

REGULAR ARCADIA TOWN BOARD MEETING

May 13, 2025 – 7:00 PM

Town Hall

201 Frey St.

Newark, NY 14513

Supervisor Piscioti welcomed those in attendance followed by the gathering in the pledge of allegiance.

PRESENT: Supervisor Piscioti
Councilmembers: Diamond, Gerbig, Greco, VanLaeken
Highway Supt. Kuhlman
CEO DeWolf
Attorney David Hou

ABSENT:

Wayne County Historian Presentation of the Erie Canal Banner to the Town Board: Jane Milem, Wayne County Historian gave a talk about the Erie Canal turning 200. The Town of Arcadia was developed as a canal town. She presented an “Erie Canal 200 Years, Let’s Go” Banner to the Supervisor and Town Board. Christopher Davis, Town of Arcadia Historian was also here to help present the Banner.

MINUTES: Motion made by Councilman VanLaeken, seconded by Councilman Greco to approve the minutes of April 8, 2025 Regular Town Board Meeting and the April 25, 2025 Special Town Board Meeting Minutes. All voted Aye.

HIGHWAY REPORT: Highway Superintendent Kuhlman read his report:

MAY Town Board Meeting 5/13/2025

The highway crew have been working at several jobs this spring, we have started replacing culverts on one of our road projects that we have planned for this summer/section of Lembke Rd.

We also did some repairs on our older salt barn, we reinforced the bracing on the backside with some 8x8 Larch beams to stop any further damage, original wall is bulging out from the weight of material inside.

We have our pad built and are starting to set blocks for new SALT only building that we purchased last year.

I also have our mowers going, we started our first pass roadside mower last week and we have mowed cemeteries a couple of times already.

Thank you;
Thomas Kuhlman/Highway Superintendent

CODE ENFORCEMENT REPORT: CEO DeWolf read his April report.

Total Permits Issued for the Month	9
Total Cost of Permits	\$ 643.16
Inspections Done for the Month	12
Total C of C's Issued for the Month	2
Total C of O's Issued for the Month	1
Total Variances Processed for the Month	1
Total Complaints Received	0
Total 911 Calls Received	0
Total of Violation Letters Sent	3
Total of Violations Resolved	0
Total of Appearance Tickets Issued	0

CEO DeWolf said that Arcadia Community Solar is just about ready to go. They are waiting on knox boxes to be installed. Working with Fairville Fire Department on this. No date set yet to when they will actually be running.

COMMUNICATIONS: N/A

PUBLIC HEARING: N/A

NEW BUSINESS:

Accounting Principal and Procedures Online Course – Hope Bush, Clerk to the Supervisor: Moved by Councilman Gerbig, seconded by Councilman Greco to approve Hope Bush, Clerk to the Supervisor to take the State Comptrollers online class for Accounting Principles and Procedures on June 11-12, 2025 at a cost of \$85.00.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Tim Wood from NAVA spoke. They have received part of their new equipment and hoping to have the rest by July. Everything has been going good. Supervisor Piscioti commended the Ambulance crew on how they handled traffic when she saw them at an emergency scene one day.

UNFINISHED BUSINESS:

Migrant Housing Special Use Permit 5395 Skinner Rd.: Wayne County Planning Board has approved the special permit. See attached.

Moved by Councilman Greco, seconded by Councilman Gerbig to declare the Town Board of the Town of Arcadia Lead Agency for Migrant Housing SUP at 5395 Skinner Rd.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Moved by Councilman VanLaeken, seconded by Councilman Greco to accept Parts 2, and 3 of the Short Environmental Assessment Form and concludes that the proposed use will not result a significant adverse environmental impact based on its review.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Supervisor Piscioti read Section 2 – 8 Requirements for a SUP as set forth in Section 7.3 and 8.6 of the Town Zoning Code. She asked if the Board had any questions. The only concern was lighting which CEO DeWolf will review the lighting issue with the Owner Michael Williams.

Supervisor Piscioti read Section 3 – 12 Conditions and Restrictions. She asked if the board had any questions. Councilman Gerbig questioned No. 9 regarding all fees for the review of the application are to be reimbursed to the Town by the

Applicant prior to issuance of permits and how that worked. The Town will bill the Owner all costs and not give the SUP until the reimbursement has been received. Councilman Diamond questioned No. 8 when the agricultural worker housing ceases to be used to house agricultural workers, such housing shall be removed immediately. How would this happen if it is an existing building converted into housing? Attorney Hou explained said it could be decertified by the DOH. A discussion was had as to how to handle this. Attorney Hou said No. 8 can be removed from Section 3 in the resolution. The Board requested it be removed. Councilman Greco inquired about No. 11 and how does the Town get notified of inspections from New York State. CEO DeWolf said we request them from the Department of Health.

Moved by Councilman Diamond, seconded by Councilman Gerbig to approve the SUP to the applicant of 5395 Skinner Rd. to allow farmworker housing for agricultural workers as proposed in the application subject to conditions and restrictions. Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Water District No. 18 SEQR Lead Agency Declaration: Moved by Councilman Greco, seconded by Councilman VanLaeken to declare the Town Board of the Town of Arcadia Lead Agency for Water District No. 18. Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Moved by Councilman Diamond, seconded by Councilman Gerbig to accept Full Environmental Assessment Form Part 2 showing no significant adverse impacts on the environment.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Moved by Councilman Greco, seconded by Councilman VanLaeken to authorize Supervisor Piscioti to sign and the Negative Declaration under SEQR Part 3 of the Environmental Assessment form for Water District No. 18.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Sherman Gittens of MRB will supply the Town with Water District No. 18 Maps for the public to view at the office.

Health Officer: Supervisor Piscioti stated we are waiting for the resignation from the current Health Officer and are hoping to appoint a new Health Officer next month,

Arcadia, PV – Special Use Permit Approval Resolution: Sherman Gittens, MRB and Attorney Hou went over a few items in the conditions that are still being worked out. Both agreed it would be ok to move forward with the resolution.

Moved by Councilman VanLaeken, seconded Councilman Greco to approve the SUP with conditions for NY Arcadia PV, LLC Tier 3 Solar Project 3527-3569 NY Rt 88. Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

Sleight Rd. Solar SUP Extension Request: Supervisor Piscioti said Sleight Rd. Solar would like another extension. She had reached out to the Town Attorney and Sleight Rd. Solar is working on their items that need to be completed. The Town Board discussed and would not do a one year extension but would do a two month extension. Todd Freidman, Renuance, LLC (Sleight Rd. Solar) asked if the Town could do a little longer extension. They have run into issues with the land owner they are buying the property from and haven't closed yet. The land owner has told them they have to buy 18.2 more acres or there will not be a deal. They are hoping to have things worked out and closed by the end of the month. The Town Board said they would be willing to do a three month extension.

Moved by Councilman VanLaeken, seconded by Councilman Greco for Sleight Rd. Solar to have a 3 month extension on the SUP and will have to start the process over if not completed in the 3 month extension. Three month extension to start after the first extension ends on June 28, 2025

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

PUBLIC COMMENTS: Supervisor Piscioti asked if there were any public comments. No comments were made.

REPORTS OF TOWN OFFICIALS:

All Town Reports

Moved by Councilperson Diamond, seconded by Councilperson Greco to accept the following reports: Town Clerk, Code Officer, Assessor, Supervisor and Highway reports.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

AUDIT/PAYMENT OF BILLS APPROVED BY THE TOWN BOARD:

General	#131-161	\$37,003.05
Highway	#87-109	\$43,262.53

Moved by Councilman Diamond, seconded by Councilman Greco to authorize payment of the General and Highway bills.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye
Supervisor Piscioti	Aye

ADJOURNMENT:

7:48 PM Moved by Councilman VanLaeken, seconded by Councilman Greco to adjourn the Town Board meeting.

All Voted Aye

Respectfully Submitted,
Terresa Vastbinder
Town Clerk

**RESOLUTION REGARDING SPECIAL USE PERMIT FOR FARMWORKER
HOUSING AT 5395 SKINNER ROAD**

At a regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Arcadia Town Hall Building in Newark, New York, in said Town, on the 13th day of May, 2025 at 7:00 P.M..

PRESENT: Dawn Piscioti, Supervisor
Michael Diamond, Councilperson
Joseph Gerbig, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

The following Resolution was offered by Councilman Diamond, who moved its adoption, seconded by Councilman Gerbig, to wit:

WHEREAS, Michael Williams and MDW Properties (the "Applicant") filed an Application for a Special Use Permit with the Arcadia Town Board to allow farmworker housing (the "Application"), as provided in Sections 7.2 and 8.6 of the Arcadia Zoning Code, to be located at 5395 Skinner Road (Williams Cattle Farms), Tax Id. No. 67114-00-553894; and

WHEREAS, the Application proposes to convert an existing pole barn into housing for thirty-four (34) farmworkers with a new septic system and water service; and

WHEREAS, the Application was referred to the Town Planning Board for its report and recommendations, and the Planning Board reviewed the Application and has recommended that the Town Board grant the Special Use Permit; and

WHEREAS, the Application was referred to the Wayne County Planning Board for review pursuant to General Municipal Law 239-m, and the Application was returned as a local matter with comments; and

WHEREAS, the Town Board has reviewed the Application as an Unlisted Action; and

WHEREAS, a Public Hearing was duly held by the Arcadia Town Board on March 11, 2025, and April 8, 2025 after due publication and posting of notice in accordance with the law;

NOW, THEREFORE, be it resolved by the Town Board as follows:

Section 1. Environmental review.

1. The Town Board has determined that the Applicant and proposed use to be an Unlisted Action pursuant to Part 617 of the State Environmental Quality Review Act ("SEQRA"); and
2. The Town Board is the only approving authority and is therefore the lead agency for environmental review; and

3. The Town Board has completed its review of Parts 1, 2, and 3 of the Short Environmental Assessment Form (EAF); and
4. The Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) of the SEQRA regulations and the information contained in Parts 1, 2 and 3 of the Short EAF; and
5. The Town Board hereby concludes that the proposed use will not result a significant adverse environmental impact based on its review of the Short EAF, and does hereby make and authorize a determination of non-significance.

Section 2. The Applicant has SATISFIED the requirements for a Special Use Permit as set forth in Section 7.3 and 8.6 of the Town Zoning Code. Specifically, the Town Board finds:

1. That the Town is a rural community with significant agricultural uses, that farmworker housing is a common and often necessary part of farming operations, that on-site housing for farmworkers allows farmers to accommodate the long workday associated with farming, meet seasonal housing needs, and address the shortage of nearby cost-effective rental housing in the surrounding area;
2. That the proposed use is designed, located, and proposed to be operated in a manner that will protect the public health, safety, welfare, and convenience, in that the proposed housing is on an active farm and will provide farmworker housing for its seasonal farmworkers, and will be subject to regulatory oversight by the NYS Department of Health, the NYS Department of Agriculture & Markets, and the applicable provisions of the NYS Uniform Code;
3. That the proposed use will not cause substantial injury to the value of other property in the neighborhood, because the property is an active farm in an Agricultural District, and the proposed use is in furtherance of farming operations;
4. That the proposed used is compatible with adjoining development and the character of the zoning district where it is located, in that the proposed use is consistent with the existing use, and is permitted in the zoning district with a special use permit;
5. That given the circumstances of the proposed use, to provide seasonal housing for farmworkers on an existing farm, within an existing converted pole barn, no additional landscaping or screening is required.
6. That the proposed use does not have significant parking needs and adequately provides for ingress and egress to cause minimum interference with traffic,

vehicular and pedestrian safety and convenience, and is adequately designed to provide for emergency vehicle access, in that there is ample parking for vehicles, although most of the farmworkers will not have their own vehicles and transportation will mostly be provided by the Applicant;

7. That the proposed use conforms with applicable zoning regulations, specifically, Article 8.6 of the Zoning Code;
8. That the Application adequately provides for utilities, storm drainage, and refuse, subject to the review, approval, and conditions, if any, by the Planning Board.

Section 3. In light of the foregoing, a Special Use Permit is hereby GRANTED to the Applicant to allow farmworker housing for agricultural workers, as proposed in the Application, and SUBJECT TO the following conditions and restrictions:

1. All agricultural worker housing shall comply with the provisions of the NYS Sanitary Code and the NY Agriculture and Markets Law, and the Applicant shall obtain and maintain all necessary and current permits and certificates of compliance as may be required by the state, and shall provide such permits or certificates to the Town upon request.
2. The maximum number of farmworker housing units is limited to the number as proposed in the Application. Any proposed increase in housing units or occupancy shall require the submission of a request to the Town Board to amend the Special Use Permit.
3. The occupants of agricultural worker housing are migratory farm workers employed in farming on the Applicant's farm.
4. The Town Board waives the requirement limiting agricultural worker housing to nine (9) months out of any twelve (12) month period. Instead, the agricultural worker housing shall not be occupied for more than ten (10) months out of any twelve (12) month period.
5. No agricultural worker housing shall be located less than 100 feet from any street line or property line. Any vehicular access thereto shall have at least a gravel or crushed stone surface.
6. There shall be separation of at least thirty (30) feet between all agricultural housing units.
7. The Applicant shall apply with the Town to renew the Special Use Permit on an annual basis.

8. All consultants' fees for review of the Application (including engineering and legal) are to be reimbursed to the Town by the Applicant prior to the issuance of permits.
9. Applicant shall comply with all Site Plan requirements and conditions imposed upon the Project by the Planning Board, including the construction and development of any improvements depicted on the final development plans on file with the Town.
10. In the event the Applicant is found to have violated any applicable state or local law or regulation relating to operation of migrant farmworker housing, or the health or safety of migrant farmworkers, the Town reserves the right to revoke the Special Use Permit, or to refuse to renew it, pursuant to Section 7.4(g) of the Town Zoning Code.
11. A copy of all reports and inspections issued by New York State shall be provided to the Town.

Section 3. A copy of this Resolution shall be delivered by the Code Enforcement Officer to the Applicant and to the Wayne County Planning Board.

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

Dawn L. Pisciotto, Supervisor	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Aye</u>
Joseph Gerbig	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Richard D. VanLaeken	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted on May 13, 2025.

CERTIFICATION

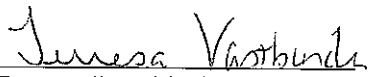
STATE OF NEW YORK)
COUNTY OF WAYNE)

I, the undersigned Clerk of the Town of Arcadia, Wayne County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the Regular meeting of the Town Board of said Town, including the **Special Use Permit Resolution** contained therein, held on the 13th day of May, 2025 with the original thereof on file in my Office, and that the same is a true and correct copy of said Original and the whole of said Original so far as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this May 14, 2025.


Terresa Vastbinder Town Clerk

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Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Williams Cattle Farm Migrant Housing			
Project Location (describe, and attach a location map): 5395 Skinner Road			
Brief Description of Proposed Action: Conversion of a pole barn building into housing for 34 migrant workers with a new septic system and water service. Area provides ample parking for vehicles even though most of the migrants don't have vehicles of their own and transportation is provided by the owner.			
Name of Applicant or Sponsor: Williams Cattle Farms		Telephone: (585)315-5589 E-Mail: williamsregisteredcattle@gmail.com	
Address: 4729 Eddy Ridge Road			
City/PO: Marion,		State: NY	Zip Code: 14505
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		35.72 acres	
b. Total acreage to be physically disturbed?		0.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		35.72 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

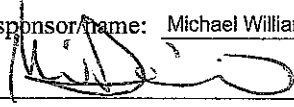
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: <u>The building construction will use water saving devices and power saving equipment and devices.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Private onsite septic system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ NYSDEC wetlands are on the property to the north and west of the project area well over 100' from the development area. Federal Wetlands are in the same locations.			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Michael Williams/Williams Cattle Farms</u> Date: <u>1-6-25</u> Signature: <u></u> Title: <u>Owner</u>		

Project: **5395 Skinner Rd.**Date: **5/13/2025**

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Based on the responses in Part 2, no material adverse environmental impacts are likely to occur.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town Board, Town of Arcadia	<u>5/14/2025</u>
Name of Lead Agency	Date
Dawn Piscioti	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>Dawn Piscioti</u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



Planning Board

Referring Board *

Governing Board

Next Scheduled Meeting of Referring Body *

5/13/2025

Name of Development / Project *

Williams Cattle LLC farmworker housing

Type of Review Requested**Select**

**Planning Board
Recommendation**

Comments

Special Permit

Approve with Comments

Approved as presented

Short Description of the Project Application *

Please describe the project in terms of the type of action(s) being reviewed.

convert existing building to a proposed housing for 34 farmworkers

WAYNE COUNTY PLANNING BOARD

April 23, 2025

MINUTES – DRAFT

A meeting of the Wayne County Planning Board was held in-person at 9 Pearl Street, Second Floor Conference Room in Lyons, NY. Determining that a quorum of members was present, Vice-Chair Firendino called the meeting to order at 7:00 P.M. and proceeded with a call to join in the Pledge of Allegiance.

Members Present: Joseph Firendino, *Vice-Chair – Galen*, Chad Mendenhall, *Secretary – Butler*, Scott Allen – *Macedon*, Rob Burns – *Lyons*, Kenneth Conklin – *Ontario*, Dennis Grabb – *Sodus*, Steve Guthrie – *Rose*, Bob Hutteman – *Arcadia*, Matt Krolak – *Palmyra*, Larry Lockwood – *Huron*, Robert Milliman – *Wolcott*, Bert Peters – *Williamson*

Members Absent: Patricia Marini, *Chairperson – Walworth*, Mike Cramer – *Marion*

There is currently one vacancy for the Town of Savannah on the 15-member board.

County Staff Present: Brian Pincelli - *Director / CEO*, Luke Kornbau – *Assistant Planner*, Eli Levine – *Planner*, Katherina Wisniewski – *Assistant Secretary*.

Members of the Public Present: Tracy Zornow – *Empire Realty*, Ryan Burns, Julie DiLella – *Empire Wrecking*, Louis DiLella – *Empire Wrecking*, Lisa Graf – *Dobbins*, Keith Gardner – *STR*, Kimberly Gardner – *STR*, Tucker Velepec – *Land Tech*, Michael Williams – *Williams Cattle*, Lucas Dobbins – *Dobbins*, Nicholas Graziose – *Gerber Homes*

MINUTES

Vice-chair Firendino asked if there were any changes or comments to the previous meeting minutes from March 26, 2025. No questions or comments were made. Mr. Hutteman made a motion to approve the minutes, Mr. Conklin seconded the motion. All present approved. Minutes were approved.

ADMIN UPDATES / COMMUNICATIONS

There were no administrative updates / communications at this meeting.

MEETING GUIDELINES

Mr. Kornbau read the meeting guidelines.

ZONING & SUBDIVISION REFERRALS

Vice-chair Firendino called for the Board to begin review of the list of referral applications.

1. Project: Town of Arcadia, *Williams Cattle*

Address: 5395 Skinner Road

Type of Action(s): Special Permit

Mr. Firendino introduced the special permit applicant. Mr. Michael Williams from Williams Cattle introduced the project as converting an existing building into housing for 34 farm workers; he stated that the building was initially used for the previous owner's office space, and the building already has some amenities and will be updated to accommodate the farm workers. Mr. Guthrie asked if the project meets New York State requirements. Mr. Williams answered that the New York Department of Health visits the facility at minimum twice a year, but typically four to six times a year, depending on new contracts. He further stated that NY Department of Health has approved the permit for this project. Mr. Guthrie asked if this project will impact traffic. Mr. Williams answered that the farm provides transportation, and there will not be an increase above normal farm traffic. Mr. Guthrie asked if this complies with zoning. Mr. Kornbau answered that the project complies with town zoning, but a special permit is required. No other questions were presented.

Motion: Mr. Guthrie made a motion to approve the special permit. Mr. Peters seconded the motion.

Ayes – 12 | Nays – 0 | The board approved the special permit.

2. Project: Village of Newark, *Empire Realty*

Address: 506 West Union Street

Type of Action(s): Use Variance

Mr. Firendino introduced the use variance applicant. Ms. Tracy Zornow from Tracy Zornow Homes-Empire Realty Group introduced the project as repurposing the property from office space, back to a residential home; she followed by stating the motivation for this change is to accommodate the housing shortage, and commercial property is slower moving. Mr. Pincelli asked for the age of the home. Ms. Zornow answered that the home is over 100 years old, being built in approximately 1908. Mr. Peters asked about the character of the neighborhood. Ms. Zornow answered that this is the last house before the business district in the west; she mentioned that the neighboring house was previously a hair salon but was recently donated to the church. Mr. Hutteman asked to see the zoning map. Mr. Kornbau showed the board the zoning map. Mr. Grabb asked when the property was zoned commercial. Mr. Kornbau answered that as of 2022, the property was zoned in the B3 district. No other questions were presented.

Motion: Mr. Burns made a motion stating this project has no county impact. Mr. Peters seconded the motion.

Ayes – 12 | Nays – 0 | The use variance was determined to have no county impact.

TOWN OF ARCADIA
WATER DISTRICT No. 18

SEQR RESOLUTION
DECLARING LEAD AGENCY AND DETERMINATION OF SIGNIFICANCE/ NEGATIVE
DECLARATION

At a meeting of the Arcadia Town Board held on May 13, 2025, Councilman Greco moved the adoption of the following Resolution, which was seconded by Councilman VanLaeken, and carried unanimously.

WHEREAS,

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Arcadia announced its intent to serve as Lead Agency on March 11, 2025, to conduct an environmental review of public water supply improvements within the proposed Water District No. 18 service area. The project will ensure a safe and reliable potable water supply for area residents and businesses.
- 2) The Town Board has determined that the proposed action is a Type I action as defined under SEQR, as portions of the project are located in Wayne County Agricultural District No. 1.
- 3) The Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
- 4) On March 14, 2025, the Town Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the full Environmental Assessment Form (EAF). None of the Involved Agencies objected to the Arcadia Town Board serving as Lead Agency for this project. The Town will obtain all necessary permits and approvals from Involved Agencies and will comply with agency requirements.
- 5) The Town Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Arcadia declares that it will serve as Lead Agency for the water system improvements proposed in Water District No. 18; and,

The Town Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Town Supervisor is hereby authorized and directed to prepare and issue, on behalf of the Town, the Negative Declaration in the Part 3 of the Environmental Assessment Form.

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

Dawn Pisciotti	[VOTING]	<u>Aye</u>
Richard D. VanLaeken	[VOTING]	<u>Aye</u>
Joseph Gerbig	[VOTING]	<u>Aye</u>
David Greco	[VOTING]	<u>Aye</u>
Michael J. Diamond	[VOTING]	<u>Aye</u>

The Resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

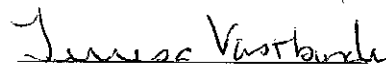
STATE OF NEW YORK:
COUNTY OF WAYNE:
TOWN OF ARCADIA:

I, the undersigned Clerk of the Town of Arcadia, Wayne County, New York, **DO
HEREBY CERTIFY:**

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the **SEQR Resolution** contained therein, held on the 13th day of May, 2025, with the original thereof on file in my Office, and that the same is a true and correct copy of said Original and the whole of said Original so far as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 13th day of May, 2025.


Terresa Vastbinder
Town Clerk

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Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project : (T) Arcadia Water District No. 18
Date : May 13, 2025

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)

☐ NO

☒ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: <u>Federal Steams 898-133 and 898-139, State Wetland NE-39 adjacent to project site. Wetland types: Freshwater Forested/Shrub Wetland & Riverine</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☐ NO

☒ YES

(See Part I. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>New demand for water ~11.333 GPD.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

☒ NO

☐ YES

(See Part I. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If "Yes", answer questions a - j. If "No", move on to Section 8.

☐ NO

☒ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: Per USFWS IPAC Northern Long-Eared bat listed as endangered species and Monarch Butterfly listed as proposed threatened species. _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☐ NO

☒ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: Project is located in Wayne County Ag District 1 _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☐ NO☒ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>Project site is located within one (1) mile of the Erie Canalway National Heritage Corridor.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO☒ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: <u>EAF Mapper identified the project site being located in or adjacent to an area designated as sensitive for archaeological sites.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO☐ YES

(See Part I. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part I. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO☒ YES

(See Part I. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Temporary impact during construction only.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts

and

Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed Action is consistent with the character of the community and surrounding neighborhood. The proposed Town of Arcadia Water District No. 18 Project WILL NOT have a significant impact on the surrounding lands, surface water, flooding, traffic, energy use, wild life, aesthetic resources, natural resources, flooding or drainage, or human health.

The Town of Arcadia Town Board has reviewed and accepted Part 1 of the Full Environmental Assessment Form (EAF) for this action. The Town Board completed a coordinated review under the State Environmental Quality Review (SEQR) Regulations and received no objections to being designated Lead Agency. The Town Board in a separate resolution designated The Town as lead agency, and as lead agency for this Action under the provisions of Part 617 of the SEQR Regulations has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation and the Town Board's review of the Full EAF Part 2 and Part 3, the Town Board in a separate resolution adopted on Tuesday, May 13, 2025 has determined that the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued. Please see the attached documentation supporting the Full EAF in support of this decision.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☒ Type 1
☐ Unlisted

Identify portions of EAF completed for this Project:

☒ Part 1
☒ Part 2
☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Full Environmental Assessment Form (EAF) Part 3 and the supporting documentation to the EAF and project maps.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Arcadia Town Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

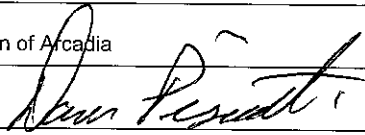
Name of Action: Town of Arcadia - Water District No. 18

Name of Lead Agency: Town of Arcadia Town Board

Name of Responsible Officer in Lead Agency: Dawn Piscioti

Title of Responsible Officer: Town Supervisor, Town of Arcadia

Signature of Responsible Officer in Lead Agency:



Date: May 13, 2025

Signature of Preparer (if different from Responsible Officer)

Angelina M. White- MRB Group

Date: May 13, 2025

For Further Information:

Contact Person: Terresa Vastbinder, Town Clerk

Address: 201 Frey Street Newark, NY 14513

Telephone Number: 315-331-1222

E-mail: townclerk@townofarcadia.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**TOWN OF ARCADIA TOWN BOARD RESOLUTION
NY ARCADIA PV, LLC TIER 3 SOLAR PROJECT
3527-3569 NY-88, NEWARK, NY 14513
SPECIAL USE PERMIT AND SITE PLAN APPLICATION**

SPECIAL USE PERMIT APPROVAL RESOLUTION

WHEREAS, the Town of Arcadia Town Board (hereinafter referred to as Arcadia Town Board), is considering Special Use Permit approval with Site Plan approval to be provided by the Town of Arcadia Town Board for the construction of the Arcadia PV, LLC solar project (Project), a proposed 4.171-megawatt (MW) alternating current (AC) solar photovoltaic (PV) project located within the Town of Arcadia. The proposed Project will be located on +/- 27.43-acres of 132.6-acres of both parcels (Parcel 68114-00-679160 is 93.15 acres, and Parcel ID 8114-00-644278 is 39.45 acres) as described in the Site Plans dated September 20, 2025, last revised April 28, 2025, and all other relevant information submitted as of May 13, 2025 (the application); and

WHEREAS, this Application was forwarded to Wayne County Planning Board for review and comments were received by the Town; and

WHEREAS, the Town Board has classified the above referenced Action to be a Type I Action under Section 617.5 (c) of the State Environmental Quality Review Act (SEQRA) Regulations; and

WHEREAS, the Town Board in compliance with NYS Town Law and SEQRA a determination of significance and a negative declaration was adopted by the Town Board on April 8, 2025; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby approve the requested Special Use Permit with the following conditions:

1. The Applicant shall obtain a Building Permit within twelve (12) months of obtaining all required approvals (Federal, State, Local, and Utility) or this approval shall automatically terminate and be deemed null and void. Additionally, the Applicant shall complete construction of an approved Solar Energy System within twenty-four (24) months of obtaining all required approvals or this approval shall automatically terminate and be deemed null and void and be of no force an effect at law. The Applicant may request extensions, in writing to the Town, if they are not able to meet the timelines outlined in this condition.
2. The Town Engineer review letter dated March 4, 2025, is to be addressed prior to the site plans being signed by the Planning Board Chair. The signed site plan is required prior to issuance of a building permit.
3. Prior to issuance of a building permit the Final Plat Map is to be filed with Wayne County and proof of the filing is to be submitted to the Town of Arcadia Town Clerk's office.
4. Prior to issuance of a building permit the Applicant shall enter into a contract with the Wayne County IDA, on behalf of the Town, for payments in lieu of taxes pursuant to Real Property Tax Law §487 9.(a).
5. Prior to the issuance of a building permit the Applicant is to enter into a Road Use Agreement with the Town that includes terms of use of Town roads, inspection of Town roads before and after construction of the project and establishes a bond value to be secured prior to use of Town roads.
6. Prior to the issuance of a building permit all easements and subdivisions will need to be submitted to the County Clerk's Office and proof of filing is to be submitted to the Town Clerk.
7. No ground disturbance is to begin until the NYSDEC Acknowledgement letter regarding the Notice of Intent has been received by the Town Code Enforcement Office and added to the Final SWPPP document.
8. The Decommissioning Plan will be updated to reflect as-built conditions and approved

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SPECIAL USE PERMIT APPROVAL RESOLUTION

financial security as required in Section 411.06 (C)14 of the Town's Solar Law.

9. Prior to obtaining a building permit, the finalization of the written Decommissioning Plan in an acceptable form and content per the Town Engineer and Town Attorney comments.
10. Prior to obtaining a building permit, the Applicant must provide adequate surety in the form of a letter of credit in a form approved by the Town Attorney and the Town Engineer for the removal of the Solar Energy System, with Arcadia as the designated assignee/beneficiary, in an amount to be approved by the Town Engineer based on their review of the Decommissioning Cost Estimate submitted by the Applicant.
11. The Decommissioning Agreement, in a form and content acceptable to the Town Attorney and the Town Engineer is required to be signed by all parties and filed with the Town Clerk's Office prior to issuance of a building permit.
12. Prior to signing the site plans, the Applicant is to provide a decommissioning estimate that identifies all requirements of the decommission, including transportation of waste and recycling materials off site, and the associated values for each requirement. This value is to be increased annually by no less than 3% for the life of the project (35-years) plus 18 months for the process of decommissioning and stabilization.
13. A separate approval by Resolution from the Arcadia Town Board of Decommissioning Plan and Decommissioning Surety shall be secured for the entire value of the at least 35-year Decommissioning Estimate. The decommissioning surety is to extend 18 months beyond the expected life of the project to ensure that the surety remains valid during the permitting, coordination, and decommissioning process. The end-of-life value plus 18 months with the annual escalation is to be the value of the surety from day one prior to issuance of a building permit as outlined in condition 10.
14. Every 5 years after the Applicant's project is approved (or if the surety is renewable less than every five years, then annually) no later than thirty (30) days prior to the anniversary date of the issuance of the building permit for such system, the then owner/permit holder for the system shall provide the Town of Arcadia Code Enforcement Officer & Town Clerk with written confirmation that the required surety is still operable and valid to account for inflation or any other anticipated increase in costs of removal as provided for above.
15. After completion of the project, the Applicant shall provide to the Town of Arcadia Code Enforcement Officer a post-construction certificate from a Professional Engineer registered in New York State that the project complies with all applicable codes and industry practices and has been constructed and is operating according to the design plans.
16. A Special Use Permit granted by the Town Board is required prior to signatures being affixed to the site plan.
17. All consultants' fees for review of the Application (including but not limited to the Town Engineer's and Town Attorney's fees) are to be reimbursed to the Town by the Applicant as a condition of the Special Use Permit for the life of the project. Prior to the issuance of a Building Permit all such consultant fees are to be reimbursed to the date of the building permit submission.
18. Any increase of stormwater drainage from the site to neighboring properties will trigger an automatic review of the Project. If there is evidence that the Project is increasing the runoff of stormwater onto neighboring properties, then the Applicant will have 180 days to provide mitigation solutions that will be reviewed by the Planning Board and the Town Engineer.

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SPECIAL USE PERMIT APPROVAL RESOLUTION

19. As the Operation and Maintenance of the site is dependent on the final construction and layout of the Project site and the equipment used, a final Operation and Maintenance Plan outlines all site-specific information, schematics and emergency procedures that stay up to date with the site operations and maintenance needs, as well as maintenance contractor information, Emergency Action Plan, Emergency Shutdown Plan, Fire Response Plan and Guidance, emergency contacts, snow clearing, and other relevant information of maintenance that will be contracted out. This will need to be approved by the Town as complete prior to the Code Enforcement Officer closing the building permit and providing a certification of completion.
20. Maintenance of ground cover vegetation is to not exceed 12 inches of height. Whenever a violation of this condition of approval occurs, any person may initiate a complaint to the Town. The Code Enforcement Officer will accurately record the complaint, file it appropriately, and investigate it. If the complaint is found to be valid, the Code Enforcement Officer will inform the owner of the premises that there is a violation of the condition of approval. The owner will be notified by email from a Town official and by certified mail and by any other means agreed upon by the Town and the person(s) of contact. The violation will have to be 30-days from the date of notice by email to correct the violation. Additional penalties may be assessed per violation. If the violation of this condition is not corrected with that 30-day window, this will be cause for revocation of the Special Use Permit after the applicant is notified in writing of the violations and the Town of Arcadia Town Board holds a hearing on same as provided for herein. This process is to be clearly identified, and a certification of understanding is to be signed by any potential owner of the NY Arcadia PV, LLC project site as a condition of the Special Use Permit.
21. All trees and fencing are to be free from vines and other invasive vegetation. Whenever a violation of this condition of approval occurs, any person may initiate a complaint to the Town. The Code Enforcement Officer will accurately record the complaint, file it appropriately, and investigate it. If the complaint is found to be valid, the Code Enforcement Officer will inform the owner of the premises that there is a violation of the condition of approval. The owner will be notified by certified mail and by any other means agreed upon by the Town and the person(s) of contact. The violation will have to be 30-days from the date of notice to correct the violation. Additional penalties may be assessed per violation. If the violation of this condition is not corrected with that 30-day window, this will be cause for revocation of the Special Use Permit after the applicant is notified in writing of the violations and the Town of Arcadia Town Board holds a hearing on same as provided for herein.
22. All contact information for the applicants, developers, and landowners are to be provided to the Town of Arcadia Code Enforcement Officer prior to issuance of a Building Permit.
23. A preconstruction meeting with the Town of Arcadia, once all conditions of approval have been met, is required to be held prior to issuance of any permit.
24. No Battery Energy Storage Systems (BESSs) Units are not part of this application and thus not approved as part of this project.

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SPECIAL USE PERMIT APPROVAL RESOLUTION

25. Prior to construction, before a Certificate of Compliance is issued by the Code Enforcement Officer, prior to decommissioning, and after decommissioning of the site, the Owner or System Operator of the solar array project shall engage an independent and competent entity to take soil samples consistent with Cornell University's soil testing guidelines for measuring contaminant levels in a particular area regarding collection, labeling and packaging of representative soils beneath and around solar panels and solar system equipment according to soil sampling locations specified on a plan submitted to the Town for approval. Such soil sampling shall consist of three individual samples per acre of installed solar panel arrays of the same kind and model, to be taken from the ground at a 1-2" depth along the lower drip edge of representative solar arrays across the lot, with an additional three separate individual samples to be taken on the lot at a 1-2" ground depth along the main course of water flow leaving that lot. Such soil samples shall be collected, labeled, packaged and transferred with a chain of custody to an independent laboratory certified by the NY State Department of Health Environmental Laboratory Approval Program for soil analysis, which lab may or may not be the same entity collecting the soil samples.
26. Pre- and post-construction penetrometer testing, according to NYSDEC guidance, shall occur under the observation of the Town and/or their representative's. Results shall be provided to the Town and Town engineer for review. Post-construction penetrometer test results will be compared to pre-construction results to determine the level of decompaction that will need to be performed prior to the pervious access road being installed.
27. The limited use pervious access road will require the GeoWeb System or a specified equivalent for the entire proposed limited use pervious access road. There is only to be details in the site plan for the limited use pervious access road with the GeoWeb System identified and it is to be noted in the detail sheet that the GeoWeb System or a specified equivalent for the entire proposed limited use pervious access road.

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SPECIAL USE PERMIT APPROVAL RESOLUTION

The above Resolution was offered by Councilman VanLaeken and seconded by Councilman Greco at a regularly scheduled Arcadia Town Board meeting held on May 13, 2025. Following discussion, a voice vote was recorded:

Richard VanLaeken	<u>AYE</u>	NAY	ABSTAIN	ABSENT
David Greco	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Joseph Gerbig	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Michael Diamond	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Dawn Piscioti, Supervisor	<u>AYE</u>	NAY	ABSTAIN	ABSENT

I, Teresa Vastbinder, the Town Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Arcadia Town Board for the May 13, 2025, meeting.

Teresa Vastbinder

Teresa Vastbinder, Town Clerk

**RESOLUTION GRANTING A THREE MONTH EXTENSION OF THE SPECIAL
USE PERMIT FOR THE SLEIGHT ROAD NY SOLAR FARM, LLC COMMUNITY
SOLAR ENERGY SYSTEM PROJECT**

At a regular meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Arcadia Town Hall in Newark, New York, in said Town, on the 13th day of May, 2025 at 7:00 P.M., Prevailing Time.

PRESENT: Dawn Piscioti, Supervisor
David Greco, Councilperson
Joseph Gerbig, Councilperson
Michael Diamond, Councilperson
Richard VanLaeken, Councilperson

ABSENT:

The following Resolution was offered by Councilperson Richard VanLaeken, who moved its adoption, seconded by Councilman David Greco, to wit:

WHEREAS, Sleight Road NY Solar Farm, LLC (the "Developer") was granted a Special Use Permit for a community solar energy system project (the "Project") by the Town Board on the 28th day of June, 2022; and

WHEREAS, the Developer has advised the Town that it desires to pursue the Project and needs additional time in order to complete construction of the Project and has requested a third(3) extension of time for the Special Use Permit; and

WHEREAS, Section 7.2(h) of the Town Zoning Code provides that an applicant may request an extension of the special use permit for up to one (1) year upon good cause shown;

NOW, THEREFORE, be it resolved by the Town Board as follows:

The Developer has demonstrated good cause for the third (3) request for an extension of Special Use Permit for the Project, and the Special Use Permit is therefore extended for a period of three (3) months from June 28th, 2025, and shall hereby now expire on September 28th, 2025.

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

Dawn Piscioti	VOTING	<u>Aye</u>
David Greco	VOTING	<u>Aye</u>
Michael J. Diamond	VOTING	<u>Aye</u>
Joseph Gerbig	VOTING	<u>Aye</u>
Richard VanLaeken	VOTING	<u>Aye</u>

The Resolution was thereupon declared duly adopted on May 13, 2025.

CERTIFICATION

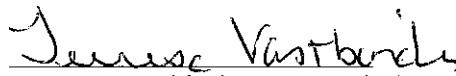
STATE OF NEW YORK)
COUNTY OF WAYNE)

I, the undersigned Clerk of the Town of Arcadia, Wayne County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the Regular meeting of the Town Board of said Town, including the Resolution contained therein, held on the 13th day of May, 2025, with the original thereof on file in my Office, and that the same is a true and correct copy of said Original and the whole of said Original so far as the same relates to the subject matters referred to therein.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), that said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given in the manner required by law, and that further notice of the time and place of such meeting was given to the public by timely posting said notice on the Bulletin Board maintained for such purpose at the Town Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 14th day of May, 2025.


Teresa Vastbinder Town Clerk

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