



**Cortland County
Agriculture, Planning &
Environmental
Committee
Committee Meeting
~ Minutes ~**

60 Central Ave.
Cortland, NY 13045
www.cortlandcountyny.gov

Thursday, February 12, 2026

10:00 AM

Room 302

Call to Order

The meeting was called to order at 10:05 a.m. by Chair McGovern.

Roll Call

PRESENT:	Legislator Mitchel Eccleston, Legislator Paul Heider, Legislator William McGovern, Legislator Jason Prentice, Minority Leader Sandra Price, Legislator Beau Harbin
ABSENT:	
EXCUSED:	Legislator Reed Cleland

OTHERS PRESENT:

Ashley Millard	Deputy Clerk of the Legislature
Kevin Fitch	Chair of the Legislature
County Administrator	Michael Ponticiello
Jessica Leet	Planning Executive Assistant
Rebecca Ireland-Perry	4-H Team Leader
Lillian Jensen	Mobility Coordinator
Christopher Newell	Legislator
Amanda Barber	Soil & Water District Director (Late 10:10 a.m.)
Melissa Potter	Mobility Manager (Late 10:14 a.m.)
Sidney Lee	Cortland Standard Reporter
Kim Cameron	Cortland County Resident
Nicole Compton	Executive Assistant to the County Attorney (Remote)
Jeri DuVall	Chief Assistant County Attorney (Remote)
Andrea Herzog	Director of Finance (Remote)
Trisha Hiemstra	Planning Director (Remote)

Approval of Minutes

- 1. January 8, 2025 Agriculture, Planning & Environmental Minutes**

RESULT:	APPROVED
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Resolutions

ON MOTION OF WILLIAM MCGOVERN

AGENDA ITEM NO. 1.

Appoint Member to the Transportation Advisory Committee

WHEREAS, Resolution No. 289-19 authorized the formalization of the Transportation Advisory Committee as a Citizen's Advisory Committee; AND

WHEREAS, the Transportation Advisory Committee, as a formal advisory committee of the Agriculture, Planning, and Environmental Committee, will consist of a membership from a wide variety of community service agencies and government agencies; AND

WHEREAS, Legislator Beau Harbin has resigned from his position on the Transportation Advisory Committee, creating a vacancy for the remainder of his unexpired term; AND

WHEREAS, the Cortland County Legislature desires to fill said vacancy; NOW THEREFORE BE IT

RESOLVED, that Sandra Price, 1189 Church Street, Cortland, New York 13045, is hereby appointed to serve as a member of the Transportation Advisory Committee for the remainder of the unexpired term, ending December 31, 2027; AND BE IT FURTHER

RESOLVED, that this resolution shall take effect immediately.

RESULT:	APPROVED (5 TO 0)
MOVER:	Legislator Jason Prentice
SECONDER:	Legislator Mitchel Eccleston
AYES:	Mitchel Eccleston, William McGovern, Jason Prentice, Sandra Price, Beau Harbin
NAYS:	None
EXCUSED:	Reed Cleland
ABSENT:	Paul Heider

ON MOTION OF WILLIAM MCGOVERN

AGENDA ITEM NO. 2.

Appoint Members to the Soil and Water Conservation District Board of Directors

WHEREAS, according to the Soil and Water Conservation District Law as passed by the legislature of the State of New York, "When a county has been declared a soil and water conservation district, a board of directors consisting of five members shall be appointed by the county board. This board of directors shall consist of two members of the county board and three persons not members of the county board... two of whom shall be practical farmers. One of these farmers shall be appointed from a

list submitted by the county grange, one of these farmers shall be appointed from a list submitted by the county farm bureau”; AND

WHEREAS, the terms of members is one year for Legislative Representatives and three years for other members of the Board; NOW THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to serve as members of the Soil and Water Conservation District Board of Directors:

NAME	ADDRESS	CAPACITY	TERM
Linda Jones	2087 E. River Rd., Homer, NY 13077	Legislative Representative	12/31/2026
William McGovern	28 West Main St., Marathon, NY 13803	Legislative Representative	12/31/2026
Jeremy Boylan	4361 Locust Ave., Homer, NY 13077	At Large Representative	12/31/2028

RESULT:

APPROVED (5 TO 0)

MOVER:

Legislator Jason Prentice

SECONDER:

Legislator Mitchel Eccleston

AYES:

Mitchel Eccleston, William McGovern, Jason Prentice, Sandra Price, Beau Harbin

NAYS:

None

EXCUSED:

Reed Cleland

ABSENT:

Paul Heider

ON MOTION OF WILLIAM MCGOVERNAGENDA ITEM NO. 3.

A Resolution Urging the New York State Legislature and Governor Kathy Hochul to Enact the Packaging Reduction and Recycling Infrastructure Act (S.1464/A31749)

WHEREAS, in New York State, more than 18 million tons of municipal solid waste (MSW) is generated each year, or about five pounds per day and two-thousand pounds per year for every person who lives in the state; AND

WHEREAS, greenhouse gas (GHG) emissions from the waste sector represent about 12 percent of statewide emissions; AND

WHEREAS, the most significant GHG emissions impact during the lifecycle of products and packaging result not from disposal but from the production of products and packaging that eventually become waste; AND

WHEREAS, in addition to the climate impacts of waste, the costs associated with its recycling and disposal impose a significant burden on Cortland County taxpayers; AND

WHEREAS, the Cortland County Strategic Development Plan, adopted by the Cortland County Legislature in December 2024, identifies Sustainability as its third primary focus area and states that Cortland County will “preserve its natural resources for future generations;” AND

WHEREAS, the Climate Action Council's Final Scoping Plan recommends New York State enact legislation to create a product stewardship framework or target products with the greatest GHG impact, such as packaging, printed paper, carpets, tires, textiles, solar panels, wind turbines, batteries, appliances, and mattresses; AND

WHEREAS, S.1464/A.1749 would enact the Packaging Reduction and Recycling Infrastructure Act to create an Extended Producer Responsibility (EPR) program for packaging materials; AND

WHEREAS, S.1464/ A.1749 would make producers legally and financially responsible for mitigating the environmental impacts of their packaging; AND

WHEREAS, Cortland County faces an imminent waste management crisis, with the county landfill set to reach capacity within the next 10 years; AND

WHEREAS, the Cortland County Legislature previously adopted Resolution No. 54-25, titled 'A Resolution Urging the Enactment of the Packaging Reduction and Recycling Infrastructure Act (S.1464/A.1749),' in March 2025; AND

WHEREAS, the Packaging Reduction and Recycling Infrastructure Act would not only provide meaningful relief to Cortland County taxpayers and all local government budgets in Central New York with total savings of up to \$46 million dollars, according to an economic analysis from Beyond Plastics, but also reduce GHG emissions from the production and disposal of consumer goods by incentivizing producers to reduce waste and design products that are more sustainable; AND

WHEREAS, S.1464/A.1749 would also prohibit certain toxic and dangerous chemicals in packaging, including per- and polyfluoroalkyl substances (PFAS), orthophthalates, bisphenols, halogenated flame retardants, heavy metals such as lead, and other chemicals posing a threat to human health and safety and the environment; AND

WHEREAS, the New York State Senate previously passed the Packaging Reduction and Recycling Infrastructure Act 2025 as S.4246-B/A.5322-B during the 2025 Legislative Session; AND

WHEREAS, the New York State Assembly did not bring up S.4246-B/A.5322-B for debate at the end of the 2025 Legislative Session; NOW THEREFORE BE IT

RESOLVED, the Cortland County Legislature calls on both houses of the New York State Legislature to pass and Governor Kathy Hochul to sign S.1464/A.1749 during the 2026 Legislative Session; AND BE IT FURTHER

RESOLVED, the Cortland County Legislature calls on Governor Hochul and the New York State Legislature to also enact an Extended Producer Responsibility (EPR) program for paper products, which is currently excluded from this legislation, in recognition of their significant contribution to GHG emissions and municipal recycling costs; AND BE IT FURTHER

RESOLVED, the Cortland County Legislature strongly encourages the various municipal

governments throughout Cortland County to consider adopting their own resolutions in support of S/1464/A.1749 to demonstrate unity of cause and purpose behind this effort; AND BE IT FURTHER

RESOLVED, the Cortland County Legislature shall authorize the Clerk of the Legislature forward copies of this resolution to the Offices of Governor Kathy Hochul, Department of Environmental Conservation Commissioner Amanda Lefton, NYS State Senator Lea Webb, NYS Assembly Speaker Carl E. Heastie, NYS Assemblymember Anna Kelles, NYS Assemblymember Jeff Gallahan, the New York State Association of Counties (NYSAC), and to the Town Supervisors and Village Mayors of the various Cortland County municipalities.

RESULT:	APPROVED (6 TO 0)
MOVER:	Legislator Paul Heider
SECONDER:	Legislator Beau Harbin
AYES:	Mitchel Eccleston, Paul Heider, William McGovern, Jason Prentice, Sandra Price, Beau Harbin
NAYS:	None
EXCUSED:	Reed Cleland
ABSENT:	

Monthly Reports

1. Cornell Cooperative Extension Monthly Report

RESULT:	COMPLETED
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2. Planning Department Monthly Report

RESULT:	COMPLETED
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Discussion Items

1. Cortland County Draft Solar Plan

RESULT:	COMPLETED
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Adjournment

The meeting was adjourned at 11:02 a.m.



**Cortland County
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60 Central Ave.
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www.cortlandcountyny.gov

Thursday, January 8, 2026

10:00 AM

Room 302

Call to Order

The meeting was called to order at 10:05 a.m. by Committee Chair William McGovern.

Roll Call

PRESENT:	Legislator Reed Cleland, Legislator Beau Harbin, Legislator Paul Heider, Legislator Jason Prentice, Legislator Sandra Price, Committee Vice Chair Mitchel Eccleston, Committee Chair William McGovern
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ABSENT:

EXCUSED:

Others Present:

Deputy Clerk of the Legislature	Ashley Millard
County Administrator	Michael Ponticiello (arrived late 10:10 a.m.)
Legislator	Christopher Newell (arrived late 10:10 a.m.)
Planning Director	Trisha Hiemstra
Grants Administrator	Morgan Spaulding
Cortland County Resident	Kim Cameron
Mobility Coordinator	Lillian Jensen (Remote)
Planning Executive	Jessica Leet (Remote)
Administrative Officer	

Approval of Minutes

1. **December 4, 2025 Agriculture, Planning & Environmental Committee Minutes**

RESULT:	APPROVED
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Resolutions

Monthly Reports

1. **Soil & Water Monthly Report**

RESULT:	COMPLETED
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2. Cornell Cooperative Extension Monthly Report

RESULT:	COMPLETED
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3. Planning Department Monthly Report

RESULT:	COMPLETED
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Discussion Items

Adjournment

The meeting was adjourned at 10:55 a.m.

Cornell Cooperative Extension of Cortland County

Kelly Guy: Executive Director

Highlights:

- NYSFI (Flower Industries) Regional Class
- College or Art, Architecture and Planning Project at Camp with Cornell Students for spring semester
- SUNY Cortland Community Innovation Lab Project focused on a business plan for the market sale and 4-H Camp Owahta year-round use
- Met with several Assemblymen and Senators in Albany to discuss State 224 funding and Snap-Ed Funding, as well as programs offered by CCE Cortland
- New Media, Marketing and Web Design for Camp and CCE Cortland
- Currently selling plants for the annual Master Gardner Plant Sale. Open until March 6th. Pick up May 13th at the County Fairgrounds.

On the Horizon: Cornell Leadership Training cohort, February 10, 12, 24, 26, Cornell Small Farms Leadership Training Feb 27, 28, March 1, American Camp Accreditation Conference in Atlantic City, March 9-12

South Central Dairy and Field Crop Program

Janice Degni: Regional Field Crops Specialist, Betsy Hicks: Regional Dairy Specialist

- Jan 10 - A Winter Bale Grazing Pasture Walk was held in Truxton at Hillside Farms. Hosts Jacob and Alexa Newton welcomed approximately 50 participants to their mixed livestock farm. Their management strategies were shared as we visited the herd grazing large round bales of hay laid out across the pasture. This practice is thought to increase pasture production and soil health in the coming year and is a labor-saving practice. Some participants came from several hours away to see this practice.
- The Winter Crop Meetings were held in Dryden and Auburn on Jan 22 and 23. We had participation from our 6 counties and beyond with just under 100 attendees between the two events. Participants learned about crop disease and weed management strategies as well as some points of conflict between solar development and loss of land from production. DEC pesticide recertification credits were earned for those with Applicator licenses as well as CCA credits for consultants.
- Feb 3 We held a Shop Meeting on farm in Moravia New York. Pest Management Topics were the feature of the day. Informal discussion of current pest challenges and potential

management strategies were shared between Cornell faculty, extension educators, farmers and Agri-service folks in attendance.

On the Horizon: Planning for the Cortland Ag Summit on March 19, Boots in the Barn: 3 episodes in Jan and 4 in Feb. Features: Cornell Dairy Research Updates, 2026 Business Development and Marketing Monthly Webinar Series, Virtual Climate Resiliency Webinar & Workshop Series, NY Annie's Project: How to Diversify or Scale with Confidence for Profitability Team Events Calendar: https://scnydfc.cce.cornell.edu/events.php?date=01_2026

4- H Team

Rebecca Ireland-Perry: 4-H Team Leader, Abby Thomas: 4-H/Agriculture Educator

Highlights:

- Started Jr. Fair planning: fair book revisions, scheduling, contest changes. Scheduled meetings with both dairy and livestock committees. Fair theme is "Star Spangled Fair" and the dates are July 7-11, 2026.
- Starting informational and educational workshops for youth interested in raising and selling market animals for our market animal auction at the fair.
- 4-H Shooting Sports informational meeting to get youth interested in archery and air rifles.
- Tractor Certification class begins in March. Registration will be open in February. If you know of any youth ages 14 and up who want to get certified so they can be employed on a farm this summer, please have them register.
- Ongoing planning for winter/spring programs and workshops to offer. Continuing the Quick Bread workshops, and planning a series of Needle Arts workshops, beginning with knitting in January, and then we will be doing cross stitch.
- Practices started for our dairy quiz bowl, horse quiz bowl, hippology, and livestock skill-a-thon contests that are held on a regional level.
- Our second classroom visit for Farm to School happened on January 14th. This visit will focus on Maple syrup production with our producer Mitch Elccleston. 112 Kids curiously listen to Mitch, and they also got to try locally made maple cream, as well as some maple candy made by mitch himself.
- Project Learning Tree training. To teach youth about nature and use different learning and teaching methods in the process.
- Cut Flowers seminar to learn about the cut flower industry and how CCE can help growers with any needs that may arise.

- **On the Horizon:** 4-H Sewing and Needle Arts Camp that will be held during the school break in February, 4-H Public Presentation Informational meeting and then planning for county public presentations to be held in March, NYS 4-H Wildlife Habitat Education Program (WHEP) Training in February to bring to the county for youth that may be interested in wildlife programming, and potentially to compete in the WHEP contest at the NYS Fair, with the potential to go on to a national contest, February 4th 4-H Market Sale info meeting, February 11th Ag Advisory meeting, February 23rd Wool Felting Demo with a 4-H club, continue planning for Ag-Stravaganza happening June 3rd and 4th, 220 kids and 3 schools (McGraw, Cortland, and St Mary's), planning for EZ Acers/McMahons Farm Tour happening June 10th and 11th. Expecting 300 kids and 3 schools (Homer, Cortland, and St Mary's), Cortland County Master Gardeners Volunteers are currently planning their next master gardener training going to be held at the beginning of 2027

Camp Owahta

Rachel Bortin: Outdoor Recreation Director

Highlights:

- Attended the Lobbying Day at Albany to promote Camp Owahta and NYS 4-H Camps statewide with Shawn Tiede
- Creation of new marketing materials for 4-H Camp Owahta including a camper brochure and a new logo
- Revision, creation and posting of all summer camp 2026 position descriptions in our hiring system, Workday (14 in total)
- Submitted our application to become an Accredited Camp by the American Camp Association (ACA). [Introduction to ACA Accreditation](#)- explains *why* accreditation (link)
- Determined summer camp 2026 dates and pricing. Overnight (Sunday-Friday) and day camp (Monday-Friday) will run for 6 weeks, July 5-August 14. The price for day camp is \$325 and overnight camp is \$450.
- Connected with Camp Arco for summer 2026- a service that "Provides a supportive summer camp experience to children with disabilities, ages 5-17, in Cortland County."
- The NYS 4-H Camping system was awarded the Character at Camp grant which provides training, money and resources to camps to create and/or build upon programs intentionally focused on character. 4-H Camps will be focusing on programs geared towards leadership, resilience and teamwork. 4-H Camp Owahta is a part of the Planning Cohort for this grant initiative
- Working on revising and creating a more streamlined camper registration process within the Ultra Camp system (health forms, camp weeks, payment, etc.)
- Restarted our social media presence to gain visibility

On the Horizon: Camp Hiring Brochure and poster, Camp registration opens February 16, Meeting with our Master Gardener Volunteers to plan out our camp garden plants for the summer, ESF Career Fair, NYS Department of Labor Virtual Fair, Postcards sent out to Cortland residences for camp registration and hiring promotion.

Our new logo and slogan! Tap In To Your Potential



MASTER GARDENER ANNUAL PLANT SALE 2026

Spring Fundraiser

Cornell Cooperative Extension of Cortland Co. 60 Central Ave., Rm 140, Cortland, NY 13045
Attn: Jackie Hartnett ph. 607-391-2660 or email jdh28@cornell.edu

Attention 4-H members, friends, family, and all gardeners! Plan now for your summer garden, Junior Fair entries and community service projects! We urge you to take advantage of this opportunity to grow old standards as well as more unusual plant varieties.

Plants are grown and supplied by **Jacquie Closson's a New Leaf Greenhouse.**

Place orders by March 6th

Pick up orders on Wednesday May 13th at the Fairgrounds, 10am-5pm

!!!!!!! Mark your calendars now!!!!!!

ANNUAL FLOWERS

6 Pack @ \$5.00 each



Marigold – French –

This is a 10-16 in. high and wide plant that does best in well-drained soil and full sun. It has beautiful 2-inch blossoms. Easily grown. Naturally well-groomed, they bloom abundantly and provide carefree color in a sunny bed till frost.



Petunia –

Mixed colors/varieties.

Trumpet-shaped flowers with branching foliage. Great for garden beds, edging, baskets, tubs, and window boxes. 10-12". Plants like full or part sun.



Pansy – Mixed varieties.

Many blossoms marked in striking, contrasting colors. Easy to grow in the sun or light shade. Great for containers or the border.



Impatiens – You can use impatiens flowers as bedding plants, border plants or in containers. They enjoy moist but well drained soil and partial to deep shade. They do not do as well in full sun, but if you would like to plant them in full sun, they will need to be

acclimated to the harsher light.

You can do this by exposing the impatiens plants to increasing amounts of sunlight over the course of a week. 6 to 10" high and wide

Wax Begonia blooms from June to frost, comes in white, pink and red with shiny green/bronze leaves.



Plants tolerate periods of drought due to their thick and waxy leaves which help minimize water loss in hot weather. Begonia's can be grown in containers or in the garden. Great as a border.

Must bring inside for the winter. Makes a nice houseplant. Likes full sun to part shade. 6-12" high & wide.



Alyssum plants are wonderful for the front of the flower border or spilling out of containers. Choose a location that has full sun, although sweet alyssum plants can tolerate partial shade as well. 3-4" high and up to 12" wide. The sweetest smell!!

Zinnia – Zahara 2.5-inch blossoms, 18" tall and wide,



this variety is a popular choice for gardeners due to their resilience and vibrant, long-lasting blooms. They are highly resistant to powdery mildew and leaf spot, maintaining healthy foliage even in humid conditions. Can withstand heat and drought. Good in ground or in containers. Blooms till frost.



flowers.

Dahlia provides late season color and will bloom till frost. They like fertile soil and morning sun. They can be grown in containers or inground. The roots, that are tubers, can be dug in fall and planted in the spring for another year of beautiful

herb that can be brewed as a tea and is used abundantly in cooking, adding that special flavor to many dishes. Makes awesome pesto. It is a good companion plant for tomatoes, helping them to grow strong and healthy, better able to ward off insects and disease.

Genovese has sweet, aromatic, large leaves that are great in culinary dishes, such as sauces, soups, pesto and salads. It takes 85 days'

Red Rubin has unusual reddish-purple leaves and a stronger flavor than sweet basil, making it ideal for salads and garnish. And tomato sandwiches!!

HERBS

6 Pack or 4 'pot@ \$5.00each



Dill –Mixed 6 pk. What an awesome plant with so many uses. Make dill pickles with the blossoms, harvest the leaves for use in breads and salads, or soups and stews. It is also a host plant for butterflies.

German Chamomile – 6 pk. Annual may reseed, likes full sun. Grows 18"-30" tall, 12"-18" wide. Fern-like foliage on thin, light green stems, ¾" apple-scented, white, daisy-like flowers with yellow centers. Blooms from late spring to summer. Can be used for chamomile tea.



Rosemary – 4" pot - Because it is winter hardy only to about 20°F, it is generally only grown as a potted plant in our cold NY climate. Plants do best in full sun with afternoon shade in well-drained soil. The soil should be kept moist, but good drainage is a necessity. Fertilize lightly as excess fertilizer reduces flowering and fragrance. Good air circulation is important to prevent foliar disease. Potted plants can be moved outside to a sunny location during the summer but should be brought inside before first frost. Rosemary is a wonderful culinary herb and can be used in stuffing, soups, and to flavor bread and biscuits. Plus, it is just so fragrant to keep over the winter.



Basil – 6 pk. - has been called the king of herbs. It is an annual that needs full sun, rich well-drained soil, and protection from cold winds. It is a fragrant and gentle



Parsley ½ curled and ½ plain -6 pk. – A lush plant growing up to a foot high in a beautiful rosette of green foliage. The flower stems can get taller. Try growing parsley plants as companions to annuals,



perennials, and herbs in beds, containers, and window boxes. **Curled parsley** has a more ruffled appearance than flat-leaved parsley, but both are equally lush. Set plants in full sun or partial shade,

and rich, moist soil. Keep roots cool and moist by mulching around the plant, but don't cover the crown of the plant or the plant will risk crown rot. In September, promote new foliage by cutting back plants set out in the spring; this is especially true for plants grown in vegetable & herb beds strictly for their harvest. Parsley is nature's breath freshener. It can be dried and used in cooking. It makes a fantastic pesto and can be used in many other ways. Often a biennial in our growing zone.

Lavender – Hidcote - 4" pot - Grow in average, dry to medium, well-drained, alkaline soil in full sun. Also



known as English lavender, it can be difficult to grow in our NY climate primarily because of winter cold, but this variety is your best bet for success. Grow in a protected zone 5 microclimate in your garden. Well-drained soils are required.

Root rot commonly attacks plants grown in poorly drained soils. Prefers light, sandy soil with low fertility. Remove faded flowers to promote continued bloom. Prune to shape in spring after new leaves appear. Prune back to 8" in spring every 3 years to control plant size and to promote robust, new growth.

VEGETABLES

6 Pack @ \$5.00 each

Tomato – Early Girl tomato is a red, medium-sized globe-type hybrid popular because of its early ripening fruit. Early Girl is a cultivar with indeterminate growth, which means it produces flowers and fruit until it is killed by frost or another



external factor. It can get 9' tall, 8 oz. fruits, 50 days to ripen.



Mini Sweet Pepper.

Mini sweetie peppers are small, crisp, colorful (red, yellow, orange) bell pepper relatives, known for their natural sweetness, mild flavor, and lack of heat (no capsaicin), making them perfect for healthy snacking, salads, stir-fries, or stuffing, often featuring thick walls, glossy skin, and minimal seeds.



Cucumber – ½ Burpless, ½ Pickling. Burpless -An heirloom variety that is sweet and tender. It can be used for slicing when harvested at 8 inches or less, or for pickling if picked earlier. **Pickling** - To grow pickling cucumbers, plant in soil in a sunny spot, with a support like a trellis to save

space, keep fruit clean, and make harvesting easier.

Keep soil consistently moist, water the roots (not leaves), and harvest daily when cucumbers are small (2-4 inches) to encourage more production, aiming for about 60 days from planting to first harvest.



Winter Squash –

Honeynut – a type of Butternut.

Full sun (6-8+ hours) is essential for good fruit production. Needs fertile,

well-draining soil with lots of organic matter (compost, aged manure). Plant outdoors after all danger of frost, when soil temps reach 60-65°F (15-18°C). Give vines 3-4 feet between plants or use a strong trellis for vertical growth.



Celery – Tall Utah is a popular, heirloom variety known for its tall 18-24 inch, thick, crisp, stringless, dark green stalks with a rich, nutty,

sweet flavor, ideal for fresh eating or cooking, thriving in cool weather with full sun and consistent moisture, maturing in about 100-120 days.

Strawberry Rainbow Treasure – 4" pot is a flowering groundcover with multi-hued, white, pink, and



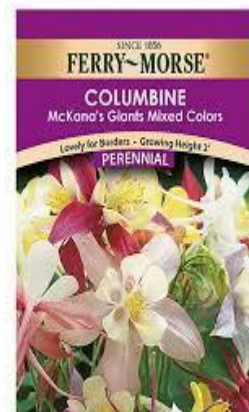
deep rose blooms. Its creeping habit lends itself extremely well to fill in around perennial plantings as well as covering spaces between berry bushes and other fruiting plants. We recommend planting these beautiful plants close at hand for easy enjoyment of the large, sweet, fragrant berries. Can also be planted in containers'

PERENNIAL FLOWERS

4" POTS @ \$5.00 each

Columbine –McKanas

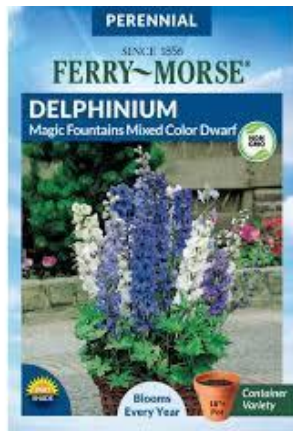
Giant –This mixture has many colors that produce flowers earlier and more uniformly than others. Hardy zone 4-8, likes full to part sun, 36 inches tall, 12 – 18 inches spread. It has long-spurred flowers and fern-like foliage, thriving in partial shade with rich, moist soil, and attracts pollinators like hummingbirds and butterflies. As a perennial it is often short-lived, relying on self-seeding for longevity.





Coreopsis – Early Sunrise

Grows well in zones 4-9, 1.5 to 2 feet tall and wide. Has plentiful yellow blooms in August. This perennial thrives by self-sowing. Likes full sun and can withstand dry conditions. It attracts butterflies and pollinators, and can tolerate deer, rabbits, dry soil, drought, and shallow rocky soil.



Delphinium - **Magic Fountain** is a shorter variety that does well in zones 3 – 7. The flower spikes are up to 36" tall and may not need staking. This plant likes full to part sun with moist but well drained soil. The blue or white flowers bloom early

to mid-summer. The flower spikes are deer and rabbit resistant.

Gallardia – Arizona mix Also known as Blanket Flower, this plant does well in zones 3 – 10. It has blooms of yellow, orange and maroon from early summer to late fall.

12 inches high and wide with 3 to 3.5-inch flowers

Likes full Sun with well-drained soil and is heat and drought resistant.



Helenium – Helena mix blooms late summer with blossoms

of velvety-textured daisy-like flowers on multiple shoots in autumn shades of yellow to gold, orange, red and bronze. They do best when grown in a moist, rich soil and watered during summer droughts. Early pinching promotes more branching and diligent deadheading promotes more flowers. Sneezewort or Sneezeweed- the common name is somewhat misleading as they do not cause allergies. It comes from the historic use of crushed dried leaves and flowerheads in snuff. The resultant nasal fireworks were supposed to drive evil spirits from the body. They grow easily 3' to 5' high. It may need staking, Likes full sun, zones 4-9

Penstemon – Espirit mix

offers a range of pink-, red-, and purple-toned blooms. It is drought-tolerant and has 2-inch tubular blossoms crowded along tall, very long-lasting stems. The flower spikes are 24 to 30 inches high in the sunny garden, Loved by butterflies and bees. Native to the Great Plains, this oh-so-pretty perennial likes dry soil and doesn't mind poor fertility, heat, or other stresses. It will grow a foot wide and is a fine choice for containers as well as the sunny border. The foliage is silvery-green and held well below the blooms, in neat rosettes. Evergreen in mild climates, this is a hardy native plant you shouldn't miss



SPECIALTY PLANTS

4" POTS @ \$5.00 each



Geranium – A favorite for container gardens, memorial pots, window boxes, etc.

Choose from red, white, pink, salmon, and fuchsia. Plant in full sun to very light shade. **Specify color preference on the order sheet.**



Wave Petunia – Mixed colors. Continuous blooming and bright colors. These plants do great in

hanging baskets but also will do well as a flower bed plant. Plant in full, bright sun outdoors, as indoor light is insufficient.



Euphorbia Glitz – Tiny white, winged blossoms will grow on 12 inch tall stems. The width is about 18'. Plants do best in full sun to partial shade. It prefers dry to average moisture levels with very well-drained soil and will often

die in standing water. It is considered to be drought tolerant. Glitz Euphorbia is a good selection for planting in outdoor containers and hanging baskets. It is often used as a 'filler' in the 'spiller-thriller-filler' container combination, providing a mass of flowers.



Thunbergia - Alta mix has a vine habit and can grow to a height of 6-8 ft in tropical zones. In our climate it will grow 6 -10 ft. as a container plant or as an annual. It has twining stems with heart or arrow-shaped leaves. It favors sun to partial shade



Osteospermum 'Akila Mix'

Also known as African Daisy, full, well-branched plants are drought tolerant once established and the branching assures better container fill and great garden performance. The full, well-branched plants show off

beautiful flowers. Great choice for mass plantings and containers.



Nasturtium – Jewel mix

is a popular, easy-to-grow annual featuring compact, bushy plants with edible, peppery leaves, flowers and seeds. Vibrant, jewel-toned flowers (red, orange, yellow) add color to gardens and salads, attracting pollinators and

tolerating poor soil and drought. These low-maintenance plants prefer full sun, grow to about 12-18 inches, and thrive in containers or borders, with benefits including deer resistance and pest control as a companion plant.

Place orders by March 6th - Pick up orders on Wednesday May 13th at the Fairgrounds, 10am-5pm

Quick Notes

Perennial – a perennial plant is one that will survive the winter and grow every year from the same root. Usually, perennials need to be divided after a few years of growing in the same place.

Annuals – annuals are showy, colorful plants that will not survive a frost. They add color to a garden and are often used in beds, borders, and containers.

Biennial – is a plant that requires two growing seasons to complete its life cycle (flowers the 2nd year).

Invasive – a plant that will invade the space around it and become a nuisance trying to control. It can become worse than a weed. Plant invasive herbs and flowers in places where it is okay for them to spread, and you will like it, so you do not have to continually fight off aggressive growth.

Calyx - Once the flower is pollinated, a berry begins to form in the center. Around the berry is a calyx, a covering that is composed of tissue similar to flower petals.

Indeterminate – in plants, growth that is not terminated or stopped at a genetic stopping point. An indeterminate plant does not stop growing, usually, in height.

Photo sources - credits: Marigold - <https://www.syngentaflowers-us.com/>; Pansy - burpee.com; Petunia - calloways.com; Impatiens

-bonanza.com; Tomato - wishingstarfarmnj.com; Cucumber - Territorial Seeds, Pepper - pinterest.com; Summer squash - ferrymorse.com;

Zucchini - jessicagavin.com, eggplant - gurneys, Brussel sprouts <https://www.beyondorganicseed.com/>,

Geranium - mygardenlife.com; Wave petunia - allamericalselections.org;

Parsley - en.wikipedia.com; Basil - Cornell University

4-H Plant Sale Fundraiser Order Form 2026

Place orders by March 6th

(Order Pick Up will be on **Wed. May 13th** at the Fairgrounds, 10am-5pm)

Please enclose payment with order and mail to: Cornell Cooperative Extension of Cortland Co. 60 Central Ave., Rm 140, Cortland, NY 13045 - Attn: Jackie Hartnett, ph. 607-391-2660 or email jdh28@cornell.edu

Name		Total Quantity _____ X \$5.00 per plant
I prefer a pickup reminder by: (please circle) Post Card or Email		
Mailing Address:		
Email:		Grand Total \$ _____ Checks payable to CCE of Cortland County
4-H Club	Phone	

ANNUAL FLOWERS			ALL PLANTS COME IN EITHER 6-PACKS OR 4" POTS \$5.00 EACH	PERENNIALS		
		Quantity				Quantity
Marigold - French	6pk			Columbine	4" pot	
Petunia - Mix	6pk			Coreopsis	4" pot	
Pansy - Mix	6pk			Delphinium	4" pot	
Impatiens - Beacon	6pk			Gallardia	4" pot	
Wax Begonia	6pk			Helenium	4" pot	
Alyssum	6pk			Penstemon	4" pot	
Zinnia	6pk					
Dahlia	6pk					
HERBS			SPECIALTY PLANTS			
		Quantity			Quantity	
Dill	6pk		Geraniums 4" pot (Please specify quantity by color)	Red		
Chamomile	6pk			Pink		
Rosemary	4" pot			White		
				Fuchsia		
Basil ½ Genovese	6pk		Wave Petunia	4" pot		
½ Red Rubin	(3 ea.)		Euphorbia Glitz	4" pot		
Parsley ½ curled	6 pk.		Thunbergia	4" pot		
½ Italian	(3 ea.)		Osteospermum	4" pot		
Lavender	4" pot		Nasturtium	4" pot		
VEGETABLES			Plants are grown and supplied by Jacque Closson's "A New Leaf Greenhouse"			
		Quantity				
Tomato Early Girl	6pk					
Pepper Mini Swt.	6pk					
Cucumber	6pk					
½ Burpless 1/2 pickling						
Winter Squash Honeynut	6pk					
Celery Tall Utah	6 pk					
Strawberry Rainbow Treasure	4" pot					

NEW FOR 2026!

Step Into Leadership with the 4-H Camp Owahta LIT program!

The Leader-in-Training (LIT) Program is designed for teens (14-15), interested in developing leadership skills and learning to be a positive role model in a camp setting and beyond. Throughout the week LITs will participate in traditional camp and hands-on activities, team-building challenges and group discussions that foster confidence, teamwork, communication, and responsibility.

**LITs do not supervise campers independently and are closely supported by staff.*

**Offered: July 19-24, 2026 or
August 2-7, 2026**

Sunset Session

Sunset Session is our evening camp just for teens! (12-15) Packed with Camp Owahta favorites like games, activities, and time with friends, without the overnight commitment. It's perfect for busy summer schedules or for teens who want a low-pressure way to ease into camp life while still getting the adventure and connection that make camp so special. All the camp vibes, no sleeping bag required!



CONTACT US



(607) 391-2660



4826 Knecht Rd. McGraw, NY



owahta@cornell.edu

Scan for more info!



★ WELCOME TO ★

4-H CAMP OWAHTA



Join us for a fun-filled
summer of learning,
exploring, and growing!

4HCAMP.ORG

WHY 4-H CAMP OWAHTA?

Tap In To Your Potential every day at Camp Owahta! Hands-on fun, outdoor adventure, and friendships that last. Campers get to try a wide mix of activities, including:

- Swimming & fishing
- Archery & ropes course challenges
- Nature exploration & hiking
- Campfires, songs, & classic camp traditions
- Music, arts & crafts
- Team sports & group games
- Nutrition & gardening experiences

With caring, trained staff and a safe, inclusive camp culture, every camper is celebrated for who they are and encouraged to try something new, build confidence, and head home with unforgettable memories and new best friends!

DAY CAMP

\$325 per week, ages 5-12

Outdoor adventure, games, and hands-on activities, lunch is provided daily.

OVERNIGHT CAMP

\$450 per week, ages 8-15

A classic week-at-camp experience. Breakfast, lunch, dinner, and a daily snack are included, nightly campfires with songs, stories, and memories under the stars.

LIT PROGRAM

\$450 select weeks, ages 14-15

Step into leadership at Camp! LITs build confidence, teamwork, and communication through hands-on activities, team challenges, and classic camp fun, while assisting staff with daily routines.

CIT PROGRAM

\$475 select weeks, age 16

Learn, Lead and Grow! Participants of our Camp CIT program will leave with increased confidence, experience working with children, and workplace-ready skills like communication, teamwork, responsibility, and problem-solving, while still enjoying all the fun and energy of camp life!

*Select discounts available
See website for details*

SUMMER 2026

Week 1: July 5-10

Week 2: July 12-17

Week 3: July 19-24

Week 4: July 26- 30

Week 5: August 2- 7

Week 6: August 9-14

OLYMPIC WEEK

OVERNIGHT CAMPERS ARRIVE AT 2 PM
SUNDAY-FRIDAY

DAY CAMP HOURS 9 AM-4PM
BEFORE AND AFTER CARE AVAILABLE
MONDAY-FRIDAY

DAY CAMP TRANSPORTATION PROVIDED
AT SELECT LOCATIONS



**BEST
SUMMER
EVER!**

2026 SUMMER CAMP

JULY 6 - AUGUST 14



REGISTER BEFORE APRIL 1ST
FOR THE EARLY BIRD DISCOUNT!

WEBSITE:

WWW.4HCAMP.ORG

CALL :

(607) 391-2660

EMAIL :

OWAHTA@CORNELL.EDU

YOUR SUMMER ADVENTURE STARTS HERE!



4-H CAMP OWAHTA
4826 KNECHT RD.
MCGRAW, NY

- **NEW FOR 2026: LIT PROGRAM AND SUNSET SESSION**
- WEEKLY DAY CAMP AND OVERNIGHT CAMP OPTIONS
- NIGHTLY CAMPFIRE WITH SONGS & STORIES
- SWIMMING, FISHING & ARCHERY
- LOW ROPES CHALLENGE COURSE
- NATURE EXPLORATION & OUTDOOR EDUCATION
- ARTS & CRAFTS AND MUSIC ACTIVITIES
- TEAM SPORTS, GROUP GAMES & SO MUCH MORE!

ALL IN A SAFE, SUPPORTIVE, AND INCLUSIVE CAMP ENVIRONMENT!
TAP IN TO YOUR POTENTIAL & COME SEE WHAT CAMP IS ALL ABOUT!

SCAN TO REGISTER!

LAST DAY TO SIGN UP IS JUNE 1ST!



HIRING NOW!



Interested in working at Camp Owahta?
We are currently hiring! Scan the QR Code for details!

ACTIVITY REPORT



Planning Department

Administration

- **Broadband Projects** – Updates



- **Education & Outreach**



- Applied for Rural Energy Academy



- January 20th - Future Development and Micron Community Forum



- Housing Needs Assessment
 - Community Survey – Help Lead the Future of Housing Growth:
 - Link: <https://arcg.is/0q9fya>



- Solar Law Template Presentation Link: <https://arcg.is/0f8LfT0>

- **Snowmobile Grant**

- ✓ 2025 – 2026: 70% Payment going out to the clubs!
- Phase 3 – Ongoing review of monthly Expenditures for the 2025–2026 season

- **Grants & Initiatives**

- DOS Brownfield Grant Opportunity – **AWARDED!**
- County Infrastructure Grant Program – Reviewing LOI's
- **Marathon Substation Modernization Project:** (\$7-8M Total project cost)
 - ARC POWER Grant Application – Pending (\$2,000,000)
 - NYSEDA Resilience Grant Application – Pending (\$2,594,400)
 - ARC IJA Pre-Application – Pending (\$900,000)

Regional Partnerships

SOUTHERN TIER 8 REGIONAL BOARD

- ARC Workshop/Applications
- Sustainability Group
- CEDS (Comprehensive Economic Development Strategy)
- Housing Initiatives

GIS

Cortland County's ArcGIS Applications	September Total views/usage	October Total views/usage	November Total views/usage	December Total views/usage	January Total Views/usage
GIS Portal (Website Hub)	7482	6367	6855	7157	8156
Instant App (Parcel Viewer)	2079	1872	1337	1123	1283
Workspace (Parcel Viewer)	1346	1262	1049	1114	1294
E-911 and Postal Addressing (Website Hub)	127	98	143	119	162
Formula Based Housing Condition Survey	2553	4323	1676	575	N/A
Abutter Map (Parcel Viewer Tool)	65	63	65	54	45
McGraw Recreational Opportunities (Web Map)	154	98	103	109	123
Food Pantry Locations (Web Map)	N/A	N/A	365	N/A	17

2026 Parcel Viewer Updates Coming Soon!!

Cortland County Planning Board

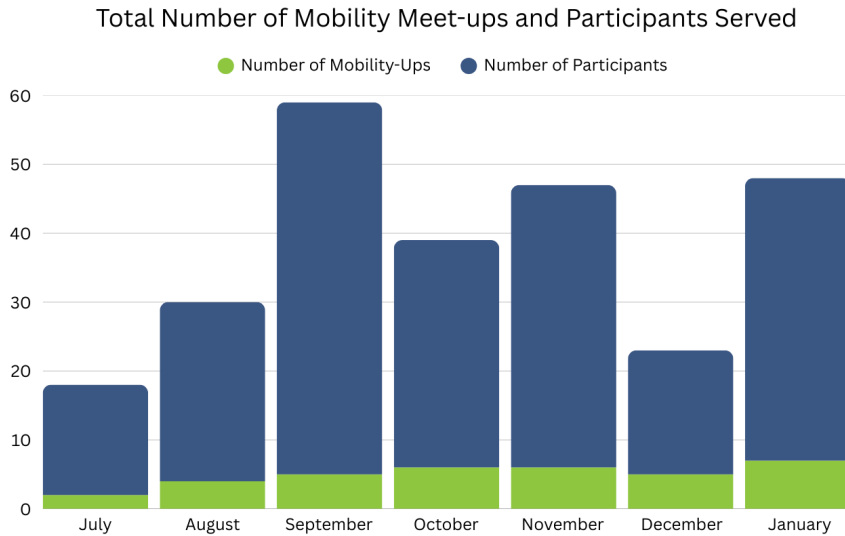
- **2026 Planning Board and GML Referral Calendar**
 - **GML 239 Reviews**
 - 4 Returned for local determination
 - 3 Staff Reports
 - **Featured Local Moratorium's** (in the past 6 months)
 - **Cortlandville – Battery Energy Storage**
 - **Cortlandville – Solar Energy Systems**
 - Homer (T) – All Renewable Energy Systems
 - Virgil – Solar & Battery Energy Systems
 - Preble – Wind Energy Systems
-

Mobility Management

- ❖ Centro Operations
 - Full, uninterrupted service
 - Experimental service changes to Routes 1-4 (*Brochure Attached*)
 - Connecting Centro to bring service to Maple Fest in Marathon on April 18 & 19
- ❖ Connectivity Subcommittee
 - Ongoing coordination with the Health Department on walk audits, sidewalk Inventory and GIS Mapping in progress
 - America Walks Grant in partnership with the Health Department
- ❖ Collaboration & Grants
 - Exploring Transit Ready NY Grant
 - AARP Grant
 - Working with the Community Foundation on reducing transportation barriers for public outreach events
 - Collaborating with ATI on Age Friendly Grant and CAPCO on ITN America Technology
 - Working with GIS Planner to create more maps for accessibility via public transit to medical facilities, grocery and non-profit agencies
- ❖ Travel Training
 - Case Management and development of custom travel plans for individual riders

❖ Education & Outreach

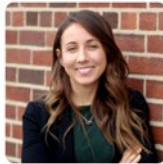
- In January, attended 3 Job Seekers Workshops, educated 10 individuals
- Mobility Meet-ups Program
 - Completed 39 meet-ups, serving 242 participants *(Graph Below)*
- Presentations with OFA's LASS Sites in collaboration with Health Department Traffic Safety Program



OUR TEAM:



Trisha Hiemstra, PE
Director
of Planning



Melissa Potter, MPH
Mobility
Manager



Jessica Leet
Executive
Administrative Officer



Chris Jankus
GIS
Planner

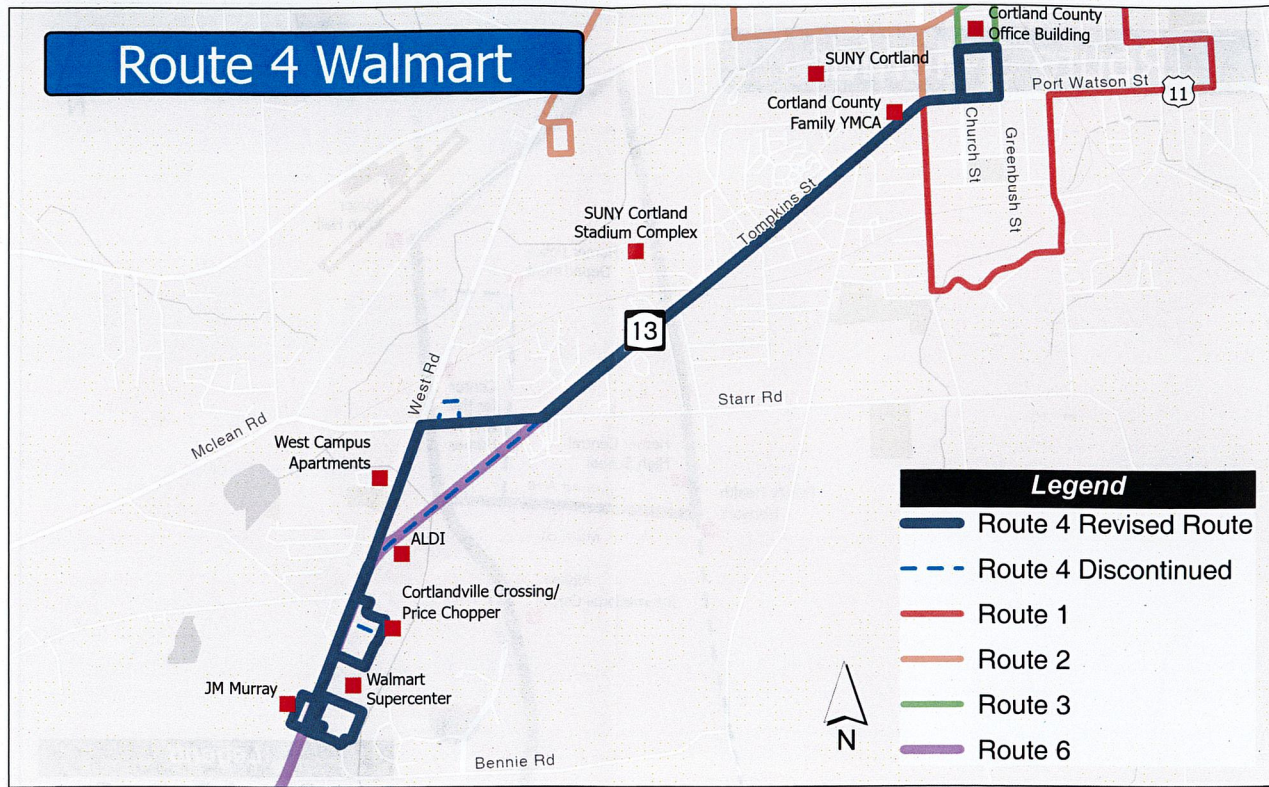


Scott Hourigan
GIS
Planner



Lillian Jensen
Mobility
Coordinator

Route 4 Walmart



We have increased the frequency of direct service from popular origins to popular destinations and back again including:

Route 1 Riverside -

- Cortland City south and east sides to/from:
 - Cortland High School
 - Future site of Cortland County Mental Health facility on Port Watson and Pendleton
 - Riverside Plaza

Route 2 West Rd -

- Cortland City north and west sides including Friendship House to/from:
 - Groton Ave SUNY Campus
 - Hospital
 - Medical Centers on West Rd
 - Grand Union

Route 3 Homer -

- Village of Homer to/from:
 - Hospital
 - Connection to all routes at County Office Building

Route 4 Walmart -

- Connecting all City routes at County Office Building to/from:
 - Tompkins St SUNY Campus
 - Cortlandville Plaza
 - JM Murray
 - Walmart
 - Cortlandville Crossing

Now Hiring

Central New York's public transportation provider for over 50 years is currently seeking individuals that will help drive the success of the transportation industry in Cortland County.

Ideal candidates are self-motivated, energetic and passionate about working in the public transportation field. In addition, leadership qualities and exceptional interpersonal and communication skills are required.

Centro offers great pay and benefits and the chance to work in a professional environment.

To apply online or to download an application, go to: **www.centro.org/careers**.

If you have questions concerning employment at Centro, please contact:

Danielle Raineri - HR Associate

Phone: (315)442-3318

Email: Draineri@centro.org

Contact Centro

Email: cnyrta@centro.org

Call Center / Lost & Found:

(607) 605-5555

Call-A-Bus:

(315) 442-3434

Mail: 200 Cortland Ave, Syracuse, NY 13205



www.centro.org



Effective: March 2, 2026

Experimental Service Changes

More improvements to the Centro of Cortland City service are coming soon!

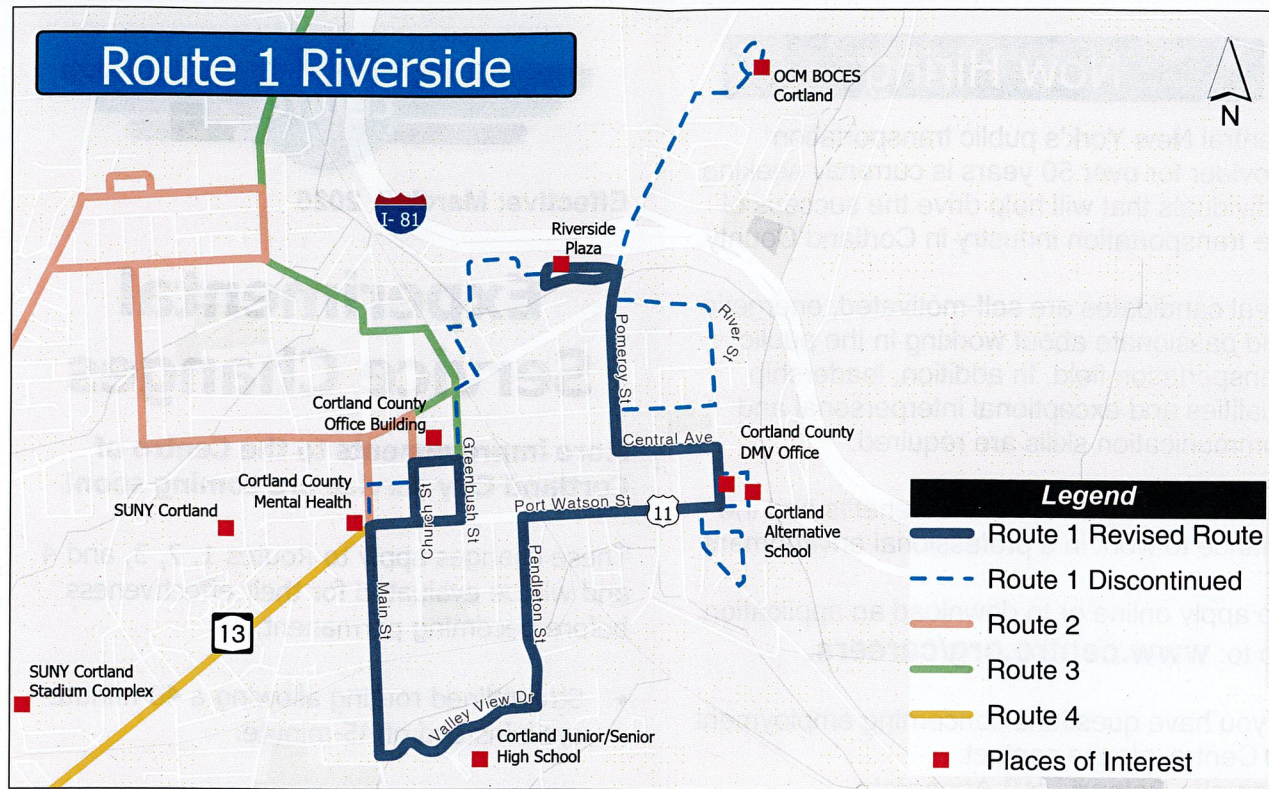
These changes apply to Routes 1, 2, 3, and 4 and will be evaluated for their effectiveness before becoming permanent.

- Streamlined routing allowing a 40-minute cycle instead of 45-minute.
- More direct service to destinations as requested by customers and community organizations.
- Buses will stay out of the SUNY Cortland campus, but will provide access to entry points along the main roads.
- Increased total trip count from 16 to 18 trips per day.

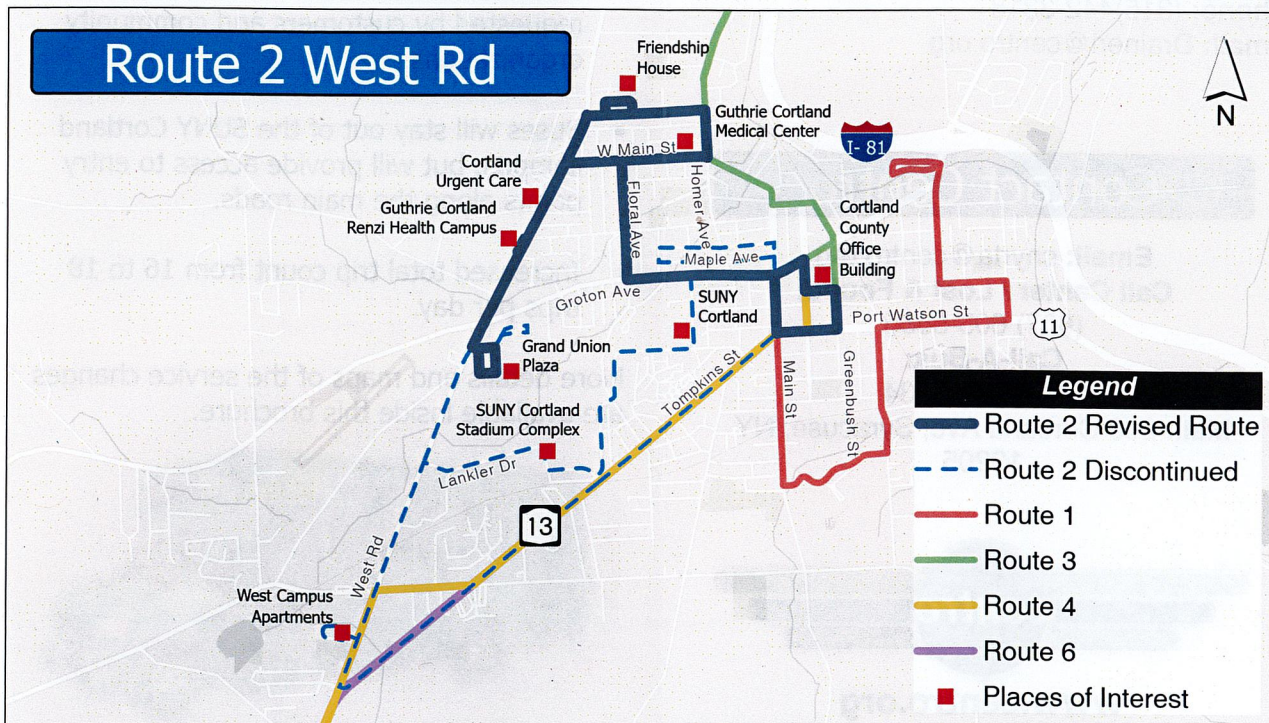
More details and maps of the service changes are available inside this brochure.



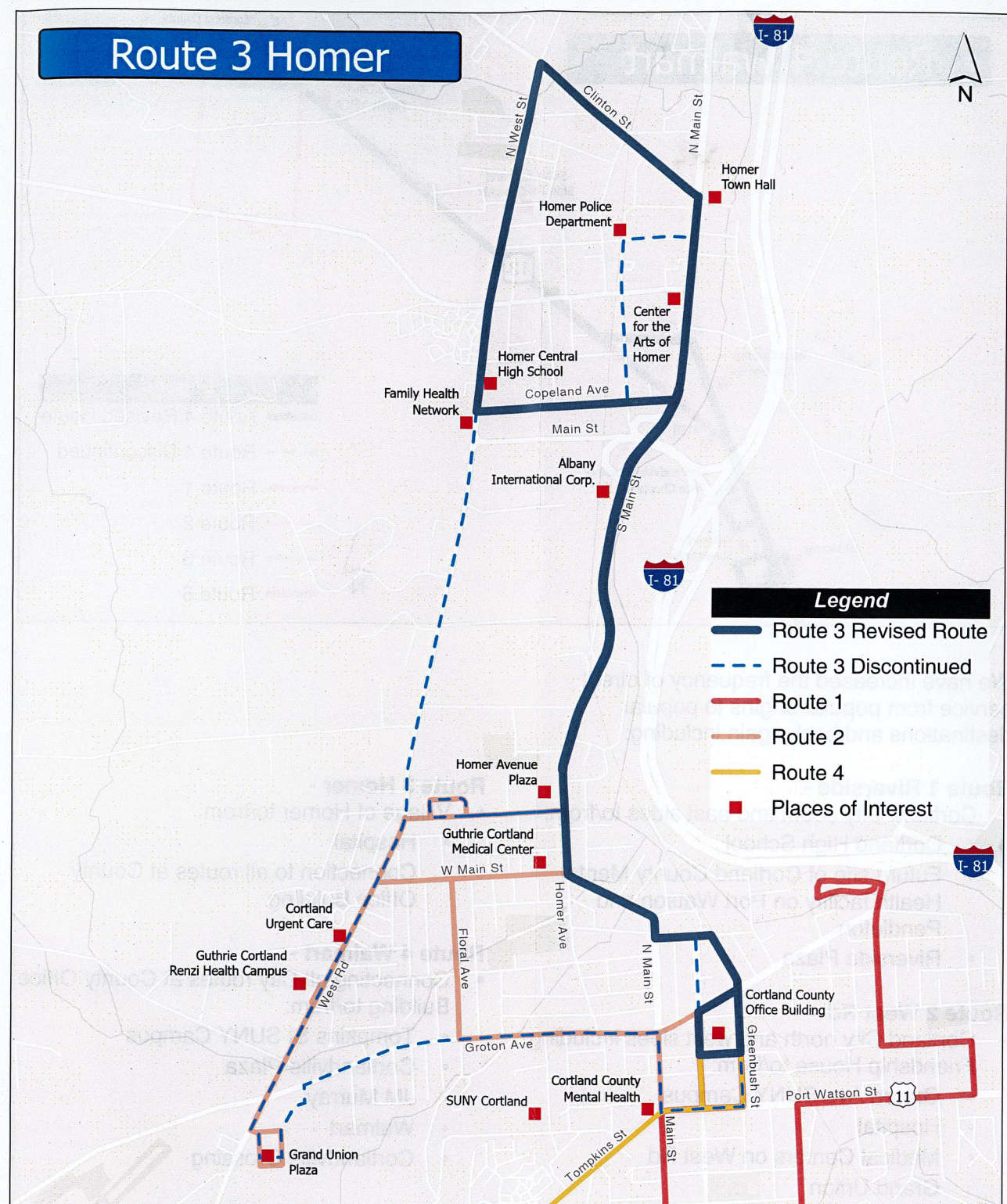
Route 1 Riverside



Route 2 West Rd



Route 3 Homer





Cortland County Solar Local Law Template

It is not recommended for municipalities to use the Solar Local Local Law Template 'as is'; rather, it was created as a resource for advising local governments when adopting solar local laws.

This Solar Local Law Template is not intended for adoption exactly as it is written. It is intended to be **advisory only**, and users should not rely upon it as legal advice. A municipality is not required to adopt this Local Law Template. Municipal officials are urged to seek legal advice from their attorneys before enacting a solar law. Municipalities must carefully consider how the Solar Local Law Template language may be modified to suit local conditions, their comprehensive plan, and existing zoning and land use regulations and zoning provisions.

The Solar Local Law Template is intended to be an “all-inclusive” ordinance that facilitates a thorough review of all aspects of solar energy systems under typical zoning and land use regulations, including the State Environmental Quality Review Act.

As they review this Solar Local Law Template, municipalities are encouraged to examine their local laws and regulations and the types, size and number of solar energy projects proposed. Local governments should adopt a local law that regulates solar energy development in a way that makes the most sense for each municipality, removing, modifying, or adding provisions as appropriate.

Cortland County Planning Department
60 Central Ave.
Cortland, NY 13045
607-753-5043
Planning@CortlandCountyNY.gov

Section Content:

Section 1 – Authority

Section 2 – Purpose & Intent

Section 3 – Definitions

Section 4 – Applicability

Section 5 – General Location Requirements

- Solar Energy Overlay Zones

- Spacing and Density

- Preferred Locations

- Discouraged Locations

Section 6 – Permitted Locations

Section 7 – Standards and Codes

- NYS Building & Electrical Code

- NYS Fire Code

- NYS Agriculture and Markets Law (AGM)

- Qualified Solar Installer

- NYS Licensed Professional Engineer or NYS Registered Architect

- Fee Schedules

- State and Federal Laws

- Zoning Law

- Adopted Plans

- Building Permit

- SEQRA

Section 8 – Design and Installation Standards

- Tier 1: Building-Mounted and Small-Scale Residential Solar Energy Systems;

- Tier 2: Ground-mounted solar energy systems

- Tier 3: Ground-mounted solar energy systems**

- Tier 4: Ground-mounted solar energy system**

- Tier 5: Agrivoltaic (Dual-Use Agricultural Solar Energy Systems)**

Section 9 – Host Community Benefits & Agreements (HCA)

Section 10 – Decommissioning & Site Restoration

- Baseline Study Requirement

- Restoration Study & Verification

- Decommissioning

- Coordinate with Public Utility Provider

- Public Notice of Decommissioning

Section 11 – Enforcement, Inspection, and Penalties

Section 12 – Financial Assurance Requirements

Section 13 – Battery Storage

Section 14 – PILOT

Section 15 – SEVERABILITY

Section 1 – Authority

This Solar Energy System Local Law is adopted pursuant to [Select one: sections 261-263 of the Town Law / sections 7-700 through 7-704 of the Village Law / sections 19 and 20 of the City Law and section 20 of the Municipal Home Rule Law] of the State of New York, which authorize the [Village/Town/City] to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and, in accordance with the [Village/Town/City] law of New York State, “to make provision for, so far as conditions may permit, the accommodation of Solar Energy Systems and equipment and access to sunlight necessary therefor.”

Section 2 – Purpose & Intent

This local law is enacted to promote the safe, effective, and efficient use of solar energy systems throughout [Municipality]. It seeks to:

- A. Protect public health, safety, and welfare, while minimizing adverse impacts to farmland, scenic resources, wildlife corridors, and community character;
- B. Encourage the adoption of renewable energy in a manner that supports sustainability, resilience, and energy independence;
- C. Provide property owners and developers with clear, consistent guidance for siting solar energy systems;
- D. Ensure long-term stewardship of project sites, including clear standards for decommissioning and site restoration;
- E. Promote equitable and consistent enforcement through enforceable operating permit standards and financial assurances;

This law establishes standards that facilitate solar development at all scales—while prioritizing agricultural resource protection, visual compatibility, environmental safeguards, and meaningful community engagement.

Section 3 – Definitions

SOLAR ENERGY SYSTEM: The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. A Solar Energy System is classified as a Tier 1, Tier 2, Tier 3, Tier 4 or Tier 5 Solar Energy System as follows.

- A. **Tier 1 Solar Energy Systems** include the following:
 1. Roof-Mounted Solar Energy Systems.
 2. Building-Integrated Solar Energy Systems.
 3. Ground-Mounted Solar Energy Systems with a Nameplate Capacity of up to **25** kW AC or with a total solar panel surface area of up to **4,000** square feet.
- B. **Tier 2 Solar Energy Systems** include the following:
 1. Ground-Mounted Solar Energy Systems not included under Tier 1 Solar Energy Systems with a Nameplate Capacity between 25kW and up to **1** MW AC or with a Facility Area of up to **8** acres in size .
- C. **Tier 3 Solar Energy Systems** include the following:
 1. Ground-Mounted Solar Energy Systems not included under Tier 1 or Tier 2 Solar Energy Systems with a Nameplate Capacity of up to **5** MW AC or a Facility Area of up to **40** acres in size.
- D. **Tier 4 Solar Energy Systems** are Solar Energy Systems which are not included under Tier 1, Tier 2, or Tier 3 Solar Energy Systems.
- E. **Tier 5 Agrivoltaic** (Dual-Use Agricultural Solar Energy Systems) having a Nameplate Capacity between 25 kW AC and 5 MW AC or a Facility Area of up to 40 acres

ACTIVE AGRICULTURAL LAND: Land used for a Farm Operation in accordance with Agriculture and Markets Law § 301 – uses of which include production of crops, livestock, and livestock products – within the past five years.

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time (not to include a stand-alone 12-volt car battery or an electric motor vehicle).

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM: A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

FACILITY AREA: The cumulative land area occupied during the commercial operation of the solar energy generating facility. This shall include all areas and equipment within the facility’s perimeter boundary – including the solar energy system, onsite interconnection equipment, onsite electrical energy storage equipment, and any other associated equipment – as well as any site improvements beyond the facility’s perimeter boundary such as access roads, permanent parking areas, or other permanent improvements. The facility area shall not include site improvements established for impact mitigation purposes, including but not limited to vegetative buffers and landscaping features.

FARM OPERATION: Land and on-farm buildings, equipment, facilities, and practices which contribute to the production, preparation, and marketing of crops, livestock, and livestock products as a commercial enterprise (in accordance with Agriculture & Markets Law § 301[11]).

GLARE: The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System which is secured to the ground via a pole, ballast system, or other mounting system; is detached from any other structure; and which generates electricity for onsite or offsite consumption.

MINERAL SOIL GROUPS 1-4 (MSG 1-4): Soils recognized by the New York State (NYS) Department of Agriculture and Markets as having the highest value based on soil productivity and capability, in accordance with the uniform statewide land classification system developed for the NYS Agricultural Assessment Program.

NAMEPLATE CAPACITY: A solar energy system’s maximum electric power output under optimal operating conditions. Nameplate Capacity may be expressed in terms of Alternating Current (AC) or Direct Current (DC).

NATIVE PERENNIAL VEGETATION: Native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the NYS Department of Environmental Conservation.

ON-FARM SOLAR ENERGY SYSTEM: A Solar Energy System located on a farm which is a “farm operation” in an agricultural district, which is designed, installed, and operated so that the anticipated annual total amounts of electrical energy generated do not exceed more than 110 percent of the anticipated annual total electrical energy consumed by the farm operation.

POLLINATOR: Bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite or offsite consumption.

SOLAR ACCESS: Space open to the sun and clear of overhangs or shade so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

SOLAR ENERGY EQUIPMENT: Electrical material, hardware, inverters, conduit, energy storage devices, or other electrical and photovoltaic equipment associated with the production and storage of electricity.

Section 4 – Applicability

- A. The requirements of this Local Law shall apply to all Solar Energy Systems permitted, installed, or modified in [Municipality] after the effective date of this Local Law, excluding general maintenance and repair.
- B. Solar Energy Systems constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law.

Section 5 – General Location Requirements

- A. Solar Energy Overlay Zones
 - a. Tier 2–5 Solar Energy Systems are only permitted within designated Solar Energy Overlay Zones.
 - b. All projects within a Solar Energy Overlay Zone shall comply with the applicable requirements of this Local Law, in addition to any conditions or criteria established as part of the Overlay Zone designation.
- B. Spacing and Density
 - a. No Tier 2–5 Solar Energy System shall be located within 1 mile of another permitted or existing Tier 2-5 Solar Energy System, measured from the nearest property line of each project site.
 - i. The [Permitting Authority – i.e., Planning Board] may waive the separation distance upon finding that:
 - 1. Topography, existing vegetation, or land use conditions effectively screen the proposed facility; and
 - 2. The reduced spacing will not result in cumulative adverse impacts to agricultural land, scenic resources, or community character.
 - b. For purposes of evaluating cumulative density, the [Permitting Authority – i.e., Planning Board] may require a map and analysis showing all approved or pending large-scale solar projects within a 4 mile radius of the project boundary.
- C. Preferred Locations
 - a. Previously cleared, disturbed, or developed areas are preferred locations for solar energy systems to minimize environmental and visual impacts.
- D. Discouraged Locations
 - a. Wooded and steep slopes are important natural features that contribute to the [Municipality]’s character and attractiveness. These areas should be protected from permanent alteration by minimizing clearing and development on slopes.
 - b. Substantial forest conversions should generally be avoided. Forest conversions that result in forest fragmentation or the disruption of wildlife corridors are prohibited.

Section 6 – Permitted Locations

- A. Tier 1 Solar Energy Systems
 - a. Are permitted as principal use in all zoning districts
- B. Tier 2 Solar Energy Systems through Tier 5 Solar Energy Systems
 - a. Are permitted as principal and accessory uses through the issuance of a conditional permit within the Solar Energy Systems Overlay Zoning Districts.
 - b. Are **not** permitted in the following areas, unless otherwise approved by the [Permitting Authority – i.e., Planning Board] in conjunction with a conditional permit.
 - i. Areas of potential environmental sensitivity, such as unique natural areas, floodplains, historic sites, State-owned lands, conservation easements, trails, and parkland. Freshwater wetlands should be avoided; however, projects proposing to impact regulated freshwater

wetlands may be approved if all necessary permits are obtained from the New York State Department of Environmental Conservation (NYSDEC) and/or the United States Army Corps of Engineers (USACE), as applicable.

- ii. On Prime Farmland, farmland of statewide importance, as identified in the **USDA-NRCS (Web Soil Survey)**, or **farmland of local importance**.
- iii. On Critical Environmental Areas (CEAs) as officially designated by the New York State Department of Environmental Conservation (NYSDEC), including any locally designated CEAs filed with the NYSDEC in accordance with 6 NYCRR Part 617.14(g).
- iv. On slopes greater than **8%**, unless the solar energy applicant can demonstrate, through engineering studies and to the satisfaction of the **[Permitting Authority – i.e., Planning Board]**, that the proposed development will cause no adverse environmental impact.
- v. Within the front yards of residential lots, if any above-ground portion of the system is within **100 feet** of a public highway right-of-way.

Section 7 – Standards and Codes

- A. NYS Building & Electrical Code
 - a. All Solar energy Systems must be constructed to comply with the New York State Building and Electrical Code, as amended, and any additional electrical and safety regulations adopted by the State of New York.
- B. NYS Fire Code
 - a. All Solar Energy Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards as referenced in the NYS Uniform Fire Prevention and Building Code (“Uniform Code”).
- C. NYS Agriculture and Markets Law (AGM)
- D. Qualified Solar Installer
 - a. All solar energy systems must be installed by a qualified solar installer as defined by this law.
- E. NYS Licensed Professional Engineer or NYS Registered Architect
 - a. All Solar Energy Systems prior to the issuance of the building permit or final approval by the **[Permitting Authority - i.e. Planning Board]**, Solar Energy Systems construction and/or site plan documents must be signed and stamped by a NYS Licensed Professional Engineer or NYS Registered Architect..
- F. Fee Schedules
 - a. All Solar Energy Systems subject to site plan review, the **[Permitting Authority – i.e. Town Board]**, shall impose, and may update as appropriate, a schedule of fees to recover expenses associated with engineering, environmental, or legal services determined to be reasonable.
- G. State and Federal Laws
 - a. All Solar Energy Systems must conform to all federal and state laws and all applicable rules and regulations promulgated by any federal or state agencies having jurisdiction
- H. Zoning Law
 - a. All Solar Energy Systems must comply with all other requirements of the **[Municipality]** Zoning Law
- I. Adopted Plans
 - a. All Solar Energy Systems must conform to all adopted plans of the **[Municipality]**.
- J. Building Permit
 - a. All solar energy systems must file a building permit application with the **[Municipality’s]** Code Office, and obtain a valid building permit, prior to starting their installation.
- K. SEQRA

- a. Issuance of permits and approvals by the [Permitting Authority – i.e., Planning Board], shall include review pursuant to the State Environmental Quality Review Act [ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 (“SEQRA”)].

Section 8 – Design and Installation Standards

A. Tier 1: Building-Mounted and Small-Scale Residential Solar Energy Systems;

Include all **Roof-Mounted** and **Building-Integrated** Solar Energy Systems; **Ground-Mounted** Solar Energy Systems with a Nameplate Capacity **up to 25 kW AC**, or with a total **Solar Panel surface area of up to 4,000 square feet**;

All Tier 1 Solar Energy Systems shall be exempt from site plan review under the local zoning code or other land use regulation, subject to the following conditions for each type of Tier 1 Solar Energy Systems:

1. Roof-Mounted Solar Energy Systems and Building-Integrated Solar Energy Systems
 - a. Conditional permit
 - i. A Conditional Permit is not required unless a building-mounted system increases the overall height of the structure by **6** feet or more.
 - b. When feasible, the following design requirements shall be incorporated (exceptions may be approved by the [Permitting Authority – i.e., Planning Board]):
 - i. Systems shall not exceed the maximum height restrictions of the zoning district within which they are located and are provided the same height exemptions that apply to building-mounted mechanical devices or equipment.
 - ii. System installed on a pitched roof that faces the front yard of a property: the system must be installed parallel to the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of **8** inches between the roof and edge of the system.
 - iii. System installed on a pitched roof: the highest point of the system shall not exceed the highest point of the roof to which it is attached.
 - iv. Solar Panels on flat roofs shall not extend above the top of the surrounding parapet, or more than **24** inches above the flat surface of the roof, whichever is higher
 - v. Glare. All Solar Panels shall have anti-reflective coating(s).
2. Ground-Mounted Solar Energy Systems
 - a. When feasible, the following design requirements shall be incorporated (exceptions may be approved by the [Permitting Authority – i.e., Planning Board]):
 - i. **Height.** Systems shall be subject to the height limitations specified for accessory structures within the underlying zoning district. Or **Systems shall not exceed 10 feet in total height.**
 - ii. **Glare.** Glare shall be minimized through the use of anti-reflective materials consistent with current industry standards.
 - iii. **Setbacks.**
 - i. Systems shall be subject to the setback regulations specified for the accessory structures within the underlying zoning district, provided that the [Permitting Authority – i.e., Planning Board] may reduce side or rear setbacks where screening is provided and no impacts to adjacent properties are anticipated
 - ii. Systems shall only be installed in the side or rear yards.

- iii. Utility poles, and underground equipment are exempt from setback requirements.
- iv. Interior Property Line Setback Exemption:
 - a. Setback requirements shall not apply to common interior property lines where two or more adjacent parcels are part of the same solar energy project and are under common ownership or control by the project sponsor.
To qualify for this exemption, the Applicant shall provide the [Permitting Authority – i.e., Planning Board] with:
 - 1. A recorded easement, lease, or other legally binding instrument demonstrating control of all affected parcels; and
 - 2. Written acknowledgment from each participating property owner consenting to the shared use and waiver of interior setbacks.Such documentation shall be reviewed and approved by the [Municipality's] attorney prior Building Permit approval and recorded with the County Clerk prior to the issuance of a Building Permit.

- iv. Screening & Visibility.
 - i. Systems shall be placed to minimize visibility from public roads where practicable
 - ii. Systems shall be screened with fencing, vegetation, or existing topography when reasonable and not cost-prohibitive.

B. Tier 2: Ground-mounted solar energy systems have a Nameplate Capacity between **25 kW AC** and **1 MW AC** or a Facility Area of up to **8 acres**.

All Tier 2 Ground-Mounted Solar Energy Systems shall be permitted within the designated Solar Energy Overlay Zones zoning districts as accessory structures and shall be subject to site plan approval. Tier 2 Solar Energy Systems shall adhere to the standards and requirements established for Tier 1 Ground-Mounted Systems in Section 8(A(2)), in addition to (or in some cases amended by) the following requirements:

- a. Application & Site Plan Review Requirements. Applications for Tier 2 Solar Energy Systems, including materials for **site plan review**, shall include the following:
 - i. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the Solar Energy System.
 - ii. Name, address, contact information, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the Solar Energy System.
 - iii. Nameplate Capacity of the Solar Energy System (as expressed in kW or MW).
 - iv. Proof the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement
 - v. Documentation of the major system components to be used, including the panels, mounting system, and inverter;
 - vi. Blueprints and drawings of the solar energy system showing the proposed layout of the system, any potential shading from nearby structures, the distance between the proposed solar collector and all property lines and existing on-site buildings and structures, including roads, and the tallest finished height of the solar collector;

- vii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures; and estimated cut and fill quantities associated with site grading and construction activities;
- viii. An **electrical diagram** detailing the solar energy system installation, associated components and electrical interconnection methods, with all disconnects and overcurrent devices identified. Additionally, the diagram should incorporate the power company infrastructure post-interconnection, showing utility meter upgrades, transformer capacity considerations, and any required grid protection equipment to accommodate the solar system's integration. (This detailing may illustrate other visual impacts off property and also provide an understanding or onsite power company installations.)
 - i. Exterior electrical lines shall be buried underground wherever feasible or placed in conduit above ground where necessary.
- ix. A preliminary **equipment specification sheet** that documents all proposed Solar Panels, system components, mounting systems, racking system details, and inverters that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- x. No Effect letter from FAA.
- xi. Proof of mailing, at the applicant's expense, a notice of the proposed project to all owners of property within a **one-mile radius** of the project boundaries regardless of municipality. Notices shall contain a summary of the application/project, a designated contact person with telephone number, email address and mailing address from whom information will be available on a going forward basis, as well as a proposed project website to disseminate information to the public. Further, upon receipt of application, the **[Municipality]** shall post notice of same on the **[Municipality's]** website and social media outlets. At the applicant's expense, publication of notice of application shall be made in newspapers designated by the **[Municipality]**. Additionally, upon submission of an application, the applicant shall conspicuously post signage on all roads abutting the proposed project and at the proposed entryways/exits to the project. Signage must be at least **3 feet by 4 feet** and shall contain the name of the proposed project, the application number, a rough concept map of the project and contact information for the developer as well as a proposed project website address. The sign(s) shall be **15 feet or less** from the road.
- xii. **Height.** Systems shall not exceed the permitted height of accessory structures in the zoning district where the solar energy system is to be installed or an average of **20 feet** from the ground, whichever is less.
 - i. This height restriction does not apply to any substation(s) or utility pole(s).
- xiii. **Setback.** Systems as a primary use or accessory use are subject to setback requirements in the zoning district in which the system is to be constructed.
 - i. Systems as a primary use shall be **100 feet** from any property line or **200 feet** from any nonparticipating domiciliary residence, whichever is greater.
 - ii. The required setbacks are measured from the property line to the nearest part of the system (except that the **200-foot** setback from any nonparticipating domiciliary residence shall be measured from the domiciliary residence to the nearest physical part of the system). Fencing shall generally be considered to be the closet part of the solar energy system. No part of the ground-mounted system shall extend into the required setbacks due to a tracking system or other adjustment of solar energy-related equipment or parts.

- iii. Access roads, utility poles, and underground equipment are exempt from setback requirements. Stormwater management facilities are also exempt from setback requirements.
- iv. **Multiple Project Sponsors:**
 - a. Where more than one project sponsor is involved in a shared or adjacent development area, each sponsor shall be jointly responsible for compliance with the provisions of this Law and shall execute a cooperative development agreement approved by the [Permitting Authority – i.e., Planning Board]. Such agreement shall define responsibilities for access, maintenance, emergency response, and decommissioning within the shared boundary areas and shall be recorded with the County Clerk prior to permit issuance.
- xiv. **Screening & Visibility.** Systems shall not be installed in any location that would substantially detract from or block the view(s) of all or a portion of a recognized scenic viewshed, as viewed from any public road, right-of-way or publicly owned land within the [Municipality] or that extends beyond the border of the [Municipality]. For purposes of this subsection, consideration shall be given to any relevant portions of the current, amended and/or future [Municipality's] Comprehensive Plan and/or any other prior, current, amended and/or future officially recognized [Permitting Authority – i.e., Planning Board] document or resource, including but not limited to Open Space Plans.
 - i. A **Vegetation Management Plan** shall be submitted and approved by the [Permitting Authority – i.e., Planning Board]. The VMP shall include both initial planting and long-term maintenance measures for all vegetated areas associated with the Solar Energy System, including but not limited to the facility substation, energy storage structures, point of interconnection (POI) switchyard, access roads, and perimeter screening areas, as appropriate to the facility setting.

The VMP shall, at a minimum, address the following:

 - G. **Planting Plan:** Identification of all proposed plant species, sizes, spacing, and locations; specifications for seed mixes, soil preparation, and installation methods; and measures to prevent erosion and support pollinator habitat, if applicable.
 - H. **Installation Timing:** The timing of planting and seeding relative to construction activities, including target planting seasons and deadlines for final stabilization following disturbance.
 - I. **Establishment and Maintenance:** Procedures for vegetation establishment and ongoing maintenance, including reseeding intervals, mowing or grazing schedules, weed and invasive species control, and replanting standards.
 - J. **Performance Standards:** Minimum plant survival rate (e.g., 80% after one growing season) and replacement requirements for failed plantings within the first two years following installation.
 - K. **Long-Term Management:** A schedule for continued inspection, maintenance, and adaptive management throughout the operational life of the facility, including identification of responsible parties.
 - L. A minimum **100 feet** landscape buffer shall be provided around the perimeter of the Solar Energy System, inclusive of the Solar Energy Substation and any and all Solar Energy Equipment to provide screening

- from adjacent properties. The Solar Energy System and all components as described above shall be completely screened from adjacent property.
- M. The Solar Energy System, including any proposed off-site infrastructure, shall be located and screened in such a way as to avoid visual impacts as viewed from public locations, public roads and highways, and other locations identified by the [Permitting Authority – i.e., Planning Board]. To accomplish this screening, existing vegetation shall be utilized to the fullest extent practicable and/or at least two rows of native evergreen trees or other screening acceptable to the [Permitting Authority – i.e., Planning Board] which is capable of forming a continuous hedge at least **14 feet** in height **at planting** shall be required and maintained for the life of the project.
- N. Acceptable screening would include maintenance of existing vegetation, new vegetative barriers or berms, landscape screen or other opaque enclosures, or any combination thereof capable of fully screening the site. The applicant shall guarantee that all plantings that form part of the approved landscape and screening plan will be maintained and replaced as necessary during the life of the project.
- O. When the site is surrounded by existing mature trees, a buffer of **250 feet** where no trees shall be cut shall be established and maintained as a wild zone for the life of the facility. The exception to this shall be dead or diseased trees, which will be cut and removed so as to encourage healthy growth of existing trees.
- P. Trees to be included in screening shall be native and non-invasive species of evergreen, e.g. Eastern red cedar and white spruce. It shall be determined and documented by the developer if at the time of planting any species are threatened due to regional blight, disease, etc. Final decisions on appropriate plantings will be made by the [Permitting Authority – i.e., Planning Board].
- Q. Systems shall provide for the creation of a buffer that has an offset, double row of densely growing evergreens with the addition of some smaller trees and shrubs in front to create more of a naturalized hedgerow habitat. The purpose of the double row is to provide additional screening early while the trees are still small. While the evergreens should be the dominant tree for screening, the addition of some smaller trees and shrubs are to be provided to benefit wildlife and aesthetics.
- R. Appropriate shrubs and small trees to include to create a hedgerow could be shadbush, flowering dogwood, flowering raspberry, maple leaved viburnum, nannyberry and choke cherry.
- S. A vegetation management plan shall be required that includes the planting and/or protection of pollinators and perennial vegetation.
- T. Clear-cutting of trees beyond what is deemed necessary by the [Permitting Authority – i.e., Planning Board] to install and maintain the Solar Energy Systems shall be prohibited.
- U. Roadways within the site shall not be constructed of impervious materials and shall be designed to minimize the extent of roadways constructed and soil compaction.
- V. All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

- W. The plans shall show maximum buffering and screening of utility-scale solar systems that are visible from all adjoining property owners and roadways, regardless of municipality.
 - X. The design, construction, operation and maintenance of any solar energy system shall prevent the misdirection and/or reflection of solar glare onto neighboring properties, public roads, and public parks in excess of that which already exists. The [Permitting Authority – i.e., Planning Board] reserves the right to individually assess what they deem to be sensitive areas potentially impacted by any proposed solar facility as part of their review to ensure that negative impacts of solar ray reflection will be prevented.
 - Y. All structures and devices used to support solar collectors shall be non-reflective and/or painted a subtle or earth tone color to aid in blending the facility into the existing environment
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- ii. The applicant shall provide a **bond** in an amount as determined by the [Permitting Authority – i.e., Planning Board] to maintain and/or replace the landscaping and screening that is not adequately maintained and/or replaced by the developer, its successors and/or assigns as their interests may appear, and shall be replenished by same when required by the [Municipality] and shall be maintained for the life of the project.
- xv. Environmental Resources**
- i. System that includes or requires tree cutting/substantial forest conversion must include a description/assessment of the benefits of the trees or forest to be cut and the environmental impacts of that tree cutting/forest conversion. Such assessment shall also include an analysis of alternatives and mitigation measures to minimize impacts.
 - ii. Native Vegetation. System shall develop, implement, and maintain vegetation native to the State of New York to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the applicant shall use native plant species and seed mixes. Vegetation shall be maintained below solar panels. It is encouraged that the ground within the fenced perimeter shall not be tamped, compressed, or otherwise conditioned to inhibit the growth of natural vegetation.
 - iii. The orientation and layout of solar energy systems shall follow the natural contours of the landscape. Cut and fill shall be avoided to the maximum extent possible.
- xvi. Impervious Property Restrictions.** The surface area of ground-mounted solar panels, where vegetation or pervious soils are maintained beneath and between arrays, shall not be considered impervious surface and shall not count toward lot coverage limitations for the zoning district, regardless of the mounted angle of the panels.
- i. Areas located beneath panels that are covered by gravel, pavement, concrete, or otherwise compacted soils that prevent infiltration shall be considered impervious and included in lot coverage and stormwater calculations.

- ii. Footings, foundations, equipment pads, and other hard surfaces placed underneath or around racking and mounting systems are considered impervious and shall be included in impervious surface calculations.
- iii. The determination of impervious surface area shall be made consistent with the definitions contained in Section 3 - Definitions: “Impervious Surface” and “Lot Coverage” of this Law, and in accordance with applicable New York State Department of Environmental Conservation (NYSDEC) stormwater management standards.
- xvii. **Lighting Plan(s).** Shall Address:
 - i. Security lighting needs at substation and switchyard sites, as applicable, and any exterior equipment storage yards;
 - ii. Plan and profile figures to demonstrate the lighting area needs and proposed lighting arrangement and illumination levels to provide safe working conditions at the collection substation site, and any exterior equipment storage yards or other locations;
 - iii. Exterior lighting design shall be limited to lighting required for health, safety, security, emergencies and operational purposes and shall be specified to avoid off-site lighting effects to the greatest extent practicable.
 - iv. Maximum mounting height: **20 feet** above grade for pole-mounted fixtures, or **15 feet** where adjacent to residential or scenic areas.
 - v. All lighting shall utilize **fully shielded (cut-off) fixtures** to prevent uplight and glare and shall employ bulbs with a correlated color temperature (CCT) not exceeding **3,000 Kelvin** (warm-white spectrum) to minimize blue-light emission and visual intrusion.
 - vi. Lighting controls, including timers, dimmers, or motion sensors, shall be used wherever practicable to reduce lighting intensity and duration
- xviii. **Access & Parking.** Systems shall be enclosed by security fencing to prevent unauthorized access. Warning signs identifying the system owner, emergency contact information, and site address shall be posted at each point of vehicular or pedestrian access, including the roadside entrance and gated entry to the fenced area(s). A Knox Box or equivalent emergency access lock shall be installed at all gated access points to allow emergency responders entry in accordance with Local Fire Department requirements.
 - i. Fencing around Systems shall not exceed a height of **8 feet**, including any security features such as barbed wire or razor wire, unless a greater height is demonstrated to be necessary for safety or regulatory compliance and approved by the **[Permitting Authority – i.e., Planning Board]**.
 - ii. Fencing shall be constructed of non-reflective materials and designed to minimize visual impact. Chain-link fencing shall be finished in black or dark green vinyl coating, and the use of barbed or razor wire is prohibited, except where specifically required by applicable codes or the electric utility for security at substations. Decorative or wildlife-permeable fencing may be used when compatible with site conditions and safety requirements.
 - iii. Prior to construction, the Applicant shall execute a **Road Use Agreement (RUA)** with the Highway Superintendent identifying haul routes, posting a road repair bond, and completing pre- and post-construction condition surveys. All roads shall be restored to equal or better condition at no cost to the **[Municipality]**.

- iv. Access roads from the public right-of-way to the facility shall be constructed and maintained to provide all-weather access for emergency and maintenance vehicles in accordance with Local Fire Department requirements.
- v. Minimum cleared width: **16 feet** (or as otherwise required by the Local Fire Department or Highway Superintendent);
- vi. Minimum vertical clearance: **13 feet 6 inches** (or as otherwise required by the Local Fire Department or Highway Superintendent);
- vii. Turning radii and grades shall accommodate emergency apparatus;
- viii. Surfaces shall be pervious or gravel, unless otherwise approved by the **[Permitting Authority – i.e., Planning Board]** for safety or erosion control reasons; and
- ix. Roads shall be designed to minimize impervious coverage and stormwater runoff.
- x. The property owner or operator shall maintain all access roads, and gates in good condition.
- xi. Signage.
 - a. Clearly identifies the name of the system owner and/or operator;
 - b. Provides a 24-hour emergency contact phone number;
 - c. Is visible from the public right-of-way or site access road and legible at all times.
 - d. Systems where the site entrance or access gate is separate from the fenced solar array area, signage shall be installed at both locations—at the primary site entrance (visible from the public right-of-way) and at the fenced perimeter of the solar array. Such signage shall ensure that contact and safety information is readily visible to emergency responders and the public even when the facility gate is closed or locked.
 - e. Signage shall not be used for promotional or advertising purposes other than identification and required safety information.
 - f. Clearly visible warning signs shall be placed at each pad-mounted transformer, inverter array, substation, and at each gate or fencing perimeter, indicating solar electric hazard
 - g. Sign's shall conform to the applicable local sign code in terms of size, setbacks, illumination, materials and construction
 - h. If ownership, operation or contact information changes, the new owner/operator shall replace or update signage within **30 days**.
- xii. Equipment and vehicles not used in the direct support, repair, or maintenance of the Solar Energy System shall not be stored or parked on the facility site. Support or maintenance vehicles may remain on-site only for the duration of active maintenance or repair work, and not for more than **72 consecutive hours**, unless otherwise approved in writing by the [Permitting Authority].
- xix. **Operation & Maintenance.** The following is required:
 - i. **Required Safety Measures.** Before systems become active, the owner of the system shall arrange an on-site meeting with the **fire department** having primary coverage of the project area to review the components of the system, safety issues and procedures for emergency response. This shall include details on the location of labeled warnings, access to the site and emergency disconnection of the system. In addition, the **[Municipality]** may require the installation of placards that provide mutual aid responders with sufficient

information to protect them when responding to calls on site. A competent person from the solar company shall be present on site within one **1 hour** of any event requiring emergency responders to remain at the facility.

- ii. **Fire Safety Compliance** – Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code and all applicable codes, along with a map of access points.
- iii. **Operation and Maintenance Manual** – Such plan shall describe continuing maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code and all applicable codes.
- iv. **Emergency Operations Plan** – The applicant shall prepare a safety/emergency response plan in cooperation with **[Municipality]** emergency service providers. A copy of the approved Emergency Operations Plan shall be given to the system owner, the local Fire Department, and local Fire Code Official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, Fire Code Officials and emergency responders. The emergency operations plan shall include the following information:
 - a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock and personal injuries and for safe start-up following cessation of emergency conditions.
 - b. Procedures for inspection and testing of associated alarms, interlocks and controls.
 - c. Procedures to be followed in response to notifications from the solar energy system that, when provided, could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel and providing agreed upon notification to Fire Company personnel for potentially hazardous conditions in the event of a system failure. All means of shutting down the solar energy system shall be clearly marked.
 - d. The property must be inspected after a National Weather Service designation of a severe weather event to ensure that the property did not sustain damage. Reports of said inspection shall be filed with the **[Municipality]** Building Inspector.
 - e. Emergency procedures to be followed in case of fire, explosion, release of liquids, oils or vapors, damage to critical moving parts or other potentially dangerous conditions.
 - f. Response considerations similar to a **Material Safety Data Sheet (MSDS)** that will address response safety concerns and extinguishment when an MSDS is not required.
 - g. Procedures for dealing with solar energy system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged equipment for the facility. System owner shall provide guaranteed non-emergency and emergency response times of a qualified subject matter expert to the DPW and local emergency responders.

- h. Other procedures as determined necessary by the [Municipality] to provide for the safety of occupants, neighboring properties and emergency responders.
- i. Site must be made available for conducting drills of these procedures and for training local (all agencies within 15 miles) emergency responders on the contents of the plan and appropriate response procedures. **Training** shall be taught by a New York State certified instructor, performed annually and shall include local and mutual aid emergency responders. Training and specialty equipment shall be paid for by the developer, ATIMA/ISAOA.
- j. The system owner shall notify the local Fire Department, County Emergency Management Office and the [Municipality] Building Inspector at least one week prior to any scheduled maintenance or equipment swap out.
- k. In the event of a fire, all contaminated soil must be removed and disposed of properly, in accordance with all applicable laws.
- l. Retention Pond – the applicant shall consult with the fire Department with primary coverage of the project area on the best fire suppression system for the planned technology and preservation of surrounding properties. If the Fire Department determines that water is necessary, the applicant shall develop a well or retention pond(s) holding a sufficient amount of water as determined in site plan review, with dry hydrants (arrangement of piping with one end in the water and the other extending to dry land), for emergency firefighting use.
- v. **Ownership Changes.** If the owner or operator of the solar energy system changes or the owner of the property changes, all requirements of the **special use permit** and site plan approval shall remain in effect. Approval to operate the system shall continue, provided that the successor owner or operator assumes in writing all of the obligations of the **special use permit**, site plan approval, decommissioning plan, security, escrow and any other binding agreements. A new owner or operator of the solar energy system shall notify the Code Enforcement Officer and the [Municipality] of such change in ownership or operator sixty (60) days prior to the ownership change. All the terms set forth herein shall be binding on developers. ATIMA/ISAOA.
- vi. **Annual Report/Inspection** On a yearly basis, the solar energy system owner shall provide the [Municipality] a report showing the rated capacity of the system and the amount of electricity that was generated by the system and transmitted to the grid. The report shall be submitted no later than thirty (30) days after the end of the calendar year. Additionally, an applicant/operator shall hire an independent, third-party engineer/inspector approved by the [Municipality] to oversee compliance with site and operational requirements and the ongoing obligation of same for the lifetime of the project. The engineer/inspector shall perform a site inspection if a complaint regarding the solar energy system and any of its components is made to the [Municipality] Code Enforcement Officer. Annual inspections of the completed solar energy system shall be performed at the expense of the developer, ATIMA, ISAOA.
- vii. **Project Changes.** Any post-approval changes to the solar energy system, except for immaterial modifications as defined herein, shall be done by

amendment to the **special use permit** and site plan approval only and shall be subject to the requirements of Section Seven of this law. Unless expressly limited by a condition imposed in the permit, the [Municipality] Zoning Officer/ Code Enforcement Officer/Building Inspector or other [Municipality] designee may, during project construction, allow immaterial modifications to the design of the project as represented in the final set of site plans reviewed by the [Permitting Authority – i.e., Planning Board]. Such immaterial modifications shall only be allowed in response to a written request by the applicant or owner. All such requests shall be addressed to the authorized [Municipality] designee, with copies to the [Permitting Authority – i.e., Planning Board].

viii. **Certification.** After completion of a system, the applicant shall provide a postconstruction certification from a professional engineer registered in New York State that the project complies with applicable codes and industry practices and has been constructed and is operating according to the design plans. The applicant shall further provide certification from the utility that the facility has been inspected and connected.

ix. **Insurance.**

- a. The holder of a **Special Use Permit** for a solar energy system shall agree to secure and maintain for the duration of the permit, public liability insurance as follows (unless waived by the [Permitting Authority – i.e., Planning Board]):
 - i. Commercial general liability covering personal injuries, death and property damage: **\$5,000,000** per occurrence, **\$10,000,000** aggregate, which shall specifically include the [Municipality] and its officers, councils, employees, attorneys, agents and consultants as additional named insured;
 - ii. Umbrella coverage: **\$10,000,000**
- b. Insurance Company: The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with at least a Best's rating of "A".
- c. Insurance Policy Cancellation: The insurance policies shall contain an endorsement obligating the insurance company to furnish the [Municipality] with at least **30 days** prior written notice in advance of cancellation.
- d. Insurance Policy Renewal: Renewal or replacement policies shall be delivered to the [Municipality] at least **15 days** before the expiration of the insurance that such policies are to renew or replace.
- e. Copies of Insurance Policy: No more than **15 days** after the grant of the permit and before construction is initiated, the permit holder shall deliver to the [Municipality] a copy of each of the policies or certificates representing the insurance in the required amounts.
- f. Certificate of Insurance: A certificate of insurance that states it is for information purposes only and does not confer sufficient rights upon the [Municipality] shall not be deemed to comply with this law.

xx. **Storm Water**

- i. If determined to be required, a storm water pollution prevention plan (SWPPP) as per NYS DEC, SWPPP and MS4 and the [Municipality]

Stormwater Management requirements to detail storm water runoff and erosion control plans for the site.

xxi. Construction Phasing & Erosion/Sediment Control

- i. In addition to any SWPPP required under the NYSDEC SPDES General Permit (GP-0-24-001, or successor), Systems shall include a Construction Phasing Plan and Erosion & Sediment Control (E&SC) Plan prepared by a NY-licensed Professional Engineer that:
 - a. Sequencing. Identifies the sequence of clearing, grading, trenching, installation, stabilization, and demobilization; shows limits of disturbance and construction entrances; and stages work to minimize concurrent disturbed area.
 - b. Maximum Open Disturbance. Caps active, unstabilized disturbance to no more than **5 acres** or **10%** of total disturbance, whichever is less at any time, unless a higher limit is justified by the Engineer of Record and approved by the **[Permitting Authority – i.e., Planning Board]** in consultation with the Stormwater Management Officer.
 - c. Stabilization Deadlines. Provides temporary stabilization within **14 days** of cessation of earthwork in any area (or the shorter timeline required by GP-0-24-001), and final stabilization promptly upon completion. Winter conditions shall follow SPDES seasonal stabilization requirements.
 - d. E&SC Measures. Details perimeter controls, diversion berms, check dams, inlet protection, sediment basins, stabilized construction entrances, dewatering practices, dust control, stockpile management, and concrete washout. All practices shall conform to the NYS Standards and Specifications for Erosion and Sediment Control (“Blue Book”).
 - e. Close-Out. Requires PE certification that final stabilization is achieved and that permanent stormwater practices were constructed per the approved plans.

ii. Long-Term Site Stabilization, Erosion Control & Environmental Performance Bond

- a. The applicant shall provide a performance bond to the **[Permitting Authority – i.e., Planning Board]** and the **[Municipality]** to ensure installation, maintenance, and repair of all erosion and sediment control measures, stormwater practices, and site-stabilization features for the life of the project.
- b. This financial security shall guarantee that if the developer, its successors, or assigns fail to maintain effective erosion control, slope stability, stormwater infrastructure, or ground cover in accordance with the approved plans and applicable permits, the **[Municipality]** may draw on the financial security to correct deficiencies, complete necessary work, or restore the site.
- c. The bond shall be replenished upon written notice from the **[Municipality]** if drawn upon and shall remain in effect until the project is fully decommissioned and the the **[Permitting Authority – i.e., Planning Board]** has accepted final site restoration.

xxii. Wildlife Corridor Impact Assessment

- i. Applications shall include a Wildlife Corridor and Habitat Connectivity Impact Assessment prepared by a qualified ecologist or wildlife biologist.
- ii. The results of on-site bird and bat migration, nesting and habitat surveys. Surveys must be conducted during the appropriate seasonal windows during the year prior to submittal of an application. Applicants shall use the most recent New York State Department of Environmental Conservation survey protocols for grassland birds and winter raptors. For other wildlife, applicants shall follow NYSDEC guidance on appropriate survey methods.

xxiii. Environmental Impact Assessment (EIA) & Engineer of Record.

- i. The Applicant shall submit an Environmental Impact Assessment prepared and sealed by a New York-licensed Professional Engineer (Engineer of Record). The EIA shall, at minimum, address:
 - a. wetlands, streams, floodplains, and hydrology;
 - b. stormwater quantity/quality and erosion/sediment control;
 - c. soils and steep slopes;
 - d. wildlife habitat and corridors (including coordination with NYNHP, as applicable);
 - e. agricultural resources and mitigation per NYS Ag & Markets guidance;
 - f. Archaeological/historic resources (OPRHP/SHPO coordination);
 - g. noise;
 - h. glare (SGHAT or equivalent);
 - i. Traffic and road use; and
 - j. Visual resources.

xxiv. Visual Impact Assessment

A visual impact assessment (VIA) will be required to determine the extent and significance of the solar energy systems visibility.

- a. **[Permitting Authority – i.e., Planning Board]**, at its discretion, may waive the requirement for the preparation of a VIA.
- b. The components of the VIA shall include identification of visually sensitive resources, viewshed mapping, confirmatory visual assessment fieldwork, visual simulations (photographic overlays), and a proposed visual impacts minimization and mitigation plan. The scope of the VIA shall be submitted to the **[Permitting Authority – i.e., Planning Board]** for its approval. The VIA shall address the following issues:
 1. The character and visual quality of the existing landscape;
 2. The visibility and appearance of the facility, including all proposed components therein;
 3. The visibility of all above-ground interconnections and roadways to be constructed within the facility as determined by the viewshed analysis;
 4. The proposed facility lighting (including lumens, location and direction of lights for facility site and/or task use, and safety including worker safety);
 5. Representative views (photographic overlays) of the facility, including relevant front, side and rear views, indicating approximate elevations;
 6. The nature and degree of visual change resulting from construction of the facility and above-ground interconnections;
 7. The nature and degree of visual change resulting from operation of the facility and above-ground interconnections;

8. A description of all visual resources that would be affected by the facility.
- c. The viewshed analysis component of the VIA shall be conducted as follows:
- a. Viewshed maps depicting areas of sit visibility within one mile of the sit, as well as whether the sit is visible from any notable scenic, historic, or recreational sites located outside the primary study area, shall be prepared on a topographic base map, the scale of which is acceptable to the [Permitting Authority – i.e., Planning Board].
 - b. For the sites that are visible from **Interstate 81**, the viewshed maps shall be prepared within two miles of the site.
 - c. A line-of-sight profile shall also be done for resources of concern, as approved by the [Permitting Authority – i.e., Planning Board], located within the VIA study area. The viewshed maps shall provide an indication of areas of potential visibility based on topography and vegetation, the highest elevation of facility structures and distance zone (foreground, midground and background areas). The potential screening effects of vegetation shall also be shown.
 - d. Visually sensitive sites, cultural and historical resources, representative viewpoints, photograph locations, and public vantage points within the view shed study area shall be included on the map(s) or an overlay.
- d. The VIA shall include a detailed description of the methodology used to develop the viewshed maps, including the name and version of the software utilized, all input parameters and baseline data, and the date and source of all imagery, digital elevation models (DEMs), and other datasets used in the analysis
- e. The viewshed mapping shall be used to determine the potential visibility from viewpoints to be analyzed and locations of viewer groups in the vicinity of the facility, as determined pursuant to the pre-application meeting(s) held with the [Permitting Authority – i.e., Planning Board] or its designee. These shall include recreational areas, residential and business locations, historic properties, and travelers (interstate and other highway users).
- f. In developing the application, the applicant shall confer with the [Permitting Authority – i.e., Planning Board], or its designee, and where appropriate, the Office of Parks, Recreation, and Historic Preservation (OPRHP) in its selection of important or representative viewpoints. Viewpoint selection is based upon the following criteria:
- a. Representative or typical views from unobstructed or direct line-of-sight views;
 - b. Level of viewer exposure (i.e., frequency of viewers or relative numbers, including residential areas, or high-volume roadways);
 - c. Proposed land uses; and
 - d. Assessment of visual impacts pursuant to the requirements of adopted local laws or ordinances.
- g. The final Viewshed Analysis and associated Visual Impact Assessment shall be submitted as part of the project record. Findings from the analysis may be used by the [Permitting Authority – i.e., Planning Board] to determine appropriate visual mitigation measures and to establish enforceable conditions of approval under Site Plan Review or SEQR.
- h. Visual contrast evaluation will be required to determine the extent and significance of Tier 3 and Tier 4 solar energy systems visibility. The [Permitting Authority – i.e., Planning Board], at its discretion, may waive the requirement for

the preparation of a Visual contrast evaluation for Tier 3 and Tier 4 facilities. The visual contrast evaluation shall include the following:

- a. Photographic simulations of the facility shall be prepared from the representative viewpoints to demonstrate the post-construction appearance of the facility.
 - b. Additional revised simulations illustrating mitigation shall be prepared for those observation points for which mitigation is proposed in the application.
 - b. Visual impacts minimization and mitigation plan will be required to determine the extent and significance of the systems. The [Permitting Authority – i.e., Planning Board], at its discretion, may waive the requirement for the preparation of visual impacts minimization and mitigation plan. The visual impacts minimization and mitigation plan shall include proposed minimization and mitigation alternatives based on an assessment of mitigation strategies, including screening (landscaping), architectural design, visual offsets, relocation or rearranging facility components, reduction of facility component profiles, alternative technologies, facility color and design, and lighting options for work areas and safety requirements. The facility design shall incorporate the following measures for the visual impacts minimization and mitigation plan:
 - a. Solar panels shall have antireflective coatings, and the Visual Impacts Minimization and Mitigation Plan shall include an analysis using the Sandia National Laboratories Solar Glare Hazard Analysis Tool (SGHAT) methodology or equivalent, demonstrating that solar glare exposure at any non-participating residence, airport, or public roadway will be avoided or minimized, and will not result in complaints, impede traffic movements, or create safety hazards.
- C. **Tier 3: Ground-mounted solar energy systems** that have a Nameplate Capacity of up to **5 MW AC** or a **Facility Area of up to 40 acres** in size
- All Tier 3 Ground-Mounted Solar Energy Systems shall be permitted through the issuance of a **special use permit** within the designated **Solar Energy Overlay Zones** as accessory structures and shall be subject to site plan approval. Tier 3 Solar Energy Systems shall adhere to the standards and requirements established for Tier 2 Ground-Mounted Systems in Section 8(B), in addition to (or in some cases amended by) the following requirements:
- a. No less than sixty **(60) days** before the date on which an applicant files an application with the [Municipality], the applicant shall contact the [Municipality] Code Enforcement Officer or [Permitting Authority – i.e., Planning Board] to schedule a pre-submission conference with the [Permitting Authority – i.e., Planning Board]. At this time, the applicant shall provide the opportunity for an **on-site visit** by [Permitting Authority – i.e., Planning Board] members.
 - b. Tier 3 solar energy systems that produce electricity or thermal energy primarily for active farming or agricultural uses, where the generation is less than **110%** of the **farm use**, shall be exempt from the requirement to obtain a special use permit, provided they otherwise comply with applicable setback, height, and safety standards.
 - c. **Sound studies** providing details of the proposed noise that may be generated by inverter fans, or other noise-generating equipment that may be included in the project, including actual readings of existing daytime and nighttime ambient noise at the boundary of the participating properties; the sound study shall predict the potential increase in noise from the project over the existing ambient noise levels. Sound studies shall be provided for Pre-Construction, Proposed-Construction and Post-Construction.

- d. The **public hearing** that is required in connection with application for a **special use permit** will be held simultaneously on the proposed site plan. All adjacent property owners will be notified of the public hearing on the application for **special use permit** and site plan approval in the manner set forth in the **[Municipality]** Zoning Code. Additionally, privilege of the floor shall be allowed to the public at all subsequent **[Permitting Authority – i.e., Planning Board]** meetings where an application is discussed.
- D. **Tier 4: Ground-mounted solar energy system** that are **not included** under Tier 1, Tier 2, or Tier 3 Solar
- All Tier 4 Solar Energy Systems are permitted through the issuance of a **special use permit** within the designated Solar Energy Overlay Zones zoning districts, and are subject to the site plan and **special use permit** application requirements established for Tier 3 Solar Energy Systems in Section 8(C), in addition to (or in some cases amended by) the following requirements:
- a. **Community Engagement Plan.** Applications for a Tier 4 Solar Energy System shall include a Community Engagement Plan detailing the applicant's proposed plans and strategies for ensuring adequate public awareness and encouraging community participation. Applicants are highly encouraged to discuss the contents and details proposed in this plan with the **[Permitting Authority – i.e., Planning Board]** prior to the submission of a formal application
- E. **Tier 5: Agrivoltaic (Dual-Use Agricultural Solar Energy Systems)** having a Nameplate Capacity between **25 kW AC** and **5 MW AC** or a Facility Area of up to **40 acres**.
- All Tier 5 Agrivoltaic Solar Energy Systems shall be permitted through the issuance of a **special use permit** within the designated **Solar Energy Overlay Zones** as accessory structures and shall be subject to site plan approval. Tier 5 Solar Energy Systems shall adhere to the standards and requirements established for Tier 3 Ground-Mounted Systems in Section 8(C), in addition to (or in some cases amended by) the following requirements:
- c. Agricultural Use Requirement:
- i. The applicant shall demonstrate that the land proposed for the Agrivoltaic system has been in active agricultural production for at least **two (2)** of the previous **five (5)** years, or is formally enrolled in an agricultural district, conservation easement, or farmland preservation program.
- ii. The applicant must provide a written Agricultural Co-Use Plan describing how agricultural production (cropping, grazing, or habitat management) will continue throughout the operational life of the project.
- d. Height and Layout:
- i. Panels shall be elevated and spaced to allow continuous agricultural activity beneath or between arrays.
- ii. Minimum clearance between the lowest panel edge and grade shall be:
- a. **≥ 8 feet** for sheep grazing,
- b. **≥ 10–12 feet** for other livestock, and
- c. **≥ 14–16 feet** where crop or equipment access is required.
- iii. Row spacing shall allow the turning radius and clearance required for the agricultural equipment identified in the Agricultural Co-Use Plan.
- iv. Conversion of productive row-crop land shall be avoided unless the applicant demonstrates that agricultural productivity will be maintained or improved through dual-use operations.
- e. Screening and Visibility
- i. Screening shall prioritize use of existing hedgerows, tree lines, and farm edges. New vegetative screening shall not be placed in locations that:
- a. impede movement of agricultural equipment;

- b. create shade that adversely affects crop productivity; or
 - c. interfere with livestock movement or fencing.
- ii. Where new vegetative screening is required, it shall be placed outside active agricultural production areas unless it uses existing non-productive edges.
- iii. The [Permitting Authority – i.e., Planning Board] may waive or modify screening requirements if such measures would unduly interfere with Agrivoltaic operations and the project otherwise maintains rural character through siting, layout, and use of existing vegetation
- f. Impervious Property and Property Coverage Restrictions:
 - i. Grazing, haying, or pollinator habitat establishment is permitted and encouraged, provided such uses do not impair system performance or safety.

Section 9 – Host Community Benefits & Agreements (HCA)

- A. The applicant shall enter into a Host Community Agreement providing a public benefit fee to mitigate the additional burdens placed on the [Municipality] as a result of the project. The fee shall be utilized as a source of funding for prospective costs and expenses associated with and related to anticipate municipal services and additional infrastructure improvements to be provided as a result of the project's presence within the [Municipality]. **The fee shall be \$1,000.00 annually per megawatt generated.**
- B. **Relationship to Other Laws.** Nothing in this Section shall be construed to limit [Municipality]'s rights under New York law, including Real Property Tax Law §487, or to preclude [Municipality] from entering into a PILOT or similar agreement with an IDA. HCA payments are civil/contractual benefits and do not constitute taxes.

Section 10 – Decommissioning & Site Restoration

A Decommissioning Plan signed by the owner and/or operator of the Solar Energy System shall be submitted by the applicant. The decommissioning plan shall address the following:

A. Baseline Study Requirement

- a. The Study shall be prepared, signed, and sealed by a Qualified Professional, which may include a NY-licensed Professional Engineer, Certified Soil Scientist, Certified Crop Advisor, Certified Wildlife Biologist, or other professional acceptable to the [Permitting Authority – i.e., Planning Board].
- b. Baseline Study shall include, at a minimum:
 - i. baseline soil reports
 - ii. baseline topography and drainage mapping
 - iii. baseline site photos
 - iv. baseline agricultural productivity data
 - v. baseline vegetation cover mapping

B. Restoration Study & Verification

- a. The Study shall be prepared, signed, and sealed by a Qualified Professional, which may include a NY-licensed Professional Engineer, Certified Soil Scientist, Certified Crop Advisor, Certified Wildlife Biologist, or other professional acceptable to the [Permitting Authority – i.e., Planning Board].
- b. The Post-Decommissioning Restoration Verification Report shall include, at a minimum:
 - i. Soil restoration testing
 - ii. Topographic & Hydrologic Restoration testing
 - iii. Vegetation Establishment testing

- iv. Photographic Comparison
 - v. professional certification the site has been restored
- C. An owner or operator of a utility-scale solar energy system that has not generated electricity for a period of **6 months** must notify the **[Municipality]** in writing that the system is no longer operating. If the system ceases to operate for an additional **6 months**, the system shall be deemed to be abandoned and shall be **decommissioned within 6 months** by the owner and/or operator of the solar energy system, identify the anticipated life of the project and include, but not limited to, the following provisions:
- a. The removal of all energy facilities, structures and equipment including any subsurface wires and footings from the parcel. Any access roads created for building or maintaining the system shall also be removed and replanted with vegetation.
 - b. The cost of removing the entire solar energy system based upon prevailing wages and any other requirements applicable to municipalities under State or Federal law and no salvage value shall be attributed to any of the components of the solar energy system and/or the solar energy equipment.
 - c. A schedule and methods for the removal of the solar energy system and/or the solar energy equipment, including any ancillary structures.
 - d. The time required to restore the property to its pre-installed condition and to repair any damage caused to the property by the installation and removal of the solar energy system.
 - e. A plan for restoring the property to its pre-installed condition, including grading and vegetative stabilization to eliminate any negative impacts to surrounding properties, and where, if it was previously used for farming, with vegetation suitable for farming purposes, i.e. a hay field, crops or grazing. Such restoration shall follow NYS Department of Agriculture & Markets Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands, as updated.
 - f. Applicant shall provide a proposed Decommissioning Agreement to the **[Permitting Authority – i.e., Planning Board]** for review and consideration. No building permit shall be issued for a Solar Energy System unless and until a Decommissioning Agreement in a form approved by the **[Permitting Authority – i.e., Planning Board]** has been executed by the **[Municipality]** and applicant and financial security provided as set forth in **Section 12**. Below.
 - g. The remedies to address a failure to decommission a system pursuant to this Section are not exclusive and may be pursued simultaneously, this includes enforcement of the Decommissioning Agreement, calling in of the security required under this Section and using all enforcement and penalty provisions available under the **[Municipality]** Zoning Code.
- D. **Coordinate with Public Utility Provider** As part of the decommissioning process, the applicant shall provide a detailed plan outlining the steps for proper disconnection and coordination with the public utility provider to ensure a safe and compliant removal of the solar energy system. The plan shall include:
- a. **Interconnection Termination & Notification:** The operator must notify the utility provider before decommissioning begins. Notification should include the **[Municipality]**. Notification must include system details such as interconnection agreement reference, system capacity and point of interconnection. The utility provider shall review and approve the disconnection plan before any removal activities commence.
 - b. **Disconnection & Infrastructure Removal:** The applicant shall comply with all requirements set forth in the utility interconnection agreement and ensure that all grid-tied equipment is safely disconnected by a licensed electrical contractor. Any dedicated transformers, switchgear and metering equipment installed specifically for the solar system shall be removed or decommissioned per the utility provider's specifications. If any infrastructure, such as utility poles, transmission lines or underground conduits, is no longer required, the applicant must coordinate with the utility provider for removal or repurposing.

- c. Final Inspection & Compliance: The utility provider must perform a final site inspection to verify that all interconnection points have been properly de-energized and that no risks to grid stability or public safety remain.
- d. Utility Certification & Municipal Approval: A written confirmation from the utility provider must be submitted to [Municipality] Code Enforcement, certifying that the system has been safely disconnected and that all utility-owned infrastructure has been addressed.
- e. Decommissioning shall not be considered complete until the [Municipality] Code Enforcement Officer receives this confirmation and verifies compliance with all decommissioning requirements.

E. Public Notice of Decommissioning.

- a. At least **30 calendar days** prior to the commencement of physical decommissioning activities pursuant to the approved Decommissioning Plan, the owner/operator shall provide public notice of the decommissioning. The notice shall include:
 - i. Name of the project and site address/parcels;
 - ii. Name, contact information of the owner/operator or designee;
 - iii. Start date and estimated timeline of decommissioning work;
 - iv. Description of restoration work to be performed (e.g., removal of panels, roads, re-grading, revegetation);
 - v. Statement of availability of the full Decommissioning Plan and Restoration Verification.
- b. Proof of publication, mailing/notice and posting shall be submitted to the [Permitting Authority – i.e., Planning Board] prior to the onset of ground disturbance for decommissioning.

Section 11 – Enforcement, Inspection, and Penalties

- A. Any violations of this Local Law are enforceable pursuant to the enforcement and penalty Provisions of the [Municipality] Zoning Code. Any solar energy system owner or operator or any Owner or lessee of the real property upon which a solar energy system is located shall be Liable for any violations of this Section.
- B. Right of Entry & Inspection
 - a. The [Municipality] may enter the property upon **reasonable notice** to ensure compliance with the terms and conditions of the permit, the approved plans, and this Local Law.
 - b. The [Municipality] may inspect the facility at least annually and after any complaint or observed issue.
- C. If the owner fails to maintain the facility in good working order or violates any provision of this local law the [Municipality] may issue a written Notice of Violation.
- D. Each week that a violation continues shall constitute a separate offense.
- E. If the violation is not cured within **30 days**, the [Municipality] may revoke the permit, impose fines, draw from the decommissioning security, or take any action authorized by law.
- F. The [Municipality] may take such actions as necessary to prevent, mitigate, or remedy violations including, but not limited to, issuing stop-work orders, commencing civil proceedings, or requiring removal of equipment.
- G. Violations are punishable by a civil penalty of up to **\$1,000 per day**, plus all costs of enforcement, including legal fees.
- H. Emergency Action. In the event that the violation poses an immediate threat to public safety, the [Municipality] may take immediate corrective action at the owner's expense. The [Municipality] may draw on the decommissioning security, landscaping/screening maintenance security, or long-term site-stabilization security and the owner/operator must replenish any funds drawn within 30 days of written notice to correct any violation related to:
 - a. erosion & sediment control,

- b. failure to maintain landscaping or buffers,
- c. stormwater system failure,
- d. fencing or safety issues,
- e. abandonment,
- f. failure to decommission, or
- g. other conditions of approval.

Section 12 – Financial Assurance Requirements

- a. The Applicant/Developer shall be responsible for all costs associated with independent third-party review and inspection. Prior to initiating such review, the Applicant shall deposit funds into a municipal **escrow** account established by the **[Municipality]** for this purpose.
 - i. Escrow Fee Schedule:

The initial escrow amount shall be based on project scale and anticipated review needs, as follows:

 - 1) Tier 2 Solar Energy Systems: **\$5,000–\$10,000** initial escrow deposit, depending on site complexity and acreage disturbed.
 - 2) Tier 3-5 Solar Energy Systems: **\$15,000–\$25,000** initial escrow deposit, or **2%** of total construction cost, whichever is greater.
 - ii. The **[Permitting Authority – i.e., Planning Board or Town Board]** shall have discretion to increase or decrease the required deposit based on project specific factors, including acreage disturbed, number of consultants required, and proximity to environmentally sensitive resources.
 - iii. Replenishment and Administration:

The **[Municipality]** may require the Applicant to replenish the escrow whenever the balance falls below **25%** of the initial deposit or when additional review is necessary due to project revisions, inspections, or post-construction compliance checks.

The **[Municipality]** shall administer the escrow and disburse payments directly to its consultants in accordance with a written Escrow or Professional Services Agreement executed between the Applicant and the **[Municipality]**. All unused escrow funds shall be refunded to the Applicant upon completion of all required reviews and close-out of the project.
- b. Financial Security for Construction and Maintenance:

Prior to the issuance of a Building Permit, the Applicant shall provide financial security acceptable to the **[Municipality]**, such as a performance bond, letter of credit, or other surety, to guarantee completion of required improvements, including access roads, landscaping, stormwater management infrastructure, and any other mitigation measures identified through the review process.
- c. The amount and form of financial security shall be approved by the **[Municipality]** Attorney and maintained in full force for the duration of construction and the first year of operation.
- d. Decommissioning Security
 - a. Security shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal of the solar energy system and restoration of the site subsequent to removal. The Security shall be an evergreen letter of credit issued an A-rated financial institution or an A3 rating financial institution on behalf of the company, substantially in the form attached hereto as Exhibit A. The amount of the Security shall be **125 percent** of the established cost of removal of the solar energy system and restoration of the property, with an **escalator of 2 percent annually** (or Consumer Price Index change if more than the annual escalator of 2 percent) for the life of the solar energy system and shall not take into account the net salvage value of any such

- project components. The Security established by the agreement shall not be subject to disclaimer or rejection in a bankruptcy proceeding.
- b. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the Security shall be forfeited to the [Municipality], which shall be entitled to maintain an action thereon. The Security shall remain in full force and effect until ninety (90) days after the restoration of the property, as set forth is the decommissioning plan, is completed.

Section 13 – Battery Storage

- A. If a Solar Energy System includes a Battery Energy Storage component, such component shall be subject to the [Municipality's] Battery Energy Storage Law. No battery system shall be approved under this Solar Energy Law alone.

Section 14 – PILOT

- A. Any Payment-in-Lieu-of-Taxes (PILOT) arrangement is subject to the policies and procedures of the Cortland County Industrial Development Agency (CCIDA)
- B. [Municipality's] shall not enter into or enforce PILOT agreements under this Solar Law.

Section 15 – SEVERABILITY

- A. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgement of any court of competent jurisdiction to be impaired, illegal, invalid, unenforceable or unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect and shall be fully severed from this Code and there shall be automatically added in lieu thereof, a provision as similar in terms and intent to such severed provision as may be legal, valuable and enforceable.

Solar Law Template: “at a Glance”

The goal: create a practical, adaptable template that helps municipalities regulate solar in a way that protects farmland, community character, and environmental resources.

This is a resource - Municipalities may adopt, modify, or use portions of it.

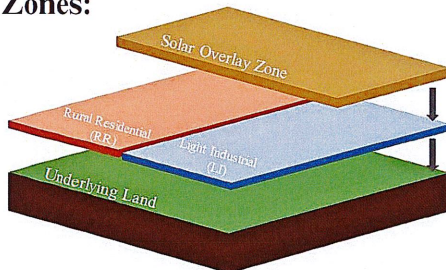
Tiered System Approach:

Tier	Size
Tier 1	Up to 25 KW ($\leq 4,000$ sq. ft.)
Tier 2	25 kW to 1 MW (≤ 8 acres)
Tier 3	1 MW to 5 MW (≤ 40 acres)
Tier 4	Over 5 MW (40+ acres)
Tier 5	Agrioltaic; 25 kW to 5 MW (≤ 40 acres)

Fill-in-the-Blank Style

-  Spacing & Density: No Tier 2–5 project within **1 mile** of another.
-  Slope Limitation: Development discouraged on over **8%** slopes.
-  Residential Setback: **200 feet** from non-participating homes.
-  Landscape Buffer: **14 feet** in height at planting
-  Fencing: not exceed a height of **8 feet**
-  Soil classification tool: **USDA-NRCA**
-  Host Community Agreement: **\$1,000** per MW annually

Overlay Zones:



Decommissioning & Site Restoration

-  Baseline Study Requirements
-  Restoration Study & Verification
-  Public Notice of Decommissioning

Highlighted Topics:

- ✓ Overlay Zones
- ✓ Preferred vs Discouraged Locations
- ✓ Design & Installation Standards
- ✓ Agricultural Protections
- ✓ Wildlife & Environmental Impact Assessment
- ✓ Visual Impact & Glare Analysis
- ✓ Fire & Emergency Planning
- ✓ Annual Reporting & Inspections
- ✓ Decommissioning & Site Restoration
- ✓ Financial Security Requirements
- ✓ BESS referenced separately

Feedback Received:

- NYS Department of State
- NYSEDA
- Solar Task Force
- Municipal representatives

Not all feedback will be incorporated — but all comments are being documented and reviewed.

What's Next?

1. Integrate final legal and technical feedback into Draft #2
2. Complete final formatting and quality review
3. Release the updated Solar Law Template to all municipalities
4. Provide hands-on support to municipalities to tailor and develop local solar laws that reflect their individual priorities and conditions