

Fulton County Industrial Development Agency

Adopted July 14, 2020

Introduced by Dave D'Amore
who moved its adoption.

Seconded by Todd Rulison

RESOLUTION CLASSIFYING THE PROPOSED NEXUS RENEWABLES U.S. INC. SOLAR PROJECT ADJACENT TO THE TRYON TECHNOLOGY PARK AS A TYPE I ACTION UNDER STATE ENVIRONMENTAL QUALITY REVIEW (SEQR), TO PROPOSE THAT THE IDA SERVE AS THE LEAD AGENCY, TO CONDUCT A COORDINATED SEQR REVIEW AND TO SEEK THE CONSENT OF INVOLVED AGENCIES TO THE IDA SERVING AS LEAD AGENCY

WHEREAS, Nexus Renewables U.S. Inc. has proposed to construct and operate a solar energy project on a 29+/- acre parcel of land owned by the IDA adjacent to the Tryon Technology Park in the Town of Johnstown, and

WHEREAS, Nexus Renewables proposed facility will include:

- 1) The installation of +/- 980 freestanding, tracking solar tables (total +/- 23,700 modules/panels. Each row of solar tables will be approximately 5.5 ft. in height, 6.5 ft. in width, vary in length, and anchored into the ground via H piles. While the project has approximately 25.2 acres of ground disturbance, it will only result in an increase in impervious surface of approximately 0.03 acres.
- 2) The array will have 50' setbacks from property lines and be surrounded by a 6' high chain-link fence with 3-strands of barbed wire affixed to the top for security purposes.
- 3) For visual screening, a landscape buffer will be planted along the perimeter that abuts the New York State Department of Corrections (NYSDOC) Hale Creek Correctional Facility and the Don Brown Bus Sales site. The remaining portions of the perimeter will be screened by existing wooded vegetation.
- 4) Other project elements include planting low-growth pollinator-friendly seed mix underneath the solar tables, both underground and overhead electrical lines, small operational and control structures, and mostly unimproved access roads.
- 5) Nexus will participate in the NYSERDA NY-Sun Initiative to provide clean energy to local businesses and residences.
- 6) The subdivision of Parcel 164.-2-16.5 into five (5) separate parcels

WHEREAS, NYS SEQR Regulations states that a project involving the physical alteration of more than 10 acres of land shall be considered a Type 1 Action under SEQR, and

WHEREAS, Nexus Renewables has submitted to the IDA a Part 1 Environmental Assessment Form (EAF), and

WHEREAS, the EAF identifies the Involved Agencies for this proposed action to be:

- 1) Fulton County Industrial Development Agency
- 2) Town of Johnstown Town Board
- 3) Town of Johnstown Planning Board
- 4) NYS Department of Environmental Conservation

- 5) NYS Energy Research and Development Authority
- 6) U.S. Army Corps of Engineers

WHEREAS, the IDA Board desires to propose itself as the Lead Agency for the purposes of conducting a Coordinated SEQR review of the proposed project,

NOW, THEREFORE BE IT

RESOLVED, that the IDA Board hereby classifies the proposed Nexus Renewables' solar project as a Type 1 Action, and be it further

RESOLVED, that the IDA Board hereby proposes that it serve as the Lead Agency for the purposes of conducting a Coordinated SEQR Review on the proposed project, and be it further

RESOLVED, that the Executive Director be and is hereby authorized and directed to send copies of the Part I EAF and Site Plan to all Involved Agencies informing them of the IDA Board's desire to serve as the Lead Agency, to ask Involved Agencies to submit comments back to the IDA by 5:00 p.m. on Friday, August 7, 2020 on whether they consent to the IDA Board serving as Lead Agency and whether the Involved Agencies have any comments on whether the proposed action may create any significant impacts on the environment, and be it further

RESOLVED, that certified copies of this Resolution be distributed to all Involved Agencies.

The Resolution was approved by the following roll call vote:

	Aye	Nay	Abstain	Absent
Dave D'Amore	<u>X</u>	---	---	---
Joe Semione	<u>X</u>	---	---	---
Todd Rulison	<u>X</u>	---	---	---
Jane Kelley	<u>X</u>	---	---	---
Mike Fitzgerald	<u>X</u>	---	---	---
Joseph Gillis	---	---	---	<u>X</u>
Tim Munn	<u>X</u>	---	---	---

State of New York:
County of Fulton:

This is to certify that I, James Mraz, Executive Director for the Fulton County Industrial Development Agency, do hereby certify that the foregoing is a true and correct copy and the whole thereof of a Resolution duly adopted by the Fulton County Industrial Development Agency, Glens Falls, New York on the 14th day of July, 2020.

In witness whereof, I have hereto set my hand and affixed the official seal of the Fulton County Industrial Development Agency on this ____ day of July, 2020.

[SEAL]

James Mraz
Fulton County
Industrial Development Agency