

The following municipal matters were submitted to the Committee for consideration pursuant to New York State General Municipal Law §239-l, m, & n:

1. Town of Aurelius – Site Plan, Subdivision, & Special Use Permit – Solar Farm

The Committee carefully considered the materials provided by the Town related to the proposed solar project. Based on the information submitted, the Committee recommends approving the proposed action without change.

MOTION BY: Steve Lynch

Recommend approving the proposed action without change, with the following comment:

- *SEQR Form corrections:*
 - *Pg 2- item C.2, c. should be yes. The Town does have an adopted and NYS approved Agriculture & Farmland Protection Plan.*
 - *Section F attachments- pg 34- the Ag Data Statement is blank but signed and dated. Item E.3, b on pg 6 states that “An Agricultural Data Statement has been completed for this project”. It has not. It is not filled in.*
- *Site Plan corrections:*
 - *Sheet C-101, General Notes, #5: change Chautauqua County to Cayuga County*
- *Decommissioning Plan: The committee strongly suggests that the Town require the owner to state in the plan and follow NYS Dept. of Agriculture & Markets’ Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands dated 10/18/2019 or as revised to ensure that the land is properly restored to pre-construction state with regards to soil quality and not just “graded and seeded if necessary”.*
- *Zoning conflict: Currently there is a conflict in the Town’s Zoning Ordinance related to special use provisions in the Industrial District which may prohibit this project from being approved. In reference to the proposed zoning amendments submitted as a separate referral, the Committee suggests an additional amendment to the zoning ordinance. Upon reviewing the referral for the proposed solar development it was discovered that a statement at the end of Section 100-22, A, 3 conflicts with provisions of Section 100-22, A, 2. Subsection 2, a states that “All uses with the exception of those listed in Subsection 3 below” while the last provision at the end Subsection 3 states “All uses not listed are considered prohibited in this zoning district” which is a direct conflict with Subsection 2, a. The Committee suggests that the Town consider removing the final provision of Subsection 3 as quoted above to eliminate this conflict.*
- *The Committee would like to remind the Town and applicant that Ellis Drive Ext. is not a public road and is in fact a gravel access road on a parcel of land owned by the Cayuga County Industrial Development Agency (IDA). The only access point for the project as proposed is from Ellis Drive Ext. which would require a legal access agreement between the applicant and the IDA.*
- *Lastly, the committee would like to remind the Town and applicant that the draft SWPPP acknowledges that not more than five acres of soil may be disturbed at one time. Notification to DEC and authorization must be given prior to any disturbance that crosses this threshold.*

SECOND BY: Brian Hall

All vote AYE

Motion Approved and Carried.

2. Town of Moravia – Site Plan & Special Use Permit – Community Solar Facility

The Committee carefully considered the materials provided by the Town related to the proposed solar project. Based on the information submitted, the Committee recommends approving the proposed action without change.

MOTION BY: Steve Lynch

Recommend approving the proposed action without change, with the following comment:

- *SEQR Form Corrections:*
 - *Pg 2- Site is in the Cayuga County Agricultural District therefore the Cayuga County Agriculture & Farmland Protection Board needed to also review the NOI which was done on May 12, 2020. Please add this review and date completed to the list under “County Agency”*
- *The Ag Data Statement is not properly filled in:*
 - *Question 5 is blank.*
 - *Question 9: while the attached map provides parcel owner information, the specific questions (which need to be answered for all farmed parcels) are not filled in or provided.*
- *Site Plan:*
 - *Sheet C-100 needs a legend*
 - *Sheet C-105 includes a tree planting detail but no trees are proposed anywhere as part of the project.*

SECOND BY: Ani Fish

All vote AYE

Motion Approved and Carried

3. Town of Niles – Local Law – Family Definitions

The Committee carefully considered the materials provided by the Town related to the proposed local law. Based on the information submitted, the Committee determined that the proposed action appears to have no intermunicipal concerns and is of local concern only.

MOTION BY: Kari Terwilliger

The proposal appears to have no intermunicipal concerns and is of local concern only, with the following comment:

The following corrections to Part 1 of the SEQOR Form should be made:

- *Pg 2- item B, a. should be yes. Add Town Board approval as a required approval.*
- *Pg 2- item B, e. should be yes. Add Cayuga County GML 239 Committee as a required approval.*
- *Pg 2- item B, i., i. should be yes. Both Owasco Lake and Skaneateles Lake are Designated Inland Waterways and there is land in Niles that touches both lakes.*
- *Pg 3- item C.3 should be yes. List all zoning districts where single or two family dwellings are allowed.*
- *Pg 3- item C.4, c. should have all fire protection and EMS agencies listed. "Multiple" is not a sufficient answer.*
- *Pg 3- item C.4, d. All parks in the town should be listed here.*

SECOND BY: Steve Lynch

All vote AYE

Motion Approved and Carried

4. Town of Niles – Local Law – Building Definition

The Committee carefully considered the materials provided by the Town related to the proposed local law. Based on the information submitted, the Committee determined that the proposed action appears to have no intermunicipal concerns and is of local concern only.

MOTION BY: Kari Terwilliger

The proposal appears to have no intermunicipal concerns and is of local concern only, with the following comment:

The following corrections to Part 1 of the SEQOR Form should be made:

- *Pg 2- item B, a. should be yes. Add Town Board approval as a required approval.*
- *Pg 2- item B, e. should be yes. Add Cayuga County GML 239 Committee as a required approval.*
- *Pg 2- item B, i., i. should be yes. Both Owasco Lake and Skaneateles Lake are Designated Inland Waterways and there is land in Niles that touches both lakes.*
- *Pg 3- item C.3 should be yes. List all zoning districts where single or two family dwellings are allowed.*
- *Pg 3- item C.4, c. should have all fire protection and EMS agencies listed. "Multiple" is not a sufficient answer.*

- Pg 3- item C.4, d. All parks in the town should be listed here.

SECOND BY: Steve Lynch

All vote AYE

Motion Approved and Carried

5. Town of Aurelius – Local Law – Zoning Amendments

The Committee carefully considered the materials provided by the Town related to the proposed local law. Based on the information submitted, the Committee determined that the proposed action appears to have no intermunicipal concerns and is of local concern only.

MOTION BY: Kari Terwilliger

The proposal appears to have no intermunicipal concerns and is of local concern only, with the following comment:

- *The following correction should be made to the SEQOR Form:*
 - Pg 2- item C.2, c. should be yes. The Town does have an adopted and NYS approved Agriculture & Farmland Protection Plan.
- *The Committee suggests an additional amendment to the zoning ordinance. Upon reviewing the referral for the proposed solar development it was discovered that a statement at the end of Section 100-22, A, 3 conflicts with provisions of Section 100-22, A, 2. Subsection 2, a states that “All uses with the exception of those listed in Subsection 3 below” while the last provision at the end Subsection 3 states “All uses not listed are considered prohibited in this zoning district” which is a direct conflict with Subsection 2, a. The Committee suggests that the Town consider removing the final provision of Subsection 3 as quoted above to eliminate this conflict.*

SECOND BY: Brian Hall

All vote AYE

Motion Approved and Carried

At 9:45AM, the following committee members left the meeting and were no longer present:

Highway Department:

Rich Wheeling

Soil & Water Conservation District:

Brian Hall

All other committee members were present, thereby, a quorum was maintained.

6. Village of Moravia – Comprehensive Plan

The Committee carefully considered the materials provided by the Village related to the proposed comprehensive plan. Based on the information submitted, the Committee recommends approving the proposed action without change.

MOTION BY: Kari Terwilliger

Recommend approving the proposed action without change, with the following comment:

The Committee recommends that the Village consider making the following corrections to the Comprehensive Plan prior to adopting it:

- *The vision statement for the Village of Moravia needs to be included in the final plan. As stated on page 87 of the draft plan “...will help achieve this Plan’s Vision Statement” and on page 96 “This strategic vision is in concert with the overarching vision statement of the Comprehensive Plan...” but the actual vision statement is nowhere to be found in the document.*
- *Pg 107 references the Cayuga County Comprehensive Emergency Management Plan but then includes data from the Cayuga County All-Hazards Mitigation Plan. The Hazard Mitigation Plan is the correct reference for the data provided and discussed on page 107.*
- *Chapter 9 includes information from and references to the 2012-2013 Cayuga County All-Hazards Mitigation Plan. That plan was updated by the county and finalized in 2021. The village should consider utilizing information from this latest version of the plan which includes strategies, action items and data related to hazards and storm events between 2014 and 2021.*

SECOND BY: Steve Lynch

All vote AYE

Motion Approved and Carried