



J.Ryan McMahon II  
County Executive

# Onondaga County Planning Board

## RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: May 12, 2021

OCPB Case # Z-21-166

- 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 SPECIAL PERMIT from the Town of Manlius Planning Board at the request of CVE North America for the property located at Duguid Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review issuance of special permits and the site is located within 500 feet of East Seneca Turnpike (Route 173), a state highway, and the municipal boundary between the Town and Village of Manlius; and
- WHEREAS, the applicant is requesting a special permit to allow construction of a 15 MW (AC) ground-mounted solar energy system on 89.2 acres of a vacant 240.8-acre parcel in a Restricted Agriculture (RA) zoning district; and
- WHEREAS, the Board is concurrently reviewing site plan (Z-21-165) and preliminary subdivision (S-21-34) referrals as part of the proposed project; and
- WHEREAS, the site has frontage on East Seneca Turnpike and two frontages on Duguid Road, a local road, and is largely vacant and undeveloped, except for a telecommunications facility at the southeast corner of the property; aerial imagery shows active farm fields on a significant portion of the site; the site abuts the Fayetteville-Manlius High School to the east; other surrounding land uses include residential lots and other undeveloped or agricultural lands; and
- WHEREAS, the submitted Subdivision Plan dated April 23, 2021 shows the parcel will be divided into four new lots; proposed Lot 1 (1.2 acres) will have frontage on East Seneca Turnpike and contain the telecommunications facility; proposed Lot 2 (68.3 acres) will have frontage on East Seneca Turnpike and contain an existing gravel driveway that serves the telecommunications facility and will be extended to also serve the solar energy system; proposed Lot 3 (132.5 acres) will have frontage on East Seneca Turnpike and Duguid Road; proposed Lot 4 (38.8 acres) will have frontage on Duguid Road and a proposed driveway;  
ADVISORY NOTE: any work within the state right-of-way is subject to a work permit from the NYS Department of Transportation; and
- WHEREAS, the submitted partial site plans dated April 23, 2021 show three proposed solar array areas, one each on proposed Lots 2, 3, and 4 and each enclosed by a chain link fence; the entire solar energy system will have 35,256 panels and provide 15 MW of energy; the limits of disturbance for the solar energy system, including the proposed 20' wide grass access road, will cover 89.2 acres of the site and portions of the property that are used for agriculture, which includes lands designated as prime agricultural soils; per the submitted Environmental Assessment Form (EAF), 66.5 acres of agricultural lands will be removed and highly productive soils are present on-site; and

- WHEREAS, the partial site plans show two of the solar areas will have four transformers each and the remaining area will have one transformer; a proposed underground electric line is shown to connect the solar arrays on Lot 2 to overhead wires and utility poles at the East Seneca Turnpike frontage and ultimately National Grid's power grid; the proposed underground electric line on Lots 3 and 4 will connect to overhead wires and utility poles at the Duguid Road frontage; the proposed driveway on Duguid Road appears to be intended to service the utility poles/lines; and
- WHEREAS, the EAF states that a portion of the site contains wetlands or other waterbodies and these will not be impacted by the project; per GIS mapping, it appears that there are federal wetlands, floodplain, and floodway (stream) on adjacent parcels to the north and a very small portion that continues onto this property but not in the project location; and
- WHEREAS, the referral materials include a decommissioning plan, as required by the Town Zoning Code, as well as a preliminary screening analysis by National Grid and a Stormwater Pollution Prevention Plan (SWPPP) dated April 2021; per the local application, the applicant will provide a visual analysis once the project is more refined; a viewshed map was included with the referral materials; aerial imagery shows the nearest residence is 590 feet away and screened by trees; the closest structure is the dugout of the school baseball field located 77 feet away, also screened by trees and a fence; the local application notes that anticipated traffic volume is 2 vehicles per month (electrician/landscaper); and
- WHEREAS, the site has access to public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area, which is a flow-constrained facility subject to a 2:1 offset plan/project; no drinking water or wastewater services are proposed for the project; and
- WHEREAS, the project is within 2,000 feet of multiple sites (IDs: C734122, C734147) in the NYS Department of Environmental Conservation Environmental Site Remediation database (per EAF Mapper); per the EAF, both sites are Brownfield Cleanup Program sites where previous industrial uses occurred and may presently contain contaminants such as PDBs, SVOCs, VOCs, or petroleum compounds; the sites are located approximately 1,900 feet west and downslope of the project area; and
- WHEREAS, the site may contain the Northern long-eared bat, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species (per EAF Mapper); impacts to bat species are often associated with tree clearing and the EAF states that 12.6 acres of forest and 10.2 acres of meadows, grasslands, or brushlands would be removed; a Rare, Threatened, and Endangered Species Report was included with the referral materials and indicates tree clearing should be restricted to November 1 – March 31 to minimize impacts to bat species and migratory birds; and
- WHEREAS, the site is located near the Manlius Village Historic District which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places; and
- WHEREAS, ADVISORY NOTE: per GML § 239-nn, the legislative body or other authorized body having jurisdiction in a municipality shall give notice to an adjacent municipality when a hearing is held by such body relating to a subdivision, site

plan, special use permit, or a use variance on property that is within five hundred feet of an adjacent municipality; such notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing; 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:

The applicant must contact the New York State Department of Transportation to coordinate requirements for the existing driveway on East Seneca Turnpike, in order to satisfy commercial driveway standards, which will require paving the portion of the driveway in the state right-of-way. To further meet Department requirements, the applicant must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Department for review. 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.

The Board also offers the following comments:

1. The Board generally recommends avoiding large extents of actively farmed and/or prime agricultural soils for solar energy development. If the Town determines that a site with prime agricultural soils is appropriate for a solar project, the Board encourages the Town to work with the applicant to minimize impacts to soils by taking steps such as minimizing ground disturbance, maintaining agricultural use or pollinator-friendly vegetative cover under panels, determining if animal grazing is an appropriate vegetation management option, and requiring a soil reclamation plan and related financial guarantee of plan implementation.
2. The Town should consider requiring a glare analysis to ensure there will be sufficient screening and no impacts on the adjacent school, residential properties, and state highway.



Daniel Cupoli, Chairman  
Onondaga County Planning Board  
Transmittal Date: 05-12-2021

# 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:** CVE North America  
**Address:** at Duguid Road  
**Referral Type:** SPECIAL PERMIT  
**OCPB Date:** May 12, 2021  
**OCPB Action:** Modification  
**OCPB Case #:** Z-21-166

*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.

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