



J.Ryan McMahon, II
County Executive

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: March 15, 2023
OCPB Case # S-23-8

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a FINAL SUBDIVISION from the Town of Manlius Planning Board at the request of Horizon Solar Power and Catalyze Energy for the property located at 7869 Peck Road; and
- WHEREAS, General Municipal Law Section 239-n allows the County Planning Board to review the approval of subdivisions and the site is located within 500 feet of Peck Road (Route 115), a county highway; and
- WHEREAS, the applicant is proposing to subdivide a 39.42-acre parcel into two new lots, Proposed New Lot 2A (37.625 acres) and Proposed New Lot 2B (2.17 acres), and convey 0.617 acres to an adjacent parcel in a Restricted Agricultural (RA) zoning district; and
- WHEREAS, the Board is concurrently reviewing Site Plan (Z-23-62), Special Permit (Z-23-63), and Subdivision (S-23-8) referrals for the project; five variances requested by the applicant have been approved by the Town of Manlius Board of Zoning Appeals; the variances were not referred to this Board; and
- WHEREAS, the site is a mostly vacant parcel on Peck Road, near the intersections with North Manlius Road to the west and Ferstler Road to the east; the area is characterized by a mix of land uses including woodlands and wetlands, agriculture, and low-density housing; the site lies approximately one mile north of the NYS Thruway; the site is generally comprised of tilled agricultural land, with wooded lands along the rear, and a house, garage, and barn/storage buildings closer to the Peck Road frontage; and
- WHEREAS, the Resubdivision & Lot Line Adjustment Map dated December 17, 2022 shows the 39.75-acre parcel, along with adjacent tax parcel 042.-01-32.4 under separate ownership, would be resubdivided into three new lots: Lot 2A (37.625 acres) would comprise the majority of the site, including existing agricultural and wooded lands, and have 55' of frontage onto Peck Road; new Lot 2B (2.171 acres) would be a flag lot to contain the existing house and garage and a shared asphalt driveway onto Peck Road; Tax Parcel 042.-01-32.4 would be modified to be a flag lot and add lands containing three barn structures, a gravel driveway and 90 feet of frontage onto Peck Road; and
- WHEREAS, the Site Plan dated 11/2/2022, shows the solar project would occur entirely on Proposed Lot 2A; the arrays will be arranged in three large sections, accessed by a stabilized gravel access road from Peck Road; and
ADVISORY NOTE: Per the Onondaga County Department of Transportation, all existing or proposed driveways onto Peck Road must meet Department requirements; and
- WHEREAS, the solar modules will be mounted on horizontal supports, attached to vertical steel posts driven or screwed into the ground, the applicant states this method "minimizes excavation and concrete foundations"; pollinator-friendly groundcover would be planted, and vegetative screening is noted along the southern and

eastern edges of the project area; the solar panels appear to avoid placement within currently wooded area; and

WHEREAS, the Site Plan notes the entirety of the solar project would be fenced with an access gate set back from Peck Road; transformers would be located on pads at two locations within the site; and the project would connect to the existing utility switch and pole at the Peck Road frontage; and

WHEREAS, the Site Plan and Existing Conditions Plan show the location of multiple areas of wetlands to be located within the solar array area; the wetlands are noted as being delineated by GEI Consultants, PC on September 1, 2022; and
ADVISORY NOTE: Any proposed development in, placement of fill in, or drainage of a state and/or federal wetland or 100-foot state wetland buffer requires appropriate permits from the NYS Department of Environmental Conservation and/or the US Army Corps of Engineers; and

WHEREAS, per the Grading and Utilities Plan, a dry retention basin would be constructed on the southern boundary of proposed lot 2A, along the boundary with proposed lot 2B; per the Erosion and Sediment Control Plan, a silt fence is to be constructed around proposed lot 2A; and

WHEREAS, the referral states the site has no current water or sewer servicing the site, and no new facilities are proposed, presumably on proposed lot 2A; it is also presumed that proposed Lot 2B will maintain its current OCWA drinking water and septic system serving the existing house; and that no changes are proposed; and

WHEREAS, the applicant neglected to specify how much land would be physically disturbed as a part of this project, but did submit a Stormwater Pollution Prevention Plan (SWPPP) with their application;
ADVISORY NOTE: Any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit; the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and

WHEREAS, the site may contain the Bald Eagle, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper);
ADVISORY NOTE: Per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental Permits office; and

WHEREAS, the site or a portion of it is located in or adjacent to an area designated as sensitive for archaeological sites on the NYS Historic Preservation Office archaeological site inventory (per EAF Mapper);
ADVISORY NOTE: The applicant and/or municipality is advised to contact the NYS Historic Preservation Office to determine if the project should be submitted to the Office for review as part of the State Environmental Quality Review (SEQR) process; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board recommends the following MODIFICATION(S) to the proposed action prior to local board approval of the proposed action:

1. Per the Onondaga County Department of Transportation, a drainage study or Stormwater Pollution Prevention Plan (SWPPP) is required to show that the proposed development would not create additional stormwater runoff into the county's drainage system. The applicant must contact the Department to determine the scope of the study. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval.

2. The applicant must contact the U.S. Army Corps of Engineers and/or NYS Department of Environmental Conservation to confirm the presence of federal and/or state wetlands and/or the 100-foot state wetland buffer on the site. All confirmed wetlands should be shown on the plans for the site and any necessary permits should be obtained for any proposed development or placement of fill in a wetland, or drainage of any confirmed wetlands and buffers.

Related thereto, the project as proposed presumably includes significant construction activity and permanent placement of solar arrays using drilled pilings within several acres of federal and or state wetlands and potential buffer areas. Given the large scale of the proposed project and extent of proposed wetland and related potential habitat disturbance, the applicant must revise project plans to further minimize encroachment into wetland areas, and/or provide high-quality mitigation to preserve these important and sensitive environmental areas to the extent possible.

The Board also offers the following comment:

The Town should ensure that any shared driveway access from adjacent parcels be formalized with agreements, noted on plans and filed with the subdivision plan.



Martin E. Voss, Chairman
Onondaga County Planning Board

GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

To: Onondaga County Planning Board **From:** Town of Manlius Planning Board

Fax: 435-2439 **Phone:** 435-2611

Re: Applicant: Horizon Solar Power and Catalyze Energy

Address: at 7869 Peck Road

Referral Type: FINAL SUBDIVISION

OCPB Date: March 15, 2023

OCPB Action: Modification

OCPB Case #: S-23-8

The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):

- Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- Approved the proposed action as modified by the OCPB.
- Approved the proposed action contrary to some of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to all of the modifications recommended by the OCPB.*
- Approved the proposed action contrary to the disapproval recommended by the OCPB.*

- Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)

- Other _____

Local Board Date: _____

*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.
