

REGULAR ARCADIA TOWN BOARD MEETING

April 8, 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
Deputy Vacchetto

ABSENT:

MINUTES: Motion made by Councilman Gerbig, seconded by Councilman VanLaeken to approve the minutes of March 11, 2025 Regular Town Board Meeting.
All voted Aye.

HIGHWAY REPORT: Highway Superintendent Kuhlman read his report:

April Town Board Meeting 4/8/2025

The guys are still working at sweeping roads and some yard work from plow damage, should finish this week.

We also had all our blocks delivered for new salt building would like to start that project in a week or so when weather straightens out.

I found out our new boom mower tractor is on schedule to be ready for this upcoming mowing season, delivery in late May.

That being said I would like to Surplus current boom mower and put in RTI Spring Municipal Auction along with a spare Harder Sander and a set of 1 (new) recap truck tires that we are not running on our trucks anymore.

Thank you
Thomas Kuhlman / Highway Superintendent

Moved by Councilman Greco, seconded by Councilman VanLaeken to surplus Highway Departments Boom Mower, Harder Sander and set of New Recap Truck Tires in the TRI Spring Municipal Auction.

Roll Call:

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

CODE ENFORCEMENT REPORT: CEO DeWolf read his March report.

Town of Arcadia Code Enforcement Monthly
Report For: March 2025

Total Permits Issued for the Month	9
Total Cost of Permits	\$1,381.00
Inspections Done for the Month	12
Total C of C's Issued for the Month	1
Total C of O's Issued for the Month	0
Total Variances Processed for the Month	0
Total Complaints Received	0
Total 911 Calls Received	0
Total of Violation Letters Sent	5
Total of	0

Violations

Resolved

Total of

Appearance Tickets

Issued

Follow up from

January's 2

0 Appearance tickets.

CEO DeWolf stated he is in training this week and made note that there will be new codes to come in the fall which will require more training.

COMMUNICATIONS:

.gov Domain: Supervisor Piscioti stated NYS passed legislation mandating that municipalities adopt .gov websites. We have submitted a .gov request on March 14, 2025 and are waiting for approval for this. We will work with Digital Towpath to get our website from .org to .gov Supervisor Piscioti said once it has been changed we will post a notice about the new domain.

SWIA Benefit Area #3 Update: Received a letter from USDA. They determined the entity and proposed purpose is eligible under the Water and Environmental Program. NYS does not have sufficient loan and grant funding therefore this project must be submitted to National Office to compete for FY25 reserve funding. Also the Preliminary Engineering Report and Environmental Report are in the process of being reviewed by their State Engineer.

UNFINISHED BUSINESS:

SW Benefit Area No. 3 Lateral Restrictions Resolution: NYS Ag & Markets asked for a revised lateral restrictions resolution that includes additional language regarding Ontario County Ag. District No. 1 or SWIA Benefit Area No. 3 that are also located with Wayne County Ag. District No. 1.

Moved by Councilman Diamond, seconded by Councilman VanLaeken to adopt Lateral Restrictions within Southwest Water Improvement Area Benefit Area No. 3. Resolution attached.

Roll Call:

Councilman VanLaeken	Aye
Councilman Greco	Aye
Councilman Gerbig	Aye
Councilman Diamond	Aye

NEW BUSINESS:

FOIL Policy: Supervisor Piscioti noted that there is a new law mandating notification to town employees when the town responds to a Foil Request concerning their disciplinary records.

Resolution updating the Town's Freedom of Information Law Policy was offered by Councilman Greco, who moved its adoption, seconded by Councilman VanLaeken to require notice to public employees when a FOIL request is made for an employee's disciplinary records.
Resolution attached.

Roll Call:

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

Tax Receiver Request: Motion made by Councilman VanLaeken, seconded by Councilman Greco to allow Tax Receiver Sharon Verheecke to pay Teresa Vastbinder, Madyson Vacchetto, Marsha Williams and Hope Bush \$100.00 each out of her contractual account for assisting with the 2025 Town/County Tax collections through payroll.

Roll Call:

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

Chalifoux Law P.C. Invoice – Sharing of Tax Assessment Litigation Defense Cost Between Town/County/Village/School: Moved by Councilman VanLaeken, seconded by Councilman Gerbig the sharing of tax assessment litigation defense costs in connection with Invoice #2825 from Chalifoux Law, P.C. Total Invoice \$4,370.00, split between Town of Arcadia (\$1,474.50), Newark Central School District (\$1,092.50), Village of Newark (\$1,092.50) and Wayne County (\$701.50). Note County

is less because they have a County Resolution that it has to be a minimum of one million dollars otherwise they will not participate in the sursuri.

Roll Call:

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

Health Officer: Dr. Dasilva is retiring and letting his license expire. He will be submitting his resignation. Supervisor Piscioti said Diane Devlin is willing to be the Town's Health Officer if the Town would like.

PUBLIC HEARING:

7:12 PM Arcadia PV, LLC (RIC Energy) SUP 3527 and 3569 NY St. Rt. 88 continued from February Public Hearing: Moved by Councilman Greco, seconded by Councilman Gerbig to close the Regular Town Board meeting and reopen to the Public Hearing for an application for a SUP filed by RIC Energy to develop a Tier 3 Solar Energy System from March Meeting.
All voted Aye.

Supervisor Piscioti asked if there were any public comments. Hearing none she asked for a motion to close the public hearing for Arcadia PV, LLC.

7:13 PM Moved by Councilman VanLaeken, seconded by Councilman Diamond to close the public hearing for Arcadia PV, LLC (RIC Energy) SUP 3527 and 3569 St. Rt. 88 and reopen the Regular Town Board Meeting.
All voted Aye.

Returned to Unfinished Business:

Arcadia PV, LLC – SEQR Resolution Lead Agency: Moved by Councilman Greco, seconded by Councilman VanLaeken designating the Town of Arcadia Lead Agency for 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

Matthew Sousa, MRB reviewed Full Environmental Assessment Form Part 2 – Identification of Potential Project Impacts.

Moved by Councilman VanLaeken, seconded by Councilman Gerbig to accept Full Environmental Assessment Form Part 2. Part 2 Form attached.
All voted Aye.

Moved by Councilman Gerbig, seconded by Councilman Greco that the Town Board does hereby make a Determination of Non-Significance and authorizes Supervisor Piscioti to sign and issue the Negative Declaration of environmental non-significance for 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

PUBLIC HEARING

Proposed Migrant Housing Special Use Permit 5395 Skinner Rd.:

7:23 PM: Moved by Councilman Greco, seconded by Councilman VanLaeken to close the Regular Town Board Meeting and reopen to the Proposed Migrant Housing Special Use Permit 5395 Skinner Rd. Public Hearing from March Meeting.

All voted Aye.

Supervisor Piscioti asked if there were any comments.

Bruce Hartley brought in pictures he had taken at 12:30 am showing the light issues. Supervisor Piscioti asked if the lighting issues were brought up at the Planning Board Meeting. They were brought up at that meeting.

Another resident also spoke saying the light shines right into her house. Had asked if he could shroud the lights but didn't receive any answer.

Another concern brought up that Mr. Williams has been parking tractor trailers and placing stacks of skids in front of the building and feel like he is trying to hide something. Mr. Williams was not present at this meeting.

Another question was asked if Mr. Williams lived on the property. If he doesn't, who supervises at night? Councilman Greco said Mr. Williams does not live there but is responsible for what goes on there.

Larry Porter asked if there were architectural drawings given for this. If so, did they go through the stamp process? CEO DeWolf said yes it is stamped drawings. Larry asked who did the drawing. CEO DeWolf said it was Michal Gutless.

Larry Porter also said he has no problem with the H-2A program. But wanted to know if there is an emergency are the Fire/Police/EMS Departments even aware of this project. CEO DeWolf said he would send the information to the Fire/Police/EMS Departments. Councilman Greco said when he was Fire Chief they would receive information; for example apartment complex plans, they would review how things would be handled if they ever had a call.

Another concern was pest control.

Supervisor Piscioti said there are standards set by the State. CEO DeWolf said the Department of Health makes regular inspections. Gina Port wanted it noted that at the Planning Board Meeting Mr. Williams had claimed this would be the only housing on the property and he had no desire to expand at this time. She asked is there a cap for this? CEO Dewolf said if he wanted to expand, he would have to restart the whole process over.

Bruce Hartley also said he knows the H-2A program is bringing in workers and he is concerned with the rotation and how many months they will be here.

Councilman VanLaeken said it varies; example if it's planning season or harvest time.

Supervisor Piscioti noted she has been to NYSEG to talk about the issues she heard from last meeting regarding people losing power. She wasn't able to speak to anyone at that time but would be going back to talk to them.

Supervisor Piscioti asked if there were any more comments. Hearing none she asked for a motion to close the Public Hearing.

7:43 PM Moved by Councilman Diamond, seconded by Councilman VanLaeken to close the Public Hearing for the Proposed Migrant Housing Special Use Permit at 5395 Skinner Rd. and reopen to the Regular Town Board Meeting.

Roll Call:

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

Supervisor Piscioti said there was not going to be any action take at this time regarding the Proposed Migrant Housing SUP at 5395 Skinner Rd. This still needs to go to the Wayne County Planning Board. There was an issue last month and the request didn't get sent to the Wayne County Planning Board. Town Attorney David Hou gave a reminder that the Town closed the Public Hearing so there is no further opportunity for the Public to comment.

Hares Acres Farm – Genesee Land Trust: Douglas Hares and Genesee Land Trust are working together on an application for the upcoming round of Farmland protection Grant for Hares Acre Farm. They have requested a letter and resolution of support. They would be putting the farmland in a trust and it would get deeded that way and remain farmland forever.

Moved by Councilman Greco, seconded by Councilman VanLaeken in support of Genesee Land Trust's, Douglas Hares and Hares Acres application to the NYS Department of Agriculture, Round 20 Farmland Protection Implementation Grant. Letter of Support and Resolution of Support attached.

Roll Call:

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

PUBLIC COMMMENTS: Supervisor Piscioti asked if there were any Public Comments.

Timothy Wood of NAVA spoke. They had a record number of calls last month. They are projecting 3,500 calls this year. Councilman Greco inquired how things were going with the County. Timothy said there was a miscommunication but it was addressed and all taken care of.

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	#94-129	\$205,242.67
Highway	#56-86	\$118,348.70

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:

7:50 PM Moved by Councilman Greco, seconded by Councilman Gerbig to adjourn the Town Board meeting.

All Voted Aye

Respectfully Submitted,
Teresa Vastbinder
Town Clerk

TOWN OF ARCADIA
SOUTHWEST WATER IMPROVEMENT AREA
BENEFIT AREA No. 3

AUTHORIZATION TO ADOPT LATERAL RESTRICTIONS WITHIN SOUTHWEST WATER IMPROVEMENT AREA BENEFIT AREA NO. 3

The following resolution was adopted by the Town of Arcadia Town Board on April 8, 2025.

At a Regular meeting of the Arcadia Town Board held on April 8, 2025, Councilman Diamond moved the adoption of the following Resolution, which was seconded by Councilman VanLaeken, and carried unanimously.

WHEREAS, the Town of Arcadia Town Board (hereinafter referred to as "Town Board") intends to create Town of Arcadia Benefit Area No. 3 (SWIA Benefit Area No. 3) within the Arcadia Southwest Water Improvement Area for the express purpose of providing public water supply to residents along portions of Turner Road, Pardy Smith Road, Botcher Road, Bell Road, and Smith Road within the Town of Arcadia; and

WHEREAS, all or part of the land area within SWIA Benefit Area No. 3 is also located within Wayne County Agricultural District No. 1; and

WHEREAS, the Town Board has filed a Notice of Intent to Undertake an Action within an Agricultural District and to evaluate the impacts of providing a source of public water supply to SWIA Benefit Area No. 3 on lands within Wayne County Agricultural District No. 1; and

WHEREAS, the New York State Department of Agriculture and Markets has indicated that lateral restrictions will be required to minimize potential adverse impacts that said public water supply may have on agricultural uses within said Agricultural District.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York, as follows:

1. The Town Board, in recognition of the potential impacts to agricultural users, hereby resolves to limit connections to the public water supply, within those areas of Ontario County Agricultural District No. 1 or SWIA Benefit Area No. 3, that are also located within Wayne County Agricultural District No. 1, to existing or previously approved non-farm uses and to farm related uses.
2. This Resolution shall take effect immediately upon adoption.

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

Dawn Pisciotti	(VOTING) / ABSENT]	[Aye]
Richard D. VanLaeken	(VOTING) / ABSENT]	[Aye]
Joseph Gerbig	(VOTING) / ABSENT]	[Aye]
David Greco	(VOTING) / ABSENT]	[Aye]
Michael J. Diamond	(VOTING) / ABSENT]	[Aye]

CERTIFICATION

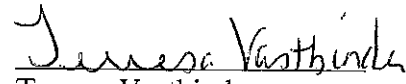
STATE OF NEW YORK)
COUNTY OF WAYNE)

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 8th day of April, 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 8th day of April, 2025.


Teresa Vastbinder
Town Clerk

(S
E
A
L)

At a Regular Meeting of the Town Board of the Town of Arcadia, Wayne County, New York, held at the Town Hall in Newark, New York, on the 8th day of April, 2025, at 7:00 P.M.

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

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

RESOLUTION DATED April 8, 2025

A RESOLUTION UPDATING THE TOWN FREEDOM OF INFORMATION LAW POLICY.

WHEREAS, Public Officers Law, Article 6, known as the Freedom of Information Law ("FOIL") has been amended to require notice to public employees when a FOIL request is made for an employee's disciplinary records; and

WHEREAS, the Town desires to update its FOIL policy accordingly;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, Wayne County, New York, as follows:

1. As used in this resolution (a) the term "agency" means (1) the Town of Arcadia and its departments, divisions, offices, bureaus, and boards or commissions created or appointed by the Town Board, and (2) any special or improvement district of the Town, other than a library district, a fire district, a district corporation or district having a separately elected governing body; (b) the term "record" shall have the same meaning as set forth in subdivision 4 of Section 86 of the Public Officers Law.
2. The following person is hereby designated as Records Access Officer for the Agency: The Town Clerk, 201 Frey Street, Newark, New York 14513.
3. The Records Access Officer shall be responsible for assuring that Agency personnel (a) comply with the requirements and provisions of the Freedom of Information Law and with this resolution in providing access to Agency records; (b) maintain an up-to-date subject matter list of records, update it twice a year and make it available for public inspection and copying; (c) explain in writing reasons for denial of access and advise the requestor of right to appeal, setting forth name, title, business address and

telephone of persons to whom appeal may be taken; (d) upon request, calculate in advance the total cost of copies; and (e) permit the requester to make his or her own copy, without damaging the record and without relinquishing custody of the same.

4. (a) Records of the Agency are located at the Town Offices, 201 Frey Street, Newark, New York 14513; (b) all requests for public access to records shall be accepted and records produced during all hours that the Town Offices are regularly open for business.
5. A request to inspect or for a copy of a record shall reasonably describe the same.
6. In the event that a FOIL request is made for an employee's disciplinary records, the employee will be notified of such request within 3 business days and provided a copy of the request. The Records Access Officer will review the request and provide the employee a copy (via email) of the anticipated response to be produced at least 7 days prior to the anticipated release of such records. Nothing in this policy shall prevent the disclosure of records under FOIL if production is required by law.
7. The Attorney for the Town is hereby designated to hear and determine appeals from a denial of access to Agency records.
8. Unless another fee is prescribed by state law, the fee for (a) photocopying a record not exceeding 9 by 14 inches shall be \$0.25 per page; (b) other records, shall be the actual cost of reproduction excluding fixed costs such as salary of employee; and (c) a typed or handwritten transcript shall consist of the actual clerical time involved in making the transcript.
9. A copy of this resolution shall be posted by the Town Clerk on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law, and a copy thereof shall also be mailed or delivered to the news media for public information purposes.
10. This resolution shall take effect immediately and shall supersede all resolutions heretofore adopted by this Town Board in regard to the Freedom of Information Law.

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

Dawn L. Piscioti	VOTING	Aye
Michael J. Diamond	VOTING	Aye
Joseph W. Gerbig	VOTING	Aye
David Greco	VOTING	Aye
Richard D. VanLaeken	VOTING	Aye

The Resolution was thereupon declared duly adopted on April 8, 2025.

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

SEQR - DESIGNATING LEAD AGENCY

WHEREAS, the Town of Arcadia Town Board (hereinafter referred to as The Board), is considering Site Plan and Special Use Permit approval to allow for the development 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 a 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, 2024, and all other relevant information submitted as of April 8, 2025 (the current application); and

WHEREAS, the Town Board has determined the proposed action referenced above to be a Type 1 Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has on Tuesday, December 10, 2024, declared its intent to be designated the Lead Agency for the proposed Action under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

The above Resolution was offered by Greco and seconded by VanLaeken at a regularly scheduled Arcadia Town Board meeting held on April 8, 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 April 8, 2025, meeting.

Teresa Vastbinder
Teresa Vastbinder, Town Clerk

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

SEQR - DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

WHEREAS, the Town of Arcadia Town Board (hereinafter referred to as The Board), is considering Site Plan and Special Use Permit approval to allow for the development 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 a 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, 2024, and all other relevant information submitted as of April 8, 2025 (the current application); and

WHEREAS, the Town Board has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Town Board determined that said Action to be subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Town Board has been designated the lead agency, under the provisions of Part 617.6 (3) and (4) of article 8 of the State Environmental Conservation Law; and

WHEREAS, the Town Board has given consideration to the comments provided by the involved agencies and interested agencies at tonight's meeting; and

WHEREAS, the Town Board has completed its review of Parts 2 and 3 of the Full Environmental Assessment Form (EAF); and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full EAF.

NOW, THEREFORE, BE IT RESOLVED that the Town Board does hereby accept the findings contained in Parts 2 and 3 of the Full EAF and directs the Town Supervisor to sign and date the Full EAF Part 3.

NOW, THEREFORE, BE IT RESOLVED that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;

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

SEQR - DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

- (v) the site is will not negatively impact an identified archaeological sensitive area;
- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

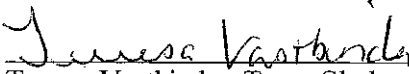
NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED, that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

The above Resolution was offered by Gerbig and seconded by Greco at a regularly scheduled Arcadia Town Board meeting held on April 8, 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 April 8, 2025, meeting.


Teresa Vastbinder, Town Clerk

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

Agency Use Only [If applicable]	
Project :	Arcadia PV, LLC
Date :	April 8, 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"/>

1. Other impacts: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
------------------------------	--	-------------------------------------	--------------------------

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. (See Part 1. 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.			
		<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 require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input 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 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 type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		<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 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"/>
-------------------------	--	--------------------------	--------------------------

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)

☐ NO

☒ YES

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

	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 checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: Emissions by Heavy construction vehicles and light duty equipment - During construction only.		<input checked="" 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.)

☒ NO

☐ YES

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

	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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input 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: N/A		<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 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 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 type="checkbox"/> <input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input 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: N/A	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: <u>N/A</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"/>
c. 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 1. 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Anticipating semitrailers delivering construction material to the site.</u>		<input checked="" 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 1. 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 1. 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 type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Noise level increase due to construction operations - 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 Town Board, as the designated lead agency for this Action, under the provisions of Part 617 of the State Environmental Quality Review Regulations, has given a thorough and comprehensive evaluation of the impacts likely to result from the proposed Action. Based upon this evaluation, the Town Board, in a separate resolution adopted on Tuesday, April 8, 2025 has determined the proposed Action will not likely result in a significant adverse impact upon the environment and that a Negative Declaration is issued.

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

EAF Supporting Information 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: Arcadia PV, LLC

Name of Lead Agency: Town of Arcadia Town Board

Name of Responsible Officer in Lead Agency: Dawn Piscioti

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date: April 8, 2025

Signature of Preparer (if different from Responsible Officer)

Matthew T. Sousa - MRB Group

Date: April 8, 2025

For Further Information:

Contact Person: Ed DeWolf, Jr - Town of Arcadia Code Enforcement Office

Address: Town of Arcadia, 201 Frey Street, Newark, NY 14513

Telephone Number: 315-331-0919

E-mail: codeofficer@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>



OFFICE OF THE SUPERVISOR TOWN OF ARCADIA

201 Frey Street
Newark, NY 14513
PH: 315-331-7369 - Fax: 315-332-8025
dpisciotti@townofarcadia.org

April 8, 2025

Genesee Land Trust
46 Prince Street, Suite LL005
Rochester NY 14607
Attn: Amanda Grisa, Director of Farmland Protection

Dear Mrs. Grisa

The Town of Arcadia Comprehensive Plan, adopted in 2009, states the goal to "preserve high quality farmland to ensure a sufficient land base for continued agricultural production. The Plan also outlines the purchase of agricultural conservation easements as a tool to conserve land for farming. Genesee Land Trust also holds easements on approximately 250 acres of conserved properties in the Town of Arcadia.

Douglas Hares of Hares Acres Farm has indicated that he will be working with Genesee Land Trust to submit an application to the upcoming round of farmland protection grants (Round 20 of the Farmland Protection Implementation Grant administered by the New York State Department of Agriculture and Markets).

The Town of Arcadia supports the application consisting of two (2) tax parcels, totaling ~274 acres and the farm operation run by Doug Hares.

Thank you

Dawn Piscioti, Town Supervisor
Town of Arcadia

Resolution

WHEREAS: The Town of Arcadia Comprehensive Plan adopted in 2009 identifies agriculture as an important sector to the Town and has the goal to “promote the continued economic viability of agriculture”; and

WHEREAS: Genesee Land Trust on a successful grant application, and

WHEREAS: Douglas Hares from Hares Acres Farm, Arcadia, is working with Genesee Land Trust to protect farmland land via a conservation easement through the farmland protection grant program and submit an application for the Farmland Protection Implementation Grant through NYS Agriculture and Markets, and

WHEREAS: No potential conflicts of interest have been identified between the Town Board, individual Town Board members and Douglas Hares, and

RESOLVED: That the Town of Arcadia supports Genesee Land Trust and Douglas Hares, Hares Acres Farm, application to the NYS Department of Agriculture, Round 20 Farmland Protection Implementation Grant.

The above Resolution was offered by Councilman Greco and seconded by Councilman VanLaeken at a regularly scheduled Arcadia Town Board meeting held on April 8, 2025.

Richard VanLaeken	Aye
David Greco	Aye
Joseph Gerbig	Aye
Michael Diamond	Aye
Dawn Piscioti, Supervisor	Aye