment Control, shall be required for any special permit approval that qualifies as or authorizes a land development activity as defined in Chapter 196, Article I. The SWPPP shall meet the performance and design criteria and standards in Chapter 196, Article I. The approved special permit shall be consistent with the provisions of Chapter 196, Article I.

Incomplete. The Applicant should provide information relevant to subsections B, C, and F.

HGNC should provide information as it relates to the amended special permit application pursuant to ZS 230-9.1A(6).