

Catholic Cemeteries of the
Roman Catholic Diocese
of Syracuse, Inc.

Diocesan Office

St. Agnes Cemetery
2315 South Avenue
Syracuse, NY 13207
Phone (315) 475-4639
Fax (315) 422-0363

St. Mary's Cemetery

4100 East Genesee Street
Dewitt, NY 13214
Phone (315) 446-2649
Fax (315) 446-2142

Our Lady of Peace Cemetery

8668 Oswego Road – Route 57
Baldwinsville, NY 13027
Phone (315) 303-4901
Fax (315) 303-5236

St. Mary's Cemetery

4101 West Road
Cortland, NY 13045
Phone (315) 756-8838
Fax (315) 299-4759

St. Peter's & St. Paul's Cemeteries

379 East River Road
Oswego, NY 13126
Phone (315) 343-5002
Fax (315) 343-2421

Calvary – St. Patrick's Cemeteries

501 Fairview Street
Johnson City, NY 13790
Phone (607) 797-2906
Fax (607) 797-7925

Calvary Cemetery - Utica

St. Mary's Cemetery - Clayville

St. Mary's Cemetery - Utica

2407 Oneida Street
Utica, NY 13501
Phone (315) 735-2727
Fax (315) 735-9509

Mt. Olivet Cemetery

St. Stanislaus Bishop

& Martyr Cemetery

70 Woods Road
Whitesboro, NY 13492
Phone (315) 736-4446
Fax (315) 765-6164

Holy Trinity Cemetery

1500 Champlin Avenue
Utica, NY 13502
Phone (315) 724-0616
Fax (315) 724-9731

August 13, 2020

Mr. Bruce A. Weber, Cortlandville Planning & Zoning Officer
Town of Cortlandville
Raymond G. Thorpe Municipal Building
3577 Terrace Road
Cortland, NY 13045

Reference: Project SSC Cortlandville II LLC – Installation of a 5.0 MWAC solar power facility south of Blue Creek Road.

Dear Mr. Weber,

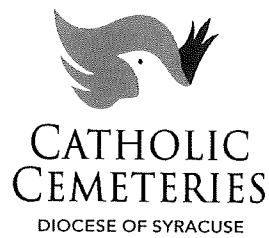
My name is Mark Barlow and I'm the Director for Catholic Cemeteries of the Roman Catholic Diocese of Syracuse, Inc. of which St. Mary's Cemetery at 4101 West Road, Cortland is a part of. As we discussed on the phone on August 4, 2020, Catholic Cemeteries is an interested party in the SSC Cortlandville II LLC solar power facility project.

The reason we are an interested party is there is an open court order brought against James C. Stevens, III, and Lawrence G. Hill, III by the State of New York and the New York State Department of Environmental Conservation. After nearly six years of litigation, Supreme Court Justice, the Honorable Jeffrey A. Tait issued a Decision and Order filed with the Cortland County Clerk on February 1, 2019 ordering Mr. Stevens and Mr. Hill to commence construction of the PLS System. This court order has not been fully complied with yet, but work is continuing. I've attached the court order for your convenience.

St. Mary's Cemetery retained PLS Engineering, PC (PLS) to design a storm water management control system to convey water down-gradient from Lawrence Hill's property, through St. Mary's Cemetery to join the NYS Route 281 storm water system. The PLS system was approved by the DEC. Paul Sheneman, the President of PLS has asked Julie Melancon with the NYS DEC for their input on the impact the solar power project may have on the PLS system design.

Paul asked: "Has the DEC had any experience with these solar projects which would suggest a method to calculate their impact on time of concentration. It seems that precipitation coming off of the panels would be concentrated along the lower edges of the panels and would have the potential, as they hit the ground, to form small channels which could convey water down a slope more quickly. Panel orientation and tilt with respect to down gradient would also seem to matter.

1. The access road will not remain permeable and should be considered impermeable for the analysis of stormwater runoff impacts. Foundations for



the panel racks and fences will also create a minor amount of impermeable surface.

2. The contour lines on Delta Engineering's plans are probably from LIDAR data and don't accurately represent the existing topography of the site. Most obvious is the absence of the north-south swale across the farm and of the new detention pond. Accurate topo data is needed for final design of this project."

Thank you for consideration as the Planning Board evaluates the impact this project will have on St. Mary's Cemetery and the families that we serve.

Best regards,

A handwritten signature in black ink that reads 'Mark Barlow' in a cursive script.

Mark Barlow

Director, Catholic Cemeteries of the Roman Catholic Diocese of Syracuse, Inc.

Cell phone: 315-952-3240

Anne McLorn
1052 Blue Creek Road
Cortland, NY 13045
Telephone: (607) 423-0413
Email: amclorn@twcnny.rr.com

August 20, 2020

Christopher B. Newell, Planning Board Chair
Town of Cortlandville Planning Board
Raymond G. Thorpe Municipal Building
3577 Terrace Road
Cortland, NY 13045

RE: Project No. 2020.260.001 Application for a 5 MW Solar Array and Subdivision

Dear Chairman Newell and Planning Board Members,

I am writing to express several concerns myself, my family and my neighbors have regarding the proposed "solar farm" on property located at 4240 Bell Crest Drive (former Stevens Farm a/k/a Ridgeview). I am not opposed to solar energy, as I myself was a pioneer of rooftop solar in our community. I have many concerns, but my main concerns related to Project No. 2020.260.001 Application for a 5 MW Solar Array and Subdivision as it relates to my neighborhood are aesthetics and environmental as well as its impact on the future Town of Cortlandville Comprehensive Plan.

Local Law #2 of 2018 - Solar Energy Systems, Section 3 Ground Mounted Large-Scale Solar Energy Systems (please see attached section below) under, E. Conditional Use Designs and Installation Standards, 1. Appearance and Buffering: a. reads, the ground mounted Large-Scale Solar Energy System shall have the least visual effect practical on the environment... reasonable efforts shall be made to minimize visual impacts by preserving natural vegetation, and providing landscape screening to abutting residential properties and roads, but screening should minimize the shading of solar collectors. ***On the project drawing C-200 Item 1 Site Plan,*** there are no trees or landscaping proposed along the north side. My house as well as the rest of my neighborhood, Blue Creek Road and Cosmos Hill Road all face this side of the proposed project property. ***I would like to request landscaping as proposed in Item 5 on drawing C-301, coniferous tree planting to line the chain link fencing all along the North side of this project property, exactly as what is proposed for the East side in the site plan.*** This screening would not have an impact on shading of the solar collectors as they are south facing.

This particular piece of property has a long history of severe problems with storm water runoff effecting adjoining properties, and as I am sure you are aware was the subject of a longstanding court battle between the owner, Lawrance G. Hill III, the former owner, James C. Stevens III (Defendants) and the New York State Department of Environmental Conservation. A Decision and Order against the Defendants was brought down and filed on February 1, 2019, by the Supreme Court of the State of New York (Index No. EF14-553). I don't believe this order was ever successfully, completely fulfilled and the Court Order settled. Under ***Local Law #2 of 2018 - Solar Energy Systems, Section 3 Ground Mounted Large-Scale Solar Energy Systems c.*** No Conditional Permit or renewal thereof or amendment of a current Conditional Permit relating to a Ground-Mounted Large-Scale Solar Energy System shall be granted by the Town Planning Board

unless the Solar Energy Applicant demonstrates that such Ground-Mounted Large-Scale Solar Energy System: *i.* Conforms to all federal and state laws and all applicable rules and regulations promulgated by any federal or state agencies having jurisdiction. No permits should be allowed for this property until proof of satisfaction of the Court Order is produced. In light of these circumstances and in light of the fact that over one acre of soil will be disturbed, I believe it is imperative to involve the NYS Department of Environment Conservation (Scott Cook), in any storm water runoff plan for this project.

In my view, one five MW project on this property could be allowed, but a subdivision with two adjoining five MW projects in this sensitive area would be unconscionable! The Comprehensive Plan being worked on by the Town of Cortlandville would slate this area as residential and open spaces. Perhaps one five MW solar project on this property could fit into this plan, but it seems that two five MW projects covering 75 acres would ruin those plans. Also, the placement of the power lines and poles spanning the entirety of the property (as outlined in the site plan) and lining Bell Crest Drive seems counterintuitive. Wouldn't a much smarter approach be to gain an easement (through eminent domain if necessary), and run the power lines directly to the east of the property along the north side of Bellevue Avenue to Route 281? This would be a much shorter distance and greatly diminish the negative aesthetics of this project and would also have much less of an effect on the on the Cortlandville Comprehensive Plan.

There are many, many mitigating factors involving this project application. These factors deserve close consideration by the Cortlandville Town Planning Board and are contrary to ***Local Law #2 of 2018 - Solar Energy Systems, Section 3 Ground Mounted Large-Scale Solar Energy Systems*** (please see attached section below) under section ***b. ii. Areas of potential environmental sensitivity***, i.e. there are sensitive wetlands on and adjacent to this property. Section ***b. i.*** Portions of this property may be considered prime farmland. ***b. iii.*** Does the proposed project site meet the 15% slope gradient requirement?

One of the reasons I and many of my neighbors have built our homes in this area is because of the view, please bear this in mind and how this project will affect us, when making decisions. It is my hope that the Planning Board will closely scrutinize this Solar Project Request, make the necessary landscaping changes along the north side to adhere to the appearance and buffering provision of Local Law #2 and deny any request for a sub-division.

Sincerely,



Anne F. McLorn
1052 Blue Creek Road
Cortland, NY 10345

Cc: Bruce Weber

3. Ground-Mounted Large-Scale Solar Energy Systems;

a. Ground-Mounted Large-Scale Solar Energy Systems are permitted as principal and accessory uses through the issuance of a Conditional Permit within Agriculture and Industrial Zoning Districts, subject to the requirements set forth in this section.

i. Ground-Mounted Large-Scale Solar Energy Systems that produce electricity or thermal energy primarily for active farming or agricultural uses, where the generation is less than one hundred and ten percent (110%) of the farm use, shall be exempt from the requirement to obtain a Conditional Permit.

b. Ground-Mounted Large-Scale Solar Energy Systems shall not be located in the following areas unless otherwise approved by the Town Planning Board in conjunction with the Conditional Permit approval process.

i. Prime farmland soils as identified by the USDA-NRCS or alternative available resource.

ii. Areas of potential environmental sensitivity, including Unique Natural Areas, flood plains, historic sites, state-owned lands, conservation easements, trails, parkland, prime soils, and wetlands as identified by Cortland County Planning Department mapping services, the New York State Department of Environmental Conservation, or the United States Army Corps of Engineers.

iii. On slopes of greater than fifteen percent (15%), unless the Solar Energy Applicant can demonstrate through engineering studies and to the satisfaction of the Town that the proposed development will cause no adverse environmental impact that will not be satisfactorily mitigated.

c. No Conditional Permit or renewal thereof or amendment of a current Conditional Permit relating to a Ground-Mounted Large-Scale Solar Energy System shall be granted by the Town Planning Board unless the Solar Energy Applicant demonstrates that such Ground-Mounted Large-Scale Solar Energy System:

i. Conforms to all federal and state laws and all applicable rules and regulations promulgated by any federal or state agencies having jurisdiction.

ii. Is designed and constructed in a manner which minimizes visual impact to the extent practical.

iii. Complies with all other requirements of the Town of Cortlandville Zoning Law.

iv. Conforms to all adopted plans of the Town of Cortlandville.

v. Complies with a fifty-foot (50) front yard, rear yard, and side yard setback.

vi. Does not exceed twenty (20) feet in height.

vii. Has a solar collector surface area (as measured in the horizontal plane) that, when combined with the coverage of other structures on the lot, does not exceed twice the maximum lot coverage as permitted in the underlying zoning district.

E. Conditional Use Design and Installation Standards

1. Appearance and Buffering:

a. The Ground-Mounted Large-Scale Solar Energy System shall have the least visual effect practical on the environment, as determined by the Town Planning Board. Based on site specific conditions, including topography, adjacent structures, and roadways, reasonable efforts shall be made to minimize visual impacts by preserving natural vegetation, and providing landscape screening to abutting residential properties and roads, but screening should minimize the shading of solar collectors.

b. Any exterior lighting installed shall have the least visual effect practical on the contiguous properties and shall be approved by the Town Planning Board.

c. The Town Planning Board may require additional information, such as line-of-sight drawings, detailed elevation maps, visual simulations, before and after renderings, and alternate designs to more clearly identify adverse impacts for the purpose of their mitigation.

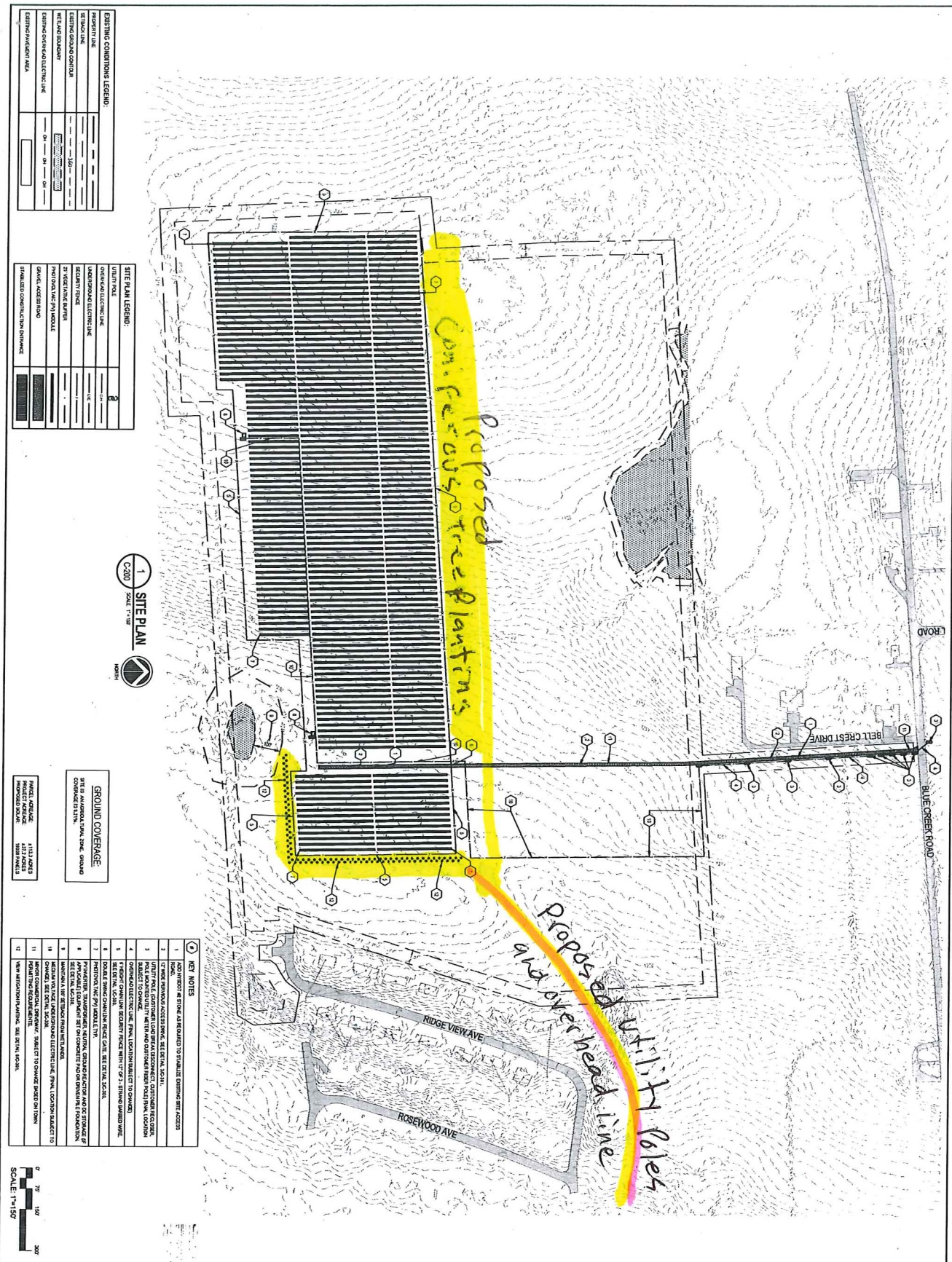
d. Equipment and vehicles not used in direct support, renovations, additions or repair of any Ground-Mounted Large-Scale Solar Energy System shall not be stored or parked on the facility site.



NOT FOR CONSTRUCTION

Project Name: SSC CORTLANDVILLE III LLC
 Town of Cortlandville, New York State
DELTA
 ENGINEERS AND ARCHITECTS
 460 Hooper Road
 Buffalo, New York 14203
 Tel: 407.231.6600
 Email: info@delta.com
 www.delta.com

Sheet: Planning Board
 Title: SITE PLAN
 Date: 2020.07.22
 Drawing No.: C-200



1 SITE PLAN
 SCALE: 1"=100'

GROUND COVERAGE
 SITE IS AN UNGRADED, UNPAVED, GRADED
 AND PAVED SURFACE

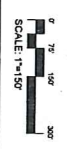
- KEY NOTES**
1. ALL UTILITIES SHOWN AS INDICATED TO STABILIZE EXISTING SITE ACCESS
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 12. UTILITIES SHOWN AS INDICATED TO STABILIZE EXISTING SITE ACCESS

EXISTING CONDITIONS LEGEND:

PROPERTY LINE	---
EXISTING ROAD CENTERLINE	---
EXISTING SIDEWALK CENTERLINE	---
EXISTING SIDEWALK	---
EXISTING SIDEWALK AREA	---

SITE PLAN LEGEND:

UTILITY POLE	○
OVERHEAD ELECTRICAL LINE	---
UNDERGROUND ELECTRICAL LINE	---
SECURITY FENCE	---
2" WIDE SIDEWALK	---
PROPOSED SIDEWALK	---
DRIVEWAY ACCESS ROAD	---
SHADED CONSTRUCTION FOOTING	---



August 25, 2020

Dear Mr Newell and Planning Board members,

At the June 20, 2018 meeting of the Cortlandville Town Board, the Town Board unanimously **adopted** the Draft Agriculture and Farmland Protection Plan, and discussed that it would become part of the Comprehensive Plan which was in progress.

The CV II and CV III solar projects conflict with that **adopted** land use plan.

The Plan calls for the growth boundary, it is mapped in Figure 7 of the September 2018 printed version of the Agriculture and Farmland Protection Plan. The area within the boundary is slated for mostly residential development because of nearness or presence of infrastructure and services including especially a developed public water supply; the area outside the boundary is slated for Protection of Agriculture (as opposed to residential sprawl).

It is also a **Type 1 Action** because it is really **one project** (same purpose, same sponsor, same location, shared infrastructure, same time frame) which would impact greater than 10 acres, and because it has the potential to create significant impacts (see Part 2 of the EAF...to be filled out).. it must be given a **Positive Declaration of Significance**.

Thank you for considering this,

Pam Jenkins

4023 Collegeview Drive
Cortland, NY 13045

