

Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Installation of a Solar Project on the Ulster County Resource Recovery Agency's Closed Landfill in the Town of Ulster - Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning, and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio, and Rodriguez), and The Energy and Environment Committee (Chairman R. Parete and Legislators Bartels, Heppner, Lapp, and Wawro)

Chairman of the Economic Development Committee, James F. Maloney, and Deputy Chairman Hector Rodriguez offer the following:

WHEREAS, this resolution has been offered by the County Executive on behalf of the Department of Planning; and

WHEREAS, pursuant to Resolution No. 481 of December 15, 2015 the County of Ulster (hereinafter the "County") established itself as lead agency for the purposes of the obtaining a property interest on the closed landfill now owned by the Ulster County Resource Recovery Agency (hereinafter "UCRRA") located in the Town of Ulster, County of Ulster, State of New York at 1951 Frank Sottile Boulevard, and designated as SBL No.: 48.12-1-21.200 (hereinafter the "Parcel"), in order to provide for construction of a solar facility at this location; and

WHEREAS, the County working with SolarCity Corporation (hereinafter "SolarCity") and its consultants as part of its outreach to all of the involved agencies including UCRRA, the New York State Department of Environmental Conservation, the New York State Historic Preservation Office, and the Town of Ulster Planning Board, has prepared a work plan for the construction of the solar facility that includes an analysis of impacts associated with construction of the solar facility on the Parcel; and

WHEREAS, as part of the project approval process the County has completed an expanded Environmental Evaluation of Impacts and Negative Declaration that includes an analysis of impacts to the post closure operation of the landfill and protection of the landfill cap, historic and archeological sites, wetlands and water bodies, threatened or endangered species, traffic, and other environmental considerations as required under 6 NYCRR Part 617 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (hereinafter "SEQRA"); and

WHEREAS, such evaluation of impacts and negative declaration has been filed with the Clerk of the Legislature and made available to members of the Legislature; and

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WHEREAS, the County has addressed all SEQRA issues as identified, considered and examined by the Involved and Interested Agencies and members of the public in conducting the environmental review and in so doing, has taken a hard look at said areas and made a determination of non-significance under SEQRA ("Negative Declaration"), a copy of which is annexed to this Resolution and made a part hereof; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR Part 617 et seq. of the Regulations of Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature hereby adopts and issues a Negative Declaration under SEQRA for the construction of a solar facility and associated property interest to the County on the UCRRA closed landfill located in the Town of Ulster, County of Ulster, State of New York at 1951 Frank Sottile Boulevard (SBL No.: 48.12-1-21.200) and; be it further

RESOLVED, that the Clerk of the Legislature shall file this Resolution and accompanying Negative Declaration with the Involved and Interested Agencies as enumerated in the Negative Declaration; and, be it further

RESOLVED, that the adoption of the Negative Declaration shall constitute the SEQRA Decision of approval for the construction of the solar facility and obtaining the necessary property interest by the County to allow for the construction of a solar facility at the UCRRA closed landfill located in the Town of Ulster, County of Ulster, State of New York at 1951 Frank Sottile Boulevard (SBL No.: 48.12-1-21.200) and all of the actions associated with such project, together with all plans and documents associated therewith,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(Absent: Legislators Fabiano, R. Parete and
Roberts)

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Passed Committee: Economic Development, Tourism, Housing, Planning, and Transit on July 5, 2016

Passed Committee: Energy and Environment on July 11, 2016

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19th Day of July in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of July in the year Two Thousand and Sixteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
21st Day of July, 2016.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
22nd Day of July, 2016.

|s| Michael P. Hein
Michael P. Hein, County Executive