CYPRESS CREEK RENEWABLES

Meltwater Solar, LLC
5.0 MW COMMUNITY SOLAR FACILITY

Prepared by: Meltwater Solar, LLC
Manlius Special Use Permit, Site Plan Review Application
3/1/2021

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Manlius Special Use Permit, Site Plan Review Application
Meltwater Solar, LLC 5.0 MW Solar Energy Facility

Submitted by Meltwater Solar, LLC
3402 Pico Blvd, Suite 215
Santa Monica, CA 90405

COMPANY SUMMARY

Meltwater Solar, LLC is a limited liability company that is owned by Cypress Creek Renewables, LLC (CCR). CCR is driven by the belief that solar makes our world safer and cleaner while also creating good jobs and contributing to our country's energy independence. CCR is recognized as an industry leader in providing clean, affordable energy throughout the U.S. Our team members specialize in the design, build, and ownership of a range of solar projects, and the company has invested over $3 billion into solar energy production since 2014. CCR is committed to providing positive benefits to the communities we serve, and we hope to be an asset to your community.

Meltwater Solar, LLC, the Applicant, has prepared this application for a 5.0 MW Solar Energy Facility in Manlius, New York. This application was prepared according to the requirements detailed in Article IV of the Manlius Zoning Code. Meltwater Solar, LLC respectfully submits information, exhibits, and materials, which are hereby incorporated into and made part of the Application below in order to comply with Manlius Permit Approval Criteria.

PROJECT SUMMARY

Meltwater Solar, LLC proposes to develop a 5.0 MW Solar Energy Facility on a roughly forty (40) acre tract of land located at 6101 Kirkville Rd. North, Manlius, NY 13082 and owned by Basile Family Limited Partnership (parcel #: 313889 071.-02-09.0).

Meltwater Solar will contain rows of Photovoltaic (PV) cell panels mounted on posts set in the ground. The anticipated power output of the project annually will be enough to power approximately 1,000 single-family homes, and the project will deliver that power onto the grid through coordination with National Grid.

Cypress Creek Renewables has contracted environmental consultants to perform field investigations, literature reviews, and agency consultations to identify and assess existing environmental conditions at the project site. Information derived from the environmental diligence is used by CCR to avoid and minimize effects to environmental resources during the design process, and supporting information will presented in the Full Environmental Assessment Form (FEAF) included with this submittal (Exhibit E). Full compliance with federal, state and local regulations will ensure Meltwater Solar will not result in adverse impacts to environmental resources.

CCR is a proud partner of each town that we work with, and we look forward to a continued relationship with Manlius.

PROJECT BENEFITS

Allowing the property to develop as a solar energy facility provides many benefits, including:

- **The creation of locally generated, clean energy resources in Manlius**
- **A source of consistent, annual income for the landowners.**
    - This is especially helpful when the landowner's occupation provides variable income, as is often the case year-to-year for farmers.
- **Contribution to renewable energy goals outlined by the State of New York.**
    - Meltwater Solar will provide approximately $104,010 per year in economic value[1] to the State of New York and Manlius by offsetting roughly 2,780 tons of CO2 annually.
- **Improved soil and agricultural productivity for local farmland resulting from the installation of an on-site pollinator habitat**
    - Through planting and managing native, pollinator-friendly vegetation, Meltwater Solar, LLC can reduce storm water runoff by 8–23% and support the development of wild pollinators, such as bees and insects, which are vital for the crop yield of pollinator-dependent crops worth $344 million across New York.[2][3]

APPLICATION FOR SPECIAL USE PERMIT, SITE PLAN REVIEW

The following Application and supporting documents address Manlius Special Use Permit, Site Plan Review Application criteria.

Once applicable permits have been obtained through Manlius, Meltwater Solar, LLC will construct, own, operate and maintain the solar energy facility. The project will be a low-impact development requiring little to no local municipal services. The attached application illustrates that this project will not negatively impact public safety or general welfare, nor will it affect the comfort and convenience of the public in Manlius or of the immediate neighborhood.

Meltwater Solar, LLC respectfully requests approval of a Special Use Permit, Site Plan Review Application to construct a 5.0 MW Solar Energy Facility. We thank you for your consideration and look forward to working together to bring the benefits of a solar energy facility to Manlius. Please let me know if I can provide additional information or assistance.

With kind regards,

Jim Geddis
518-217-3160
jim.geddis@ccrenew.com
Cypress Creek Renewables

[1]Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866 (May 2013, Revised August 2016)
[2]Bryan Danforth and Maria van Dyke, "Wild Bees of New York" accessed February 6, 2018. https://pollinator.cals.cornell.edu/wild-bees-new-york. Web.
[3] "Soil, Crop, & Storm Water Benefits of Solar Sites." Fresh Energy, 22 Mar. 2016. Web.

CONTENTS

Special Use Permit, Site Plan Review

APPROVAL CRITERIA

A. ARTICLE IV – SPECIAL REGULATIONS

§ 155-27. Special use permits; application; procedure; fees. [Amended 6-23-1993 by Ord. No. 5-1993; 12-13-2000 by Ord. No. 5-2000; 8-13-2014 by L.L. No. 2-2014; 7-8-2020 by L.L. No. 6-2020]

A. Legislative findings, intent and purpose.

(1) Special use permits are intended to allow for certain uses which are considered on their individual merits and circumstances and which may be permitted in the applicable zoning district, provided that such uses do not adversely affect the neighborhood, including its character, the natural environment, and the rural, scenic and historic character. Such special uses are permitted only upon issuance of a special use permit by the Planning Board only after an evaluation is made of the compatibility of the proposed use with surrounding uses, the suitability of the use to the site, and whether it is in harmony with the Town of Manlius Zoning Code.

(2) All special permit uses cited in the district regulations in Article III of this Zoning Code shall be subject to review and approval by the Planning Board in accordance with § 274-b of the Town Law and the general objectives, requirements and procedures included herein. In all cases where this Zoning Code requires such special use permit authorization, no building permit or certificate of occupancy shall be issued by the Codes Enforcement Officer except upon authorization of and in full conformity with plans approved and requirements or modifications imposed by the Planning Board. In accordance with the district regulations, most uses requiring the issuance of a special use permit are additionally subject to site plan review and approval, as described in § 155-28 of this Zoning Code.

(3) Accessory uses or structures used in connection with a special use permit shall be subject to the same approval requirements as the principal structure or use. In authorizing any special use permit, the Planning Board shall take into consideration the public health, safety, and general welfare, and the comfort and convenience of the public in general, and pursuant to its reasonable exercise of the police powers of the Town under the Home Rule provisions of the New York Constitution, Article IX, § 2, may impose conditions and restrictions on the operations of such uses within the district. The intent of the regulations is to ensure that the development and use of individual parcels is in harmony with the Zoning Code and special use permit requirements will not have an adverse effect on adjacent lands, the immediate neighborhood, or on the character of the community. Such regulations are designed to:

(a) Protect the community from traffic congestion and conflicts, flooding, and excessive soil erosion, unnecessary noise, lighting and odors, wasteful energy use and other forms of pollution;
(b) Protect the community from inappropriate design and other matters of scenic and aesthetic significance;
(c) Ensure that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is proposed, that its impacts can be mitigated by compliance with reasonable conditions; and
(d) Ensure that new development conforms with the Town's planning goals and objectives. This shall specifically include the right and authority to condition and restrict operations reasonably as a proper exercise of the Planning Board's police powers (and not necessarily its zoning authority)for the preservation of the health, safety and welfare of its residents and provided same is reasonably related to a legitimate government purpose.

(4) The Planning Board may require modifications to development proposals, submission of alternative design and layout proposals, and may attach reasonable conditions and safeguards to eliminate or minimize potential impacts as a precondition of its approval of a special use permit.

Acknowledged

B. Special use permit application procedures.

(1) Application and fee. All special use permit applications are made to the Town Clerk, in writing, on forms, and in accordance with the review procedures prescribed by this section of the Zoning Law. In order to be considered complete, a special use permit application shall be accompanied by the following:

(a) A preliminary site plan which demonstrates the overall site layout and building locations, parking areas, access and egress locations, setbacks and buffer areas, lighting, landscaping, stormwater management, signage, natural and cultural resource information as required herein, and the location and extent of existing development on adjacent parcels.

Acknowledged, please see Exhibit A for detailed site plans.

(b) Preliminary building plans and elevations illustrating existing and/or proposed building construction and alteration, including an indication of exterior materials, textures and colors.

Not applicable.

(c) Payment or deposit of all applicable fees and costs in accordance with the Town Code and fee schedule.

Acknowledged, a check for $4,330 was mailed to the Town of Manlius on

February 24, 2022; including payment for $300 for Planning Board, $250 for Special Permit, $1,025 for Legal Fees, and $2,755 for Engineer Fees.

(d) Either a short or full environmental assessment form (EAF), as required by SEQR, Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617. All applications made for lands within or contiguous to any building, structure or site listed or eligible for same individually on the State or National Register of Historic Places shall require the submission of a full EAF.

Acknowledged, both a short and full EAF have been submitted as per the application requirements for the Special Use Permit and Initial Appearance Application. Please see Exhibit E. for the Full EAF and Exhibit R. for the Short EAF.

(e) Certification by the applicant, in writing and on forms provided by the Town of Manlius, that the information provided is "true and accurate to the best of my knowledge."

Acknowledged, please see signed applications. Exhibit I. includes the Initial Appearance Application and Exhibit J. includes the Special Use Permit Application.

(f) Affidavit sworn by the applicant, on forms provided by the Town Manlius, attesting that no state officer, or any officer or employee of the County of Onondaga or Town of Manlius, has any interest in the person, partnership or association owning the premises subject thereof or making the application, and no other violation of (New York) Municipal Law § 809 shall result from such application.

Acknowledged, please see Exhibit H. for the Disclosure Affidavit.

(g) Execution by applicant of payment agreement, on forms provided by the Town of Manlius, agreeing to bear all cost and expense for such administrative, legal, engineering, architect and other professional and consulting assistance to the Town incidental to the application, and including that expense incurred by the Town for Town employees and officers performing reasonable and necessary work on behalf of the Town incident to the application.

Acknowledged, please see Exhibit G. for the Professional Fees Reimbursement Agreement.

(h) Any other information deemed necessary by the Planning Board to explain the nature of the proposed use, its potential environmental impacts under SEQR, and its consistency with the standards established by this Zoning Code for special use permits.

Acknowledged.

(2) Public notice and hearing. The Planning Board shall, within 62 calendar days of the receipt of the complete application, conduct a public hearing on any such special permit application. The Planning Board, by resolution at a stated meeting, shall fix the place, date, and time of the public hearing. The Planning Board shall provide a copy of this notice of said hearing to the applicant and, at which hearing, he or she shall appear in person or by agent. The Planning Board shall additionally provide notification as follows. All notices and mailings shall be the responsibility of the applicant, shall be paid for by the applicant, shall be sent and confirmed by the applicant using certified mail, registered mail, delivery confirmation, signature confirmation, or certificate of mailing, and shall be certified to the Planning Board that compliance has timely occurred. Such notices and mailings shall be as follows:

(a) By publishing at least five calendar days prior to the date thereof a legal notice in a newspaper of general circulation in the Town.

(b) Posting. Notice shall be posted at least five days prior to the date of the hearing as follows:

[1] On the bulletin board of the Town Hall; and

[2] On the Town of Manlius website.

(c) By requiring notice of the public hearing and data regarding the substance and location of the special use permit application to the owners of all property abutting that held by the applicant and all other owners within 500 feet of the exterior boundaries of the land involved in such application or such additional distance as the Planning Board may deem advisable, or as otherwise required by state law. Notice shall be mailed via regular (first-class) mail at least five calendar days prior to the hearing. The foregoing notwithstanding, the failure to have notified a certain party or parties in error shall not affect the legality of the proceeding, provided a good faith effort has been made and this mailing requirement substantially complied with.

(d) By providing notice of the public hearing and data regarding the substance and location of the special use permit application to all involved agencies under SEQR at least 10 calendar days prior to the hearing.

(e) If the land involved lies within 500 feet of a farm operation located in a New York State Agricultural District, such owners shall be sent at least five calendar days prior to the public hearing an agricultural data statement on forms supplied by the Town of Manlius and prepared by the applicant.

(f) If the land involved in the application lies within 500 feet of the boundary of any other municipality, the applicant shall also mail at least five calendar days prior to the public hearing to the Municipal Clerk of such other municipality or municipalities a copy of the notice of the substance of every application, together with a copy of the official notice of such public hearing.

(g) The names and addresses of owners notified shall be taken as such appearon the last completed tax roll of the Town.

(h) Provided that there has been substantial compliance with these provisions, the failure to give notice in exact conformance herewith shallnot be deemed to invalidate an action taken by the Planning Board in connection with granting or denying a special use permit application.

Acknowledged.

(3) Agency and consultant review. In its review, the Planning Board may consult with the Town Codes Enforcement Officer, the Superintendent of Highways, the Town Historian, other local and county officials and its designated privateplanning and engineering consultants, in addition to representatives of county,state and federal agencies, including, but not limited to, the Onondaga County Departments of Health, Public Works, Planning and Development, the New York State Departments of Transportation, Health, Agriculture and Markets, Office of Parks, Recreation and Historic Preservation, Secretary of State, and Environmental Conservation, and the United States Army Corps of Engineers,United States Fish and Wildlife Service, and United States Department of Agriculture's Natural Resources Conservation Service.

Acknowledged.

(4) Required referrals. A full statement of any special use permit application, including all applicable SEQR documentation, that meets the referral requirements of §§ 239-l and 239-m of the General Municipal Law shall be referred prior to the public hearing to the Onondaga County Planning Board for its review. No action shall be taken by the Planning Board on suchapplication until an advisory recommendation has been received from said county Planning Board or 30 calendar days have elapsed since the Onondaga County Planning Board received such full statement. In the event that the Onondaga County Planning Board recommends disapproval of the proposal or recommends modification thereof within such time period or at a later date prior to

final action by the Planning Board, the Planning Board shall not act contrary to such disapproval or recommendation, except by a vote of a majority plus one of all the members after the adoption of a resolution fully setting forth the reasons for such contrary action. Within 30 calendar days after such final action, the Planning Board shall file a report of the final action it has taken with the Onondaga County Planning Board.

Acknowledged, all required information for referral is included within this packet. Please see Exhibit A. for Site Plans, Exhibit B. for Survey, Exhibit I. & J. for Local Application Forms, Exhibit E. & F. for EAF/Related Materials, and Exhibit Q. for Ag Data Statement.

(5) Waiver of requirements. The Planning Board may waive any specific requirements set forth in this § 155-27 for the approval of a special use permit.The grant of any such waiver shall be accompanied by a written finding that compliance with the requirements is either not requisite in the interest of the public health, safety and general welfare or inappropriate to the particular special permit use. The Planning Board may, in granting waivers, incorporate such reasonable conditions as will, in its judgment, substantially secure the objectives of the requirements so waived. No waiver or modification may be deemed approved or granted by implication. All waivers and modifications must be expressly set forth in the findings of the Planning Board.

Acknowledged.

(6) Area variances. Where a proposed special use permit contains one or more features which do not comply with the special use permit regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to § 155-48 of the Zoning Code, without the necessity of a decision or determination of the Codes Enforcement Officer.

Acknowledged, should not be required.

(7) Decisions. Every decision of the Planning Board with respect to a special use permit application shall be made by resolution within 62 calendar days of the close of the public hearing, which resolution shall clearly state the decision, including findings, and any modifications attached thereto. The time within which the Planning Board shall render its decision may be extended by mutualconsent of the applicant and the Board. Each such decision shall be filed in theoffice of the Town Clerk within five business days after such decision is rendered, and a copy thereof shall also be mailed to the applicant. No time periods for decision making in this subsection shall begin to run

until the lead agency has either accepted a draft environmental impact statement as complete or adopted a negative declaration under SEQR.

Acknowledged.

(8) Reimbursable costs. Reimbursable costs incurred by the Planning Board for professional consultation fees or other extraordinary expense in connection with the review of a special use permit application shall be charged to the applicant in accordance with Chapter 96 of the Town of Manlius Code.Maximum amounts for such reimbursable costs by project type and size shall be in accordance with the fee schedule established by the Planning Board. Such reimbursable costs shall be in addition to any fees required herein under the Town Code.

Acknowledged.

(9) Effect of special use permit approval.

(a) In addition to compliance with all other applicable sections of this Zoning Code, and all other local, county and state laws, rules and regulations, no building permit shall be issued for any structure regulated by this section until such special use permit has received Planning Board approval and a copy of a resolution to that effect has been presented to the Codes Enforcement Officer.

(b) No certificate of occupancy shall be issued for any structure or use of land covered by this section until the structure is completed or the land developed in strict accordance with the Planning Board resolution of special permit approval and other applicable requirements of this Zoning Law.

(c) Any use for which a special permit may be granted shall be deemed a conforming use in the district in which it is located, provided that such permit shall be deemed to affect only the lot or portion thereof for which such permit has been granted.

(d) The Planning Board may require in its resolution of approval that a special use permit shall be effective only for a specific duration and upon expiration must be renewed. Such renewal may be withheld only after public hearing and upon specific determination by the Planning Board that such conditions as may have been prescribed in conjunction with the issuance of the original permit have not been, or are no longer being, complied with. If the Codes Enforcement Officer finds a violation of the special use permit, he or she may refer the application to the courts or to the Planning Board for further proceedings. In such cases, a period of 60 calendar days shall be granted for full compliance by the applicant prior to revocation of the special use permit.

(e) A special use permit shall expire if the use or uses cease for more than two years for any reason, if the applicant fails to comply with the conditions of the special use permit, or if the time limit imposed on certain special uses expires without renewal.

(f) The granting of a special use permit in a flood zone shall not be held to constitute a representation, guarantee or warranty of any kind by the Town of Manlius or by any official or employee thereof, or consultant thereto, regarding the practicability or safety of any structure or use or the proper functioning of the proposed facilities and plans and shall not be held to create a liability upon, or cause of action against, such public body, official or employee for any damage that may result pursuant to such development or use.

Acknowledged.

(10) Expiration of special use permit. A special use permit shall be deemed to authorize only the particular use or uses expressly specified in the permit and shall expire if the special use permit activity is not commenced and diligently pursued within six calendar months of the date of issuance of the special use permit. Upon prior written request to the Planning Board, the time period for initiation of the special permit use may be extended for a maximum period of one calendar year from its otherwise specified termination date. The Planning Board may hold a public hearing prior to granting any extensions.

Acknowledged.

(11) Revocation of special use permit. In all instances, a special use permit may be revoked by the Planning Board, after public hearing, if it is found and determined that there has been a substantial failure to comply with any of the terms, conditions, limitations and requirements imposed by said permit.

Acknowledged.

(12) Amendments to special use permits. The terms and conditions of any special use permit may be amended in the same manner as required for issuance of a special permit, following the criteria and procedures of this subsection.

Acknowledged.

(13) Relief from decisions. Any person or persons jointly or severally aggrieved by any decision of the Planning Board on a special use permit application may apply to the

Supreme Court of the State of New York for relief through a proceeding under Article 78 of the Civil Practice Laws and Regulations of the State of New York. Such proceeding shall be governed by the specific provisions of Article 78, except that the action must be initiated as therein provided within 30 calendar days after the filing of the Board's decision in the office of the Town Clerk.

Acknowledged.

C. General standards. The Planning Board shall carefully review the specific requirements set forth in this § 155-27 for the special permit uses, any applicable supplementary regulations enumerated in the Zoning Code, and the following general standards for any use requiring special use permit authorization by the Planning Board:

(1) The location and size of the use, the nature and intensity of the operations involved, the size of the site in relation to the use, and the location of the site with respect to existing and future streets and roads providing access shall be in harmony with the orderly development of the district.

Acknowledged, Meltwater Solar is proposing a 5.0 MW Solar Energy Facility in Manlius. The project will be located at 6101 Kirkville Road North, Manlius, NY 13082. The project will be placed on a roughly 40-acre portion of parcel 313889 071.-02-09.0 which is 108.28 acres in size. The project will have access from Kirkville Road North.

(2) The location, nature and height of the buildings, walls and fences and the nature and intensity of the intended operations will not discourage the appropriate development and use of adjacent land and buildings nor impair the value thereof.

Acknowledged, Meltwater Solar's project will be constructed with respect to the surrounding area and adjacent land uses. The project will be completely enclosed by a 6-foot-tall fence with three strands of barbed wire/other type of fence, as required by the National Electric Code. A 15 ft vegetative screen will also be included along the western edge of the project site within view of the road and adjacent properties.

(3) All proposed traffic access ways shall be adequate but not excessive in number, adequate in width, grade, alignment and visibility, be sufficiently separated from street intersections and places of public assembly, and meet similar safety considerations.

Acknowledged, access to this site is planned along Kirkville Road North.

(4) Adequate provision for safe and accessible off-street parking and loading spaces shall be provided to avoid parking in public streets of vehicles or persons connected with or visiting the use. With the exception of single-family detached dwellings, shared parking is encouraged where the peak parking demands of different uses occur at various times of the day. Use of a widely accepted means of projecting demand for shared use, such as the Urban Land Institute's Shared Parking Report, shall be employed to demonstrate shared parking effects.

Acknowledged, the long-term impact of traffic will be approximately one to four vehicle visits per quarter on average, the project will not be a significant traffic generator and will not cause undue harm to the surrounding road networks, to local responders, or to the New York Department of Transportation. The 20' wide permeable haul road and turnaround area will provide more than sufficient parking on site.

(5) All parking, service and other areas on site intended for uses or operations not typical of residential uses or activities shall be buffered or screened from the view of adjacent residential lots and streets or roadways and the general landscaping of the site shall be in character with that generally prevailing for residential uses in the neighborhood. Such landscaping shall include the preservation of existing trees to the maximum extent practicable. Roadside plantings shall be in accordance with any established design standards.

Acknowledged, please see L-100 and L-500 of the site plans included in Exhibit A for details on landscaping and vegetative screening.

(6) All proposed buildings, structures, equipment and/or material shall be readily accessible for fire, emergency services and police protection.

Acknowledged.

(7) The character and appearance of the proposed use, buildings, structures, lighting, and/or outdoor signs shall be in general harmony with the character and aesthetic appearance of the surrounding neighborhood and consistent with the purpose and intent of the zoning district as described in the applicable Zoning Code provisions. These shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or light than would the operations of any permitted principal use. In addition, they shall not adversely affect the general welfare of the inhabitants of the Town of Manlius.

Acknowledged, the proposed solar facility will not negatively impact the public health, safety, and general welfare, nor the comfort and convenience of the public in general, or

the residents of the town or of the immediate neighborhood in particular. In fact, the project will be a benefit to Manlius both in economic development as well as in helping the county achieve sustainability goals.

(8) Except for preexisting nonconforming lots of record, the use shall meet the prescribed area and bulk requirements for the district in which it is located and as further specified in the supplementary regulations, including, but not limited to, setbacks, maximum height, environmental and open space standards, required off-street parking, lighting, noise, and sign regulations.

Acknowledged, the proposed project abides by all setbacks, as shown in C-200 of the site plans included in Exhibit A. The maximum height of the project with panels at maximum tilt is 12 ft. The inverters have also been placed to ensure there is at least 500' feet of buffer between them and any adjacent structure or roadway. Please also note that all modules deploy an anti-glare glaze.

(9) The level of municipal and other services required to support the proposed activity or use is, or will be, available to meet the needs of the proposed activity or use. This consideration shall include the suitability of water supply and sanitary sewage facilities to accommodate the intended use and protection from pollution of surface or groundwater.

Acknowledged, none required.

(10) The proposed use shall not have an unmitigated significant adverse environmental impact as defined by the New York State Environmental Quality Review Act (SEQR). Such determination shall be made by the Planning Board or other designated lead agency.

Acknowledged.

(11) The use shall be designed and shall be carried out in a manner that protects any relevant neighborhood character, historic and natural environmental features on the site under review and in adjacent areas.

Acknowledged.

(12) The use shall be consistent with any available and relevant studies and history, and other evidence of the municipality's land use practices and policies.

Acknowledged.

(13) The Planning Board may apply any other standards to their review of the proposed use as they may see fit in order to impose additional conditions and safeguards to the special use permit as are directly related to and incidental to the proposed special use permit and which may be necessary to assure continual conformance to all applicable standards and requirements, including reasonable assurances that such conditions and safeguards can be responsibly monitored and enforced. The Planning Board's authority shall specifically include the right to condition and restrict operations reasonably as a proper exercise of the Planning Board's police powers (and not necessarily its zoning authority) for the preservation of the health, safety and welfare of Town residents and provided same is reasonably related to a legitimate government purpose.

Acknowledged.

D. Additional specific standards for certain uses. In addition to the general standards stated above and the site plan review considerations stated in § 155-27C of this Zoning Code, any specific requirements for the particular special use permits cited in this chapter shall be considered by the Planning Board in its review. Special permit uses that do not have additional specific requirements shall be reviewed using the general objectives stated hereinbefore and, acknowledging that Planning Board site plan review shall also be required, with consideration to the site plan review standards set forth at § 155-27C.

Acknowledged.

E. Severability. If any clause, sentence, paragraph, subdivision, section or part of this section or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this section or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section or the application thereof to other persons or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

Acknowledged.

§ 155-27.2. Solar photovoltaic energy systems. [Added 10-26-2016 by L.L. No. 8-2016]

A. Intent and purpose. The Town of Manlius, through this section, seeks to promote the safe, effective and efficient use of solar photovoltaic energy systems that reduce on-site and off-site consumption of utility-supplied energy while protecting the health, safety and welfare of adjacent and surrounding land uses and properties. The Town of Manlius recognizes that solar energy is an abundant, renewable, nonpolluting energy resource and that its conversion to electric energy will reduce our dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. It is therefore the intent and purpose of this section to balance the encouragement of this renewable resource with any impacts such use may have on health, welfare and safety to the community and preserving and protecting the aesthetic qualities of the Town of Manlius.

B. Definitions. The definitions set forth in this section are meant to be applicable to solar photovoltaic energy systems. Nothing contained herein is meant to change the definitions of other sections of Chapter 155 of the Manlius Code.

ACCESSORY STRUCTURE — A structure, the use of which is customarily incidental and subordinate to that of the principal building, and is located on the same lot or premises as the principal building.

ACCESSORY USE — A use which is clearly incidental to a principal structure or use, and is located on the same lot with the principal structure or use, is an accessory use. All accessory uses are subject to the restrictions in this section.

ARRAY — Any number of electrically connected photovoltaic (PV) modules providing a single electrical output.

BUILDING-INTEGRATED SYSTEM (BIS) — A solar photovoltaic energy system that is constructed as an integral part of a principal or accessory building or structure and where the building-integrated system features maintain a uniform profile or surface of vertical walls, window openings and roofing. Such a system is used in lieu of a separate mechanical device, replacing or substituting for an architectural or structural component of the building or structure that appends or interrupts the uniform surfaces of walls, window openings and roofing. A building-integrated system may occur within vertical facades, replacing view glass, spandrel glass or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems.

DRIP LINE — The outermost edge of a roof including eaves, overhangs and gutters.

GROUND-MOUNTED SYSTEM (GMS) — A solar photovoltaic energy system mounted on a structure, pole or series of poles constructed specifically to support the solar photovoltaic energy system and not attached to any other structure.

INTERCONNECTION — The technical and practical link between the solar photovoltaic energy system and the grid providing electricity to the greater community.

KILOWATT (KW) — A unit of electrical power equal to 1,000 watts, which is a metric measurement of instantaneous power (not energy).

LARGE SOLAR PHOTOVOLTAIC ENERGY SYSTEM (LSES) — A solar photovoltaic energy system with a rated capacity larger than 200kW. An LSES is considered an accessory use of the property, if the principal purpose is (i) to provide electrical power to be consumed onsite and for sale to the general power grid or (ii) to provide electrical power to be consumed onsite and to be sold to other power customers through a power purchase agreement. An LSES is not considered an accessory use if the principal purpose is to provide electrical power for offsite consumption.

MEDIUM SOLAR PHOTOVOLTAIC ENERGY SYSTEM — A solar photovoltaic energy system with a rated power generation greater than 25kW and up to and including 200kW. It may be roof- or ground-mounted, providing power for the property and/or additional offsite buildings or customers.

MEGAWATT (MW) — A unit of electrical power equal to 1,000,000 watts, which is a metric measurement of instantaneous power (not energy).

NET METERING AGREEMENT — An agreement with a local electric utility company that allows customers to receive a credit for surplus electricity generated by certain renewable energy systems.

NEW YORK STATE UNIFIED SOLAR PERMIT — The permit issued pursuant to the application prepared by New York State and set forth in this section as Exhibit A and filed in the office of the Manlius Planning and Development Department. Where the term "building permit" is used in this section, it will mean the unified solar permit. **[Added 5-27-2020 by L.L. No. 3-2020]**

PHOTOVOLTAIC (PV) — A semiconductor-based device that converts light directly into electricity.

PRINCIPAL USE — The primary or main use of land, building or structure, as distinguished from an accessory use, building or structure.

QUALIFIED SOLAR INSTALLER — A person who has skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. Persons who are on the list of eligible photovoltaic installers maintained by the New York State Energy Research and Development Authority (NYSERDA), or who are certified as a solar installer by the North American Board of Certified Energy Practitioners (NABCEP), shall be deemed to be qualified solar installers for the purposes of this definition. Persons who are not on NYSERDA's list of eligible installers or NABCEP's list of certified installers may be deemed to be qualified solar installers if the Town of Manlius determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include, but not be limited to, the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

RATED SOLAR ENERGY SYSTEM CAPACITY — Aggregate sum of the AC kW ratings of all of the inverters in the system.

ROOF-MOUNTED SYSTEM (RMS) — A solar photovoltaic energy system in which solar panels are mounted on top of the structure of a roof either as a flush- mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

SMALL SOLAR PHOTOVOLTAIC ENERGY SYSTEM (SSES) — A solar photovoltaic energy system with a rated capacity up to and including 25kW. It may be roof- or ground-mounted, and serve any residential, commercial, agricultural, institutional, or industrial building to which it is attached. The electrical power may also be supplied to accessory structures or for the supply of energy for other uses on the same parcel.

SOLAR PHOTOVOLTAIC (PV) RELATED EQUIPMENT — Various items related to photovoltaic installations, including solar photovoltaic cells, modules, panels or arrays, cables, inverters, panelboards, disconnect switches, mounting brackets, framing and foundations used for or intended to be used for collection of solar photovoltaic energy.

SOLAR PHOTOVOLTAIC ENERGY SYSTEM (PVS) — A power generation system that utilizes cells that convert solar radiation directly to piezoelectric power.

(1) PVSs do not include inverterless systems with photovoltaic modules that cover less than six square feet in area (such systems may be furnished with solar- powered lights, for example, or other small solar-powered devices). This does not apply to noninterconnected systems under 100w.

SOLAR TRACKING SYSTEM — A PVS that is mounted in a way to track the movement of the sun across the sky to maximize energy production, either with a single-axis or dual-axis mechanism.

SOLAR-BASED ARCHITECTURAL ELEMENT — A structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar photovoltaic cells and may, or may not, include additional solar photovoltaic related equipment.

UNREGULATED YARD AREA — Area not within a building and not in a defined setback or yard area.

C. Applicability.

(1) This section applies to all roof-mounted and/or ground-mounted PVSs installed and constructed after the effective date of this section. Any building- mounted photovoltaic systems mounted on any vertical side of a structure are not allowed within the Town except for BISs. In addition, it does not apply to other types of systems that convert solar energy, including concentrated solar power systems and hot water systems.

(2) After the effective date of this section, any upgrade, modification or structural change that materially alters the size or placement of a PVSs constructed prior to the effective date of this section shall comply with the provisions of this section.

(3) The Town of Manlius hereby adopts the unified solar application for the construction or placement of solar photovoltaic equipment and will use the unified solar permit in place of a building permit. **[Added 5-27-2020 by L.L. No. 3-2020]**

D. Permitted locations. No PVS or device shall be installed or operated in the Town of Manlius except in compliance with this section, state and local laws and, if applicable, in compliance with NYSERDA, New York State PSC and the local utility company.

(1) Small and medium GMSs, accessory use.

(a) Small and medium GMSs are permitted based on the requirements for accessory structures in the property's zoning district subject to the following conditions:

[1] The unified solar permit shall be required for the installation of all GMSs. **[Amended 5-27-2020 by L.L. No. 3-2020]**

[2] The location of the GMS must meet all applicable setback requirements for accessory structures in the zoning district in which it is located.

[3] GMSs shall be screened through the use of architectural features, earth berms, landscaping or other means. This screening should harmonize with the character of the property and the surrounding area and minimize the view of the solar energy system from a public right-of-way and from neighboring properties.

[4] (Reserved)**1**

[5] The minimum distance between the ground and any part of the solar panel must be at least two feet.

[6] It is required that solar panels shall not exceed a total height of 20 feet measured from the ground to the top of the highest point of the panel.

[7] Small GMSs shall not be allowed as a principal use.

(2) Building-integrated solar energy systems. BISs, as defined by this section, are not considered an accessory use and are not subject to the requirements of this section, but are subject to other building, electrical, and safety codes.

(3) Ground-mounted systems as principal use.

(a) Medium and large GMSs are permitted as primary structures in the Town of Manlius, subject to the following conditions:

[1] These solar systems are subject to all zoning restrictions in allowed zoning districts.

[2] These solar systems are only allowed on parcels that would provide at least fifty-foot setbacks, or more, as determined by the Planning Board while conforming to all other site restrictions.

[3] These solar systems are subject to the issuance of a special use permit by the Planning Board, pursuant to § 155-27 of the Town Code and upon site plan approval by the Planning Board pursuant to § 155-28 of the Town Code. **[Amended 2-10-2021 by L.L. No. 1-2021]**

Acknowledged, all set backs are at least 50 ft and the proposed parcel is in the R-A district.

(b) In addition to the criteria established pursuant to § 155-27, the following criteria are hereby established for purposes of the Planning Board granting a special use permit for these solar systems under this chapter: **[Amended 2-10-2021 by L.L. No. 1-2021]**

[1] Noninterference. These solar systems shall not be installed in any location along the major axis of an existing microwave communications operation where the solar system operation or similar solar system operations have been demonstrated to produce an electromagnetic interference in the existing microwave communications operation, unless such interference can be mitigated.

Acknowledged.

[2] Proximity to radio, television and telephone systems. These solar systems shall not be installed in any location where the solar system operation or similar solar systems operations have been demonstrated to interfere with existing fixed broadcast, retransmission, or reception antennae for radio, television or wireless phone, unless such interference can be mitigated.

Acknowledged.

[3] View sheds and screening. GMSs shall be installed in a location and position that would minimize visibility from neighboring properties. A screening plan, to be reviewed and accepted by the appropriate Board, shall be required as part of the site plan review or special use permit review. For purposes of this section, consideration shall be given to any relevant portions of the current, amended and/or future officially recognized Town Code. In addition, adequate measures shall be taken to screen through landscaping, grading or other means to reasonably mitigate the view of the solar panels and other equipment of the solar systems from roadways and neighboring residential properties.

Acknowledged, a 15' vegetative buffer has been proposed around the fence line of the project within view of the road and adjacent properties. This can be seen in more detail in L-100 of the site plans included in Exhibit A.

[4] Fencing and security. Proper security of the site for large and medium GMSs is required. This can be accomplished with a security fence, or by other means proposed by the applicant as part of an overall security plan to be accepted by the Town Board.

Acknowledged, the project will be completely enclosed by a 6-foot-tall fence with three strands of barbed wire/other type of fence, as required by the National Electric Code.

[5] FAA requirements. If the proposed site is near an airport, seaplane base, or established flight zone, such solar system must meet all Federal Aviation Administration requirements.

Acknowledged, this project has received a Determination of No Hazard to Air Navigation by the FAA.

[6] Ground clearance. The minimum distance between the ground and any part of the solar panel must be at least two feet. If the array can rotate and/or change pitch, this is the minimum with the array extended at its maximum pitch.

Acknowledged.

[7] Emergency shutdown/safety. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any portion of the solar system need immediate repair or attention. This telephone number should be clearly visible on signs located on the security fence, placed periodically around the perimeter.

Acknowledged, please see C-500 of the site plans included in Exhibit A for an example of standard signage.

[8] Lightning protection. All solar systems shall have adequate lightning protection via internal lightning arrestors, surge protectors or adequate grounding.

Acknowledged.

[9] Ownership. Ownership of the property shall be clearly established by the applicant, and if the applicant is not the owner, the applicant shall provide proof that the owner agrees to submit to the regulations set forth herein.

Acknowledged.

[10] Utility notification and approval. No solar system shall be constructed until evidence has been given to the Town Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the construction of the solar system and has agreed to an interconnection.

Acknowledged, a full CESIR study has been conducted by the utility, National Grid, and confirmed the feasibility of connecting a solar facility at this location into the grid. A copy of the CESIR study is included in Exhibit L.

[11] Lighting. No solar system under this provision shall be continually artificially lighted. Lighting shall be limited to lights as needed by solar array personnel while present at the site. Lighting to be arranged and angled to not spill onto adjacent properties.

Acknowledged.

[12] Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways

necessary to access the solar energy systems, they shall be constructed in a way that allows for the passage of emergency vehicles in the event of an emergency.

Acknowledged, the access road will be 20 ft wide with a turnaround area. This will ensure emergency vehicles and O&M vehicles have more than sufficient room to maneuver.

[13] Property operation and maintenance plan. The applicant shall submit a property operation and maintenance plan.

Acknowledged, please see Exhibit M. for the Property Operation and Maintenance Plan.

[14] Notice of decommissioning.

[a] The applicant shall also submit to the Planning Board a letter of intent committing the owner, and its successors-in-interest, to notify the Building Inspector within 30 days of the discontinuance of the use of the solar system. This letter of intent shall be filed with the Office of Planning and Development prior to the issuance of a building permit.

[b] Should the solar system be nonoperational for a continuous period of six months or greater, the owner shall submit a letter to the Office of Planning and Development indicating when it is expected to resume operations or whether the decommissioning of the site, in accordance with the DRP, shall commence. If the owner plans to continue operations, it shall have up to six months more to begin operations. If operations do not commence within said six months, decommissioning of the site, in accordance with the DRP, shall immediately commence.

Acknowledged, please see Exhibit V. for a draft decommissioning plan.

[15] Decommissioning and removal plan.

[a] The applicant shall submit a decommissioning and removal plan (DRP) to the Planning Board. The DRP shall include specific plans on how the owner plans to remove the obsolete or unused solar panel arrays and accessory structures and return the property to a state acceptable to the Town within a specific time period after the cessation of operations. This plan shall be approved by the Planning Board and prior to the granting of the special use permit.

[b] Failure to conform to the DRP in the time period provided shall be a violation of this section and the cost to complete the plan shall be placed as a lien on the property owner's tax bill.

Acknowledged, please see Exhibit V. for a draft decommissioning plan.

[16] Reclamation bond. A reclamation bond, for a term and in an amount to be determined during special use permit review, shall be filed with the Town Clerk to cover the costs of reclamation of the site. The amount shall be commensurate with the DRP submitted by the applicant.

Acknowledged.

[17] Setbacks. These solar systems shall comply with all setbacks within the affected zoning district. Additional setbacks may be required during the site plan review process in order to provide for the public's safety, health and welfare.

Acknowledged, the proposed project abides by all setbacks, as shown in C-200 of the site plans included in Exhibit A.

[18] Public hearing. No action shall be taken by the Planning Board to issue a special use permit for a solar system until after public notice and public hearing.

Acknowledged.

[19] Saturation. In considering whether to issue a special use permit, the Planning Board shall consider the proximity of similar large solar energy systems to the one being proposed. In no event shall an LSES be placed within one mile of an existing LSES, without specific findings by the Planning Board that such placement does not adversely affect the community character of the surrounding properties.

Acknowledged.

(c) In coordination with the Planning Board issuing a special use permit, the Planning Board shall review the site plan for the GMSs pursuant to § 155-28 of the Code. The following submission requirements must be observed regarding a site plan application. **[Amended 2-10-2021 by L.L. No. 1-2021]**

[1] Completed application form as supplied by the Town of Manlius for site plan approval for a solar system.

Acknowledged, please see Exhibit I. for the Initial Appearance Application.

[2] Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application and copies of all relevant agreements and documents between the owner and the applicant have been turned over to the Planning Board for their review.

Acknowledged, please see Exhibit K. for an Agent Authorization and Exhibit N. for a copy of the Deed. Please refer to Exhibits O.1. and O.2. for copies of the Purchase and Sale Agreement and subsequent amendment.

[3] Submit a stormwater management plan, certified by a professional engineer that demonstrates stormwater runoff will infiltrate into the ground beneath at a rate equal to that of the infiltration rate prior to the placement of the system.

Acknowledged, please see Exhibit D. for the SWPPP and the appendix for the full version.

[4] A plot plan and development plan drawn in sufficient detail, as prepared by a licensed engineer or surveyor, clearly describing:
- [a] Property lines and physical dimensions of the proposed site, including contours at five-foot intervals both before and after construction;
- [b] Location, approximate dimensions and types of all existing structures and uses on the site;
- [c] Location and elevation of the proposed solar system;
- [d] Blueprints or drawings of the proposed solar system installation showing the proposed layout of the solar system;
- [e] Electrical diagram detailing the installation, associated components, electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices;
- [f] Documentation of the major system components to be used, including PV panels, mounting system and inverter;
- [g] Location of all existing aboveground utility lines and other on- site solar energy conversion systems within 1,200 linear feet of the site;
- [h] Where applicable, the location of all transmission facilities proposed for installation;
- [i] Location of all roads and other service structures proposed as part of the installation;
- [j] Landscape plan showing all existing natural land features, trees, forest cover, streams, wetlands and all proposed changes to these features, including size and type of plant material;
- [k] Plan showing proposed changes to the site including grading, clearing, lighting, screening and structures;
- [l] Soil type at construction site.

Acknowledged, please see Exhibit A for the full set of site plans.

[5] All applications shall be accompanied by a long environmental assessment form, including a visual impact analysis. The following additional material may be required by the Planning Board:
- [a] Digital elevation model based project visibility map showing the impact of topography upon visibility of the project from any affected locations.

Acknowledged, please see Exhibit E. for the Long-form EAF, and Exhibit F. and the appendix for the Wetlands Delineation Report. A viewshed analysis has been included as part of Exhibit P.

[6] In addition to the above, no action shall be taken to issue site plan approval until after public notice and public hearing by the Planning Board and unless the Planning Board determines that the proposed solar system complies with the following:

[a] That the use is oriented in its location upon the site, as to layout, coverage, screening, means of access and aesthetics so that:

[i] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;

[ii] Fire department and EMT services shall be given notice of the site plan showing the proposed ingress and egress to the facility and an opportunity to submit comments (either in writing or in person) regarding the ability of the proposed ingress and egress to accommodate emergency vehicles.

[iii] That there be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly substantially affected;

[iv] That there should not be any unreasonable detriment to any existing structure in the neighborhood.

[b] The Planning Board may, upon review and with due consideration, waive one or more of the submission requirements imposed herein. Relief from all other requirements must be made by way of area or use variance from the Zoning Board of Appeals.

Acknowledged.

(4) Roof-mounted solar photovoltaic energy systems, accessory use.

(a) RMSs may only be mounted on lawfully permitted principal or accessory structures. RMSs shall be considered a modification to an existing structure in the Town of Manlius subject to the following requirements:

[1] Unified solar permits are required for installation of all RMSs. **[Amended 5-27-2020 by L.L. No. 3-2020]**

[2] At the discretion of the Town of Manlius Code Enforcement Officer, the structure may be subject to engineering review for suitability.

[3] For installations on a sloped roof:

[a] The system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 12 inches between the roof and highest edge or surface of the system.

[b] The highest point of the system shall not exceed the highest point of the roof to which it is attached.

[c] RMSs on a sloped roof do not need to be screened.

[4] For medium and large RMSs installed on a flat roof:

[a] The highest point of the system shall be permitted to extend up to six feet above the roof to which it is attached.

[b] It shall be screened in a manner similar to other rooftop HVAC and mechanical equipment. This can be accomplished with architectural screening such as a building parapet and by setting the system back from the roof edge.

[c] These systems shall comply with the following conditions as presented in Subsection D(3)(6):

[i] Noninterference.

[ii] Proximity to radio, television and telephone systems.

[iii] FAA requirements.

[iv] Ownership.

[v] Utility notification and approval.

[vi] Lighting.

[vii] Property operation and maintenance plan.

[5] Any height limitations of the Town of Manlius Code shall beapplicable to solar systems.

[6] Under no circumstance shall the solar panels be mounted to thefacade of a structure.

E. Permitted zoning districts.

(1) RMSs are permitted in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § 59-13 and upon compliance with all requirementsof this section and as elsewhere specified in this section.

(2) Small and medium GMSs are permitted on parcels larger than 40,000 square feet in all zoning districts as an accessory structure to any lawfully permitted principal use on the same parcel upon issuance of the proper permit pursuant to § 59-13 and upon compliance with all requirements of this section and as elsewhere specified in this section.

(3) Large GMSs are permitted as principal use upon issuance of the proper permit pursuant to § 59-13 and upon compliance with all requirements of this sectionand as elsewhere specified in this section. They shall be allowed in thefollowing zoning districts:

(a) Industrial.

(b) R/A.

Acknowledged, the proposed project is located within the R/A district.

F. Design and installation standards.

(1) The solar photovoltaic energy system must be constructed to comply with the New York State Uniform Fire Prevention and Building Code, as amended, andany additional electrical and safety regulations adopted by the State of New York.

(2) All wiring must comply with the National Electrical Code, most recent edition, as amended and adopted by the State of New York.

(a) For GMSs, all exterior electrical lines must be buried below the surface of the ground where possible or be placed in conduit or in aluminum cable tray. Cable tray shall be covered wherever conductors will be exposed to direct sunlight.

(3) The solar energy system must be constructed to comply with the most recent fire code as amended and adopted by the State of New York.
(4) The solar energy system shall be properly maintained and be kept free from hazards including, but not limited to, faulty wiring, loose fastenings, or the creation of an unsafe condition or detriment to public health, safety or general welfare.

Acknowledged.

G. Signage and/or graphic content.
(1) No signage or graphic content may be displayed on the solar panels except the manufacturer's badge, the installer's name, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.
(2) Disconnect and other emergency shutoff information will be clearly displayed on a light reflective surface.
(3) Systems and sites may not be used for displaying advertising except for reasonable identification of the owner/operator and shall comply with all signage restrictions.

Acknowledged.

H. Inspection, safety and removal.
(1) The Town of Manlius reserves the right to inspect a solar energy system for building or fire code compliance and safety.
(2) If upon inspection the Town of Manlius determines that a fire code or building code violation exists, or that the system otherwise poses a safety hazard to persons or property, the Town of Manlius may order the owner of the land or the operator of the facility to repair or remove the system, within a reasonable time. Such an order shall be in writing, shall offer the option to repair, shall specify the code violation or safety hazard found and shall notify the owner of the land or the operator of the facility of their right to appeal such determination.
(3) If the owner of the land or the operator of the facility fails to repair or remove a solar energy system as ordered, and all appeal rights have been exhausted, the Town of Manlius may enter the property, remove the system and charge the owner of the property or the operator of the facility or both for all costs and expenses of removal, including reasonable attorney's fees, or pursue other legal action to have the system removed at the owner of the land or the operator of the facility's expense.
(4) In addition to any other available remedies, any unpaid costs resulting from the Town of Manlius' removal of a vacated, abandoned or decommissioned solar energy system shall constitute a lien upon the property against which the costs were charged. Legal counsel of the Town of Manlius shall institute appropriate action for the recovery of such cost, plus attorney's fees, including but not limited to filing of municipal claims pursuant to 53 P.S. § 7107 et seq. for the cost of such work, 6% interest per annum, plus a penalty of 5% of the amount due plus attorney's fees and costs incurred by the Town of Manlius in connection with the removal work and the filing of the Town of Manlius' claim.

Acknowledged.

I. Severability. If any word, phrase, sentence, part, section, subsection or other portion of this section or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion or the proscribed application thereof, shall be severable, and the remaining provisions of this section, and all applications thereof, not having been declared void, unconstitutional, or invalid shall remain in full force and effect.

Acknowledged.

J. Conflict with other laws. Where this section differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the county, state, or federal government the more restrictive or protective of the Town and the public shall apply.

Acknowledged.

§ 155-28. Site plan review.

All permitted uses requiring site plan approval shall have prior site plan review before a building permit is issued for the alteration or construction of any building or use of the premises. The site plan and related drawings shall be submitted by the owner to the Planning Board and shall be reviewed in accordance with the following procedures and standards:

A. Submission of site plan and supporting data. The owner shall submit a site plan and supporting data which has been prepared by an architect, landscape architect, engineer, land surveyor or planner and shall include the following information presented in drawn form and accompanied by a written text:

(1) A properly certified survey of the property, showing existing features of the property, including contours, buildings, structures, pavement, trees over four inches in trunk diameter, streets, utility easements, rights-of-way and land use.

Acknowledged, please see Exhibit B.1 for the survey and Exhibit B.2 for the survey affidavit.

(2) The site plan showing proposed building locations and land use areas.
(3) Traffic circulation, parking and loading spaces and pedestrian walks.
(4) Landscaping plans, including site grading and landscape design.
(5) Preliminary architectural drawings for buildings delineated to be constructed, including floor plans, exterior elevations and sections.
(6) Preliminary engineering plans, including street improvements, drainage systems and public utility extensions.

Acknowledged, for (2) through (6) please see Exhibit A for full set of site plans.

(7) Engineering feasibility studies of any anticipated problems which might arise due to the proposed development as required by the Planning Board.

Acknowledged, please see stamped site plans as part of Exhibit A and the SWPPP in Exhibit D.

(8) The construction sequence and time schedule for completion of each phase of buildings, parking spaces and landscaped areas.

Acknowledged, please see C-401 of the site plans within Exhibit A.

(9) A description of the proposed uses, including hours of operation, number of employees, expected volume of business and type and volume of traffic expected to be generated.

Acknowledged, please see written description of project below for more details. Meltwater Solar proposes to develop a 5.0 MW Solar Energy Facility at 6101 Kirkville Rd. North, Manlius, NY 13082. This facility will operate 24/7. The long-term impact of traffic will be approximately one to four vehicle visits per quarter on average, the project will not be a significant traffic generator and will not cause undue harm to the surrounding road networks, to local responders, or to the New York Department of Transportation.

(10) An environment assessment form.

Acknowledged, please see Exhibit E for the full EAF.

(11) The filing fee. **1**

Acknowledged, a filing fee was sent to the Town of Manlius on February 24, 2022.

(12) An agricultural data statement when the property that is the subject of the site plan review is within an agricultural district (as provided for in Article 25-AA of the Agriculture and Markets Law **2**) and contains a farm operation or the property is within 500 feet of a farm operation located within an agricultural district. **[Added 6-23-1993 by Ord. No. 5-1993]**

Acknowledged, please see Exhibit Q. for an agricultural data statement.

(13) Stormwater pollution prevention plan. A stormwater pollution prevention plan consistent with the requirements of Chapter 126 of this Code shall be required for site plan approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 126 of this Code. The approved site plan shall be consistent with the provisions of Chapter 126. **[Added 9-26-2007 by L.L. No. 2-2007]**

Acknowledged, please see Exhibit D for the SWPPP.

B. Site plan approval.

(1) The Planning Board shall review the site plan and supporting data and before, during and after a public hearing shall take into consideration the following considerations:

(a) The harmonious relationship between proposed uses and existing adjacent uses.

(b) The maximum safety of vehicular circulation between the site and the street network.

(c) The maximum adequacy of interior circulation, parking and loading facilities, with particular attention to vehicular and pedestrian safety, as provided in § 155-31.

(d) Adequacy of landscaping, buffering and setbacks in regard to achieving maximum compatibility and protection to adjacent residential districts.

(e) The minimization of adverse environmental impact.

(f) The minimization of adverse effects on the welfare of the residents of the Town of Manlius.

(2) When an agricultural data statement is submitted, the possible impacts of the proposed site plan upon the functioning of farm operations within the agricultural district shall be reviewed in accordance with the Town Law. **[Added 6-23-1993 by Ord. No. 5-1993]**

(3) Should changes or additional facilities be required by the Planning Board, final approval of the site plan shall be conditional upon the satisfactory compliance by the owner to the changes or additions.

(4) An engineering fee of $100 per acre will be assessed for design review and inspection. **[Added 12-13-2000 by Ord. No. 5-2000]**

Acknowledged.

C. Building permit. Building permits for such uses shall be issued only in accordance with an approved site plan which shall be transmitted by the Planning Board to the Codes Enforcement Officer.

Acknowledged.

D. Changes. An owner wishing to make changes in an approved site plan shall submit a revised site plan to the Planning Board for review and approval before making application for a building permit.

Acknowledged.

1. APPLICANT INFORMATION

1.1 APPLICANT ADDRESS AND CONTACT

Company:

Cypress Creek Renewables

3402 Pico Blvd, Suite 215

Santa Monica, CA 90405

Contact:

Jim Geddis

Phone: 518-217-3160

Email: jim.geddis@ccrenew.com

1.2 BACKGROUND ON CYPRESS CREEK RENEWABLES, LLC AND MELTWATER SOLAR, LLC

Cypress Creek Renewables believes solar energy makes the world, safer, cleaner, and better. With more than 5.9 gigawatts of solar energy developed in eighteen states and $3 billion invested in solar energy production since 2014, CCR is one of the country's leading solar companies and was recognized by Solar Power World magazine as the No. 1 Solar Developer in the U.S. for 2017 and 2018. For more information about CCR, please visit https://ccrenew.com.

CCR team members have a wealth of experience in the solar industry and work to develop, build, and operate solar facilities across the United States. We are committed to strong partnerships with utility companies, financial institutions, and the communities that host our solar energy facilities. As a national leader in solar energy, and a partner with many communities in New York already, Cypress Creek is the right partner for the Manlius community.

1.3 PROJECT FINANCES

1.3.1 Project Costs and Financing Structure

Meltwater Solar, LLC expects to invest approximately $10,000,000 into the project. These costs are based on build cost assumptions and include all construction, material, labor, and professional service-related expenditures. Cypress Creek Renewables operating capital, in combination with tax equity and debt partners, will provide the financial backing for the project.

2. PROJECT DESCRIPTION AND ANALYSIS

2.1 PROJECT PURPOSE AND NEED

Solar energy is a vital part of our nation's economy and energy mix. Conventional sources of electricity such as coal, gas, and nuclear energy are expensive, finite resources that require significant environmental disruption and public safety risk to maintain and extract. Solar energy is a clean, cheap, and unlimited resource with little environmental impact. Technological advancements have made solar energy cost competitive with power generated by fossil fuels and with proven storage technologies, we are now able to keep the lights on even when the sun isn't shining.

New York has identified the advancement of renewable energy and energy efficiency as a state-wide goal. The Climate Leadership and Community Protection Act, adopted by the New York State Legislature in May 2019, stipulates that 70% of energy generation in New York State will be sourced from renewable energy sources by 2030. This mandate requires at least 13,000 MWs of utility-scale solar and onshore wind projects, like Meltwater Solar, to be placed in-service by 2030.

Meltwater Solar, and similar solar energy facilities, are essential to achieving the sustainability goals of Manlius and the State of New York. Each 5.0 MW solar energy facility that can be placed in New York can offset an estimated 2,500 tons of carbon dioxide annually, the equivalent of 500 cars off the road[4].

2.2 PROJECT OVERVIEW

Meltwater Solar is proposing a 5.0 MW Solar Energy Facility in Manlius. The project will be located at 6101 Kirkville Road North, Manlius, NY 13082. The project will be placed on a roughly 40-acre portion of parcel 313889 071.-02-09.0. The project will have access from Kirkville Road North. The property is zoned R-A (Restricted Agricultural District) and will require a Special Use Permit and Site Plan Review.

Meltwater Solar will contain rows of Photovoltaic (PV) cell panels, also referred to as modules, mounted on posts set in the ground. These rows of PV panels are referred to as "solar arrays." Solar components will comply with the current edition of the National Electric Code, be UL listed (or equivalent), and designed with an anti-reflective coating. The solar panels will be supported by a metal racking system no more than twelve (12) feet in height. The anticipated power output of the project is approximately 7,600,000 kilowatt-hours (kWh) annually, enough to power approximately 1,000 single-family homes.

[4] US EPA (2015). eGRID, U.S. annual national emission factor, year 2012 data. U.S. Environmental Protection Agency, Washington, DC.

FIGURE 1 JEFFERSON: 2 MW SOLAR ENERGY FACILITY IN WATERTOWN, NEW YORK

The project will not require manned labor on-site, nor will it require sewer, water, or other services. The project will be completely enclosed by a 6-foot-tall fence with three strands of barbed wire/other type of fence, as required by the National Electric Code.

Meltwater Solar will not negatively impact the public health, safety, and general welfare, nor the comfort and convenience of the public in general, or the residents of the town or of the immediate neighborhood in particular. In fact, the project will be a benefit to Manlius both in economic development as well as in helping the County achieve sustainability goals.

Please see Exhibit U—Technical Memo for further information on panel materials, audibility, glare, soil protection, dust and weed control and wildlife protection.

2.3 BENEFITS OF THE PROJECT

Meltwater Solar presents many benefits to Manlius, the State of New York, and National Grid customers. There are few, if any, costs associated with the project. Benefits are summarized below:

- Increased tax revenue for Manlius;
- Contribution to fulfillment of the State of New York Renewable Energy Standard;
- In-state generation to help provide energy independence for the State of New York, which imported 26 million MWh of power in 2018;
- Diversified electrical mix in the grid

2.3.3 COLLOCATION OF AGRICULTURAL USES

Pollinator-Friendly Energy Systems:

Pollinators are crucial to New York State's food supply and agricultural productivity, playing a key role in the size, health, and quality of a wide variety of harvests. As an individual example, 81% of the crop yield for pumpkins and other squash is pollinator-dependent. According to the USDA, pollinators provide approximately $344 million worth of pollinator services to New York and add $15+ billion in value to crop production nationally each year.[5] However, many pollinator species are in decline due to disease, ecosystem destruction, environmental factors, and other issues, hurting thousands of farms across the state.

New York State adopted a Pollinator Protection Plan in June 2016, which recognizes the importance of pollinators, such as bee and insect species, to the agricultural industry by allocating $500,000 of the 2017-2018 NYS Budget towards Pollinator Protection. CCR's solar facility in the Town of Manlius will support the state's efforts to protect pollinator habitats by planting native, pollinator-friendly vegetation on Meltwater Solar, LLC.

By planting native vegetation and managing it in a way that is hospitable to pollinators, CCR's solar project will benefit nearby agricultural land, support pollinator populations, and improve the aesthetics of the proposed solar arrays. In fact, the presence of healthy insect pollinations can enhance average crop yield between 18-71%, depending on the crop[6]. Additionally, soils rest and rebuild while deep-rooted plants add organic matter and fertile top soil during the solar farm's operation. This diverse mixing of native plants, with root depths of 4-6 feet, can reduce storm water runoff by 8–23% compared to turf-grasses, which have a maximum root depth of 3-6 inches.[7]Through co-locating pollinator habitats on Meltwater Solar, LLC, the project is uniquely poised to support the growth of wild pollinators, improve soil productivity, and increase crop yield for local farmers and surrounding land.

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[5] Bryan Danforth and Maria van Dyke, "Wild Bees of New York" accessed February 6, 2018. https://pollinator.cals.cornell.edu/wild-bees-new-york. Web.
"Soil, Crop, & Storm Water Benefits of Solar Sites." Fresh Energy, 22 Mar. 2016. Web.

[6] Bartomeus, Ignasi et al. "Contribution of Insect Pollinators to Crop Yield and Quality Varies with Agricultural Intensification." Ed. Anna Traveset. PeerJ 2 (2014): e328. PMC. Web. 22 June 2017

[7] "Soil, Crop, & Storm Water Benefits of Solar Sites." Fresh Energy, 22 Mar. 2016. Web.

2.4 SOLAR ENERGY OVERVIEW

2.4.1 Solar Energy Technology

The conversion of sunlight into electric energy is not a new concept—solar technologies have been around since the 1970s. Our projects are designed, built, and operated to the same rigorous standards as your current energy provider, complying with state and local codes and standards.

2.4.2 Solar Energy Facility Equipment

Solar facilities are simple constructions that employ the following basic equipment:

- Solar PV panels
- Inverters
- Transformers
- Wires and conductor cables
- Structural racking system for PV modules
- Perimeter fencing

The solar PV panels function as a solid state, inert crystal, most similar to a pane of solid glass. The panels do not erode and do not produce any emissions. The sealed PV panels do not leach metals into the environment and are recycled at the end of their lifecycle.

Cypress Creek Renewables typically mounts the solar arrays in one of two ways: on a fixed tilt (panels are stationery) or on a tracking system (panels slowly follow the sun throughout the day). Structural frames, also referred to as racks, are driven into the ground with steel beams on which PV panels are mounted. The inverters and transformers, which receive the power from the solar panels, are mounted on top of small concrete pads. Most sites require minimal grading, and an entire facility can often be installed with minimal soil disturbance.

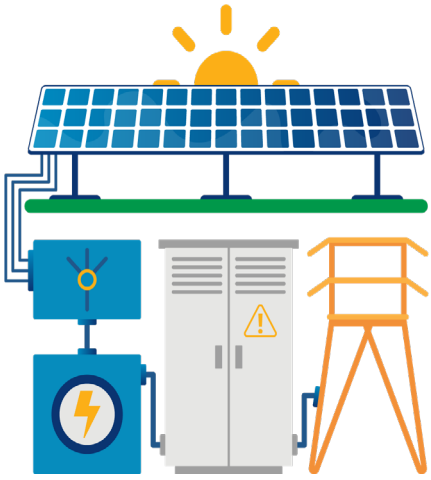

FIGURE 2: SOLAR ENERGY

Solar electricity production includes the following five components:

1. *Electrical Power Generation* – Sunlight strikes the PV panel cells, which convert photons of light into electrons, producing low-voltage, Direct Current (DC) electricity.

2. *Combination box* – The low-voltage, DC electricity is fed through cables from each PV panel to a combiner box.

3. *Inverter* – The low-voltage, DC electricity is fed through cables from the combiner box to an inverter, where it is converted to low-voltage, Alternating Current (AC) electricity.

4. *Transformer* – The transformer steps up the low-voltage, AC electricity to the appropriate voltage so that it can be fed into the electrical transmission system.

5. *Utility Transmission* – Electricity is sent through the electrical transmission lines to utility distribution systems for delivery to ratepayers.

Please see Exhibit U – Technical Memo for further information on materials.

2.4.3 Site Access

Solar energy facilities are low-impact developments that can often utilize existing right-of-way (ROW) infrastructure for site access, minimizing the need for new disturbance for the construction and maintenance of the project.

2.4.4 Interconnection With the Grid

New solar generating facilities improve local infrastructure and modernize an outdated grid, enabling future energy growth and increasing resilience to power outages.

The existing electrical distribution system in New York is owned and operated by the local utility. In order for a developer of a solar generating facility to inject power into the distribution grid, they must first work with the utility to ensure that the additional proposed generation will be safely and reliably handled by the existing utility infrastructure. The utility conducts studies to model the additional generation on their distribution grid and identifies what infrastructure upgrades are required to plug the proposed generating facility into the grid. The developer of the solar generating facility is then required to pay for the utility to upgrade their infrastructure so that it can adequately support the new generation.

This process results in an improved and upgraded electrical distribution system with the following primary benefits:

(1) modernization of an outdated grid;
(2) improved capability to support future load and generation growth;
(3) increased resilience to power outages through a more updated and distributed grid; and
(4) cost savings for customers who are normally charged through their utility bills for infrastructure upgrades.

2.5 PROJECT SITE DESCRIPTION AND SITING

2.5.1 Site Selection Process

CCR uses a spatial and data-driven approach to select potential solar energy facility sites. When deciding whether to execute a lease or purchase option for solar development, CCR evaluates land based on the following criteria, among others:

- Proximity to relevant infrastructure, including electrical substations, existing three phase lines, and access roads;
- Lack of wetlands and other protected landforms;

- Slope of land and direction of this slope; and
- Lack of threatened or endangered species.

CCR was able to engage the landowner in their interest in solar development and execute a purchase agreement. During the initial development stages, we further analyzed the site against a number of diligence criteria, which verified that the screening process had been effective in selecting an ideal site for a solar energy facility.

Please see Exhibit A – Detailed Site Plan for exact site location.

2.5.2 Surrounding Terrain

The Meltwater Solar site is an ideal site for a solar energy facility, considering its access to the existing utility grid, and lack of environmental constraints. The project will be located on a portion of a parcel currently utilized for agriculture. The parcel is primarily utilized for agriculture and zoned as R-A (Restricted Agricultural District).

2.6 CONSTRUCTION ACTIVITIES

2.6.1 Construction Sequence

While each site is unique, Meltwater Solar will use standard construction and operation procedures used for our other solar energy facilities in the New York. The construction of Meltwater Solar is expected to take an estimated 16-24 weeks.

As required by New York State Department of Environmental Conservation (NYSDEC), the limit of soil disturbance for all construction activities will be phased to five acres, unless otherwise authorized or waived by NYSDEC.

The utility's engineering, procurement and construction of the interconnection facilities will take an estimated 10 months total and will be complete just before the construction of the solar farm itself. Construction of the solar farm itself will take an estimated 16-24 weeks, depending on site variability. After the construction process is completed, the solar farm will go through 2-3 weeks of commissioning before reaching commercial operation.

2.6.2 Construction Materials

The PV panels do not erode, and do not produce any emissions.[8] There are no chemicals, fluids, or materials that are capable of entering the environment from the PV panels.

The only hazardous material that will be used during the construction of Meltwater Solar is fuel for machinery; all other construction materials are non-hazardous. Meltwater Solar and its subcontractors will follow all appropriate protocol related to the use and storage of fuel. A sufficient quantity of spill containment and clean up materials shall be readily available at each equipment storage area such that any spill which may occur can be cleaned up immediately. There shall be a drip pan placed at the fueling station so that no fuel can reach the ground. This

[8] Electric Power Research Institute and California Energy Commission, August 2003. Potential Health and Environmental Impacts Associated with the Manufacture and Use of Photovoltaic Cells. <http://www.energy.ca.gov/reports/500-04-053.PDF> Accessed on February 3, 2017.

area shall be inspected daily for spillage and any fuel spillage shall be properly disposed of and a receipt of proper disposal shall be required. Twenty-pound fire extinguishers shall be mounted within 25 feet of, and at each end of, the fuel storage area to ensure adequate protection in the event of a fire

Meltwater Solar and its subcontractors shall maintain the site in a clean, neat and safe condition. As the work progresses, materials, tools, waste materials, rubbish and debris will be removed accordingly. Meltwater Solar and its subcontractors will incur all costs of clean-up.

2.7 OPERATION AND MAINTENANCE

2.7.1 Equipment Maintenance

Once constructed, the project will require very little maintenance. There will be no need to build additional transportation infrastructure or complete public improvements to accommodate traffic as all of our projects are remotely monitored. Electrical engineers will service electrical equipment, primarily the inverters and transformers, on average once per month. Solar PV panels have a very low failure rate (approximately one in 10,000 per year) and are warrantied for twenty-five (25) years.

Meltwater Solar will conduct an annual performance audit and inspection to assess the quality of equipment. Some years, we will expect to identify areas within the array area in need of replacement or repair. Module replacement rarely occurs outside of these annual performance inspections and we would expect to perform module replacement less than 10 times over the initial 25-year term. Solar panels are easily replaced from inventory stores and financing to change-out the array at warranty's end has been built into our cost models. Maintenance will likely create 5-9 visits to the site on average per year. Meltwater Solar does not anticipate the need for further equipment maintenance than the above.

Please see Exhibit M – Operations and Maintenance Scope of Services for further detail on the maintenance schedule that Cypress Creek Renewables utilizes on all solar energy facilities that we maintain.

2.7.2 Vegetation Maintenance

Meltwater Solar is committed to landscaping best practices that stabilize the soil to add strength and durability for the long-term success of the project and the health of the land. Sustainable management practices and the promotion of healthy biodiversity within local ecosystems are a priority for Meltwater Solar.

We will work to employ techniques that are most appropriate for the local environment based on the following factors:

- Runoff prevention
- Carbon sequestration
- Pollination and other insect services
- Air quality concerns
- Invasive species resistance

- Viable wildflower areas
- Rate of fescue growth

The landscape manager for Meltwater Solar will make it a priority to minimize the use of mechanical mowing and herbicides. We anticipate mowing will occur at the Meltwater Solar site at maximum six (6) times a year. In rare circumstances where herbicides are deemed necessary, an effort will be made to minimize use and only apply bio-degradable, EPA-registered, organic solutions that are non-toxic to pets and wildlife. Meltwater Solar will not use pesticides.

2.7.3 Decommissioning of Site

Meltwater Solar guarantees that Meltwater Solar shall be removed, at the expense of the operator, in the unlikely event that the system ceases power production. A draft Decommissioning Plan will be prepared to meet Town requirements. In addition to the certainty provided by the Decommissioning Plan, another element that ensures decommissioning is the value of the equipment used to develop Meltwater Solar. If decommissioning becomes necessary, there will be great incentive to promptly remove all materials for sale and re-use. A Decommissioning Estimate is currently being prepared for this project.

Please see Exhibit V – Draft Decommissioning Plan for a draft decommissioning plan.

2.8 SOLAR ENERGY FACILITY SAFETY

Meltwater Solar will be a safe facility that will not impact the well-being of local residents or Manlius in general. Solar energy facilities provide safe and reliable sources of power, using simple and proven technologies. Further, CCR sources panels from Tier 1 rated manufacturers, the highest rating in the Bloomberg New Energy Finance ranking system.[9]

The project will be constructed according to all required building and electrical codes and safety measures. Site plans will be approved by all applicable local authorities, and regularly visited throughout construction as required by the town or by New York State Building Code. Energized system components, such as inverters, will be commissioned by the manufacturers' technicians. The project will employ required lock-out measures and safety warnings. A perimeter security fence will prevent trespassing and vandalism. Access codes to the gate will be provided to the Police Department, Fire Department, and emergency service providers. Vehicular access to the site is adequate for the use proposed and for emergency services, as indicated in Exhibit C – Civil Site Plans.

The regular vegetation control methods prevent buildup of debris that could otherwise pose risk of fire material, thus Meltwater Solar will pose no increased risk of fires to the surrounding areas.

[9] Bloomberg New Energy Finance, November 2016. BNEF PV Module Maker Tiering System. <https://data.bloomberglp.com/bnef/sites/4/2012/12/bnef_2012-12-03_PVModuleTiering.pdf> Accessed on February 1, 2017.

2.9 TRAFFIC SAFETY

With no more than one to four vehicle visits per quarter on average, the project will not be a significant traffic generator and will not cause undue harm to the surrounding road networks, to local responders, or to the New York Department of Transportation. By contrast, American households generate an average of ~6 vehicle trips per day (over 500/quarter).[10]

A temporary rise in vehicle traffic during the construction period is anticipated. However, given the limited number of vehicles visiting the site over the construction period, traffic patterns are not anticipated to be impacted. During the construction period, approximately 10-40 personal cars and 1-12 trucks will visit the site per day.

Upon completion of the facility installation, no more than four (4) vehicles are anticipated to visit the site on a quarterly basis. In sum, no significant traffic impacts are anticipated.

2.10 AGENCY COORDINATION

Meltwater Solar will continue to coordinate with all necessary Federal, State, and County agencies and other entities throughout the planning process for Meltwater Solar. Meltwater Solar is prepared to work with the County should the Application trigger a County review per New York State General Municipal Law 239-m.

This proposal will trigger a State Environmental Quality Review Act (SEQRA) review. Meltwater Solar has contracted an environmental consulting firm to perform field investigations, literature reviews, and agency consultations to assess existing environmental conditions at the project site. Information derived from these investigations will be used by Meltwater Solar to avoid and minimize impacts to environmental resources during the design process.

[10] U.S. Department of Transportation . Summary of Travel Trends; 2009 National Household Travel Survey. 2009 <http://nhts.ornl.gov/2009/pub/stt.pdf>

1. Exhibits

EXHIBIT A. DETAILED SITE PLAN

EXHIBIT B.1 SURVEY

EXHIBIT B.2 SURVEY AFFIDAVIT

EXHIBIT C. LEGAL DESCRIPTION

EXHIBIT D. SWPPP

EXHIBIT E. EAF LONG-FORM WITH SECTION F LETTER AND ATTACHMENTS

EXHIBIT F. WETLAND DELINEATION REPORT

EXHIBIT G. PROFESSIONAL FEES REIMBURSEMENT AGREEMENT

EXHIBIT H. DISCLOSURE AFFIDAVIT

EXHIBIT I. PLANNING BOARD INITIAL APPEARANCE APPLICATION

EXHIBIT J. SPECIAL USE PERMIT APPLICATION

EXHIBIT K. AGENT AUTHORIZATION

EXHIBIT L. UTILITY CESIR STUDY

EXHIBIT M. PROPERTY OPERATION AND MAINTENANCE PLAN

EXHIBIT N. COPY OF DEED

EXHIBIT O.1 COPY OF PURCHASE AND SALE AGREEMENT

EXHIBIT O.2 COPY OF PURCHASE AND SALE AGREEMENT AMENDMENT

EXHIBIT P. VISUAL IMPACT ANALYSIS: VIEWSHED ANALYSIS

EXHIBIT Q. AGRICULTURAL DATA STATEMENT

EXHIBIT R. EAF SHORT-FORM

EXHIBIT S. CYPRESS CREEK RENEWABLES NEW YORK FAQS

EXHIBIT T. NEW YORK SOLAR + POLLINATOR PROGRAM

EXHIBIT U. TECHNICAL MEMO

EXHIBIT V. DRAFT DECOMMISSIONING PLAN

1. Appendix

I. FULL WETLANDS DELINEATION REPORT

II. FULL SWPPP