

**Town of Portville
Public Hearing
January 29th, 2019**

Pledge to Flag: 6:15PM

Present:

Tim Emley, Supervisor, Stuart Frost, Deputy Supervisor, David Suain, Councilman
Todd Johnson, Councilman, Thomas Rowe, Councilman

Others: Patrick Minihan, Holly Fischer, Tami Attwell, Corey Witker, Lindsey McEntire, Marc Kenward

This Public Hearing is for the review of the proposed Solar Farm project at:
1414 Rowe Ave in Westons Mills, NY, as well as for the approval of the SEQR &
Determination of Significance/Negative Declaration.

General discussion regarding Solar Farm installation.

RESOLUTION #04-2019

1414 ROWE AVE. SOLAR ENERGY PROJECT

SEQR – DETERMINATION OF SIGNIFICANCE/NEGATIVE DECLARATION

WHEREAS, the Town of Portville Town Board (hereinafter referred to as the Town Board) is considering Site Plan approval for the construction of a 5.0 megawatt (AC) solar array, on approximately 21.5 +/- acres on a 59.85 +/- parcel located at 1414 Rowe Avenue; and

WHEREAS, the detailed application including the Site Plans, Part 1 Long Environmental Assessment Form (EAF), Building Permit and additional documents and all other relevant documents were received by the Town of Portville Planning Board (hereinafter referred to as the Planning Board) on August 23, 2018; and

WHEREAS, the Planning Board met on September 5th, 2018 and reviewed the application documents and forwarded them to the Town Board for further review on September 11th, 2018.

WHEREAS, the Town Board determines that said proposed development is classified as a Type 1 Action under the SEQR Regulations; and

WHEREAS, the Town Board coordinated the review of the of the proposed application with a number of agencies including;

Involved Agencies:

Cattaraugus County Planning Board
New York State Department of Environmental Conservation (Region 8)
New York State Energy Research and Development (NYSERDA)

Interested Parties:

New York State Department of Transportation
Cattaraugus County Industrial Development Agency (IDA)
New York State Department of Agriculture and Markets
Cattaraugus County Agricultural District
New York State Historic Preservation Office (SHPO)

And

WHEREAS, the Town Board has not received any written objections from the above listed agencies to the Town Board being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in the Full Environmental Assessment Form Part 1; and

WHEREAS, the Town Board has completed Part 2 and Part 3 of the Full Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED the Town Board does hereby designate itself as lead agency for the proposed development above herein; and

BE IT FURTHER RESOLVED that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will **not** be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will **not** be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;

- (iii) there are **no** known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are **no** known important historical, archeological, architectural, or aesthetic resources on the site according to the State Office of Parks, Recreation and Historic Preservation (SHPO), or will the proposed Action impair the existing community or neighborhood character;
- (vi) there will **not** be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will **not** be any hazard created to human health;
- (viii) there will **not** be an irreversible change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of such productive farmland;
- (ix) there will **not** be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will **not** be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will **not** be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are **not** two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Town Board does hereby make a Determination of Non-Significance on the proposed development, and the Town Supervisor is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board's determination.

Resolved: David Suain

Second: Thomas Rowe

All Ayes

Meeting Adjourned: 7:02PM

Motion: Todd Johnson

Second: Stuart Frost

All Ayes

Respectfully Submitted,

Lora J. Weitzel
Town Clerk