

TOWN OF TULLY
NOTICE OF PUBLIC HEARING
ON THE APPLICATION OF (BORALEX)
FOR A SKY HIGH SOLAR OVERLAY DISTRICT

Members Present: Supervisor John Masters
Councilor John Snavlin
Councilor Christopher Chapman
Councilor Frank Speziale
Councilor David Meixell

Town Clerk Susan Vaccaro

Others present: Town Attorney Robert S. DeMore, Highway Superintendent John Herold, Parks & Recreation Director Sarah Panzarella, Fire Commissioner Ed Wortley II, *The Tully News* Editor Ben Bibik, Code Enforcement Officer Ralph Lamson, Martin Zanghi (ANS Geo), Melissa Mansfield, Alexandra Dutt (Boralex), David Lett (Boralex), Jim Muscato (Sky High Solar), Darren Suarez (Boralex), Lisa Downing-Schmidt (TRC), Allen Quaile, and several residents: James & Carol G., Will H., Tom P., Paul & Jackie P., Jean & Curt C., Mark D.

Notice of this Public Hearing was published in the Post Standard on September 3, 2023. Supervisor Masters opened the public hearing.

Presentation

There were several representatives present this evening from ANS Geo, Boralex, TRC and Sky High Solar involved in the Boralex Sky High Solar Overlay project. They gave a presentation on what is planned for the project. The address on Sky High is 1315. It's a 20-megawatt project. Discussion included topics regarding very little environmental impact to wetland areas, a reclamation plan, stormwater inclusion plan. Following the presentation, there were numerous questions by residents.

Close Public Hearing

Motion by Councilor Snavlin, second by Councilor Speziale to close the public hearing at 7:55pm. Motion carried.

(Masters, Snavlin, Speziale, Meixell, Chapman) Ayes 5 Nays 0

REGULAR TOWN BOARD MEETING
TOWN OF TULLY
TOWN HALL
5833 MEETING HOUSE RD TULLY NY

Members Present: Supervisor John Masters
Councilor Christopher Chapman
Councilor Frank Speziale
Councilor David Meixell
Councilor John Snavlin

Town Clerk Susan Vaccaro, RMC

Others present: Town Attorney Robert S. DeMore, Financial Officer Thomas Chartrand, Highway Superintendent John Herold, Parks & Recreation Director Sarah Panzarella, Fire Commissioner Ed Wortley, II

8:00pm Supervisor Masters declared the town board meeting open and led in the Pledge of Allegiance.

Approval of Minutes

The minutes of the August meeting were made available via email. Motion was made by Councilor Speziale and seconded by Councilor Chapman to approve the minutes. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Vouchers

Motion was made by Councilor Snavlin, seconded by Councilor Meixell to pay the audited bills out of the proper funds. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Financial Report

Mr. Chartrand reviewed receipts and disbursements for the month of August; reported that the money market account was earning 3% and the NYCLASS was earning 5%; also reminded everyone that the budget workshop is set for September 28th at 6pm.

Resolution 81-23

Motion was made by Councilor Snavlin, seconded by Councilor Chapman to approve the financial report. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Town of Tully

September 13, 2023

To: Town Board

From: Tom Chartrand

Re: Budget Transfers

GENERAL	Town wide		
From:			
A599	Surplus	Rec Fees	7,000.00
A1990.4	Contingent	Contractual	6,500.00
A7320.2	Joint Youth Project	Equipment	10,000.00
		Total	\$23,500.00

To:			
A1330.4	Tax Collector	Contractual	500.00
A7320.1	Joint Youth Project	Personal Services	17,400.00
A7320.4	Joint Youth Project	Contractual	5,600.00
		Total	\$23,500.00

AMBULANCE			
From:			
SM599	Surplus	Recoveries	\$15,000.00
		Total	\$15,000.00

To:			
SM4541.1	Ambulance (PT/FF/EMT)	Personal Services	\$15,000.00

Resolution 82-23

Motion was made by Supervisor Masters, seconded by Councilor Speziale to approve the transfers as indicated above. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Resolution 83-23

Motion to approve the bank reconciliation. Motion by Supervisor Masters, seconded by Councilor Meixell. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Resolution 84-23

Motion to authorize the town supervisor to purchase the Lucas device for the ambulance service at a cost of \$26,123.51. Motion by Councilor Snavlin, seconded by Councilor Speziale. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Highway

John Herold reported on the following highway activities:

- No major repairs
- Mixing sand and salt for the winter
- We're also doing some hydroseeding
- John asked the board to surplus the 2017 F350 and set a residual value of \$20,000 on that truck.
- Tully Cleanup Day is Saturday, October 14th and all info will be in the newsletter. We are accepting mattresses at a cost of \$25. Televisions will also be accepted. There will be a shredding event that same day at the town hall parking lot from 9am to 11am.

RESOLUTION 85-23

Motion was made by Supervisor Masters, seconded by Councilor Speziale declaring the 2017 F350 truck surplus and setting a residual value for the truck at \$20,000. Motion carried.

(Masters, Speziale, Chapman, Snavlin, Meixell) Ayes 5 Nays 0

Ambulance

Fire Captain Chad Wakula reported on the following ambulance activities:

1. Number of EMS calls for August was 53
2. Still doing interviews to try to fill the open full-time position; looking into some additional options; civil service has extended the list until October 16, 2023
3. New stretcher has arrived and has been placed in service
4. The staff are on a trial schedule of 24 on/24 off/ 24 on/ then 5 off. I will re-evaluate the schedule at the end of October to see if it is working as planned.

Parks & Recreation

Sarah Panzarella reported on Green Lake closing; the lifeguards have cleaned up. We are awaiting payment from other towns who participated in our swim program. The swim lessons were a success.

Working on a quote for replacing the dock. Soccer is up and running. September 22nd is the Tully High School homecoming, and we're having an event where the younger soccer kids are involved with the older high schoolers so should be fun.

Sarah also mentioned that there had been some complaints about garbage on the walking path. Brief discussion.

Fire

Ed Wortley, Jr. reported that they are just starting budget season.

Updates from the Supervisor

Supervisor Masters reported that he had been working on a quote for the phone system, and he was hoping to have it by tomorrow. So follow-up would be next month.

Next, Mr. Masters advised that he had attended a village board meeting to ask for a letter of intent so that the village would supply water for the Rt. 11A Water District. Brief discussion.

Legal Update

Town Attorney Robert DeMore advised that Supervisor Masters would need to read the questions and answers on the SEQR form pertaining to the Sky High Solar Overlay District. Mr. Masters read the questions and filled in the answers as to whether the construction would have little or no impact or whether the construction would have a moderate to large impact on the land.

(The full text of the environmental assessment form is in the Boralex file in the town clerk's office.)

RESOLUTION 86-23

**RESOLUTION OF THE TOWN OF TULLY TOWN BOARD
FOR CREATION OF A TIER 3 SOLAR SYSTEM OVERLAY DISTRICT
FOR THE SKY HIGH SOLAR PROJECT**

WHEREAS, on or about June 5, 2023, pursuant to Local Law No. 2 of 2023 entitled: LOCAL LAW AMENDING THE TOWN OF TULLY CODE BY CREATING TIER 3 SOLAR ENERGY SYSTEMS OVERLAY ZONING DISTRICTS (the "Tier 3 Solar Overlay District Law"), Sky High Solar, LLC (the "Applicant") submitted an application (the "Application"), to create a Tier 3 Solar Energy System Overlay District (the "Overlay District") to change the zone for the siting of the Sky High Solar Project, a 20 MW ground-mounted solar energy system proposed at 1315 Sky High Road, Town of Tully, New York Tax Map Numbers 112.-03-08.1, 112.-03-16.0, 112.-03-18.1 and 113.-03-02.0 (the "Project Site");

WHEREAS, the application materials submitted on June 2, 2023 included a Site Plan, Land Use Map, Project Narrative, completed FEAF Part 1, a description of current land uses of abutting properties within 500 feet of the Project Site, Current Zoning Map, and a copy of Correspondence with the Planning Board on the Special Use Permit application, for a zoning change to establish a Tier 3 Solar Energy System Overlay District (the "Overlay District") on the Project Site, and . . .

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TULLY, ONONDAGA COUNTY, NEW YORK:

(1) The Town Board finds that the proposed Overlay District conforms with the requirements of the Town's Tier 3 Overlay District Law, as follows:

a. The Applicant, to the extent practicable, preserves prime farmland as the creation of the Overlay District and the Sky High Solar Project will not displace any active farm, will comply with the requirements of the NYSDAM Guidelines, and following the end of the Project's useful life, the facility will be decommissioned. Therefore, the Town Board finds that the Overlay District will not have a significant effect on prime farmland in the Town;

b. The creation of the proposed Overlay District will not cause adverse visual impacts as it will be minimally visible from adjoining properties and major public thoroughfares due to its location, due to the natural topography and existing vegetation around the Project Site, and the Project Site is not within close proximity to any public scenic or aesthetic resource as the closest such resource, the Labrador Hollow Unique Area, is approximately 3.9 miles away. Therefore, the Town Board finds that the Overlay District will not adversely impact important scenic resources, scenic views that are important to the Town;

c. The proposed Overlay District is not in close proximity to any lakes or other waterbodies;

d. The proposed Overlay District is not within 1 mile of an already approved Tier 3 Solar Energy System; and

e. Because the current Overlay District is the site of a land that was previously used for a Christmas tree farm, has not been in active agricultural use for more than five years, the topography of the site which minimizes adverse visual impacts, coupled with proximity to interconnection, the Town Board finds that other alternative parcels for siting the proposed Overlay District are not reasonably available to this Applicant;

(2) For all the aforementioned reasons, the Application to establish a Tier 3 Solar Energy System Overlay District for the Project Site, part of Tax Map Numbers 112.-03-08.1,112.-03-16.0, 112.-03-18.1 and 113.-03-02.0 is approved for 125.65 acres of land;

(3) The Applicant may proceed with further proceedings relating to its Application for a Special Use Permit and Site Plan Approval. The Applicant’s application for Special Use Permit and Site and Site Plan Approval, submitted to the Town Board on September 1, 2023, is deemed complete, and is referred to the Tully Joint Planning Board for review and issuance of an advisory report to the Town Board to be filed with the Town Board 30 days after the adoption of this Resolution.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

John Masters	<u>Voting</u>	<u>Aye</u>
Frank Speziale	<u>Voting</u>	<u>Aye</u>
Chris Chapman	<u>Voting</u>	<u>Aye</u>
David Meixell	<u>Voting</u>	<u>Aye</u>
John Snavlin	<u>Voting</u>	<u>Aye</u>

PASSED AND ADOPTED BY THE TOWN OF TULLY TOWN BOARD on the 13TH day of September, 2023

(The full text of the resolution is in the Boralex file in the town clerk’s office.)

RESOLUTION 87-23

**RESOLUTION OF THE TOWN OF TULLY TOWN BOARD
ADOPTING A NEGATIVE DECLARATION FOR A SKY HIGH SOLAR PROJECT
AND TIER 3 SOLAR OVERLAY DISTRICT**

WHEREAS, on or about June 5, 2023, pursuant to Local Law No. 2 of 2023 entitled: LOCAL LAW AMENDING THE TOWN OF TULLY CODE BY CREATING TIER 3 SOLAR ENERGY SYSTEMS OVERLAY ZONING DISTRICTS (the “Tier 3 Solar Overlay District Law”), Sky High Solar, LLC (the “Applicant”) submitted an application (the “Application”), to create a Tier 3 Solar Energy System Overlay District (the “Overlay District”) to change the zone for the siting of the Sky High Solar Project, a 20 MW ground-mounted solar energy system proposed at 1315 Sky High Road, Town of Tully, New York Tax Map Numbers 112.-03-08.1, 112.-03-16.0, 112.-03-18.1 and 113.-03-02.0 (the “Project Site”);

WHEREAS, the application materials submitted on June 2, 2023 included a Site Plan, Land Use Map, Project Narrative, completed FEAF Part 1, a description of current land uses of abutting properties within 500 feet of the Project Site, Current Zoning Map, and a copy of Correspondence with the Planning Board on the Special Use Permit application, for a zoning change to establish a Tier 3 Solar Energy System Overlay District (the “Overlay District”) on the Project Site, and . . .

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF TULLY, ONONDAGA COUNTY, NEW YORK:

(1) The Town Board of the Town of Tully, as lead agency, for purposes of compliance with SEQR, 6 NYCRR Part 617, has determined that the proposed Overlay District and the Sky High Solar Project will result in no significant adverse impacts on the environment, and therefore, a Negative Declaration is issued . . .

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

John Masters	<u>Voting</u>	<u>Aye</u>
Frank Speziale	<u>Voting</u>	<u>Aye</u>
Chris Chapman	<u>Voting</u>	<u>Aye</u>
David Meixell	<u>Voting</u>	<u>Aye</u>
John Snavlin	<u>Voting</u>	<u>Aye</u>

PASSED AND ADOPTED BY THE TOWN OF TULLY TOWN BOARD on the 13TH day of September, 2023

(The full text of the resolution is in the Boralex file in the town clerk’s office.)

Motion to Adjourn

Motion was made by Councilor Snavlin, seconded by Councilor Speziale to adjourn the meeting at 8:55pm. Motion carried.

(Masters, Speziale, Chapman, Meixell) Ayes 4 Nays 0

Respectfully submitted,

Susan Vaccaro, Town Clerk