

TOWN OF ARCADIA

201 Frey Street
Newark, NY 14513

315-331-1222
<https://townarcadia.digitaltowpath.org:10784/content/>

SOLAR ENERGY SYSTEM SPECIAL USE PERMIT APPLICATION

NOTICE TO ALL APPLICANTS:

Pursuant to Local Law No. 2 for 2024 the Town of Arcadia Town Board reviews all submitted Solar Energy System Special Use Permit applications. The objective of the Town Board is to process all applications in a timely and efficient manner, and in accordance with New York State Law.

It is the responsibility of the applicant that all forms are filled out completely and accurately prior to the application being processed. All completed applications are subject to the rules and standards set forth by the Town Arcadia and State statutes. The Town of Arcadia does not guarantee any board approvals for completed applications. For more information, please contact the Town Code Enforcement Officer at 315-331-0919 or codeofficer@townofarcadia.org.

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SPECIAL USE PERMIT APPLICATION FORM

WHEN TO USE THIS FORM: This form is to be used by an applicant seeking Special Use Permit approval for Solar Energy Systems in accordance with the Town Code. The applicant is responsible for complying with established rules and procedures which are available for inspection from the Town Clerk.

Submit the completed application package with payment to the Town Clerk. Please make checks payable to the Town of Arcadia.

Application Fee: \$ _____. ☐ Check#: _____ Rec'd Date: _____ ☐ Cash

APPLICANT INFORMATION:

Applicant: _____ **Corporation Name:** _____

Street Address: _____ **City** _____ **Zip** _____

Phone: _____ **Fax:** _____ **Email:** _____

PROJECT INFORMATION:

Project Name: _____ **Date:** _____

Project Address: _____

Tax Map ID: _____ **Zoning District:** _____

Is the subject property within 500' of a State or County Road or Town Boundary? ☐ Yes ☐ No
(If yes, the Town may be required to refer your application to the Wayne County Planning Board.)

Description of Existing Use: _____

Brief Summary of Project:

REQUIRED DOCUMENTS

- | | | |
|---|---|---|
| <input type="checkbox"/> Application Fee | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Escrow Amount to be Provided |
| <input type="checkbox"/> Letter of Consent from Owner | <input type="checkbox"/> Consultant Fees Agreement | |
| <input type="checkbox"/> Disclosure Affidavit Form | <input type="checkbox"/> Authorized Representative Form | |
| <input type="checkbox"/> Completed Solar Energy Systems Application Checklist | <input type="checkbox"/> Agricultural Data Statement (if within 500' of an agricultural district) | |
| <input type="checkbox"/> Statement of Operations | <input type="checkbox"/> SEQR – Full Environmental Assessment Form (FEAF) Part 1 | |

I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Town Board as an integral component of deliberations.

Signature of Property Owner

Date

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AGREEMENT TO PAY FEES FOR CONSULTANT SERVICES INCURRED BY THE TOWN OF ARCADIA

When reviewing an application for, or when conducting inspections in relation to an application, the Town of Arcadia, New York may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town lacks the necessary expertise to perform the work related to the application. Whenever possible, the Town of Arcadia, New York shall work cooperatively with the applicant to identify what scope of work shall require the employment of consultants. In the event that such sum is insufficient to fund the necessary consulting services, the Town of Arcadia, New York may require additional deposits.

Let it be understood and the property owner agrees that:

1. In hiring outside consultants, the Town of Arcadia, New York may engage registered design professionals, financial analysts, planners, lawyers or other appropriate professionals who can assist the Town in analyzing a project to ensure compliance with all relevant laws, bylaws, and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Town's decision or regulations, or inspecting a project during construction or implementation.
2. Funds received by the Town of Arcadia, New York pursuant to this section shall be deposited with the Town Clerk who shall establish a line item for this purpose. Expenditures from this line item may be made at the direction of the Town Clerk without further appropriation. Expenditures from this line item shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the property owner. Additionally, the failure of a property owner to pay any fee shall be grounds for denial of an application. Lastly, any outstanding fees incurred by the Town of Arcadia, New York shall be charged against the property, and shall constitute a lien thereon in favor of the municipality, and the amount of such costs shall be entered on the tax rolls as being due and payable. Such fees may also be recovered in any other lawful manner.
3. At the completion of the Town's review of a project, any excess amount in the line item attributable to a specific project shall be repaid to the property owner. A final report of said line item shall be made available to the property owner if requested.
4. Any property owner may take an administrative appeal from the selection of the outside consultant to the Town Board. Such appeal must be made in writing and may be taken only within twenty (20) days after the Town has mailed or hand-delivered notice to the property owner of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualification. The required time limit for action upon an application by the Town Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Town Board within one month following the filing of the appeal, the selection made by the Town of Arcadia, New York shall stand.

I have examined this application and declare that is true, correct and complete upon submission. I understand that my application and all supporting documentation will be examined by the Town of Arcadia as an integral component of deliberations.

Signature of Property Owner

Date

Signature of Applicant

Date

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DISCLOSURE AFFIDAVIT (GML § 809)

The Applicant has read and is familiar with the provisions of the General Municipal Law, Section 809, which states:

- A.** Every application, petition or request submitted for a variance, amendment, change of zoning approval of plat, exemption of plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality or a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B.** For the purpose of this section of State law, an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
1. Is the applicant;
 2. Is an officer, director, partner or employee of the applicant;
 3. Legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant; or
 4. Is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
- C.** Ownership of less than five per cent of the Stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D.** A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

If a Town of Arcadia officer, employee or relative of either as defined in the General Municipal Law, Section 809, has any interest in this application, the full particulars are provided on an attached sheet.

OWNER'S AGREEMENT TO CONTENTS OF APPLICATION

It is hereby understood that the contents of this entire application is hereby subscribed by the property owner, all matters understood and agreed to, and is hereby affirmed by the owner as true under the penalties for perjury.

Print Name of Property Owner

Signature of Property Owner

Date

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AUTHORIZED REPRESENTATIVE FORM

WHEN TO USE THIS FORM: This Authorized Representative form is enclosed if the owner would like someone to represent him/her/they at the public meeting and hearing. Please complete this form and submit it to the Town Clerk. The owner is responsible to notify his/her/their representative of the time and place of the public meeting and hearing.

OWNER INFORMATION

Property Owner Name: _____

Address: _____

Telephone: _____

Email: _____

REPRESENTATIVE INFORMATION

Representative's Name: _____

Address: _____

Telephone: _____

Email: _____

The Owner hereby permits the Authorized Representative to act on his/her/their behalf regarding an application submitted to the Town of Arcadia, New York. Such Owner authorizes this Town to release any or all information relating to this application to this Authorized Representative.

Signature of Property Owner

Date

STATE OF NEW YORK

SS:

COUNTY OF:

On this _____ day of _____, 20____, before me personally came _____,
to me known and known to me to be the person described in and who executed the foregoing instrument and he/she
acknowledged to me that he/she executed the same.

Notary Public

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AGRICULTURAL DATA STATEMENT

Instructions: This form must be completed for any application for a Special Use Permit, Site Plan approval, Variance or a Subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

APPLICANT INFORMATION:

Applicant: _____ **Corporation Name:** _____

Street Address: _____ **City** _____ **Zip** _____

Phone: _____ **Fax:** _____ **Email:** _____

TYPE OF APPLICATION:

☐ Special Use Permit

☐ Site Plan Review

☐ Subdivision Review

DESCRIPTION OF PROPOSED PROJECT:

PROJECT INFORMATION:

Project Name: _____ **Date:** _____

Project Address: _____

Tax Map ID: _____

Is this parcel within an Agricultural District? ☐ Yes ☐ No (Check with your local Assessor if you do not know)

If YES, Agricultural District Number _____

Is this parcel actively farmed? ☐ Yes ☐ No

Type of farm operation: _____ **Acreage:** _____

List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary:

Name/Address (Please list if property is actively farmed):

a. _____

b. _____

c. _____

d. _____

Signature of Property Owner

Date

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SOLAR ENERGY SYSTEMS APPLICATION CHECKLIST

SPECIAL USE PERMIT REQUIREMENTS

Submitted

Received

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Special Use Permit Application Completed |
| <input type="checkbox"/> | <input type="checkbox"/> | Property is minimum of 40-acres. |
| <input type="checkbox"/> | <input type="checkbox"/> | Project does cover more than 25% of the identified Prime Soils and/or Soils with State Wide Importance |
| <input type="checkbox"/> | <input type="checkbox"/> | Project meets setback requirements: Front 100 feet and Side & Rear 50 feet |
| <input type="checkbox"/> | <input type="checkbox"/> | Evidence of site controls - Fully-executed letter of intent (LOI), contract, power purchase agreement (PPA), evidence of site ownership or lease, and the ownership structure for the array, any applicable easements, and other agreements. |
| <input type="checkbox"/> | <input type="checkbox"/> | Executed interconnection agreements with the local utility. |
| <input type="checkbox"/> | <input type="checkbox"/> | Equipment Specification Sheet(s) |
| <input type="checkbox"/> | <input type="checkbox"/> | Operation and Maintenance Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Decommissioning Plan and Decommissioning Estimate |
| <input type="checkbox"/> | <input type="checkbox"/> | Subdivision Plat stamped and signed by a professional Land Surveyor |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Plans stamped and signed by a professional engineer |
| <input type="checkbox"/> | <input type="checkbox"/> | Landscaping plan and viewshed impact analysis with renderings showing visual impacts after 5 and 10 years. |
| <input type="checkbox"/> | <input type="checkbox"/> | Landfill/brownfield permits or certifications (where applicable) |
| <input type="checkbox"/> | <input type="checkbox"/> | Compliance with regulatory agencies and any applicable permits (NYSDEC, ACOE, NYSDPS, NYSDOT, NYS Ag. & Markets) |
| <input type="checkbox"/> | <input type="checkbox"/> | Completed SEQR Full Environmental Assessment Form (FEAF) Part 1 |

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SUBDIVISION PLAT REQUIREMENTS

Submitted

Received

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Letter from owner authorizing the application |
| <input type="checkbox"/> | <input type="checkbox"/> | Preliminary/Final Plat stamped and signed by a professional Land Surveyor |
| <input type="checkbox"/> | <input type="checkbox"/> | Zoning Data Information |
| <input type="checkbox"/> | <input type="checkbox"/> | Bearings and distances of boundary lines |
| <input type="checkbox"/> | <input type="checkbox"/> | Names of owner and subdivider, adjacent landowners, Town, and County |
| <input type="checkbox"/> | <input type="checkbox"/> | Location of all existing structures, easements, existing Covenants, or deed restrictions, and natural features located on the parcel or adjoining parcels. |
| <input type="checkbox"/> | <input type="checkbox"/> | Location of any existing well and septic or public utilities on this property and adjoining properties. |
| <input type="checkbox"/> | <input type="checkbox"/> | Show whole parcel, which is to be subdivided. Delineate all parcels being created. |

SITE PLAN REQUIREMENTS

Submitted

Received

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Site Plans stamped and signed by a professional engineer |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Plan Application |
| <input type="checkbox"/> | <input type="checkbox"/> | The location of all disconnects, modules, inverters, battery energy storage components, and connection of all grounding electrode conductors. |
| <input type="checkbox"/> | <input type="checkbox"/> | The clearances around all equipment and dimensions between equipment and structures, and property lines |
| <input type="checkbox"/> | <input type="checkbox"/> | Proposed site access drive, labeled with width and surface materials, and recorded sight distance |
| <input type="checkbox"/> | <input type="checkbox"/> | Interconnection location and associated equipment identified |
| <input type="checkbox"/> | <input type="checkbox"/> | All natural features identified on the plans including, but not limited to, wetlands, steep slopes, streams, and woodlands. |
| <input type="checkbox"/> | <input type="checkbox"/> | All proposed fencing, screening & site enclosures locations and details |
| <input type="checkbox"/> | <input type="checkbox"/> | Existing vegetation and clearing limits to be depicted on the plans |
| <input type="checkbox"/> | <input type="checkbox"/> | Professional engineering electrical one-line diagrams including: |

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- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Landscaping Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Delineation of wetlands (NYSDEC and ACOE) |
| <input type="checkbox"/> | <input type="checkbox"/> | Sediment & Erosion Control Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Grading & Utilities Plan |

OTHER REQUIREMENTS

Submitted

Received

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Preliminary Stormwater Pollution Prevention Plan (SWPPP) |
| <input type="checkbox"/> | <input type="checkbox"/> | Wetland Delineation Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Geotechnical Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Noise/ Sound Study |
| <input type="checkbox"/> | <input type="checkbox"/> | Glare Study |
| <input type="checkbox"/> | <input type="checkbox"/> | Others _____ |

Signature of Applicant

Date

Signature of Code Enforcement Officer

Date