

**Minutes
Cayuga County GML 239-l, m & n Review Committee
April 21, 2022**

The Cayuga County GML 239-l, m & n Review Committee was established in 2005 by Cayuga County Legislature Resolution 413-05 as the agency to conduct mandatory reviews in Cayuga County under sections 239-l, 239-m, and 239-n of the General Municipal Law of New York State. The Committee meets monthly to review local actions for potential intermunicipal or countywide impacts.

The meeting was called to order at 9:01 AM in Caucus Room 1 on the 6th floor of the County Office Building, 160 Genesee Street, Auburn NY 13021 and via conference call using 8x8 software.

The following committee members were present:

- Planning Department: **Steve Lynch**
- Planning Department: **Kari Terwilliger**
- Health Department: **Ani Fish**
- Soil & Water Conservation District: **Brian Hall**

A quorum was thereby established.

Others present:
Greg Diebold (staff)

MINUTES:

Minutes from March 17, 2022

- MOTION BY:** Steve Lynch Recommend approval
 - SECOND BY:** Kari Terwilliger All vote AYE
- Motion Approved and Carried.**

MINUTES:

Minutes from March 23, 2022

MOTION BY: Steve Lynch Recommend approval

SECOND BY: Kari Terwilliger All vote AYE

Motion Approved and Carried.

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 Owasco – Special Use Permit – Everest Park

The Committee carefully considered the materials provided by the Town related to the proposed special use permit. 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: Steve Lynch The proposal appears to have no intermunicipal concerns and is of local concern only.

SECOND BY: Ani Fish All vote AYE

Motion Approved and Carried.

2. Town of Summerhill – Local Law – Solar

The Committee carefully considered the materials provided by the Town related to the proposed local law. 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:

Regarding Tier 3 solar facilities, the draft law states: “The decommissioning plan must ensure the site will be restored to a useful, nonhazardous condition.” This language should be strengthened and include the requirement for decommissioning plans to follow the NYSDAM Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands.

SECOND BY: Kari Terwilliger All vote AYE

Motion Approved and Carried

3. Town of Throop – Comprehensive Plan Update

The Committee carefully considered the materials provided by the Town related to the proposed comprehensive plan amendments. Based on the information submitted, the Committee recommends approving the proposed action with change.

MOTION BY: Steve Lynch

Recommend approving the proposed action, with the following change:

References to the “Cayuga County Water and Sewer Authority” in the Infrastructure and Community Facilities Section (p.25) and in Goal 9, Action 3 (on p. 38 and p.45 in the accompanying implementation table) should be changed to the City of Auburn who are the actual supplier of water to the Town of Throop.

SECOND BY: Ani Fish

Ani Fish, Steve Lynch, and Brian Hall vote AYE;
Kari Terwilliger ABSTAINED

Motion Approved and Carried

4. Town of Owasco – Site Plan – Solar Facility

The Committee carefully considered the materials provided by the Town related to the proposed site plan. Based on the information submitted, the Committee took no action because additional material was found to be necessary for review.

MOTION BY: Ani Fish

Additional materials are necessary for review and no final action taken, with the following comments:

The SWPPP is incomplete and contains many errors that need to be addressed:

- *Section 1 Impact #2 states “Controlling increases in the rate of stormwater runoff resulting from the proposed development so as not to adversely alter downstream conditions” is in conflict with the statement in Section 4.1 that reads “Effects on erosion will be minimal to non-existent based on the decrease in flow.”*

- *If there is a statement regarding increases/decreases in stormwater flows, it should be supported by some a hydrologic model depicting existing vs future conditions and resulting stormwater flows. Wooded areas are not always equal to grassy areas.*
- *Section 1.1 the statement “The installation of the solar panels will not include significant changes to existing topography that alters the predevelopment hydrology” should be supported by a future condition plan sheet.*
- *Section 1.2, the statement “Stormwater quality will be enhanced through the implementation of temporary and permanent erosion and sediment control measures” is it to be supported by designs/plans/hydrologic models. Simply listing a few temporary and permanent measures does not adequately support that statement.*
- *Section 3.3 states “the project is located within the Lake Ontario Watershed. Runoff from the project site will discharge to Harrower Pond and North Chuctanunda Creek” is incorrect. The project is located within the Oswego River/Finger Lakes Watershed, more specifically the Owasco Lake Watershed. Further, the map of the Lake Ontario Watershed is incorrect.*
- *Section 3.4 is to be updated based on the updates to Section 3.3.*
- *Section 4.0 sates “The Contractor will be responsible for implementing the erosion and sediment control measures identified on the plans” but no plans are provided. Please provide an E&SCP (Erosion and Sediment Control Plan).*
- *Section 4.2 states “sediment will be controlled by keeping land disruption to a minimum during construction” yet construction consists of removing nearly 40 acres of wooded area.*
- *Section 5.0 states “The SWPPP and accompanying plans” yet no plans were provided for during and post-construction erosion and sediment controls.*
- *Section 5.1.i refers to existing plans that are not provided.*
- *Section 5.2.1 does not provide any substance on what vegetation will be planted. A planting plan should be provided.*

The committee also identified additional information needed to assess the site plans:

- *Existing stormwater-related features should be identified.*
- *A plan showing future stormwater features should be provided.*

Other comments:

- *The application package incorrectly references the “Town of Melrose” in multiple locations, which should read the “Town of Owasco”*
- *2 errors in the SEQR form:*
 - *Item E.2,m needs to be completed*
 - *Item E.3,a should be answered no because the parcel in question is not located in the Cayuga County Agricultural District.*

SECOND BY: Brian Hall

All vote AYE

Motion Approved and Carried