

**1. Identify the assistance being requested from the LCIDA:**

- a. Exemption from Sales Tax  Yes  No
- b. Exemption from Mortgage Tax  Yes  No
- c. Exemption from Real Property Tax  Yes  No
- d. Equipment Purchase Leaseback  Yes  No
- e. Tax Exempt Financing  Yes  No

*(Typically for Not-for-profits & small, qualified manufacturers)*

**2. Applicant Information**

<b>Company Name</b>	ClearPath Energy LLC
<b>Address</b>	358 Chestnut Hill Avenue, Suite 302
	Brighton, MA 02135
<b>Contact Person</b>	David Khasidy
<b>Phone Number</b>	646-250-3985
<b>Email</b>	david@clearpath.energy
<b>Federal Tax ID</b>	37-1902201 (f.k.a NB Development LLC)
<b>Date</b>	May 26, 2021

**3. Form of Entity**

- Corporation**
- Partnership (List Partners Below)**
  - General  Limited
  - \_\_\_ Number of General Partners      \_\_\_ Number of Limited Partners
- Limited Liability Company**  
2\_\_ Number of Members
- Sole Proprietorship**

**4. Principal Owners/Officers/Directors**

*(list owners with 5% or more in equity holdings with percentage of ownership)*

Name	Address	Percentage Ownership/Office
Numeradyme Energy LLC	522 W29th St, NY NY 10001	50%
Bright Lite Energy LLC	358 Chestnut Hill Avenue, Suite 302 Brighton, MA 02135	50%

**5. If a corporation, partnership, or limited liability company:**

Date of Establishment	June 20, 2016
Place of Organization	Delaware
If a foreign organization, is the Applicant authorized to do business in the State of New York?	Yes

(Attached organizational chart or other description if applicant is a subsidiary or otherwise affiliated with another entity)

**6. Applicant Counsel**

Name/Firm	NA
Address	NA
Phone Number	NA
Email	NA

**7. Project Information**

Project Address	7057 Brewery Road
Town/Village	New Bremen
School District	Beaver River School District
Tax Map No.	147.00-01-22.100

- a. Are Utilities (water, wastewater, electric, gas, broadband) on site and acceptable for the project?  **Yes**  **No**
- b. Present Legal Owner of the site, if other than Applicant, and by what means will the site be acquired for this Project? Myron & LuAnn Zehr, via lease
- c. Zoning of Project Site: Single Town Zone
- d. Are any zoning approvals need?  **Yes**  **No**

<b>Current:</b>		<b>Proposed:</b>	
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Zoning approvals received, see attached  
Identify: \_\_\_\_\_

- e. Local Permitting and Approvals – Does the project require local planning or permitting approvals?  **Yes**  **No**  
If **yes**, please explain:  
local permitting approvals received and attached
- f. Will a site plan need to be filed?  **Yes**  **No**  
**If so, please include copy if prepared.**

- g. Does a State Environmental Quality Review Act ("SEQRA") Environmental Assessment Form need to be filed?  **Yes**  **No**

**If yes, attach the SEQRA Form.**

If **no**, please explain:

- h. If answer to question (g) is yes, has a lead agency been designated under the State Environmental Quality Review Act ("SEQRA")?  **Yes**  **No**

If **no**, please explain:

- i. Will the project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York?  **Yes**  **No**

If **yes**, please explain:

- j. Will the project result in the abandonment of one or more plants or facilities of the Applicant or a proposed Project occupant located in the State of New York?

**Yes**  **No**

If **yes**, please explain:

- k. If the answer to either question (i) or (j) is Yes, indicate whether any of the following apply to the project:

- i. Is the project reasonably necessary to preserve the competitive position of the Company or such project occupant in its industry?  **Yes**  **No**

If **yes**, please explain:

- ii. Is the project reasonably necessary to discourage the Company or such project occupant from removing such other plant or facility to a location outside of the State of New York?  **Yes**  **No**

If **yes**, please explain:

- l. Does the project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?  **Yes**  **No**

If **yes**, please explain:

i. If the answer to (l) is yes, what percentage of the cost of the project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the project? \_\_\_\_ %

ii. **If more than 33.3%**, indicate whether any of the following apply to the Project:

• Will the project be operated by a not-for-profit corporation?  **Yes**  **No**

If **yes**, please explain:

• Is the project likely to attract a significant number of visitors from outside the economic development region in which the project is located?

**Yes**  **No**

If **yes**, please explain:

• Is there a likelihood that the Project would not be undertaken if Financial Assistance is not provided by the LCIDA?  **Yes**  **No**

If the project could be undertaken without financial assistance provided by the LCIDA, then provide a statement below indicating why the project should be undertaken by the LCIDA:

Without agreed upon PILOT payments, the long term debt financing would be in danger as lenders would not be able to predict tax expenses. Also, as equipment costs rise and incentives are removed, the project economics become much more challenging without the state and local tax reductions

• Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the City, Town or Village within which the project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?  **Yes**  **No**

If **yes**, please explain:

The project will create Net Metering Credits, which can only be used by residents of the local utility load zone. Being sited in Lewis County will allow the residents and businesses of Lewis County in the National Grid zone to participate in community solar

m. Will the project be located in a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has either a poverty rate of at least 20% for the year which the data relates, or at least 20% of households receiving public assistance, or an unemployment rate of at least 1.25 times the statewide unemployment rate for the year which the data resides?  **Yes**  **No**

If **yes**, please explain:

n. Does the company intend to lease or sublease more than 10% (by area of fair market value) of the project?  Yes  No

If **yes**, please complete the following for EACH existing or proposed tenant or sub tenant:

1. Sub lessee Name: \_\_\_\_\_

2. Present Address: \_\_\_\_\_

3. Employer ID No.: \_\_\_\_\_

4. Sub lessee is a  Corporation  LLC  Partnership  Sole Proprietorship

5. Relationship to the Company:

6. Percentage of Project to be leased or subleased:

7. Use of project intended by sub lessee:

8. Date and Term of Lease or Sublease to Sub Lessee:

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the project?  Yes  No

**If yes, please provide on a separate attachment** with details and the answers to questions 1-5 with respect to such sub lessee.

### 8. Total Project Costs (Estimates)

By Lewis County IDA policy, our project fee to be paid by the developer is based on the estimate in this application of total project cost (includes all items listed in chart below). This estimate should be supported by detailed information and cost estimates provided by legitimate sources.

Category	Acres/Sq. Ft./Ft. (if applicable)	Cost
Land-Acquisition		0
Buildings - Construction/Renovation		\$1,754,771 (construction & installation labor cost)
Utilities, roads, or other infrastructure		
Machinery & Equipment	Not Applicable	\$3,584,854
Soft Costs (Architect & Engineering Fees)	Not Applicable	\$241,500
Costs of Bond Issue	Not Applicable	
Construction Loan Fees and Interest	Not Applicable	
Non-PILOT / Community Benefit Payments	Not Applicable	
Other (specify)		\$315,360 (security, CDG acquisition, owners rep)
<b>Total Project Costs</b>		<b>\$5,896,484</b>

- a. Please describe specifically what the project costs will go towards (provide an attached summary for more information if needed).

Sources of Funding for Project Costs	Amount
Bank Financing	\$3,720,000
Equity (Excluding equity that is attributed to grants/tax credits)	\$2,176,484
Tax Exempt Bond Issuance (if applicable)	
Taxable Bond Issuance (if applicable)	
Public Sources (Include total of all state and federal grants and tax credits)	
Grants (Identify All)	
Personal Financing	
<b>Total Sources of Funds</b>	<b>\$5,896,484</b>

**9. Job Creation**

- a. Construction Jobs (FTE) created by the project:
- i. Anticipated Dates of Construction: July 2021 - November 2021
  - ii. Average Annual or Hourly Wage: \$60 - \$128 depending on scope
- b. Permanent Jobs (FTE) created by the project:

Permanent Jobs Created						
(A) Job Title	(B) Annual or Hourly Wages	(C) Current Number of Positions	(D) Jobs Created: Year 1	(E) Jobs Created: Year 2	(F) Jobs Created: Year 3	(G) Total Jobs Created
O&M Management	\$20K (est)	0	1 (est)			
Landscape / site management	\$20k (est)	0	1 (est)			

- c. If there isn't significant local job creation associated with the project, what other means is the applicant implementing to justify issuance of financial incentives? Examples: contributions to local workforce development programs, contributions to economic development or community development funds. **Please explain:**

## 10. Use of Local Workforce Policy

The use of 'local labor' will be a factor in evaluating this application. Answers to the following questions will assist us in that evaluation:

'Local labor' for the purpose of this application is defined as residents from Lewis, Oneida, Jefferson, St. Lawrence & Oswego Counties. If a 'labor workforce plan' has been designated, please include that plan as an addendum to this application. Questions below are applicable for both a construction project and for operations of a sustaining project.

a. Please check which best describes your project scope:

**Construction Project**     **Long Term Operations Project**     **Both**

b. How will the project developer seek out and use the local workforce? If your workforce is already "local" by definition, **please explain:**

The civil construction scope has been awarded to a company based out of Saugus, New York (Oneida County). The same company will have a scope in the ongoing maintenance of the project. The current landowners / landlords will also have a scope of work during the ongoing maintenance of the project.

The Electrician being hired is a national, union electrician. They will likely use local union electrical labor, however we do not have specific labor breakdowns currently.

c. What is your total expected workforce during the construction phase of the project?  
20 - 30 people (est)

d. What percentage of those are expected to be local?  
25% - 50% (est)

e. What is the total expected workforce during the operations phase of the project?  
2 (est)

f. What percentage of the operational workforce will be local?  
50% - 100% (est)

g. What specific approaches are to be used in your efforts to identify local workforce candidates if additional project workers are necessary?  
We conducted an RFP

h. If additional contractors or subcontractors are to be hired, will you request use of local labor? If so, **please give examples of how that request will be made:**

i. The LCIDA acknowledges that the extensive use of local labor is not always possible. Are there circumstances, such as those used in the examples below, that will affect the percentage of local labor for your project? **Please explain:**

**i. Is there a warrantee issue involved?**

**ii. The work is so highly specialized that local labor cannot be found.**

**iii. You identified a significant cost differential when using local labor.**

**iv. No local labor is available.**

The work is specialized with respect to the electrical and mechanical scopes, reducing expense and increasing vendor bankability. Civil labor is less specialized and we focused on using local civil labor due to reduce travel time and equipment rental expenses. With respect to electrical, we have hired a national union electrician who will likely source the laborers from local agencies, however we do not have control of who.

***It is the intention of the LCIDA to randomly verify the use of the local labor workforce, using whatever method it determines most effective. This verification may occur throughout the term of any incentive programs or loans granted.***

## 11. Positive Impacts

### a. Please list any other positive impacts that the project may have on Lewis County:

The project will bring clean solar electricity to Lewis County. Also, once constructed, residents of Lewis County will be able to subscribe to the project via Community Solar, and receive a savings on their utility bill.

## 12. References

Please list three (3) professional/business references:

- a. Name: Sean Reardon, Tetra Tech  
Address: sean.reardon@tetrattech.com  
Relationship: Engineer
- b. Name: T.J. Anthony  
Address: tjanthony@tjanthonylaw.com  
Relationship: Lawyer
- c. Name: Josh Goldworm  
Address: josh.goldworm@aes.com  
Relationship: Business Counterparty

## 13. Representations by the Applicant

The Applicant understands and agrees with the Agency as follows:

- a. **Job Listings:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- b. **First Consideration for Employment:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- c. **Annual Sales Tax Filings:** In accordance with Section 874 (8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874 (8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.



- d. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- e. **Confirmation Documentation:** The applicant understands and agrees that if the Project receives assistance from the Agency/Corporation---either tax incentives or loans---the applicant agrees to provide the Agency/Corporation, if requested, with a copy of their 'Annual Report' , their 'Annual Audit Report', their corporate or personal tax returns and/ or their New York State Form 'NYS-45' (Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return), as appropriate, throughout the period that benefits are provided the company. These reporting requirements---specifically identified in Closing Documents, Loan Documents or other project specific agreements---may be used by the Agency/Corporation to assist us in verifying that commitments made as part of this application--- regarding stated goals for employment or capital investment in the project---are being achieved.
- f. **Absence of Conflicts of Interest:** The applicant has reviewed the Agency's website and identified the list of the members, officers, employees, and Counsel of the Agency. No member, officer, employee, or Counsel of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, **except as hereinafter described:**
- g. **Recapture Provision:** The applicant is making certain representations in this request for assistance. Based on these representations, a decision will be rendered as to whether our organization will extend those benefits. If benefits are extended---particularly as regards to property tax benefits, sales tax benefits and/or mortgage recording tax savings---and representations made in this application are not achieved--- this organization reserves the right to seek the return of those benefits, in whole or in part, on behalf of the impacted taxing jurisdictions. The decision to seek a return of any provided benefit will follow the Agency's Project Recapture and Termination Policy.
- h. **Property Tax Assessment:** The applicant acknowledges it does not have an existing property tax assessment challenge in process on the property under consideration in this application and it does not intend to file a challenge prior to completion of this application and approval of benefits.

COMPANY ACKNOWLEDGMENT AND CERTIFICATION

STATE OF NEW YORK )

) ss:

*New York*  
COUNTY OF ~~LEWIS~~ )

DAVID KHASIDY, being first duly sworn, deposes and says:

1. That I am the Managing Member (Corporate Office) of ClearPath Energy YLLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

  
\_\_\_\_\_  
Signature of Officer

Subscribed and affirmed to me under penalties of perjury this 26 day of May, 2021.

*Jolisel E. Vargas*  
Notary Public

JOLISEL E VARGAS LOPEZ  
Notary Public - State of New York  
NO. 01VA6406066  
Qualified in Bronx County  
My Commission Expires Mar 23, 2024

**\*\*THIS SECTION TO BE COMPLETED BY Lewis County IDA\*\***

ESTIMATED PROJECT COSTS ELIGIBLE FOR LCIDA FINANCING	
<i>Sales &amp; Tax Use</i>	
A. Amount of Project Cost Subject to Sales & Use Tax	\$ 3,945,334
Sales & Use Tax Rate	8.0%
B. Estimated Sales Tax (A. X .08):	\$ 315,627
<i>Mortgage Recording Tax Exemption</i>	
A. Projected Amount of Mortgage	\$ 3,720,000
Mortgage Recording Tax Rate	<del>0.75%</del> 1%
B. Estimated Mortgage Recording Tax (a. X <del>.0075</del> ) .01	\$ 37,200
<i>Real Property Tax Exemption</i>	
A. Projected Increase in Assessed Property Value Due to Project	\$ 3,439,170
B. Total Applicable Tax Rates Per \$1000	\$ 23.29879
C. Estimated Annual Taxes Without PILOT (a X b)/1,000	\$ 80,128.50
<i>Interest Exemption (Bond Transactions Only)</i>	
A. Total Estimated Interest Expense Assuming Taxable Interest	\$ n/a
B. Total Estimated Interest Expense Assuming Tax-Exempt Interest	\$ n/a
ESTIMATED BENEFITS OF LCIDA FINANCIAL ASSISTANCE	
Current Company Employment in Lewis County	0
Current Company Payroll in Lewis County	\$ 0
Project Jobs to Be Created Over 3 Years	0

TASK	DATE	STAFF INITIALS
OSC Project Number Assigned 23012105B	6/1/21	CLS
Retail Determination (Y/N) Retail Exception Used:	6/13/21	CLS
Date Application Assigned to Agency Counsel:	6/24/21	CLS
UTEP Deviation (Y/N):	6/13/21	CLS
IRB - Volume Cao Needed (Y/N):	6/13/21	CLS
IRB/501c3 - FEFRA Required (Y/N):	6/13/21	CLS
Date of Agency Adoption of Initial Resolution:		
Date Set for Public Hearing:		
Public Hearing Notice - Publication Date/ATJ Mailings:		
Date Set for Deviation Hearing (as needed):		
Deviation Hearing Notice (as needed):		
Date of Agency Adoption of Closing Resolution:		
Date of Final Approval of Application:		

### Project CAPEX Budget

Development	\$ 200,000
Panels	\$ 1,554,570
Inverters	\$ 134,066
Racking	\$ 828,291
IX	\$ 822,101
Transformer	\$ 47,326
Combiners / BOS Equip	\$ 78,500
IFC Drawings	\$ 41,500
Civil Scope	\$ 192,000
Mechanical Scope	\$ 362,771
Electricians Scope	\$ 1,200,000
DC Optimizer	\$ -
Com Solar Acquisition	\$ 270,360
Owners Rep	\$ 25,000
Fencing	\$ 100,000
SCADA / Monitoring	\$ 20,000
Security (Physical Constr)	\$ 20,000
Land Acquisition	\$ -
	<b>\$ 5,896,484</b>

# Project Proforma

COD DATE	1-Jan-22
SITE CONTROL END DATE	21-Dec-66
USEFUL LIFE	45.00

Project Revenues	
Item	Rate
Specific Yield	1,421
Environmental	\$ 0.0274
DRV	\$ 0.2104

Year Ending	Dec-22 Year 1	Dec-23 Year 2	Dec-24 Year 3	Dec-25 Year 4	Dec-26 Year 5	Dec-27 Year 6	Dec-28 Year 7	Dec-29 Year 8	Dec-30 Year 9	Dec-31 Year 10
KWh Generated	6,404,346	6,381,181	6,362,943	6,335,428	6,312,262	6,288,503	6,274,178	6,239,759	6,215,404	6,190,457
Energy	185,017	193,788	218,036	225,694	234,648	238,986	242,321	237,679	246,768	253,655
Capacity	23,441	24,772	25,247	24,969	26,875	29,301	27,368	26,027	27,294	28,357
Environmental	175,543	174,908	174,408	173,654	173,019	172,368	171,975	171,032	170,364	169,680
DRV	131,094	138,735	141,832	142,028	144,184	149,156	139,035	131,023	135,110	139,254
ISRV	-	-	-	-	-	-	-	-	-	-
MW Block Incentive + Community Adder	247,467	123,734	123,734	-	-	-	-	-	-	-
<b>Generating Revenues</b>	<b>762,562</b>	<b>655,936</b>	<b>683,257</b>	<b>566,346</b>	<b>578,727</b>	<b>589,811</b>	<b>580,700</b>	<b>565,761</b>	<b>579,537</b>	<b>590,947</b>
Community Solar Discount	10.00%	51,509	53,220	55,952	56,635	57,873	58,981	58,070	56,576	57,954
Utility Consolidated Billing Fee	1.00%	5,151	5,322	5,595	5,663	5,787	5,898	5,807	5,658	5,795
Other (3rd Party CC Admin)	0.00%	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289
<b>Total COGS</b>	<b>85,949</b>	<b>87,831</b>	<b>90,837</b>	<b>91,587</b>	<b>92,949</b>	<b>94,168</b>	<b>93,166</b>	<b>91,523</b>	<b>93,038</b>	<b>94,293</b>
<b>Gross Profit</b>	<b>676,612</b>	<b>568,105</b>	<b>592,420</b>	<b>474,759</b>	<b>485,778</b>	<b>495,643</b>	<b>487,534</b>	<b>474,238</b>	<b>486,499</b>	<b>496,654</b>
<b>Gross Margin</b>	<b>88.73%</b>	<b>86.61%</b>	<b>86.71%</b>	<b>83.83%</b>	<b>83.94%</b>	<b>84.03%</b>	<b>83.96%</b>	<b>83.82%</b>	<b>83.95%</b>	<b>84.04%</b>
Site Lease	1.00%	39,166	39,557	39,953	40,353	40,756	41,164	41,575	41,991	42,411
PILOT	2.00%	15,000	15,300	15,606	15,918	16,236	16,561	16,892	17,230	17,575
O&M	1.00%	23,296	23,529	23,764	24,002	24,242	24,484	24,729	24,976	25,226
Insurance	1.00%	36,408	36,408	36,773	37,140	37,512	37,887	38,266	38,648	39,035
Removal Fund Surety	1.00%	3,002	3,032	3,062	3,093	3,124	3,155	3,187	3,218	3,251
Asset Management & General	0.00%	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
<b>Total Operating Expenses</b>	<b>124,012</b>	<b>125,327</b>	<b>126,658</b>	<b>128,006</b>	<b>129,370</b>	<b>130,751</b>	<b>132,149</b>	<b>133,565</b>	<b>134,997</b>	<b>136,448</b>
<b>EBITDA</b>	<b>552,601</b>	<b>442,778</b>	<b>465,762</b>	<b>346,753</b>	<b>356,408</b>	<b>364,892</b>	<b>355,385</b>	<b>340,674</b>	<b>351,502</b>	<b>360,205</b>
<b>EBITDA Margin</b>	<b>72.47%</b>	<b>67.50%</b>	<b>68.17%</b>	<b>61.23%</b>	<b>61.58%</b>	<b>61.87%</b>	<b>61.20%</b>	<b>60.22%</b>	<b>60.65%</b>	<b>60.95%</b>

Dec-32 Year 11	Dec-33 Year 12	Dec-34 Year 13	Dec-35 Year 14	Dec-36 Year 15	Dec-37 Year 16	Dec-38 Year 17	Dec-39 Year 18	Dec-40 Year 19	Dec-41 Year 20	Dec-42 Year 21	Dec-43 Year 22	Dec-44 Year 23	Dec-45 Year 24	Dec-46 Year 25
6,172,447	6,139,936	6,113,801	6,087,665	6,069,296	6,034,168	6,006,842	5,978,922	5,955,784	5,921,273	5,891,567	5,860,676	5,837,584	5,796,464	5,767,481
258,260	262,642	270,654	272,142	283,075	298,855	312,026	323,293	338,424	344,987	347,102	349,814	358,691	362,407	366,032
29,927	29,467	31,517	30,377	29,236	29,572	32,331	32,379	39,443	34,800	34,002	33,030	40,598	35,624	35,980
169,187	168,296	167,579	166,863	166,359	165,397	164,648	163,882	163,248	162,302	161,488	160,641	160,008	158,881	158,087
139,335	140,077	142,026	136,374	128,426	134,251	142,056	137,371	138,161	137,721	131,231	128,680	129,845	134,752	136,100
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
596,709	600,481	611,776	605,756	607,097	628,075	651,061	656,925	679,275	679,810	673,823	672,165	689,142	691,664	696,198
59,671	60,048	61,178	60,576	60,710	62,807	65,106	65,692	67,928	67,981	67,382	67,217	68,914	69,166	69,620
5,967	6,005	6,118	6,058	6,071	6,281	6,511	6,569	6,793	6,798	6,738	6,722	6,891	6,917	6,962
29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289	29,289
94,927	95,342	96,584	95,922	96,070	98,377	100,906	101,551	104,009	104,068	103,410	103,227	105,095	105,372	105,871
501,782	505,139	515,192	509,834	511,027	529,697	550,155	555,374	575,266	575,742	570,414	568,938	584,047	586,292	590,327
84.09%	84.12%	84.21%	84.16%	84.18%	84.34%	84.50%	84.54%	84.69%	84.69%	84.65%	84.64%	84.75%	84.77%	84.79%
43,263	43,696	44,133	44,574	45,020	45,470	45,925	46,384	46,848	47,316	47,790	48,268	48,750	49,238	49,730
18,285	18,651	19,024	19,404	19,792	20,188	20,592	21,004	21,424	21,852	22,289	22,735	23,190	23,653	24,127
25,733	25,991	26,251	26,513	26,778	27,046	27,316	27,590	27,865	28,144	28,426	28,710	28,997	29,287	29,580
39,819	40,218	40,620	41,026	41,436	41,851	42,269	42,692	43,119	43,550	43,985	44,425	44,870	45,318	45,771
3,316	3,349	3,383	3,416	3,451	3,485	3,520	3,555	3,591	3,627	3,663	3,699	3,736	3,774	3,812
7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
137,917	139,404	140,909	142,434	143,977	145,540	147,122	148,724	150,347	151,989	153,653	155,337	157,043	158,770	160,519
363,865	365,735	374,282	367,400	367,050	384,157	403,033	406,650	424,920	423,753	416,761	413,601	427,004	427,522	429,808
60.98%	60.91%	61.18%	60.65%	60.46%	61.16%	61.90%	61.90%	62.55%	62.33%	61.85%	61.53%	61.96%	61.81%	61.74%

**Local Permitting Approvals**

**RESOLUTION NO. 3 OF 2021**

**APPROVAL OF SITE PLAN REVIEW & ZONING PERMIT APP. NO. 5-2020**

On a motion of Councilwoman Lyndaker, seconded by Councilman Aucter, the following resolution was  
ADOPTED Ayes 4 Becker, Aucter, Lyndaker, Keys Recusal 1 Buell Nays 0

WHEREAS, pursuant to General Municipal Law, Article 12-B, Section 239-M, the County Planning Board did review Site Plan Review and Zoning Permit Application No. 5-2020, submitted by Greg Hering, ClearPath Energy, LLC; for the proposed construction of a 3 MW ground-mounted solar energy facility and related access, security and utility infrastructure on two previously cleared farm fields owned by Myron D. Zehr, to be located at 7057 Brewery Road, Town of New Bremen, Lewis County New York, Tax Map No. 147.00-01-22.100, and

WHEREAS, the County Planning Board did approve the application with conditions, now therefore be it


RESOLVED, the New Bremen Town Board "approves" Site Plan Review & Zoning Permit Application No. 5-2020, contingent upon the applicant complying with the following conditions:

1. To ensure public safety, the Town Highway Superintendent shall evaluate and approve the proposed width of the driveway along with the driveway entrance details prior to construction.
2. In addition to the applicant providing the police, fire department, and other public safety officials with a copy of the design as-built with instructions for system shut down in case of emergency, Emergency Service Personnel should be provided with on-site training to identify and review all mechanical equipment and access gates. Discussions should also include Emergency Service snow removal needs and possible emergency situations that could result during the operation of this facility. Additionally, given the current use as an active farm and residence, a shared discussion between the property owners, Emergency Service Personnel and applicant should be had to make sure the shared driveway is clear at all times in case of emergency.
3. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

**CERTIFICATION**

This is to certify that I, Elizabeth B. Jones, Town Clerk of the Town of New Bremen in said County of Lewis, have compared the foregoing copy of Resolution No. 3 of 2021 adopted by the Town Board of the Town of New Bremen on January 11, 2021, with the original now on file in this office, and that the same is a correct and true transcript of such original and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 19<sup>th</sup> day of January 2021.

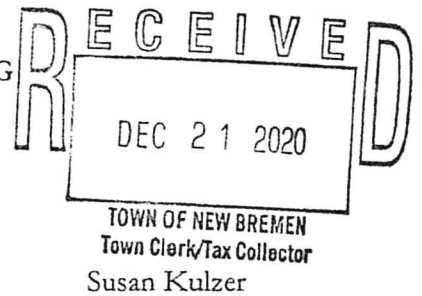
  
Elizabeth B. Jones, RMC  
Town Clerk/Collector of the  
Town of New Bremen, Lewis County, NY



COPY

OFFICE OF LEWIS COUNTY PLANNING

7660 North State Street  
Lowville, New York 13367  
Telephone: (315) 376-5422  
Fax: (315) 377-3137



Casandra Buell

Kevin Brouillard

TOWN OF NEW BREMEN  
Town Clerk/Tax Collector  
Susan Kulzer

Director of Planning

Community Development Specialist

Senior Keyboard Specialist

[casandrabuell@lewiscounty.ny.gov](mailto:casandrabuell@lewiscounty.ny.gov)

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**MUNICIPAL BOARD: TOWN OF NEW BREMEN TOWN BOARD**

**239 L & M REFERRAL RE: Site Plan Review for a proposed 3MW ground-mounted solar energy generating facility to be developed at 7057 Brewery Road (Zehr property) in the Town of New Bremen.**

**Tax Map Parcel #147.00-01-22.100**

**ClearPath Energy, LLC – Applicant**

*December 21, 2020*

The above referenced referral was reviewed by the Lewis County Planning Board at its regular meeting held on Thursday, December 17, 2020 pursuant to General Municipal Law, Article 12-B, Section 239-M.

The following action was taken on the proposal:

  X   Approve w/conditions

**Conditions:**

Please see next page

If you have any questions regarding this action, please do not hesitate to contact this office.

Sincerely,

Casandra Buell  
Director of Planning

**NOTE:** Pursuant to General Municipal Law, Article 12-B, Section 239-M, within thirty (30) days after taking final action, you are required to file a report of your final action with the County Planning Board. **FAILURE TO DO SO COULD INVALIDATE YOUR ACTION.**



**CONDITIONS:**

1. The proposed action includes a 20' gravel driveway; however, the Town of New Bremen Site Plan Review Zoning Law Article V Section 510(b) requires that the minimum maintained width of driveways shall be 24 feet. Article VII Section 755 states that the *Town Board may waive, subject to appropriate conditions, the provisions of any or all standards and/or requirements herein set forth if in the special circumstances of a particular application such standards are not in the interest of the public health, safety, and general welfare or strict adherence to such standards and/or requirements would cause unnecessary hardship for the applicant without achieving public benefit objectives.* If the Town Board decides to waive the 24' driveway width requirement per Article VII, to ensure public safety, the Town Highway Superintendent should evaluate and approve the proposed width of the driveway along with the driveway entrance details prior to construction.
2. In addition to the applicant providing the police, fire department, and other public safety officials with a copy of the design as-built with instructions for system shut down in case of emergency, Emergency Service Personnel should be provided with on-site training to identify and review all mechanical equipment and access gates. Discussions should also include Emergency Service snow removal needs and possible emergency situations that could result during the operation of this facility. Additionally, given the current use as an active farm and residence, a shared discussion between the property owners, Emergency Service Personnel and applicant should be had to make sure the shared driveway is clear at all times in case of emergency.
3. Compliance with all Local, State and Federal regulatory requirements for this type of facility and the products stored.

**State Environmental Quality Review Act ("SEQRA") Environmental Assessment**

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Zehr Solar Energy Project		
Project Location (describe, and attach a general location map): 7057 Brewery Road, New Bremen, New York (Lewis County)		
Brief Description of Proposed Action (include purpose or need): The proposed action is construction of a 5 MW ground-mounted solar energy facility and related access, security and utility infrastructure on two previously cleared farm fields. Upon completion, the proposed project will provide renewable power to the existing electrical grid via an interconnection point along Brewery Road.		
Name of Applicant/Sponsor: ClearPath Energy, LLC (Greg Hering, Director of Development)		Telephone: (774) 270-1936
		E-Mail: greg@clearpath.energy
Address: 358 Chestnut Hill Avenue, Suite 302		
City/PO: Brighton	State: MA	Zip Code: 02135
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Myron D. Zehr		Telephone:
		E-Mail:
Address: 7057 Brewery Road		
City/PO: New Bremen	State: NY	Zip Code: 13367

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	New Bremen Town Board - Site Plan Review and Zoning Permit	Fall 2020
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	New Bremen Planning Board - Site Plan Review	Fall 2020
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lewis County Planning Board - Site Plan Review	Fall 2020
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - SPDES Construction General Permit NYSERDA - Megawatt Block Allocation	Winter 2020 Winter 2020
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE - Nationwide Permit 51	Winter 2020
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

Lewis County Agricultural Enhancement Plan (May 2004)

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
For the purpose of the Town of New Bremen Site Plan Review Zoning Law, the Town of New Bremen is designated as one zone.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Beaver River Central School District

b. What police or other public protection forces serve the project site?  
New York State Police - Troop D - Zone 3 - Lowville Station

c. Which fire protection and emergency medical services serve the project site?  
New Bremen Volunteer Fire Department and Croghan Volunteer Fire Department

d. What parks serve the project site?  
Village of Croghan Recreational Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
Installation of a passive ground-mounted solar energy facility - Commercial

b. a. Total acreage of the site of the proposed action? 189.8 acres  
b. Total acreage to be physically disturbed? 12.6 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 189.8 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No

If Yes, show numbers of units proposed.

One Family      Two Family      Three Family      Multiple Family (four or more)

Initial Phase \_\_\_\_\_  
At completion \_\_\_\_\_  
of all phases \_\_\_\_\_

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

- i. Total number of structures \_\_\_\_\_  
ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

- i. Purpose of the impoundment: Stormwater runoff control  
ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
iv. Approximate size of the proposed impoundment. Volume: 0.01 million gallons; surface area: 0.1 acres  
v. Dimensions of the proposed dam or impounding structure: 1 foot height; 10 feet length  
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
Combination of earth excavation, earth fill and rock

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No

If Yes:

- i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
• Volume (specify tons or cubic yards): \_\_\_\_\_  
• Over what duration of time? \_\_\_\_\_  
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
If yes, describe. \_\_\_\_\_  
v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
viii. Will the excavation require blasting?  Yes  No  
ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Affected wetlands are not regulated by the State of New York. Affected wetlands are areas bordering on, or otherwise adjacent to, Black Creek (805-124; Classification C, Standard C(T)) or an unnamed stream (805-129; Classification C, Standard C(T)) traversing the site in a easterly direction, and have been identified as being potentially subject to federal jurisdiction.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
The proposed action will not significantly affect the wetlands. Work in wetland areas consist of limited tree clearing and installation of solar panels and chain link fence on existing natural ground cover/grade.

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iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

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d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 0.6 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 189.8 acres (parcel size)

ii. Describe types of new point sources. Discharges from stormwater management areas  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
On-site stormwater management areas that control the rate of runoff to pre-developed conditions.  
 \_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_
- iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_
- iv. Does the proposed action include any shared use parking?  Yes  No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_
- vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_
- iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 AM to 4:00 PM (Typical)
- Saturday: 7:00 AM to 4:00 PM (Typical)
- Sunday: 10:00 AM to 3:00 PM (Rarely)
- Holidays: 10:00 AM to 3:00 PM (Rarely)

ii. During Operations:

- Monday - Friday: No Typical Daily Activity
- Saturday: No Typical Daily Activity
- Sunday: No Typical Daily Activity
- Holidays: No Typical Daily Activity

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

Noise levels may exceed ambient noise levels during construction, principally from back up alarms on heavy equipment and trucks.

No other significant sources of noise are anticipated during construction and none are anticipated during operations.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

A single pole-mounted motion detection, dark-sky compliant and downward facing light will be installed at the equipment pad.

Fixture will be mounted at approximately 12-feet above the ground surface and is more than 400 feet from any occupied structure.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

• Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

• Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

• Construction: \_\_\_\_\_

\_\_\_\_\_

• Operation: \_\_\_\_\_

\_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: \_\_\_\_\_

\_\_\_\_\_

• Operation: \_\_\_\_\_

\_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

Mixture of forest, rural residential, and agricultural land use with commercial lumber yard on adjacent property.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.0	1.6	0.6
• Forested	78.4	67.9	- 10.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.0	22.0	22.0
• Agricultural (includes active orchards, field, greenhouse etc.)	102.8	64.1	- 38.7
• Surface water features (lakes, ponds, streams, rivers, etc.)	5.6	5.6	0.0
• Wetlands (freshwater or tidal)	5.3	5.3	0.0
• Non-vegetated (bare rock, earth or fill)	2.0	2.0	0.0
• Other Describe: <u>Elevated solar panels with vegetated ground cover beneath</u>	0.0	26.6	26.6

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >6 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ 24 %

c. Predominant soil type(s) present on project site:	Rock outcrop-Paxton complex	23.5 %
	Podunk fine sandy loam	9.0 %
	Dunkirk silt loam	9.0 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ >3 feet

e. Drainage status of project site soils:  Well Drained: 65.9 % of site  
 Moderately Well Drained: 18.3 % of site  
 Poorly Drained 15.8 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 30 % of site  
 10-15%: 20 % of site  
 15% or greater: 50 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

**h. Surface water features.**

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 805-124, 805-131, 805-129, 805-130 Classification C(T), C(TS)
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 5.3
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:  
 i. Name of aquifer: Principal Aquifer

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p>		
Red squirrel ( <i>Tamiasciurus hudsonicus</i> )	Gray squirrel ( <i>Sciurus carolinensis</i> )	Coyote ( <i>Canis latrans</i> )
Deer ( <i>Odocoileus virginianus</i> )	Red fox ( <i>Vulpes vulpes</i> )	Cotton tail rabbit ( <i>Lepus sylvaticus</i> )
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>		
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>		
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>		
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>		
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>		
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: <u>LEW1006</u></p>		
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? <u>86.8</u></p> <p>ii. Source(s) of soil rating(s): <u>USDA NRCS Web Soil Survey - Lewis County NY</u></p>		
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>		
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>		

e. 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?  Yes  No

If Yes:  
 i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District  
 ii. Name: \_\_\_\_\_  
 iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. 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?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:  
 i. Describe possible resource(s): \_\_\_\_\_  
 ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:  
 i. Identify resource: (1) Maple Traditions Scenic Byway; (2) Indian Pipe State Forest; (3) Adirondack Park \_\_\_\_\_  
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): (1) NYS "National" Designated Scenic Byway; (2) State Forest; (3) State Forest Preserve \_\_\_\_\_  
 iii. Distance between project and resource: \_\_\_\_\_ 1) 1.0; (2) 2.9; (3) 4.0 miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:  
 i. Identify the name of the river and its designation: \_\_\_\_\_  
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

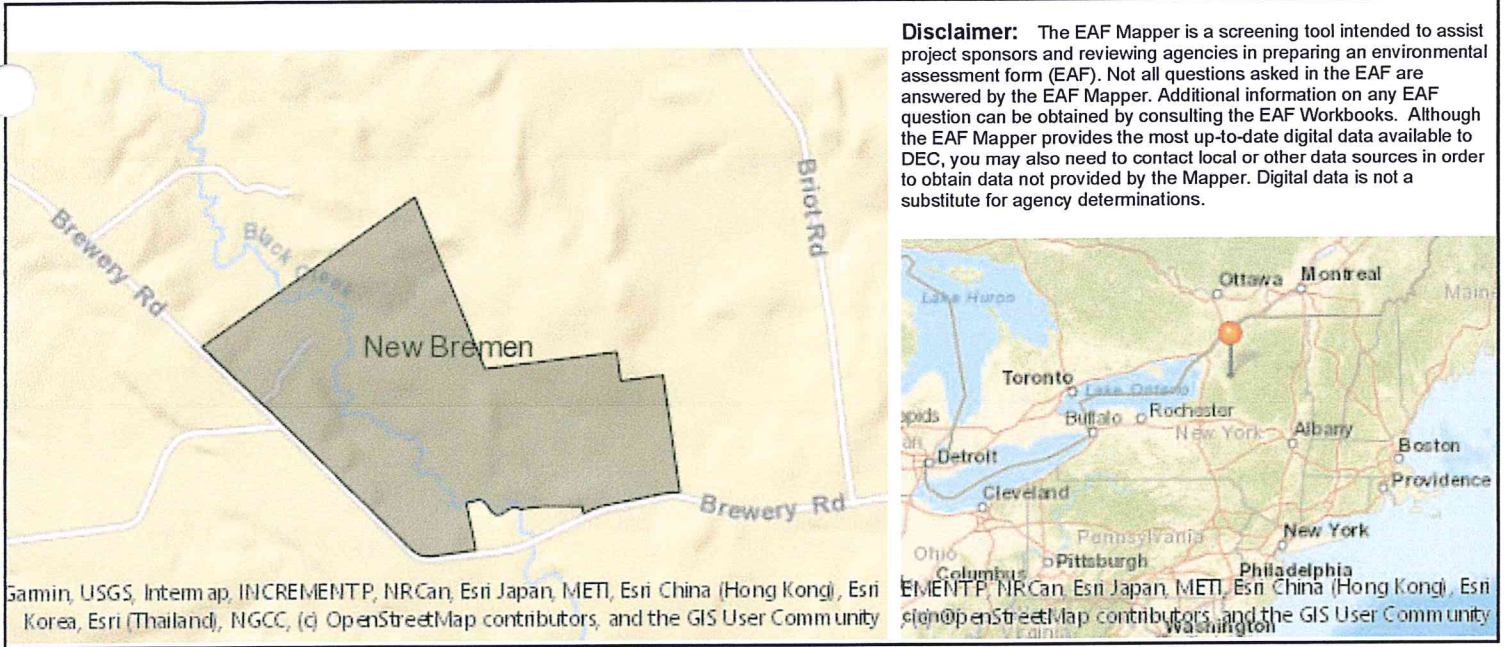
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name ClearPath Energy LLC (Greg Hering) Date October 26, 2020

Signature  Title Director of Development



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	805-124, 805-131, 805-129, 805-130
E.2.h.iv [Surface Water Features - Stream Classification]	C(T), C(TS)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.



E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	LEWI006
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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

<b>Agency Use Only (If applicable)</b>	
Project:	Zehr Solar Energy Project
Date:	12/14/2020

**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.

<b>1. Impact on Land</b>			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<b>Relevant Part 1 Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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: _____		<input 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"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> 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. <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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?	E1c	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <span style="float:right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part I. D.2.f., D.2.h, D.2.g) 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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part I. E.2. m.-q.) <span style="float:right;"><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</span> 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 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: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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: _____		<input 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.)  
 If "Yes", answer questions a - g. If "No", go to Section 10.

NO  YES

	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 checked="" 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: _____		<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.)  
 If "Yes", answer questions a - e. If "No", go to Section 11.

NO  YES

	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 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 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 type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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.	E3c, 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.	E3c, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> 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. <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> If "Yes", answer questions a - c. If "No", go to Section 13.			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> 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.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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.)  
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO       YES

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

NO       YES

	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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (c.g. schools, police and fire)	C4	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project: Zehr Solar Energy Project  
Date: 12/15/2020

**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 Board foresees no significant adverse impacts on the environment for this project because the applicant has assured the board that they will comply with all NYS DEC regulations (including those received on November 30, 2020 and December 1, 2020) and will work with NYS Ag & Markets prior to construction.

**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 EAP, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ 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: Zehr Solar Energy Project - Site Plan Review Zoning Permit App 5-2020

Name of Lead Agency: Town of New Bremen

Name of Responsible Officer in Lead Agency: Peter J. Keys

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:  Date: 12/18/20

Signature of Preparer (if different from Responsible Officer)  Date: 12/18/20

**For Further Information:**

Contact Person: Greg Hering - ClearPath Energy LLC

Address: 358 Chestnut Hill Avenue, Suite 302, Brighton, MA 02135

Telephone Number: 774-270-1936

E-mail:

**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/cnb/cnb.htm>

**PRINT FULL FORM**

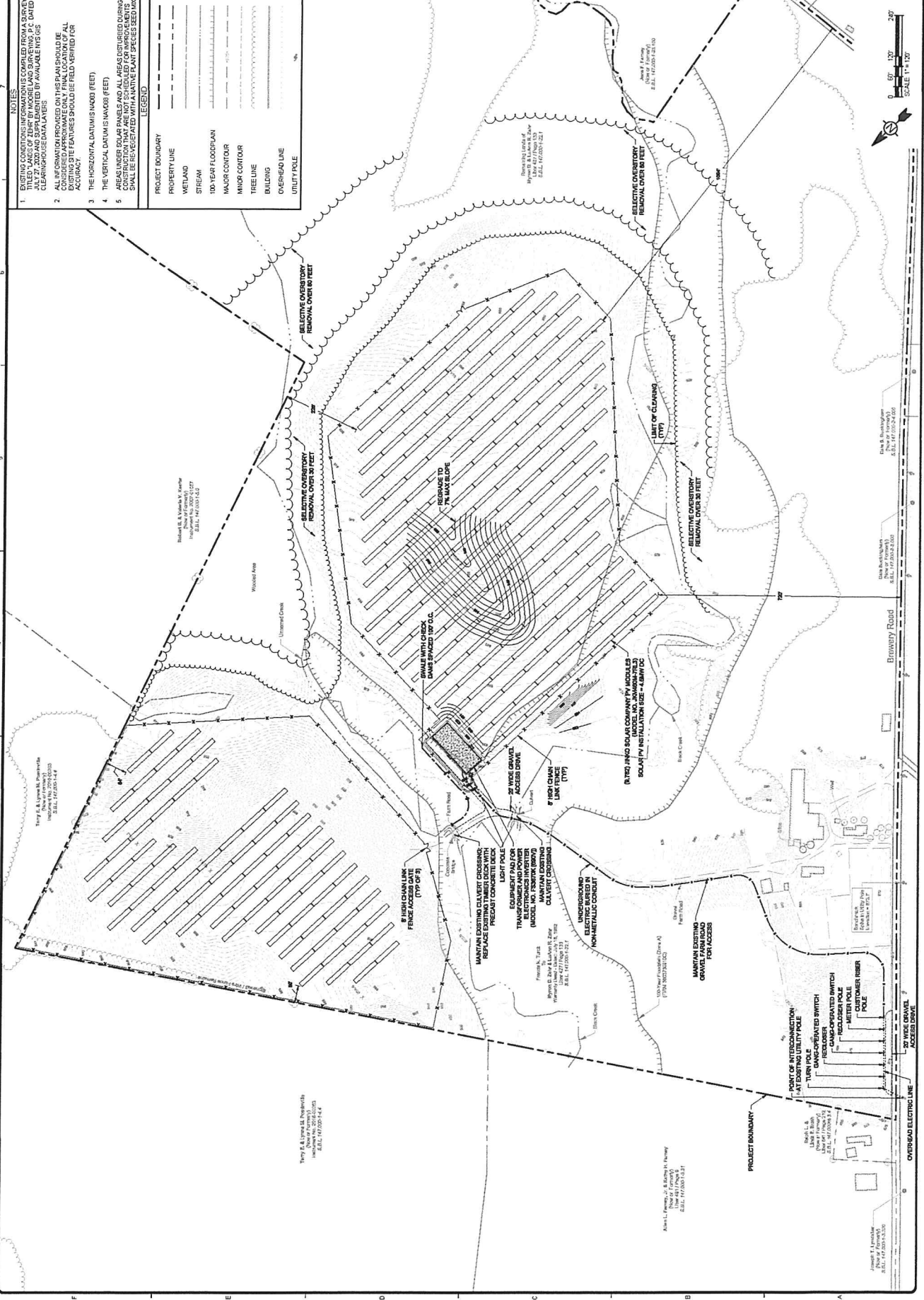
**Site Plan**

DATE	10/27/20
BY	NSK
DATE	10/27/20
BY	NSK
DATE	10/27/20
BY	NSK
DATE	10/27/20
BY	NSK

**TETRA TECH**

100 Kellenburg Road  
Middletown, Massachusetts 01702  
Phone: (508) 786-2200 Fax: (508) 786-2201

- NOTES**
1. EXISTING CONDITIONS AND DIMENSIONS SHOWN ON THIS DRAWING ARE TO BE TAKEN AS SHOWN UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
  2. THE VERTICAL DATUM IS NAVD83 (FEET)
  3. THE HORIZONTAL DATUM IS NAD83 (FEET)
  4. AREAS UNDER SOLAR PANELS AND ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION. ALL RESTORATION SHALL BE VERIFIED BY A REGISTERED PROFESSIONAL ENGINEER.
  5. EXISTING SITE FEATURES SHOULD BE FIELD VERIFIED FOR ACCURACY.
- LEGEND**
- PROJECT BOUNDARY
  - PROPERTY LINE
  - WETLAND
  - STREAM
  - 100-YEAR FLOODPLAIN
  - MAJOR CONTOUR
  - MINOR CONTOUR
  - TREE LINE
  - BUILDING
  - OVERHEAD LINE
  - UTILITY POLE



CLEARPATH ENERGY LLC

4177

DATE 5/25/2021 1-2/210

PAY TO THE ORDER OF

Lewis County IDA

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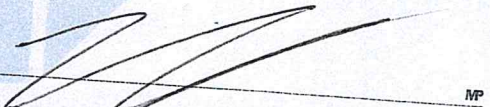
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