



RIVERSIDE SOLAR, LLC

Matter No. 21-00752

900-2.4 Exhibit 3

Location of Facilities and Surrounding Land Use

Contents

Acronym List iii

Glossary Terms vi

Exhibit 3: Location of Facilities and Surrounding Land Use 1

 3(a) Topographic Maps 1

 (1) Location of Facility Components, Electric Transmission Facility, and Ancillary Features 1

 (2) Proposed Interconnection Locations 1

 (3) Construction Clearing and Disturbance 2

 3(b) Facility Site and Regulatory Boundaries 2

 3(c) Description of the Proposed Facility Location 2

 3(d) Existing Land Use 3

 (1) Land Use Classification Codes 3

 3(e) Existing Utility Facilities Map and Consultations 6

 3(f) Tax Parcel Map 8

 3(g) Existing and Proposed Zoning Districts 8

 3(h) Adopted Comprehensive Plans 25

 3(i) Publicly Known Proposed Land Uses 32

 3(j) Maps of Designated Areas 33

 3(k) Maps of Recreational and Other Sensitive Land Uses 34

 3(l) Compatibility with Land Uses 37

 3(m) Qualitative Assessment of Facility Compatibility with Existing, Potential, and Proposed Above-ground Facilities 38

 3(n) Qualitative Assessment of Facility Compatibility with Existing, Potential, and Proposed Underground Facilities 39

 3(o) Conformance with Coastal Zone Management 39

 3(p) Aerial Photographs of All Properties 39

 3(q) Aerial Photograph Overlays 40

 3(r) Current Land Use 40

 3(s) Community Character of the Study Area 40

3(t) Historic Contamination in the Study Area43
3(u) Oil, Gas, and Mining in the Study Area43
Conclusions43
References45

Tables

Table 3-1. Land Use Classification Codes within the Facility Site and Study Area 3
Table 3-2. Recreational and Other Sensitive Land Uses within the Study Area35

Figures

Figure 3-1. Topographic Maps of Facility Site
Figure 3-2. Facility Site and Regulatory Boundaries
Figure 3-3. Current Land Use and Major Utility Infrastructure in the Study Area
Figure 3-4. Tax Parcel Map within 1000 feet of Facility Site
Figure 3-5. Zoning Districts and Publicly Known Proposed Land Uses in the Study Area
Figure 3-6. Designated Areas within the Study Area
Figure 3-7. Aerial Photography of the Study Area

Appendices

Appendix 3-1. Town of Lyme Comprehensive Land Use Plan (2010)
Appendix 3-2. Town of Brownville Comprehensive Plan (1989)

Acronym List

AC	alternating current
ACPD	Arterial Corridor Protection District
AES	The AES Corporation, Inc.
A-IR	Agricultural and Island Residential
AR	Agricultural and Rural Residential
AR-1	Agricultural and Residential-1
AR-2	Agricultural and Residential-2
AR-3	Agricultural and Residential-3
B	Business
B1	Business 1
B2	Business 2
BES	biomass energy systems
BR	Business Residential
C	Commercial
CBES	commercial biomass energy systems
CEDS	Comprehensive Economic Development Strategy
CON	Conservation
CRCWRA	Chaumont River Corridor with Waterfront Revitalization Area
CRIS	Cultural Resources Information System
E&S	Erosion and Sediment
DSNY	Dig Safely New York
FEMA	Federal Emergency Management Agency
FHA	Flood Hazard Area
GIS	geographic information system
H	Hamlet
HDD	horizontal direction drill
I	Industrial
ID	Industrial District
IFP	Issued for Permit
L-1	Light Industrial
LOD	limit of disturbance

LWRP	Local Waterfront Revitalization Program
MD	Marine Development
MD2	Marine Development 2
MR	Marine (Town of Hounsfield)
MR	Marine Residential (Town of Clayton)
MU	Multi-Us
MW	megawatt
MWh	megawatt hours
NYCRR	New York Codes, Rules and Regulations
NYSAGM	New York State Department of Agriculture and Markets
NYSDEC	New York State Department of Environmental Conservation
NYSDOT	New York State Department of Transportation
NYSORPTS	New York State Office of Real Property Tax Services
OPRHP	New York State Office of Parks, Recreation, and Historic Preservation
ORES	Office of Renewable Energy Siting
ORPTS	Jefferson County Office of Real Property Tax Service
PDD	Planned Development District
PILOT	payment in lieu of taxes
PUD	Planned Unit Development
PV	photovoltaic
R-1	Residential
R-1	Single-Family Residential
R-2	Single and Two Family Residential
R-3	Multi-Family Residential
R-4	Single and Two Family Residential
RA	Residential A
RB	Residential B
RN	Residential Neighborhoods
ROW	right-of-way
RS	Residential Shoreline
RS-2	Residential Shoreline-2
SES	solar energy systems
SHPO	State Historic Preservation Office

SPDES	State Pollutant Discharge Elimination System
SPO	Scenic Protection Overlay District
SWECS	small wind energy conversion systems
SWPPP	Storm Water Pollution Prevention Plan
T	Trout
TS	Trout Spawning
USCs	Uniform Standards and Conditions
USDA	United States Department of Agriculture
USGS	United States Geological Survey
W	Waterfront
WECS	Wind Energy Conversion Systems
WF	Waterfront
WRD	Waterfront Revitalization District
VIA	Visual Impact Assessment

Glossary Terms

Ancillary features	The proposed components of the Facility which are constructed to supplement energy collection and distribution at the Facility, including haul roads, fencing, and the proposed interconnection line between the proposed collection substation and the existing National Grid Lyme Tap Line off the Thousand Islands – Coffeen St. 115 kV transmission line #4.
Applicant	Riverside Solar, LLC, a subsidiary of The AES Corporation, Inc. (AES), the entity seeking a siting permit for the Facility from the Office of Renewable Energy Siting (ORES) under Section 94-c of the New York State Executive Law.
Facility	The proposed components to be constructed for the collection and distribution of energy for the Riverside Solar Project, which includes solar arrays, inverters, electric collection lines, and the collection substation.
Facility Site	The parcels encompassing Facility components which totals 1,168 acres in the Towns of Lyme and Brownville, Jefferson County, New York (Figure 2-1).
Limits of Disturbance	The area to which construction impacts will occur, totaling approximately 628 acres.
Study Area	In accordance with the Section 94-c Regulations, the Study Area for the Facility includes a radius of five miles around the Facility Site boundary, unless otherwise noted for a specific resource study or Exhibit. The 5-mile Study Area encompasses 79,169 acres, inclusive of the 1,168-acre Facility Site.
Towns	The Towns of Lyme and Brownville, Jefferson County, New York.

Exhibit 3: Location of Facilities and Surrounding Land Use

This Exhibit provides information to satisfy the requirements of Chapter XVIII, Title 19 of New York Codes, Rules and Regulations (NYCRR) §900-2.4 of the Section 94-c Regulations including a series of figures showing the proposed location of Facility components relative to existing land uses, zoning districts, and other information as specified in §900-2.4 with accompanying discussion. The evaluation includes the Facility Site as well as the five-mile Study Area, where noted.

3(a) Topographic Maps

The United States Geological Survey (USGS) maintains the National Map online database which contains historical and recent USGS 7.5-minute (1:24,000) quadrangle topographic maps for the United States, as well as land cover imagery for the world. The Facility is located in the Dexter, New York, quadrangle and the most recent USGS mapping for that quadrangle is dated 2019. This information was used to produce the figures referenced throughout this Exhibit and described in the following subsections.

(1) Location of Facility Components, Electric Transmission Facility, and Ancillary Features

The Facility Site is 1,168 acres in size and consists of 10 parcels currently under lease or purchase option from private landowners in the Towns of Lyme and Brownville, Jefferson County, New York (Towns). The location of the Facility Site parcels is shown on Figure 4-1 in Exhibit 4 (Real Property).

Figure 3-1 depicts the locations of the Facility Site, Facility components and ancillary features, including solar panel arrays, electric collection lines, the collection substation, inverters, haul roads, and fence lines, overlain on USGS mapping (2019). The only proposed Facility features which fall outside of the Facility Site are approximately 330 feet of the interconnection line which ties the Facility in to the existing grid.

(2) Proposed Interconnection Locations

The Facility will connect to National Grid's existing Lyme Tap Line off the Thousand Islands – Coffeen St. 115 kV transmission line #4 via a new, approximately 330-foot 115 kV transmission

line extending from the onsite collection substation to the offsite existing transmission line. This interconnection is shown on Figure 3-1. The collection substation will be situated in the central portion of the Facility Site, adjacent to a panel array. The Facility will have no need for potable water or wastewater interconnections, communication lines, or stormwater drainage lines.

(3) Construction Clearing and Disturbance

Proposed areas of vegetative clearing and ground disturbance associated with grading and installation of Facility components has been limited to the maximum extent practicable. The limits and locations of vegetative clearing required for the Facility are shown on Figure 3-1 and on Sheets PV-C.00.01 through PV-C.00.17 (Existing Conditions and Clearing Plan) of the Issued for Permit (IFP) Design Drawings in Appendix 5-1. Additional information regarding vegetative clearing at the Facility Site is presented in Exhibit 11 (Terrestrial Ecology) of the Application.

3(b) Facility Site and Regulatory Boundaries

Figure 3-2 illustrates the Facility Site in relation to the municipal boundaries and taxing jurisdictions. The Facility is within the Towns of Brownville and Lyme and immediately adjacent to the Village of Chaumont, in Jefferson County, New York, and is within the General Brown Central School District and Lyme Central School District.

3(c) Description of the Proposed Facility Location

As described above and shown on Figure 3-2, the Facility Site and all ancillary features are located within the Towns of Brownville and Lyme in Jefferson County, New York. The Facility Site is located within designated agriculture and residential zoning districts within both towns. Additional information regarding local zoning designations is presented in Exhibit 24 (Local Laws and Ordinances). The nearest village is the Village of Chaumont, located immediately west of the Facility Site. The nearest city is the City of Watertown, located approximately nine miles southeast of the Facility Site. The Facility Site is located within the General Brown Central School District and Lyme Central School District. Additional information regarding taxing jurisdictions is provided in Exhibit 18 (Socioeconomic Effects).

The Facility Site is located within the New York State Department of Agriculture and Markets (NYSAGM) Agriculture District 2 in Jefferson County (JEFF 2). Rural residences and other

structures such as farm buildings are located along the boundaries of Facility parcels, and Facility features will be located away from residences and other structures in accordance with the Section 94-c setback requirements for solar projects. Exhibit 5 (IFP Design Drawings) includes additional information regarding setbacks applied for the Facility.

3(d) Existing Land Use

Figure 3-3 has been prepared using available geographic information system (GIS) data from the Jefferson County Office of Real Property Tax Service (ORPTS), New York State Office of Information Technology Services GIS Program Office, and classification codes of the New York State Office of Real Property Tax Services (NYSORPTS) within the Study Area. The Study Area includes approximately 79,169 acres of land (inclusive of the 1,168-acre Facility Site). The “Jefferson County Parcel Data” data set, derived from the Property Class attribute was used to produce Figure 3-3. Land Use Classification Codes have been implemented by the County to each parcel within the County to describe its primary use. These Land Use Classification Code descriptions and applications are consistent throughout New York State.

(1) Land Use Classification Codes

Land Use Classification Codes describe the primary use of each parcel and are consistent throughout NYS. Land Use Classification Code Categories, as defined by the NYSORPTS, that are classified within the Study Area include agricultural, residential, vacant land, commercial, community services, industrial, public services, and wild, forested, and conservation lands, and public parks. Each land use classification that occurs within the Study Area is described below and shown on Figure 3-3. Land Use Classification Codes within the Study Area by acreage are provided in Table 3-1 below.

Table 3-1. Land Use Classification Codes within the Facility Site and Study Area

Land Use Classification Code	Acreage within the Facility Site ¹	Acreage within the Study Area ²	Percentage of Study Area (%)
Agricultural (100)	1,012	28,964	37%
Residential (200)	148	19,724	25%
Vacant Land (300)	2	11,824	15%
Commercial (400)	0	555	1%
Recreation and Entertainment (500)	0	442	1%

Table 3-1. Land Use Classification Codes within the Facility Site and Study Area

Land Use Classification Code	Acreage within the Facility Site ¹	Acreage within the Study Area ²	Percentage of Study Area (%)
Community Services (600)	0	244	<1%
Industrial (700)	0	99	<1%
Public Services (800)	0	255	<1%
Wild, Forested, Conservation Lands and Public Parks (900)	0	6,106	8%
Roads/Non-Parcel Areas	N/A	10,954	14%

1. There are no non-parcel areas within the Facility Site boundary, because the Facility site is defined as the area inside host parcel boundaries. The Facility Site total acreage within mapped parcel boundaries is 1,162 acres; the difference from the reported Facility Site acreage of 1,164 acres throughout this Application is due to differences between the surveyed boundary of the Facility Site and the parcels as mapped in the Jefferson County GIS dataset where Land Use Classification is reported for this table.
 2. The area mapped as tax parcels within the study area totals approximately 68,214 acres.

Agricultural – 100

The NYSORPTS describes agricultural land as property used for the production of crops or livestock. Approximately 28,964 acres within the Study Area are classified as Agricultural Land (Code 100). The NYSAGM further classifies lands that are certified as Agricultural Districts pursuant to the New York Agricultural Districts Law (Article 25-AA of the Agriculture and Markets Law). Approximately 238,543 acres of land are mapped as Agricultural District in Jefferson County, of which 197,643 acres are farmed (NYSAGM, 2020a). Within the Town of Lyme, 14,022 acres are mapped within an Agricultural District. Within the Town of Brownville, 9,320 acres are mapped within an Agricultural District.

The Facility Site was evaluated to determine potential impacts to Agricultural Districts, as part of the Facility. The Facility Site consists of a total of eight parcels of NYSORPTS-classified Agricultural Land (Code 100), while seven are enrolled in Agricultural District 2 of Jefferson County. The Facility will have a fenced-in area of approximately 574.2 acres, including the collection substation, proposed within the mapped Agricultural Districts. Although the Facility is sited within mapped Agricultural Districts, the Facility Site will only occupy 728.71 acres (0.31 percent) of all lands designated as mapped Agricultural Districts within Jefferson County. Furthermore, the Facility will only occupy 5.2 percent of all lands designated as mapped Agricultural Districts within the Town of Lyme and 7.82 percent of lands designated as mapped Agricultural Districts within the Town of Brownville.

Solar facilities have minimal soil impacts on agricultural land being developed and landowners can restore the land to its agricultural potential following decommissioning. This is due, in part, to the use of driven posts for the solar array racking system's foundation which results significantly less soil disturbance than typical foundation/excavation requirements for other types of development.

Residential – 200

The NYSORPTS describes residential land as property used for human habitation. Living accommodations such as hotels, motels, and apartments are included in the commercial category (400). The NYSORPTS classifies 19,724 acres of the Study Area as Residential Land (Code 200). There is one parcel (comprising approximately 148 acres) classified as Residential Land within the Facility Site.

Vacant Land – 300

The NYSORPTS describes vacant land as property that is not in use, is in temporary use, or lacks permanent improvement. There are 11,824 acres within the Study Area classified as Vacant Land (Code 300). There is one parcel (comprising approximately two acres) classified as Vacant Land within the Facility Site. The two acres classified as vacant land within the Facility Site are designated as Rural Vacant Lots of 10 Acres or Less (code 314).

Commercial – 400

The NYSORPTS describes commercial land as property used for the sale of goods and/or services. There are 555 acres of land classified as Commercial Land Use (Code 400) properties within the Study Area. There is no land classified as Commercial Land within the Facility Site. Impacts to these areas are not anticipated as the Facility avoids these Commercial Land Use-designated areas.

Recreation and Entertainment – 500

The NYSORPTS describes recreation and entertainment land use as property used by groups for recreation, amusement, or entertainment. There are 442 acres of Recreation and Entertainment Land (Code 500) within the Study Area of the Facility. There is no land classified as Recreation and Entertainment Land within the Facility Site.

Community Services – 600

The NYSORPTS describes community service as land property used for the well-being of the community. There are 244 acres of Community Service Land (Code 600) within the Study Area of the Facility. There are no Community Service Land Use identified within the Facility Site, and therefore, no anticipated impacts.

Industrial – 700

The NYSORPTS describes industrial land as property used for the production and fabrication of durable and non-durable man-made goods. There are 99 acres of Industrial Land Use within the Study Area. There are no areas of land identified as Industrial Land Use within the Facility Site by NYSORPTS property class code.

Public Service – 800

The NYSORPTS describes public services as property used to provide services. There are 255 acres of Public Land Service Land Use (Code 800) within the 5-mile Study Area. There are no Public Service Land Use parcels identified within the Facility Site.

Wild, Forested, or Conservation Lands and Public Parks – 900

The NYSORPTS describes Wild, Forested, Conservation Lands, and Public Parks and reforested lands, preserves, and private hunting and fishing clubs. There are 6,106 acres of land identified as Wild, Forested, Conservation Lands, and Public Park Lands Use (Code 900) within the Study Area. No parcels are identified as Wild, Forested, Conservation Lands, and Public Park Land Use within the Facility Site. The Perch River Wildlife Management Area is located approximately 2.4 miles east of the Facility Site and features 7,932 acres of wildlife habitat and wildlife recreational areas. It is dominated by wetland and open water habitats, while also offering other habitats such as woodlands, early successional areas, and grassland habitats (NYSDEC, n.d).

3(e) Existing Utility Facilities Map and Consultations

Figure 3-3 illustrates known existing major electric, gas, water, and telecommunication (fiber optic) facilities within the 5-mile Study Area. These facilities include existing overhead or underground lines for gas, electric, telecommunication companies, and communication towers.

Utility facilities within the Facility Site include overhead electric wiring, (further described in Exhibit 21 Electric System Effects and Interconnection). Table 3-2 outlines known existing major electric, gas, water, and telecommunication facilities within the Facility.

Table 3-2. Existing Infrastructure Within the Facility Site

Existing Infrastructure	Owner	Site Plan/Figure/ Exhibit Reference	Impact
Haul Road	Verizon	PV-C.00.02	Shared Haul Road/Site Entrance 1 of Morris Track Road
Underground Line Easement	National Grid, fka Niagara Mohawk Power Corporation	PV-C.00.02	Shared Haul Road/Site Entrance 1 of Morris Track Road
Fiber Optic Cable	NY Development Authority of the North County (DANC)	Exhibit 20	Underground utility/Dig Safely New York coordination needed
Case Road	Town of Lyme	PV-C.01.07	Site Entrance 2 and 3
Case Road	Town of Lyme	PV-C.01.09	Lease limit within right-of-way (ROW)
Weaver Road	Town of Brownville	PV-C.01.13	Site Entrance 4 and 5/ horizontal direction drill (HDD)
Transmission Line on APN 63.00-2-6.1	National Grid, fka Niagara Mohawk Power Corporation/ New York Power Authority (NYPA)	PV-C.01.15 Figure 3-3	Access road and underground utility. Major utility/interconnection

There is one New York Power Authority major utility/interconnection line that runs through the Facility Site and two New York Power Authority utility lines that run through the Study Area (Figure 3-3). The Applicant will coordinate with Dig Safely New York (DSNY) to ensure that all utility and communication infrastructure within the Facility Site has been identified. The Applicant will be crossing the existing right-of-way for the Thousand Islands – Coffeen St. 115 kV transmission line #4 with underground collection and will work with Niagara Mohawk Power Corporation (d/b/a National Grid) to obtain the appropriate crossing agreements. There are no impacts anticipated to major communication or utility infrastructure associated with this construction or operation of the Facility.

3(f) Tax Parcel Map

Information on the current land use, tax parcel number, and owner of record for each property within the Facility Site, as well as those adjacent parcels within 1,000 feet, is depicted on Figure 3-4. This information is based on data obtained from Jefferson County and field observations of vacant land, where possible. Online records from Jefferson County indicate the Facility Site tax parcels are used for agricultural purposes including the following: raising cattle, calves, hogs, goats, donkeys, and other livestock; growing field crops; single family residences; and vacant agriculture land. This information was accessed online via the Jefferson County Map Viewer (<http://www.jeffcountymaps.com/>). The Convergent Energy + Power Project is a known proposed land use that is being constructed approximately 1,000 feet from the west boundary of the Facility Site. This proposed land use is further discussed in Section 3(i) below.

3(g) Existing and Proposed Zoning Districts

A scaled map of the existing zoning districts within the Study Area is included as Figure 3-5. The Study Area includes the Towns of Lyme, Brownville, Clayton, Orleans, and Hounsfield, as well as the Villages of Chaumont and Dexter, in Jefferson County. A description of the zoning districts within the Study Area is presented below, including permitted and prohibited uses within each zone. There are no proposed zoning districts within the Study Area.

Town of Brownville

The Town of Brownville Zoning Law establishes six zoning districts. The districts include Agricultural and Residential-1 (AR-1), Agricultural and Residential-2 (AR-2), Agricultural and Residential-3 (AR-3), Residential Neighborhoods (RN), Residential Shoreline (RS), and Residential Shoreline-2 (RS-2). The Study Area is located in the Agricultural and Residential-2, Agricultural and Residential-3, and Residential Shoreline Districts. The permitted and prohibited uses for each district are listed below. The seven parcels within the Facility Site located in the Town of Brownville are zoned as AR-2.

Permitted uses in the AR-1 District with a zoning permit include agricultural uses, one-family dwellings, shared use of existing telecommunication towers, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include community facilities, institutional uses, landscape nurseries, membership clubs, nonprofit facilities, public safety uses, public utility uses, enclosed repair shops, and accessory uses for the above uses. Special uses

(with Planning Board approval) include agribusiness, airstrips, animal care facilities, commercial farms, large solar photovoltaic energy systems, limited businesses, new telecommunication towers, outdoor recreation facilities, solar energy systems (SES), and accessory uses for the above uses. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Agricultural and Residential-1 District.

Permitted uses in the Agricultural and Residential-2 (AR-2) District with a zoning permit include agricultural uses, one-family dwellings, shared use of existing telecommunication, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include cemeteries, community facilities, crematoriums, funeral homes, institutional uses, landscape nurseries, machine or welding shops, membership clubs, nonprofit facilities, public safety uses, public utility uses, enclosed repair shops, accessory uses for the above uses, and small retail stores only where there is direct access to a state highway. Special uses (with Planning Board approval) include agribusiness, airstrips, animal care facilities, campgrounds, commercial farms, large solar photovoltaic energy systems, limited businesses, mobile home parks, new telecommunication towers, outdoor recreation facilities, SES, and accessory uses for the above uses. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Agricultural and Residential-2 District.

Permitted uses in the Agricultural and Residential-3 (AR-3) District with a zoning permit include agricultural uses, one-family dwellings, shared use of existing telecommunication towers, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include cemeteries, community facilities, crematoriums, flea markets, funeral homes, institutional uses, landscape nurseries, machine or welding shops, membership clubs, nonprofit facilities, public safety uses, public utility uses, enclosed repair shops, accessory uses for the above uses, and small retail stores, only with direct access to a state highway. Special uses (with Planning Board approval) include agribusiness, agricultural processing plants, airstrips, animal care facilities, boat storage facilities, building product supply facilities, campgrounds, dealerships, large solar photovoltaic energy systems, limited businesses, mobile home parks, new telecommunication towers, outdoor recreation facilities, SES, and accessory uses for the above listed uses. Special uses (with Town Board approval) include construction equipment storage yards, fuel storage/supply depots, junkyards, manufacturing or assembly plants, slaughterhouses, soil or mineral extraction uses, special event facilities, special tourist facilities, trucking terminals, warehouse facilities, and accessory uses for the above uses. Uses that are

not listed as a permitted use, site plan use, or special use are prohibited within the Agricultural and Residential-3 District.

Permitted uses in the Residential Neighborhood (RN) District with a zoning permit include agriculture uses, one-family dwellings, shared use of existing telecommunication towers, two-family dwellings, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include cemeteries, community facilities, funeral homes, institutional uses, landscape nurseries, machine or welding shops, membership clubs, nonprofit facilities, nursery schools and day-care centers, public safety uses, public utility uses, accessory uses for the above uses, and small retail stores where there is direct access to state highways. Special uses (with Planning Board approval) include agribusiness, campgrounds, indoor recreation facilities, limited businesses, mobile home parks, new telecommunication tower, outdoor recreation facilities, accessory uses for the above uses, and SES. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Residential Neighborhood District.

Permitted uses in the Residential Shoreline (RS) District with a zoning permit include agriculture uses, one-family dwellings, shared use of existing telecommunication tower, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include community facilities, institutional uses, landscape nurseries, membership clubs, nonprofit facilities, public safety uses, public utility uses, and accessory uses for the above uses. Special uses (with Planning Board approval) include boat storage facilities, limited business, marinas, new telecommunication towers, accessory uses for the above uses, and SES. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Residential Shoreline District.

Permitted uses in the Residential Shoreline-2 (RS-2) District with a zoning permit include agriculture uses, one-family dwellings, and accessory uses for the above uses. Site plan uses (after Planning Board review and approval) include community facilities, landscape nurseries, membership clubs, nonprofit facilities, public safety uses, and accessory uses for the above uses. Special uses (with Planning Board approval) include boat storage facilities, limited businesses, accessory uses for the above uses, and SES. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Residential Shoreline-2 District.

Town of Lyme

The Town of Lyme Zoning Law establishes two zoning districts and one overlay district. The districts include Agricultural and Rural Residential (AR), Waterfront (WF), and Wind Overlay Districts. The Study Area is located in all districts within the Town of Lyme. The permitted and prohibited uses for each district are listed below. Within the Facility Site there are six parcels zoned as AR, two of which include the wind overlay district.

Permitted uses in the Agricultural and Rural Residential (AR) District include farm operation, one-family dwelling, two-family dwelling, multi-family dwelling, individual mobile home, home occupation, accessory building/structure or accessory use, signs, recreational vehicles, day care facilities or respite homes, child day care facilities, rooftop/building mounted SES, and building-integrated photovoltaic SES. Special permit uses that require a special permit include motel/hotels, mobile home parks, airstrips, heliports, animal hospitals, institutional uses, essential services, quarries, riding academies, automobile service stations, junkyards, light industries, large product retail, small product retail, warehouses, restaurants, bars/craft breweries, commercial campgrounds, commercial recreation, commercial farms, offices, recreational vehicle parks, wireless communication facilities, small wind energy conversion systems (SWECS), biomass energy systems (BES), commercial biomass energy systems (CBES), ground mounted/free standing SES, commercial SES, and boat storage facilities. Prohibited uses for the Agricultural and Rural Residential District include boathouses, marinas, and wind energy conversion systems.

Permitted uses in the Waterfront District (WF) include single-family dwellings, two-family dwellings, accessory buildings or structures for accessory use, boathouses, signs, recreational vehicles, day care facilities and respite homes, child day care facilities, building-integrated photovoltaic SES, and rooftop/building mounted SES. Special permit uses that require a special permit include home occupation, restaurants, bars/craft breweries, institutional uses, essential services, small product retail, large product retail, offices, marinas, farm operation, BES, and ground mounted/free standing SES. Prohibited uses for the Waterfront District include airstrips, animal hospitals, automobile service stations, boat storage facilities, CBES, commercial campgrounds, commercial recreation, commercial farms, multi-family dwellings, heliports, individual mobile homes, junkyards, light industry, mobile home park, motels/hotels, recreational vehicle parks, riding academies, SWECS, commercial SES, wind energy conversion systems, wireless communication towers, quarries, and warehouses.

The Wind Overlay District permits Wind Energy Conversion Systems (WECS) with a special permit within the underlying district.

Town of Clayton

The Town of Clayton Zoning Law establishes 12 zoning districts. The districts include Agricultural and Island Residential (A-IR), Agricultural and Rural Residential (AR), Business (B), Conservation (CON), Hamlet (H), Industrial (ID), Marine Development (MD), Marine Development 2 (MD2), Marine Residential (MR), Residential (R-1), Scenic Protection Overlay District (SPO), Chaumont River Corridor with Waterfront Revitalization Area (CRCWRA). The Study Area is located in the Agricultural and Rural Residential District. No portion of the Facility is located in the Town of Clayton. The permitted and prohibited uses for each district are listed below.

Permitted uses in the Agricultural and Island Residential District (A-IR) include agricultural operations, agricultural uses, modular homes, and single-family dwellings. Permitted accessory uses include barns, silos, and other agriculturally related buildings, home occupations, patios, decks, and gazebos, private garages and carports, private greenhouses, private swimming pools, professional offices, roadside stands for sale of agricultural products grown on premises, and small storage buildings. Uses requiring a special use permit include churches or parish houses, cemeteries, educational institutions, multi-use trails, large storage buildings, two-family dwellings, and airstrips for landing fields and heliports. Uses requiring site plan approval include farms, wineries, distilleries, breweries, and cideries. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Agricultural and Island Residential District.

Permitted uses in the Agricultural and Rural Residential District (AR) include agricultural operations, agricultural uses, farm winery, mobile homes, modular homes, multi-family dwellings, single-family dwellings, two-family dwellings, and small agribusiness operations. Permitted accessory uses include barns, silos, and other agriculturally related buildings, home occupations, patios, decks, gazebos, private garages and carports, private greenhouses, private swimming pools, professional offices, roadside stands for sale of agricultural products grown on premises, small storage buildings, and storage buildings. Uses requiring a special use permit include aboveground storage tanks with single or combined capacity more than 550 gallons, animal hospitals, building supply stores, commercial greenhouses and plant nurseries, commercial farms, crematoriums and cemeteries, drive-in restaurants and food takeout

facilities, educational institutions, farm implement sales and service, fire, police, and other safety and governmental facilities, fraternal organizations, hospitals, nursing homes, and sanatoriums, public riding academies and stables, public utility facilities, restaurants, taverns, and bars, shopping centers, small commercial and retail enterprises, telecommunication facilities, multi-use trails, and trucking terminals. Uses requiring site plan approval include agricultural processing plants, airstrips, landing fields, and heliports, automobile sales and public garages, automobile service stations, commercial campgrounds, drive-in outdoor theaters, flea markets, machine and welding shops, mobile home parks, motels, hotels, and resorts, quarries, sand, gravel, and topsoil pits, salvage yards, recreational facilities, self-storage facilities, and racetracks. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Agricultural and Rural Residential District.

Permitted uses in the Business District (B) include amusement and recreation facilities, apartment dwellings, hotels, motels, and resorts, indoor theaters, laundromats, offices, public parking garages, restaurants, taverns, bars, retail businesses and service enterprises. Permitted accessory uses include manufacture that is either incidental to the retail business or of articles to be sold on premises to the consumer, service buildings and other structures for business use, and signs on premises. Uses requiring a special use permit include automobile sales-new and used, commercial green houses and plant nurseries, construction equipment sales and rental, laundries, cleaning, dyeing establishments, mortuary establishments, public utility facilities, telecommunication facilities, and multi-use trails. Uses requiring site plan approval include automobile service stations, storage, sales, and service of boats, ATVs and snowmobiles, drive-in restaurants and food take-out facilities, flea markets, commercial garages, machine and welding shops, shopping centers, and self-storage facilities. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Business District.

Permitted uses in the Conservation District (CON) include nature trails, ski trails, state-authorized hunting and fishing facilities, state-maintained campgrounds and rental cottages, and state-maintained public picnic facilities. Permitted accessory uses include public parking facilities and state-maintained docks and swimming facilities. Uses requiring a special use permit include public utility facilities and multi-use trails. There are no uses that require site plan approval for the Conservation District. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Conservation District.

Permitted uses in the Hamlet District (H) include agricultural uses, single-family dwellings, double-family dwellings, and modular homes. Permitted accessory uses include barns, silos, and other agriculturally related structures, home occupations, patios, decks, and gazebos, private garages and carports, private greenhouses private swimming pools and professional offices, and small storage buildings. Uses requiring special use permit include churches or other parish houses, fire, police, and other safety and governmental facilities, multiple-family dwellings, public utility facilities, restaurants, taverns, and bars, small commercial and retail enterprises, storage buildings, and multi-use trails. Uses requiring site plan approval include agricultural processing, automobile service stations, automobile sales and public garages, commercial recreational facilities, drive-in restaurants, food take-out facilities, farm implement sales and service, machine and welding shops, motels, hotels, and resorts, and shopping centers. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Hamlet District.

The Industrial District (ID) does not include any permitted uses or permitted accessory uses. Uses requiring special use permit include multi-use trails. Uses requiring site plan approval include adult entertainment businesses, boat manufacturing, business and commercial enterprises permitted in the Business (B) District, contractor's yard, enclosed manufacturing facilities, light industrial operations, lumberyards, machine and welding shops, machinery and transportation equipment sales, service, and repair, public utility facilities, repair garages, service and repair shops, telecommunication facilities, trucking and repair shops, and trucking terminals. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the ID.

Permitted uses in the Marine Residential District (MR) include modular homes and single-family dwellings. Permitted accessory uses include home occupations, patios, decks and gazebos, private docks and boathouses, private garages and carports, private swimming pools, professional offices in place of abode, pump houses, and small storage buildings. Uses requiring special use permit include agricultural uses, boathouses, bunkhouses, churches or parish houses, fire, police, and other safety and governmental facilities, public utility facilities, two-family dwellings, and multi-use trails. Uses requiring site plan approval include any construction of installation on a small island or shoal less than one acre in area and fishing guides' shore dinner party facilities. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Marine Residential District.

Permitted uses in the Marine Development-2 District (MD) include single-family dwellings, two-family dwellings, and modular homes. Permitted accessory uses include home occupations, patios, decks, and gazebos, private docks and boathouses, private garages and carports, private swimming pools, professional offices in place of abode, pump houses, and small storage buildings. Uses requiring special use permits include agricultural uses, churches or parish houses, community facilities, fire, police, and other safety and governmental facilities, public utility facilities, storage buildings, and multi-use trails. Uses requiring site plan approval include any construction installation on a small island or shoal less than one acre in area, boat sales yards, houseboats, commercial recreational facilities, cottage colonies, marinas, marine-related repair services and facilities in permanent structure, motels, hotels, and resorts, restaurants, taverns and bars, small commercial retail enterprises, self-storage facilities, farm wineries, distilleries, breweries, and cideries. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Marine Development-2 District.

Permitted uses in the Residential District (R-1) include modular homes and single-family dwellings. Permitted accessory uses include patios, decks, gazebos, private garages and carports, private swimming pools, professional offices in place of abode, and small storage buildings. Uses requiring a special use permit include churches or parish houses, public utility facilities, and multi-use trails. There are no uses requiring site plan approval for this district. Uses that are not listed as a permitted use, site plan use, or special use are prohibited within the Residential District.

There are no permitted uses, permitted accessory uses, uses requiring a special use permit, or uses requiring a site plan approval for the SPO District and the CRCWRA. Because there are no permitted uses in these Districts, all uses are prohibited in the Districts.

Town of Orleans

The Town of Orleans Zoning Ordinance establishes seven zoning districts. The districts include Agriculture and Rural Residence District, Rural Residence District, Residential Business District, Business District, Resort One District, Resort Two District, and Industrial District. The Study Area is located in the Agriculture and Rural Residence District and the Rural Business District. No portion of the Facility is located in the Town of Orleans. The permitted uses for each district are listed below.

Permitted uses in the Agriculture and Rural Residence District include agricultural operation, home occupation, manufactured home, single family dwelling, two family dwelling, and accessory uses for permitted uses. Uses requiring site plan review include agricultural businesses, agricultural processing plants, airstrips, animal hospitals, automobile service stations, billboards, campgrounds, cemeteries, community facilities, convenience stores, crematoriums, drive-in restaurants, drive-in theaters, fraternal organizations, hog or fur farms, industrial operations, large commercial enterprises, large product retails, machine and welding shops, manufactured home parks, motels/hotels, multiple family dwellings, professional offices, public or private recreational facilities, public riding stables, public utility facilities, recreational vehicle storage yards, rental cottages, restaurants, shopping centers, signs, slaughterhouses, small commercial enterprises, storage facilities, wholesale establishments, and accessory uses and buildings for site plan uses. Uses requiring special use permits include above ground fuel storage tanks above 1,000 gallons, bars, mining operations, multiple principal uses on one lot, nightclubs, off-premise directional signs, outdoor special events, salvage/junkyards, wireless communications facilities, and accessory use/buildings for special use permits. Uses that are not listed as a permitted use or special use permit uses are prohibited within the Agriculture and Rural Residence District.

Permitted uses in the Residence District include single family dwellings, two family dwellings, home operations, and accessory use/buildings for permitted uses. Uses requiring special use permits include off-premise signs, multiple principal uses on one lot, and accessory use/buildings for special permit uses. Uses that are not listed as a permitted use or special use permitted uses are prohibited within the Residential District.

Permitted uses in the Residential Business District include home occupation, manufactured home at least 800 square feet, single family dwellings, two family dwellings, and accessory use/buildings for permitted uses. Uses requiring a site plan review include animal hospitals, automobile service stations, community facilities, convenience stores, drive-in restaurants, fraternal organizations, large product retails, machine welding shops, motel/hotels, multiple family dwellings, professional offices, public or private recreational facilities, public utility facilities, rental cottages, restaurants, shopping centers, signs, small commercial enterprises, storage facilities, and accessory use/buildings for site plan review uses. Uses requiring a special use permit include bars, multiple principal uses on one lot, nightclubs, off-premise directional signs, outdoor special events, and accessory use/buildings for special permit uses. Uses that

are not listed as a permitted use or special use permitted uses are prohibited within the Residential Business District.

Permitted uses in the Business District include agricultural operation, home occupation, manufactured home at least 800 square feet, single family dwelling, two family dwelling, and accessory use/buildings for permitted uses. Uses requiring site plan review include agricultural businesses, animal hospitals, automobile service stations, billboards, campgrounds, community facilities, convenience stores, drive-in restaurants, fraternal organizations, industrial operations, large commercial enterprises, large product retails, machine and welding shops, motel/hotels, multiple family dwellings, professional offices, public and private recreational facilities, public utility facilities, recreational vehicle storage yards, restaurants, shopping centers, signs, small commercial enterprises, storage facilities, wholesale establishments, and accessory use/buildings for site plan uses. Uses requiring special use permits include bars, multiple principal uses on one lot, nightclubs, off-premise directional signs, outdoor special events, wireless communications facilities, and accessory use/buildings for special permit uses. Uses that are not listed as a permitted use or special use permitted uses are prohibited within the Business District.

Permitted uses in the Resort One District include agricultural operation, home occupation, manufactured home at least 800 square feet, single family dwelling, two family dwelling, and accessory use/buildings for permitted uses. Uses requiring a site plan review include automobile service stations, campgrounds, cemeteries, community facilities, convenience stores, fraternal organizations, large commercial enterprises, machine and welding shops, marinas, motel/hotels, multiple family dwellings, professional offices, public or private recreational facilities, public utility facilities, recreational vehicle storage yards, rental cottages, restaurants, signs, small commercial enterprises, storage facilities, and accessory use/buildings for uses requiring site plan review. Uses requiring special use permits include bars, multiple principal uses on one lot, off-premise directional signs, outdoor special events, and accessory use/buildings for uses requiring special use permits. Uses that are not listed as a permitted use or special use permitted uses are prohibited within the Resort One District.

Permitted uses in the Resort Two District include home occupation, single family dwellings, two family dwellings, and accessory use/buildings for permitted uses. Uses requiring a site plan review include community facilities, fraternal organizations, marinas, multiple family dwellings, professional offices, public or private recreational facilities, motel/hotels, public utility facilities,

restaurants, signs, small commercial enterprises, storage facilities, and accessory use/buildings for uses requiring site plan review. Uses requiring special use permits include bars, multiple uses on one principal lot, off-premise directional signs, outdoor special events, and accessory use/buildings for uses requiring special use permits. Uses that are not listed as a permitted use or special use permitted uses are prohibited within the Resort Two District.

Permitted uses in the Industrial District include agricultural operation and accessory use/buildings for permitted uses. Uses requiring site plan review include agricultural businesses, agricultural processing plants, industrial operations, large commercial enterprises, machine and welding shops, public utility facilities, restaurants, small commercial enterprises, signs, wireless communications facilities, wholesale establishments, and accessory use/buildings for uses requiring site plan review. Uses requiring special use permit include adult entertainment uses, multiple principal uses on one lot, and accessory use/buildings for uses requiring special use permits. Uses that are not listed as a permitted use or special use permitted uses are prohibited within the Industrial District.

Town of Hounsfield

The Town of Hounsfield Zoning Law establishes seven zoning districts. The districts include Agricultura/Residential (AR), Hamlet (H), Industrial (I), Multi-Use (MU), Marine (MR), Arterial Corridor Protection District (ACPD), and Planned Development District (PDD). The ACPD and PDD are overlay districts within the Town. The Study Area is located in the Multi-Use District and Marine District. No portion of the Facility is located in the Town of Hounsfield. The permitted uses for each district are listed below.

Permitted uses in the AR District include agriculture, single and two-family dwellings, individual mobile homes, home occupations, and accessory uses of the above listed uses. Uses requiring site plan review include essential services, institutional uses, auto service stations, agricultural businesses, funeral homes, kennels, outdoor recreation, small retail, travel trailer parks, excavation, multi-family dwellings, small offices, bed and breakfast inns, restaurants, and townhouses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Agricultural/Residential District.

Permitted uses in the H District include single and two family dwellings, home occupations, and accessory uses of the above listed uses. Uses requiring site plan review include essential

services, institutional uses, outdoor recreation, funeral homes, motels/hotels, offices, restaurants, automobile service stations, small retail, multi-family dwellings, bed and breakfast inns, and townhouses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Hamlet District.

Permitted uses in the I District include single and two-family dwellings, agriculture, home occupations, multi-family dwellings under thirty-five feet in height and in accordance with the provisions of this Local law, collocation of antennae on existing telecommunication towers or other Structures not extending the overall exterior dimensions by more than five feet, construction of telecommunication towers and accessory uses thereto on property owned by the Town of Hounsfield, and accessory uses to the above listed uses. Uses requiring site plan review include heavy industry, light industry, warehouses, airstrips, auto service stations, essential services, excavation, adult entertainment uses, multi-family dwellings exceeding thirty-five feet in height, junkyards, telecommunication towers, bed and breakfast inns, restaurants, large retail, small retail, small offices, offices, and townhouses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the I District.

Permitted uses in the MU District include single and two-family dwellings, individual mobile homes, agriculture, home operations, multi-family dwellings under thirty-five feet in height and in accordance with provisions of Article VII of this Local law, and accessory uses of the above listed uses. Uses requiring a site plan review include essential services, institutional uses, small retail, large retail, auto service stations, agricultural businesses, kennels, outdoor recreation, travel trailer parks, light industrial, warehouses, hotels/motels, restaurants, offices, multi-family dwellings exceeding thirty-five feet in height, mobile home parks, excavation, telecommunication towers, small offices, bed and breakfast inns, and townhouses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the MU District.

Permitted uses in the MR District include agriculture, single-family waterfront dwellings, individual mobile homes, individual waterfront mobile homes, home occupations, single and two-family dwellings, rental cottages, seasonal housekeeping units, and accessory uses of the above listed uses. Uses requiring a site plan review include travel trailer parks, campgrounds, outdoor recreation, essential services, small retail, marinas, restaurants, motels/hotels, institutional uses, multi-family dwellings, and townhouses. Uses that are not listed as a

permitted use, site plan permitted uses, or special use permitted uses are prohibited within the MR District.

The ACPD overlays the Town of Hounsfield and encompasses the area located within one thousand feet on each side of the local highway known as Military Road and the New York State highways designated Route 180 and Route 103. For the portions of Agriculture, Multi-Use, and Industrial Districts within 1,000 feet of the ACPD, Local Roads, and State Roads, the following uses are permitted in the underlying Agriculture/Residential, Multi-Use, and Industrial Districts: agricultural, home occupations, individual mobile homes, multifamily dwellings (require a site use permit in A/R District), road stands, single and two family dwellings, and accessory uses to the above listed uses. The following uses require site plan review in the Agriculture/Residential district within the ACPD: campgrounds/travel trailer parks, farmers markets, permanent flea markets, funeral homes, institutional uses, landscape nursery, motel/hotels, restaurants, commercial self-storage units, and indoor storage.

The following uses require special use permit in the Agriculture/Residential district within the ACPD: agricultural businesses, bed and breakfast inns, kennels, multi-family dwellings, non-motorized outdoor recreation, small offices, small retail, and townhouses. Adult entertainment uses, airstrips, auto service stations, excavation, heavy industry, junkyards, large retail, light industry, motorized outdoor recreation, shopping center, and warehouse uses are not permitted in the Agriculture/Residential district within the ACPD.

Agricultural business, auto service stations, campgrounds and travel trailer parks, essential services, farmers markets, permanent flea markets, funeral homes, institutional uses, kennels, landscape nurseries, light industry, motel/hotels, non-motorized outdoor recreation, restaurants, commercial self-storage units, shopping centers, indoor storage, and warehouse uses are permitted with a site plan review in the Multi-Use district within the ACPD. Bed and breakfast inns, large retail, motorized outdoor recreation, small offices, small retail, and townhouse uses are permitted with a special use permit. Adult entertainment, airstrips, excavation, heavy industry, and junkyards are not permitted in the Multi-Use district within the ACPD.

Agricultural business, airstrips, auto service stations, campgrounds/travel trailer parks, essential services, farmers market, permanent flea markets, funeral homes, heavy industry, kennels, landscape nursery, light industry, motel/hotels, non-motorized outdoor recreation, restaurants, commercial self-storage units, shopping centers, small offices, small retail, indoor storage,

townhouses, and warehouses are permitted with a site plan review in the Industrial District within the ACPD. Bed and breakfast inn, institutional, and large retail uses are not permitted in the Industrial District within the ACPD.

The PDD Overlay District requires minimum area to be met, land ownership, lease, or control, and demonstration of meeting the Local Law objectives. Specific use requirements for the District are determined by the Town Board, and the Town Zoning Map will be amended in accordance with the procedures listed in the Local Law. No permitted or not permitted uses are listed in the Town of Hounsfield Zoning Law.

Village of Chaumont

The Village of Chaumont Zoning Law establishes six zoning districts. The districts include Residential A (RA), Residential B (RB), Waterfront (W), Business 1 (B1), Business 2 (B2), and Business Residential (BR). The Study Area includes all districts within the Village of Chaumont. No portion of the Facility is located in the Village of Chaumont. The permitted and prohibited uses for each district are listed below.

Permitted uses within the Residential A (RA) district include one family dwellings and accessory uses and structures of existing permitted uses. Uses requiring site plan review include bed and breakfasts, child day care facilities, home occupations, institutional uses, motels, and accessory uses of the existing site plan uses. Prohibited uses within the district include agricultural hobby farming, agricultural operations, automobile stations, bars, taverns, or pubs, boat storage, campgrounds, car washes, two family dwellings, multi-family dwellings, single or double wide manufactured homes, funeral homes, hotels, commercial kennels, light industrial, marinas, night clubs, professional offices, quarries, restaurants, small product and large product retail, self-storage, waterfront recreational services, and warehouses.

Permitted uses within the Residential B (RB) district include one family dwellings, two family dwellings, and accessory uses and structures for existing permitted uses. Uses requiring site plan review include agricultural hobby farming, agricultural operations, bed and breakfasts, child day care facilities, home occupations, institutional uses, quarries, and accessory uses of the existing site plan uses. Prohibited uses within the district include automobile services, bars, taverns, and pubs, boat storage, campgrounds, car washes, multi-family dwellings, single and double wide manufactured homes, funeral homes, hotels, commercial kennels, light industrial,

marinas, motels, night clubs, professional offices, restaurants, small product and large product retail, self-storage, waterfront recreational services, and warehouses.

Permitted uses within the Waterfront (W) district include one family dwellings and accessory uses and structures of the existing permitted uses. Uses require site plan review include bed and breakfasts, boat storage, campgrounds, child day care facilities, home occupations, institutional uses, marinas, restaurants, waterfront recreation services, and accessory uses of the existing site plan uses. Prohibited uses include agricultural hobby farming, agricultural operations, automobile service stations, bars, taverns, and pubs, car washes, to family dwellings, multi-family dwellings, single and double wide manufactured homes, funeral homes, hotels, commercial kennels, light industrial, motels, night clubs, professional offices, quarries, small product and large product retail, self-storage, and warehouses.

Permitted uses within the Business 1 (B1) district include child day care facilities, one family dwellings, home occupations, accessory uses and structures of the existing permitted uses, and accessory uses of the existing site plan uses. Uses requiring a site plan review include automobile service stations, bars, taverns, and pubs, bed and breakfasts, hotels, institutional uses, night clubs, professional offices, restaurants, and small product retail. Prohibited uses include agricultural hobby farming, agricultural operations, boat storage, campgrounds, car washes, two family dwellings, multi-family dwellings, single and double wide manufactured homes, funeral homes, commercial kennels, light industrial, marinas, motels, quarries, large product retail, self-storage, waterfront recreational services, and warehouses.

Permitted uses within the Business 2 (B2) district include child day care facilities, one family dwellings, two family dwellings, single wide and double wide manufactured homes, home occupations, accessory uses and structures of the existing permitted uses, and accessory uses of the existing site plan uses. Uses requiring a site plan review include agricultural hobby farming, agricultural operations, automobile service stations, bars, taverns, and pubs, bed and breakfasts, boat storage, campgrounds, car washes, multi-family dwellings, funeral homes, hotels, institutional uses, commercial kennels, light industrial, motels, night clubs, professional offices, restaurants, small and large product retail, self-storage, and warehouses. Prohibited uses include marinas, quarries, and waterfront recreational services.

Permitted use within the Business Residential (BR) district include agricultural operations, child day care facilities, one family dwellings, two family dwellings, single and double wide

manufactured homes, accessory uses and structures of the existing permitted uses, and accessory uses of the existing site plan uses. Uses requiring site plan review include agricultural hobby farming, bed and breakfasts, boat storage, campgrounds, car washes, multi-family dwellings, funeral homes, hotels, institutional uses, professional offices, restaurants, small product retail, accessory uses and structures of the existing permitted uses, and accessory uses of the existing site plan uses. Prohibited uses include automobile service stations, bars, taverns, and pubs, commercial kennels, light industrial, marinas, motels, night clubs, quarries, large product retail, self-storage, waterfront recreational services, and warehouses.

Village of Dexter

The Village of Dexter Zoning Law establishes six zoning districts, two overlay districts, and one floating district. The zoning districts include Single-Family Residential (R-1), Single and Two Family Residential (R-2), Multi-Family Residential (R-3), Single and Two Family Residential (R-4), Commercial (C), and Light Industrial (L-1). The overlay districts include Waterfront Revitalization District (WRD), and Flood Hazard Area (FHA). The one floating district in the Village is the Planned Unit Development (PUD) district. The Study Area is located in the Single-Family Residential and Single- and Two-Family Residential Districts. No portion of the Facility is located in the Village of Dexter. The permitted uses for each district are listed below.

Permitted uses within the Single-Family Residential (R-1) District include single-family dwellings. Uses permitted upon special use permit approval include public and semipublic facilities, essential services, home occupations, solar collectors, small wind turbines, lot dimensions, and accessory uses for the above uses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Single-Family Residential District.

Permitted uses within the Single and Two-Family Residential (R-2) District include single-family dwellings, residential conversion with a maximum of two dwellings, and two-family dwellings. Uses permitted upon special use permit approval include funeral homes, public and semipublic facilities, home occupations, essential services, solar collectors, small wind turbines, and accessory uses for the above uses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Single and Two-Family Residential District.

Permitted uses within the Multiple Family Residential (R-3) District include modular and single/double wide single-family dwellings, two-family dwellings, and residential conversion with a maximum of two dwellings. Uses permitted upon special use permit approval include home occupations, public and semipublic facilities, essential services, bed-and-breakfast and tourist homes, condominiums, funeral homes, multi-family dwellings, apartments, solar collectors, small wind turbines, and accessory uses/structures for the above uses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Multiple Family Residential District.

Permitted uses within the Single and Two-Family Residential (R-4) District include single family dwellings and two-family dwellings. Uses permitted upon special use permit approval include town houses, public and semi-public facilities, home occupations, essential services, solar collectors, small wind turbines, and accessory uses for the above uses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Single and Two Family-Residential District.

All permitted uses within the Commercial (C) District require special use permit approval. These uses include large and small product retail uses, offices, marinas, restaurants, automobile service stations, public and private parking garages and lots, hotels, motels, funeral homes, rental operations, clubs, shopping centers, theaters, public and semi-public facilities, professional services, personal services, fraternities and sororities, solar collectors, small wind turbines, accessory uses to the above listed uses, and similar commercial uses to the above listed uses. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Commercial District.

All permitted uses within the Light Industrial (L-1) District require special use permit approval. These uses include manufacturing plants, public utility facilities, light industrial operations, wholesale establishments or warehouses, body shops, recreational facilities, public and semi-public facilities, adult uses, telecommunication facilities, medical centers, mobile home parks, professional services, personal services, large and small product retail, accessory uses, funeral homes, fraternity or sorority houses, small restaurants, agriculture, marina, auto service stations, public and private parking garages and lots, hotels, motels, animal hospitals, rental operations, clubs, shopping centers, theaters, solar collectors, small wind turbines, accessory uses to the above listed uses, and uses similar to the allowed uses. Uses that are not listed as a

permitted use, site plan permitted uses, or special use permitted uses are prohibited within the Light Industrial District.

The WRD Overlay serves as an overlay zone that imposes the conditions and standards in addition to those in the underlying district. All permitted uses within the underlying land use district are permitted within the WRD but are subject to requirements listed in the Village of Dexter Zoning Law and the Dexter Local Waterfront Revitalization Program (LWRP). Permitted uses within the WRD require a special use permit and approval by the Village of Dexter Planning Board. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the WRD Overlay.

The FHA Overlay District serves to delineate areas within the Village of Dexter subject to flooding. All permitted uses within the underlying land use district are permitted within the FHA District, and are subject to the requirements of the underlying land use district. All accessory uses permitted within the underlying land use district are permitted in the FHA District as well. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the FHA Overlay District.

The PUD Floating District provides flexible land use and design regulations through the use of performance criteria so neighborhoods or portions may be developed within the Village of Dexter to account for residential and non-residential uses. Permitted uses are classified into three categories: residential, non-residential, and accessory uses. Permitted residential uses include residences of any variety or type with broad economic interest. Non-residential uses include commercial uses scaled to serve the residences within the PUD. Permitted accessory uses include private garages, storage spaces, recreational and community activities, churches, schools, and other similar accessory uses appropriate to the PUD. Uses that are not listed as a permitted use, site plan permitted uses, or special use permitted uses are prohibited within the PUD Overlay District.

3(h) Adopted Comprehensive Plans

Both towns in which the Facility is proposed have adopted Comprehensive Plans. The Town of Lyme Comprehensive Plan was adopted in 2010 and the Town of Brownville Comprehensive Plan was adopted in 1989. Additionally, county and regional level planning documents include the Town of Jefferson County Agricultural and Farmland Protection Plan updated in 2016;

Jefferson County Comprehensive Economic Development Strategy (CEDS), adopted in 2012; and the North Country Regional Sustainability Plan adopted in 2013. Table 3-2 outlines known existing major electric, gas, water, and telecommunication facilities within the Facility in 2013. A discussion of these plans has been included below.

Town of Lyme

The Facility Site is proposed in the Town of Lyme in Jefferson County. The Town of Lyme's Comprehensive Land Use Plan was adopted in 2010, amended in 2011, and is available on the Town of Lyme website: <https://www.townoflyme.com/comprehensive-plan.html>. The Comprehensive Plan is also included herein as Appendix 3-1. The Comprehensive Plan provides guidance to Town leaders and staff as to where the community has been, where it is, where they would like to go and generally, how they propose to get there. By illustrating the desired Town direction, the Comprehensive Plan allows potential development projects and priority environmental issues/areas to be identified, supported, and promoted or preserved (Town of Lyme, 2010).

The Town of Lyme Comprehensive Plan states that their vision for the future is to encourage "appropriate growth and development...while protecting priority character areas: open agricultural and open forest rural residential, open recreation, waterfront residential, community residential and business centers while retaining or enhancing scenic views" (Town of Lyme, 2010). The Comprehensive Plan lists several goals for the community, those including economic, community facilities, transportation, physical conditions, scenic resources, land use and buildings, and character area. The goals are listed below.

- Preserve existing jobs and encourage small scale and large-scale economic development where suitable/appropriate and feasible to foster a diverse local economy.
- Expand municipal services, recreation and/or park opportunities where needed to address town and community needs.
- Enhance traffic flow in congested areas and address parking needs.
- Enhance and protect lake, creek, and wetland water quality.
- Enhance and protect the priority character and scenic resource areas throughout the town.

- Foster development in suitable/appropriate areas that enhances town and community character, quality of life and preserves property values.
- Preserve and enhance the priority character areas throughout the Town by encouraging appropriate and compatible development in scale and type.

The Comprehensive Plan indicated that residents highly value the agricultural and rural character of the town and natural environment elements, such as the “natural beauty of the area” and “small town/rural atmosphere,” such as the St. Lawrence Seaway, Point Peninsula Wildlife Management Area, and Ashland Flats Wildlife Management Area; and the peace, quiet, and pristine nature of the community. A discussion of the community character has been included in Section 3(s) of this exhibit. According to the Comprehensive Plan, renewable energy projects featuring solar, geothermal, and wind power have gained prominence in the area. The Plan emphasizes the community’s focus on developing alternative energy sources, while maintaining the community’s values and planning.

The Facility will be consistent with this Comprehensive Plan by developing alternative energy projects while preserving the rural and tranquil culture and aesthetic, and by adhering to Town planning documents and recommendations to the maximum extent practicable. Solar electric generation generates little to no noise, no air emissions or water discharges, does not generate traffic, can be visually screened from adjacent residential land uses where needed, and does not result in an incremental cost increase to municipal infrastructure and services.

The Comprehensive Plan also places an emphasis on the importance of agriculture to the town’s local rural character and proper development to maintain the area’s culture. The Facility will follow the guidelines put in place by the Comprehensive Plan by using natural plants and fencing as screening mechanisms to avoid excess visual presence. Additionally, the Comprehensive Plan highlights the importance of local economic development. The Facility will help continue strategic economic growth through payments that are provided to the local participating landowners. The participating landowners involved in agriculture intend to continue agriculture activities on other parcels after the Facility is developed. Lease payments will help stabilize revenues for local participating farms as crop and dairy prices often fluctuate from year to year, and revenues paid to landowners are typically reinvested in the community, helping to maintain jobs and improve the local economy. Lease payments for land used to support the Facility will ensure that parcels remain intact during the life of the Facility, rather than being sold

or subdivided for other purposes, such as industrial park or residential subdivision development, that could be inconsistent with the rural character of the Town of Lyme.

The Facility will help create jobs in the community and provide stable income for farmers. An assessment of agricultural land within the Facility Site can be found in Exhibit 15. The benefits of the Facility will outweigh the loss of agricultural production as existing farming operations will be able to stabilize their revenues thereby providing the opportunity to further invest in their current agricultural operations. Additionally, solar development allows the land to be reverted back to the initial agricultural state, which allows landowners to resume agricultural operations after the useful life of the Facility. Furthermore, the Applicant intends to enter into a payment in lieu of taxes (PILOT) agreement with the Town of Lyme, along with the Town of Brownville, Jefferson County, and local school districts, and this additional revenue can be utilized by the Town to implement other goals of the Comprehensive Plan.

While the solar array panels are not agricultural crops, they do maintain a rural character by not increasing the demand for housing, community services, and local infrastructure. Solar energy generation does not result in air emissions, smoke, steam plumes, odor, noise, wastewater generation, water use, or other negative impacts typical of other development types. The Applicant intends to minimize impacts to community character through careful design and siting of the Facility. This includes strategic placement of vegetative screening, maximizing setbacks to existing residential uses, and avoidance of resources, as discussed in other exhibits.

Town of Brownville Comprehensive Plan

The Town of Brownville Comprehensive Plan was adopted in 1989 and was made available by contacting the Town Clerk. The Comprehensive Plan provides guidance for policy decisions of the Town Board and the Planning Board when they are considering proposals or ideas that have the potential to impact the character of the Town. Additionally, the plan provides an in-depth inventory of the components that make up the Town. With the guidance provided in the Brownville Comprehensive Plan, the Town can progress and improve in the changing environment while preserving the nature of the Town (Town of Brownville, 1989).

The Town of Brownville initially polled the members of the Brownville community to establish the goals and objectives set forth in the Comprehensive Plan. Issues surrounding public involvement in planning, zoning, and community character were raised in the survey, and the

Comprehensive Plan sets out twelve goals and corresponding objectives to meet public interest. The goals are listed below:

1. Expand highway facilities to care for increased traffic due to expansion of mainly single-family homes due to a general increase in population and the expansion of Fort Drum.
2. Due to major expansion and areas of poor soil for conventional subsurface sewage system, consideration should be given to community water and sewage systems.
3. Proposed industrial areas must be kept separate from present residential areas.
4. Develop a town wide recreation program.
5. Review and enforcement of all local laws.
6. Expanded police protection is needed town wide due to poor response time by local law enforcement agencies.
7. Increase employment opportunities within the Town of Brownville.
8. Protect historic resources.
9. Maintain and protect local water supply.
10. Protect wetland resources.
11. Promote year-round tourism in the Town of Brownville.
12. Commit to local planning process.

After performing an environmental, cultural, and economic analysis, the Town of Brownville divided the land into suitability areas. Along with the suitability areas, the comprehensive land use plan highlights nine land uses common to Brownville and proposes changes to the land use plan. These changes plan on utilizing vacant land for residential development, while preserving existing farmland and the rural character of the Town. Much of the growth Brownville experiences is in the residential areas of the town, and if managed properly, the growth can utilize existing vacant land and concentrate development in targeted areas. Areas of new development Brownville planned on focusing on include agriculture, residential areas ranging from one to ten acres and areas larger than ten acres, commercial development, recreation and entertainment, community service, industrial growth, and wild, forested, and conservation lands and parks.

The Town of Brownville developed twelve recommended policies to achieve their original goals for the community, all of which work to increase Town development while preserving the natural characteristics and rural nature of the Town. A further discussion of community character is included in Section 3(s) of this exhibit. The comprehensive plan also highlights the importance of developing underutilized areas within the Town, while protecting the town's natural resources from the introduction of hazardous and noxious wastes. Additionally, the Town wants to encourage, where possible, development that integrates various kinds of land uses to make things convenient and achieve a sense of community.

The Facility will be consistent with the Town of Brownville Comprehensive Plan by preserving the agriculture and rural values that hold importance in Brownville's culture. Electric generation with solar energy is a passive use that generates little to no noise, no air emissions or water discharges, no traffic, can be visually screened from adjacent residential land uses where needed, and does not result in an incremental cost increase to municipal infrastructure and services. The Facility will be located on land primarily agricultural in nature, meaning that 574.2 acres will not be available for agricultural development. However, the Facility will have a Decommissioning Plan, which includes opportunity for the land to be reverted to its initial agricultural state. These initial costs are also outweighed by the benefits the Facility will bring to the Town. The Facility will create jobs and be a source of stable income for farmers and other local landowners. The site design for the Riverside Facility also includes strategic placement of Facility components to minimize visual impacts on the surrounding. Additionally, the Applicant intends to enter a PILOT agreement with the Town of Brownville and other neighboring communities, as previously stated in this section.

Jefferson County Agricultural and Farmland Protection Plan

The Facility Site includes the Town of Lyme and Brownville; and the Study Area, which encompasses the Towns of Lyme, Brownville, Orleans, Hounsfield, and Clayton, and the Villages of Chaumont and Dexter in Jefferson County, New York. Jefferson County does not have a posted comprehensive plan on the county website. However, the Jefferson County Agricultural and Farmland Protection Plan was posted on the Jefferson County website: <https://co.jefferson.ny.us/Planning>. The Agricultural and Farmland Protection Plan was updated in 2016 and includes data on the role of agriculture in Jefferson County, including strengths, weaknesses, opportunities, and threats to agriculture in Jefferson County, agriculture goals for the county, recommendations to achieve these goals, and a summary of the state of agriculture

in the county (Jefferson County Agricultural and Farmland Protection Plan 2016). Although the Facility mainly occupies agricultural land, it offers a new source of renewable energy to the community. Once the economic life of the Facility is over, the Facility Site can return to the original agricultural state, thus supporting the Jefferson County Agricultural and Farmland Protection Plan.

Jefferson County Comprehensive Economic Development Strategy (CEDS)

The Jefferson County CEDS was adopted in 2012. The purpose of the plan is to continue the economic momentum Jefferson County has gained over the previous decade by capitalizing on emerging opportunities. Additionally, the plan intends to document and identify the County’s economic health and potential areas of improvement. The CEDS plan is intended to be used at varying levels to help direct integrated economic development programming and leverage funding for local economic and community development initiatives (Jefferson County CEDS, 2012).

Priorities for implementation in the plan include low-cost financing, industrial revenue bonds, tax incentives, foreign trade zone opportunities, state tax credits, and technical assistance. Through this plan, Jefferson County will work to enhance the economic state of the county and enhance the standard of living for members of the community. The Facility supports Jefferson County’s initiative for economic growth by providing a new diverse source of renewable energy while developing the local region.

North Country Regional Sustainability Plan

Jefferson County is an entity that is a part of New York’s North Country. The Adirondack North Country Association developed the North Country Sustainability Plan that discusses the opportunities for environmental science to play a role in the region’s economic growth. This includes the conversion to renewable energy sources, which is why the Brookside Solar Facility aligns well with the goals of New York States North Country and Jefferson County. The North Country Regional Sustainability Plan can be found on the Adirondack North Country Association website (<https://adirondack.org/sites/default/files/pdf/Final-Report-6-14-13.pdf>).

The North Country Regional Sustainability Plan was adopted in 2013 and highlighted that Energy was one of its six focus areas. Goals that were laid out within the Energy focus area were (1) Increase the local generation and distribution of renewable energy, (2) Increase energy

efficiency of the region's building stock and (3) Reduce energy use through consumer decision-making and behavioral changes (North Country Regional Sustainability Plan, 2013). Their priority strategies to reach these goals include:

- Provide and increase training opportunities for local contractors for renewable energy installations.
- Facilitate an increase in solar installation using successful models of residential and community-based solar power, including solar thermal.
- Promote the use of NYSERDA's ongoing programs to enhance the rate and scale of energy retrofits.
- Establish incentives for energy efficiency and green building projects
- Develop guidance for small-scale power economics

The Riverside Solar Facility would aid in the North Country reaching its Energy goals by providing renewable energy that is generated within the region and promotes clean, green energy initiatives.

3(i) Publicly Known Proposed Land Uses

Figure 3-5 identifies all publicly known proposed land uses within the Study Area. The Applicant has reviewed publicly available information, including town documents, public notices, and town board meeting minutes and has determined that within the Study Area there are two known proposed land uses: the Convergent Energy + Power Project and the Tracy Solar Energy Center. The Convergent Energy + Power Project is located off Morris Tract Road in Chaumont, New York approximately 1,000 feet from the western boundary of the Facility Site. This known proposed land use consists of four five-megawatt (MW) ground mounted SES with battery storage, and a one three-MW solar array ground mounted SES with battery storage. All five proposed SES are being constructed on a 236.5-acre parcel currently zoned as Business Residential (BR) in the Village of Chaumont. The Tracy Solar Energy Center is a 119-MW alternating current (AC) photovoltaic (PV) solar energy generation facility, proposed by EDF Renewables Development, Inc., which may include approximately 20 MW (80 megawatt hours [MWh]) of energy storage, in the Towns of Orleans and Clayton, Jefferson County, New York. The known proposed land use is located approximately 5 miles northeast of the Facility Site.

3(j) Maps of Designated Areas

Figure 3-6 illustrates the Facility Site in relation to NYS coastal areas, inland waterways, and LWRP areas, groundwater management zones, designated agricultural districts, flood-prone areas, critical environmental areas designated pursuant to Article 8 of the Environmental Conservation Law (ECL), and coastal erosional hazard areas that are located within the Study Area. Figure 3-6 was prepared using the NYSAGM Agricultural Districts Mapping for Jefferson County (2019), as well as data from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps. Additionally, Figure 3-6 was prepared with data from the United States Department of Agriculture (USDA) National Agricultural Statistics Service (2018).

The Great Lakes Region NYS Coastal Area Boundary extends into the Study Area. However, the Facility Site is not located within the designated NYS Coastal Area. The Facility will be developed on agricultural land away from the coastline, and the Applicant anticipates there will be no impacts to the designated Coastal Area. Therefore, conformance with the Coastal Zone Management Act is in effect for the Facility.

The Study Area includes the Chaumont River, a listed NYS inland waterway, and the Town and Village of Clayton LWRP Area. Additionally, it should be noted that the Towns of Lyme, Orleans, and Clayton have recently adopted the Chaumont River Corridor Waterfront Revitalization Strategy which was previously written in 2015. The Chaumont River is located within the northwestern portion of the Study Area, approximately 1 mile north of the Facility Site. The Facility Site is located within the Chaumont River watershed. However, the Facility is not anticipated to impact the Chaumont River as no water or air pollution is associated with the Facility or its construction. The Town and Village of Clayton LWRP Area is located in the northern portion of the Study Area. The waterbody associated with the Town and Village of Clayton LWRP, the St. Lawrence River, is approximately 10 miles north of the Facility Site. Because of the distance to the St. Lawrence River, and the lack of air or water pollution associated with the Facility and its construction, the Applicant does not believe the Facility will impact the waterfront.

The Study Area is located in Jefferson County Agricultural District 2 (JEFF002). Portions of seven out of the ten parcels that comprise the Facility Site are currently enrolled in the agriculture district. Agricultural District 2 in Jefferson County was created on January 22, 1984

and last certified on February 2, 2016 (CUGIR 2014). Additional information regarding agricultural districts has been provided in Section 3(d)(1).

Based on the publicly available data provided by the FEMA National Flood Hazard Layer, the Study Area does not have any known flood prone areas. The FEMA Flood Map Panels included in the Facility Site are the following: Panel 36045C0490G (effective 1/8/2014); Panel 36045C0478G (effective 1/8/2014); Panel 36045C0480G (effective 1/8/2014). Horse Creek is found in the northern portion of the eastern parcels in the Facility Site. Horse Creek, along with other unnamed tributaries within the central parcels of the Facility Site, is a New York State Department of Environmental Conservation (NYSDEC) Class C stream and is not a Trout (T) or Trout Spawning (TS) stream. The Facility Site is not expected to experience flooding as no known flood zone are located in the Towns. The Facility will utilize approved plans including a Stormwater Pollution Prevention Plan (SWPPP), State Pollutant Discharge Elimination System (SPDES), and Erosion and Sediment (E&S) Plan in order to avoid and minimize any potential impacts associated with runoff or flooding. Additionally, the Facility is designed to manage stormwater using various erosion and sediment, and other water quality controls such as basins and vegetative filter strips. More information regarding these features can be found in Exhibit 5 (IFP Design Drawings).

There are no known critical environmental areas located within the Study Area or Jefferson County. The DECInfo Locator was reviewed on June 3, 2021 and no sites were listed within Jefferson County at this time (<https://gisservices.dec.ny.gov/gis/dil/>). There are no known coastal erosional hazard areas within the Facility Site or Study Area, therefore, there are no anticipated impacts to coastal erosional hazard area associated with construction or operation of the proposed Facility.

3(k) Maps of Recreational and Other Sensitive Land Uses

Figure 3 of Appendix 8-1: Visual Impact Assessment includes recreation and other land uses reviewed within the 5-mile Study Area that, theoretically, might be affected by the sight, sound, or odor of the construction or operation of the Facility, or the onsite interconnection and related facilities. Table 3-3 of Exhibit 8 identifies the sources used to populate Figure 3 of Appendix 8-1.

Table 3-3. Recreational and Other Sensitive Land Uses within the Study Area

Land Use	Sources Reviewed	Within Study Area?
Wild, Scenic, and Recreational River Corridors	New York State Department of Environmental Conservation (NYSDEC) List of Wild, Scenic, and Recreational Rivers (Accessed 2021) National Wild and Scenic Rivers Mapping (Accessed 2021)	No
Open Space	NYS Department of State, Office of Planning & Development GIS Database (Accessed 2021) NYSDEC GIS Database (Accessed 2021)	No
Known Archaeological, Geologic, Historic, or Scenic Area	NYS Historic Preservation Office (SHPO) Cultural Resources Information System (CRIS) (Accessed 2021) NYS Department of State, Office of Planning & Development GIS Database (Accessed 2021)	No
Parks	NYS Office of Parks, Recreation, and Historic Preservation (OPRHP; Accessed 2021) NYSDEC State Lands Mapping (Accessed 2021) National Park Service (NPS) Mapping (Accessed 2021)	No
Designated Wilderness, or Forest Preserve Lands	NYSDEC GIS Database (Accessed 2021) National Wilderness Preservation System (Accessed 2021)	Yes
Scenic Vistas	NYS Scenic Vistas (Accessed 2021)	No
Conservation Easement lands	NYSDEC GIS Database (Accessed 2021) NYS Department of State, Office of Planning & Development GIS Database (Accessed 2021) National Conservation Easement Database (Accessed 2021)	No
Designated Scenic Byways	NYS Department of State, Office of Planning & Development GIS Database (Accessed 2021) NYS Department of Transportation (NYSDOT) List of Scenic Byways (Accessed 2021)	Yes
Nature Preserves	NYSDEC GIS Database (Accessed 2021)	Yes
Designated Trails	NYS OPRHP (Accessed 2020) NYSDEC GIS Database (Accessed 2021)	Yes

Table 3-3. Recreational and Other Sensitive Land Uses within the Study Area

Land Use	Sources Reviewed	Within Study Area?
Public Access Fishing Areas	NYSDEC GIS Database (Accessed 2021) DECinfo Locator (Accessed 2021)	No

Potential impacts to each of the sensitive land uses within the Study Area have been evaluated and avoided to the maximum extent practicable. Scaled maps that show these designated areas, recreational, and other sensitive land uses are evaluated in detail in Exhibit 8 (Visual Impacts) and the Visual Impact Assessment (VIA). The VIA assesses potential visual impacts of the Facility within two miles of the boundaries of the Facility (the Visual Study Area). Local, state, and federal sensitive visual resource areas were investigated per 16 NYCRR §1001.24. An inventory of publicly available and accessible visual resources was explored through the acquisition of GIS data, review of town, county, and agency reports, topographic data, and site visits. Visual resources within two miles of the Facility are listed in Table 8-2 of Exhibit 8.

There are no landmark landscapes, wild, scenic, or recreational rivers within five miles of the Facility. There are three wildlife management areas held by the NYSDEC located within the Study Area, as well as one nature preserve located approximately one mile north of the Facility Site. Additionally, there is one snowmobile trail, two cross country skiing trails, and one NYSDEC road within the Study Area. There are no open spaces identified by the NYS Office of Planning and Development or the NYSDEC within the 5-mile Study Area. The Great Lakes Seaway Trail passes through the Study Area along Lake Ontario to the west. There are no other state-designated scenic districts, scenic roads, or scenic areas of state-wide importance found within five miles of the Facility Site. There are no state parks managed by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) within five miles of the Facility and no local parks within five miles of the Facility Site as well. There are no public fishing easements within five miles of the Facility Site.

The Study Area overlaps with the Lyme Central School District, the General Brown Central School District and the Thousand Island School District. The Facility Site is located within the Lyme Central School District and the General Brown School District. The proposed Facility will not have any impacts or increase demands for the schools within the Lyme Central School

District, as the Lyme Central School is located in the northern region of the 5-mile Study Area and will not be impacted by construction activities. Additionally, no impacts or increased demands are expected to community services and municipal uses in the Study Area as the Facility Site consists of entirely agricultural land. There are no expected impacts to these areas aside from potential minimal and temporary traffic associated with the construction phase.

3(l) Compatibility with Land Uses

The Facility is located in the Town of Brownville and the Town of Lyme and is to be constructed primarily on agricultural land with some features set on undeveloped meadow and forested lands. Within one mile of the Facility Site, the primary land use is agricultural with some residential uses. Agricultural activities such as crop growth and harvest and raising livestock, as well as farm accessory buildings, are common to the land surrounding the Facility Site and within the Study Area. Common residential uses are single-family dwellings, accessory buildings such as garages and storage sheds, and the yards associated with residences. Agricultural land uses are important to the Town of Brownville, the Town of Lyme, and Jefferson County.

Although the Facility will be located on agricultural land, the Facility will only have temporary impacts on the land. Once the economic life of the Facility is complete, the Applicant will follow the decommissioning plan to restore the Facility Site. Additionally, the Applicant plans on using fencing and natural landscaping to minimize the visual impact the Facility will have on the surrounding residential communities in the Towns. The Facility will be relatively low in height, will not emit air or water pollution, will have no odors, and will produce minimal noise. There will be minimal traffic to the Facility Site during construction. These effects will have minimal impact on the community while generating clean energy. The Facility will have minimal long-term impacts on the agricultural and residential communities of Jefferson County and the Town of Brownville and the Town of Lyme. As previously discussed in Section 3(h), the Facility will be compatible with adopted land use plans within the Towns and Jefferson County.

As previously stated in Section 3(c), the Facility is situated within the Lyme Central School District and the General Brown Central School District. The Facility is located approximately two miles south of the closest school, and the Applicant does not anticipate immediate impacts to the school from Facility construction and operation. Additionally, there are no other civic or recreational facilities located within the Study Area, meaning civic and recreational facilities will not be subject to Facility impacts. Commercial areas near the Facility Site include businesses located along State Route 12E, which runs through the southern portion of the Facility Site. This

area may face slight increase in traffic during construction, but any impact associated with increased traffic during construction is not expected to continue once Facility construction is completed.

3(m) Qualitative Assessment of Facility Compatibility with Existing, Potential, and Proposed Above-ground Facilities

A qualitative assessment was completed for the Facility to determine the level of compatibility with existing, potential, and proposed above-ground facilities within the Study Area. The qualitative assessment evaluates short- and long-term effects of Facility-generated noise, odor, traffic, and visual impacts on the use and enjoyment areas within five miles of the Facility. The assessment includes evaluation of the compatibility of Facility's aboveground structures including commercial-scale solar arrays, inverters, and fencing, as well as any aboveground interconnections. The Facility Site totals 1,168 acres and the area within the limit of disturbance (LOD) for the Facility totals approximately 628 acres that Facility Components will physically occupy.

The collection lines will be placed underground for the entirety of their length and installed primarily via direct burial (cable plow) with some portions proposed to be installed via open trenching (as determined necessary), along with some portions via horizontal direction drill (HDD) in order to avoid wetland resources and roadways. The proposed aboveground interconnection line consists of a short span of approximately 324 feet, from the proposed collection substation to the existing Thousand Islands – Coffeen St. #4 – Lyme Tap 115 kV transmission line. Where the installation of the collection line will be via HDD, the only impacts will be temporary and located at the entry and exit points of the HDD equipment. Once built, the Facility will not have any adverse impacts to existing or proposed land uses. Interconnection facilities within the Facility Site include limited above ground collection lines, and the location of these above ground collection lines have been properly sited to avoid impacts to nearby land uses to the maximum extent practicable. The proposed collection substation, as well as the aboveground interconnection line, will be located on agricultural land, which will be restored and returned to pre-construction conditions following the useful life of the Facility. This will allow for continued agricultural use or allow for the land to be utilized for other permitted land uses if desired by the landowner. Therefore, the Facility will not result in permanent impacts to existing or proposed land use and is compatible with existing use.

3(n) Qualitative Assessment of Facility Compatibility with Existing, Potential, and Proposed Underground Facilities

Collection lines from the inverters to the collection substation will be placed underground within the Facility Site. Approximately 5.5 miles of collection lines are sited within land designated as Agricultural Land. The collection circuit will be underground and will only require temporary impacts to land uses as part of installation. Underground collection lines will remain within the Facility footprint and will interconnect to the proposed substation, also located within the Facility footprint. Therefore, the Facility will be compatible with existing and potential land uses within the Study Area by not encroaching on the land uses associated with adjacent and surrounding parcels.

3(o) Conformance with Coastal Zone Management

The Facility is not located within a designated coastal area. However, portions of the Study Area are within a designated coastal area and a LWRP in the Town and Village of Clayton (NYS DOS 2019). As previously mentioned in Section 3(j), the Towns of Lyme, Orleans, and Clayton recently adopted the Chaumont River Corridor Waterfront Revitalization Strategy. The Facility is located within the Chaumont-Perch watershed. The Chaumont River is a designated inland waterway and is located approximately 1-mile north of the Facility Site. However, there are no designated inland waterways found within the Facility Site. The Applicant anticipates the Facility will not produce air or water pollution, odors, and produce minimal noise during construction and operation. The Facility impacts are not anticipated to impact the adjacent coastal area. The Great Lakes region coastal boundary is located approximately 1.5 miles south of the Facility Site. The waterfront associated with the LWRP described above within the Town and Village of Clayton is located approximately 10 miles north of the Facility Site boundary. The Facility will not impact this LWRP, or the Waterfront Revitalization Strategy adopted by the Towns of Lyme, Clayton, and Orleans, as the Facility is situated to minimally disturb the surrounding natural resources and have low impact on the natural community.

3(p) Aerial Photographs of All Properties

Figure 3-7 represents aerial photographs of properties within the five-mile Study Area. The Applicant is not aware of any material changes to natural and cultural features that have occurred since the aerial photographs were taken.

3(q) Aerial Photograph Overlays

Figure 3-7 represents aerial photography overlaid with proposed Facility facilities to show the relationship with existing structures and vegetation cover types. Figure 3-7 also overlays the proposed Facility facilities, and limits of clearing at a larger scale with additional detail.

3(r) Current Land Use

Figure 3-7 illustrates aerial photographs that reflect current land uses within the Facility Site. Photographs include the date the photo was taken, and the Applicant believes these photographs best capture the current land use of the Facility Site.

3(s) Community Character of the Study Area

The Facility Site is located near the northern border of New York in a rural area of Jefferson County as shown on the figures included in this Exhibit. The applicant worked with the Town of Brownville and the Town of Lyme, landowners, and stakeholders to identify specific characteristics of the community that are of particular importance in the region. Land within the Town of Brownville and the Town of Lyme is primarily used for agriculture, and consists of agricultural fields, forested land, utility rights-of-way (ROWs), residences, farm buildings, streams, wetlands, hedgerows, farm ponds, outbuildings, storage silos, small paved roads, and unimproved farm roads. The local communities pride the area's rural and tranquil environment and want to preserve the culture while developing the Towns. While the Study Area covers approximately 79,168 acres, the amount of land used for the Facility Components is minimal (approximately 628 acres) in comparison, thus the Facility will have little impact on the existing land use in the Study Area. The primary potential effects will be during construction, which is temporary. Mitigation measures will be employed to minimize construction impacts relating primarily to fugitive dust and noise. Current recreational, cultural, and other concurrent uses, such as farming, can continue uninterrupted as usual outside of the Facility Site. The community character of the area was assessed through review of zoning ordinances, the Jefferson County Agriculture and Farmland Protection Plan, the Jefferson County CEDS, and the North Country Regional Sustainability Plan.

Community character includes defining features and interactions of the natural, social, and built environment, and how those features are used and appreciated in the community, based on the

land use plans discussed in Section 3(h), as well as information obtained through pre-application consultations. The Applicant has taken these three aspects and consulted with local municipalities, landowners, and stakeholders to identify specific characteristics of the community that are of particular importance to the region.

The natural environment includes agricultural land, forested land, conservation lands, recreation sites, rural residencies, and water resources in the area. The LOD totals approximately 628 acres, or 54 percent of the total 1,168-acre Facility Site. Furthermore, approximately 6 acres of vegetative screening will be planted, offsetting the impact to forested land. The proposed vegetative screening contains native trees and shrubs. Facility components were sited away from forested land to the maximum extent practicable to prevent wildlife habitat loss. There will be a total forested habitat loss of 82 acres. Additionally, approximately 1,012 acres of agricultural land will be used for the Facility. This land will be used during the economic life of the Facility. Thereafter, the land will be restored to substantially its existing condition and will be available to be reclaimed for agricultural use after the Facility is decommissioned, limiting the impacts to this land type.

The major water resources in the vicinity of the Facility include Chaumont Bay and Guffin Bay on Lake Ontario, the Chaumont River, Horse Creek, Guffin Creek, and onsite delineated wetlands and streams. Chaumont Bay, Guffin Bay, Chaumont River, and Guffin Creek are located outside of the Facility Site and will not be impacted by Facility construction and operation. The delineated wetlands and streams and Horse Creek have been avoided to the maximum extent practicable when siting Facility Components, as discussed in Exhibit 14 (Wetlands).

Lake Ontario and the Saint Lawrence River can also be considered part of the social environment that contributes to the community character of the region as a primarily rural area located near waterbodies and associated tributaries. The Facility will not impact Lake Ontario or the Saint Lawrence River as part of the social or natural environment, as it will not impede the use of the river or lake for recreational purposes. The Facility is sited away from nearby developed areas, and cultural resources were considered and protected during Facility design. The social environment includes developed areas that contain restaurants, shops, meeting places, churches, and centers for community gatherings. There are several restaurants, churches, and stores located within the Study Area. The Facility will not negatively impact any of these social features, as all Facility components will be installed within the Facility Site

boundaries. A discussion of the socioeconomic benefit of the Facility has been included in Exhibit 18. Some temporary and minimal traffic may result from construction traffic through the Town of Lyme and the Town of Brownville but will dissipate during operation of the Facility.

Lastly, the nearby built environment includes some social buildings described above, commercial areas, public utilities, and residential buildings. The closest commercial areas within the Study Area lie approximately 0.15 mile southwest of the Facility Site but will not be impacted aside from the temporary and minimal construction traffic. There are multiple residential parcels located adjacent to the Facility Site; however, the Applicant worked carefully to design and site the Facility to maximize the efficiency of the solar arrays and ensure they are located the optimal distance from non-participating adjacent landowners, in order to limit impacts. The primary potential impact considered for residential land is Facility visibility, which is discussed below.

All three of these features, the natural, social, and built environments, contribute to the rural community character of the area. The Applicant intends to protect this character through the careful design and siting of the Facility.

The Applicant has strived to balance the goals of the State and the Facility with the goals of the community, as outlined in the Jefferson County Agriculture and Farmland Protection Plan, the Jefferson County CEDS, the Town of Brownville Comprehensive Plan, and the Town of Lyme Comprehensive Plan, and as discussed with local landowners. Exhibit 17 (Consistency with Energy Planning Objectives) discusses the reasonable alternative Facility layouts that were evaluated as part of this balancing effort. Exhibit 17 details State laws and programs that set aggressive clean energy targets to combat climate change by reducing greenhouse gas emissions from State's energy sector.

Avoidance, minimization, and mitigation measures that were used in Facility siting are directly related to the community character of the area. The selected technology of photovoltaic solar arrays will result in an efficient layout minimizing the area of land, to the maximum extent practicable, that is required to achieve 100 MW of energy production. The collection lines have been placed underground to decrease aboveground impacts along the public roads. Minimum setbacks of 250 feet from non-participating occupied residences, 50 feet from non-participating adjoining property line, and 50 feet from roadways provide for large areas of open space between features and the proposed solar arrays to help maintain the open space and rural

character of the area. A Landscape Plan, included on Sheet PV-C.13.00 of Appendix 5-1, depicts the vegetative screening that will screen the Facility components to reduce visibility and also help maintain the visible greenery in the landscape that makes up the rural character.

The studies and evaluations that have been prepared as part of this Application are described in further detail in specific exhibits and associated appendices. Specific exhibits to reference include Exhibit 7 (Noise Impacts), Exhibit 8 (Visual Impacts), Exhibit 9 (Cultural Resources), and Exhibit 11 (Terrestrial Ecology). Each Exhibit provides additional information related to how the studies and evaluations were performed and provide details that pertain to the community character of the Study Area, as well as how unavoidable impacts will be mitigated.

3(t) Historic Contamination in the Study Area

The Riverside Solar site is not a repurposed site, therefore this section is not applicable to the Facility.

3(u) Oil, Gas, and Mining in the Study Area

There are no known oil, gas, or mining solution wells within five hundred feet of the proposed Facility Site. The NYSDEC NY State Mines and Wells viewer was reviewed and no mines or wells are located in the Facility Site (NYSDEC). Because no mines or wells were found, this section is not applicable to the Facility.

Conclusions

The Facility is situated primarily on agricultural land. Solar panels maintain a rural character by not increasing the demand for housing, community services, or local infrastructure. Solar energy generation does not result in air emissions, smoke, steam plumes, odor, noise, wastewater generation, water use, or other negative impacts typical of other development types. The Applicant intends to minimize impacts to community character through strategically placing vegetative screening, maximizing setbacks from residential uses, and avoiding sensitive resources. The Facility will have little impact on the existing land use in the Study Area. The primary potential effects will be during construction, which is temporary. The Applicant has strived to balance the goals of the State and the Facility with the goals of the community, as outlined in the local comprehensive plans and discussed with local landowners. The Facility has been designed to comply with 19 NYCRR § 900-2.4 and the Uniform Standards and Conditions

(USCs) and impacts related to land use have been avoided and minimized to the maximum extent practicable.

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