

TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
October 5, 2023

Resolution No. 023-224

Solar Local Law No. 3 of 2023
SEORA Determination

WHEREAS, the Town Board of the Town of Plattsburgh is considering adoption of an amendment to the Town of Plattsburgh Solar Energy Local Law for the following purposes

This Solar Energy Local Law amendment is intended to advance and protect the public health, safety, and welfare of Town of Plattsburgh residents by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives:

- 1) To mitigate the potential impacts of Solar Energy Systems on environmental resources such as important agricultural lands, forests, open spaces, wildlife and other protected resources, and;
- 2) To identify the ideal locations for solar energy development and to avoid conflict with other land use goals, regulations, and long term plans; and
- 3) To allow for well planned development of a safe, abundant, renewable and non-polluting energy resource;
- 4) To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;
- 5) To increase employment and business development in the Town, to the extent reasonably practical, by providing a defined framework for review of Solar Energy Systems projects; and

WHEREAS, Part 617 “State Environmental Quality Review”, section 8-0113 of the Environmental Conservation Law provides for the review of projects which constitute an “action” with respect to the effect of such projects on the environment; and

WHEREAS, the Town Board of the Town of Plattsburgh (the “Town Board” and the “Town”, respectively) has adopted the provisions of Part 617 “State Environmental Quality Review”; and

WHEREAS, a determination of the effect of said project or action on the environment is necessary to determine whether a draft “Environmental Impact Statement” is required; and

WHEREAS, the effects of the project or action on the environment are to be examined by all “involved agencies”; and

WHEREAS, the Town Board has before it the project or action known as the “Town of Plattsburgh Solar Local Law” of the Year 2023, and

WHEREAS, the Project is hereby determined to be a “Type I” action requiring the assessment as to its effect upon the environment with a coordinated review; and

WHEREAS, the Town Board is hereby determined to be an “lead agency” and, if no objection is made from any other “involved agency”, the “lead agency” in accordance with Part 617 “State Environmental Quality Review” (SEQR) for purposes of assessing the effect of the Project on the environment and determining whether said effect is sufficiently significant to require the preparation of a draft “Environmental Impact Statement”; and

WHEREAS, Clinton County, all adjacent Towns, the City of Plattsburgh, and any involved agencies were provided notice of the proposed action; and

WHEREAS, no additional involved agencies were identified and no objections to the Town’s request for lead agency status were received; and

WHEREAS, A duly noticed public hearing was held on October 5th, 2023 at the regularly scheduled meeting of the Town Board for the purposes of hearing public comment on the proposed local law and no comments were received; and

WHEREAS, The Town Board acting as an “involved agency” and as the “lead agency” has received a completed Full Environmental Assessment Form Parts I, II prepared by Town Planning Staff and related materials giving information about the Project and its potential effects on the environment together with all written comments and written evidence of oral comments provided by “involved agencies” (collectively, the “environmental compliance file”)

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Plattsburgh, New York, as follows:

That the Town Board of the Town of Plattsburgh after review of the said Draft Town of Plattsburgh Solar Energy Local Law, completed EAF PARTS I & II, and related materials does hereby determine as “Lead Agency” for the SEQRA Review process that the "Project" will NOT have a significant effect on the environment. Therefore, the preparation of a DEIS is NOT required; and, be it further

RESOLVED, that the Town Board does hereby authorize completion and execution of the EAF Part III and declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

RESOLVED, The Town Board of the Town does hereby authorize and direct the Supervisor to have prepared a “notice of no significant environmental impact” (NEGATIVE DECLARATION) for the project. The “notice of no significant environmental impact”

(NEGATIVE DECLARATION) shall be disseminated to those “involved agencies” and governmental units as required by the Environmental Conservation Law and any local law of the Town, and the environmental compliance file as aforesaid shall be maintained on file at the Town Hall Offices of the Town Board and made available for public inspection at regular business hours of the Town.

This resolution shall become effective immediately upon its adoption by the Town Board of the Town of Plattsburgh.

Motion:

Seconded by:

Discussion:

<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Carried</u>	<u>Tabled</u>
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