

**BYRON TOWN BOARD MEETING**

September 9, 2020

The Byron Town Board Meeting was called to order by Supervisor Yasses at 7:03 p.m. with the following people present:

- Supervisor.....Peter Yasses
- Councilmen.....Sue Fuller  
Jeff Thompson  
Josh Kent  
Eric Zuber
- Highway Superintendent.....David Leaton
- Town Clerk.....Debra Buck-Leaton
- Invited Guests.....Paul Boylan, Esq.  
Bridget O’Toole, Eq., The Zoghlin Group (Via Zoom)

**Public (Via Zoom):**

- Ellen Boyce            Dave Engle            Patty Kent            Barb Starowitz
- Kara Ivison            Kerri Diehl            Jim Lamkin            Dan Scott
- Steve Doty            David Stanley            Gayla Starowitz            Kaitlyn Moucha
- Richard Colby            Florence DuBois            Ben Raccuia            Pam Lynch
- George Squires            Candy Hensel            Victor DiGregorio            Phil Call
- Chris Yerdon            Dan and Maureen Fink
- Michelle Piasecki, Harris Beach
- Keddy Chandran, Nextera

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Supervisor Yasses.

**MINUTES:**

A **motion** was made by Councilman Zuber to approve the Byron Town Board minutes of August 12, 2020 and August 26, 2020 as written. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:            Ayes: 5            Nays: 0

**TOWN JUSTICE – Barb Smith:**

Justice Smith discussed the 2021 JCAP Grant and requests permission to apply for the grant to help cover the cost of PPE, signage due to COVID-19, improvements to electronics, scanner, monitors, phones and a blue tooth speaker at a cost of approximately \$2,679.00.

**JCAP GRANT**

**RESOLUTION #76:**

Councilwoman Fuller offered the following resolution and moved for its adoption:

**WHEREAS**, the Town Board of the Town of Byron hereby gives the Town Justice, Barbara Smith, approval to apply for a Justice Court Assistance (JCAP) Grant as follows:  
·\$2,679.00 for required signage, PPE and plexiglass required due to COVID-19, improvements to electronics, scanner, monitors, phones and blue tooth speaker, with the maximum allowed being \$30,000.00.

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 5                   Nays: 0

**PLANNING BOARD REPORT – George Squires:**

- Approved a land separation application for William Lynch on Ivison Road
- Discussed revisions to proposed Solar Law

**Noise Ordinance:**

- Did not discuss at this time.

A **motion** was made by Councilman Zuber to approve the Planning Board Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**SOLAR LAW:**

·Councilman Kent stated that the most significant changes were in regard to prime agricultural land and the inclusion of inspection language that mirrors the Town Zoning Laws.

**INTRODUCTION OF THE TOWN OF BYRON PROPOSED LOCAL LAW ENTITLED “TOWN OF BYRON ZONING LAW - SECTION 11.15 SOLAR ENERGY SYSTEMS” RESOLUTION #77:**

Councilman Kent offered the following resolution and moved for its adoption:

**WHEREAS**, the Town Board of the Town of Byron recognizes the growing potential for solar energy system proposals in the Town of Byron, and

**WHEREAS**, the Town of Byron’s current Solar Energy System Law does not adequately meet the Town’s objectives, which include:

- A. To protect and promote the farmland and agricultural economy and culture.
- B. To protect and promote scenic and environmental resources by minimizing the impact of Solar Energy Systems on Byron’s scenic and environmental resources.
- C. To take advantage of safe, abundant, renewable energy resource in a way that is consistent with the nature and character of the Town, and

**WHEREAS**, an amendment of the Town of Byron’s current zoning ordinance may be necessary to allow for the use of solar energy generation while meeting the objectives of the Town and its residents, and

**WHEREAS**, consideration is warranted of a proposed local law to amend the current zoning ordinance of the Town of Byron to establish a plan for well-sited solar projects in order to protect and promote the health, safety and welfare of the community, and

**WHEREAS**, Section 20, subsection 4 of New York State’s Municipal Home Rule Law allows for the introduction of a proposed local law by a member of a Town Board, and

**WHEREAS**, the Town Board of the Town of Byron hereby introduces the proposed **“Town of Byron Zoning Law - Section 11.15 Solar Energy Systems,”** a copy of which is attached hereto and made a part hereof, and the Town Clerk is hereby directed to enter said proposed local law into the minutes of this meeting.

Councilman Zuber seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 5                   Nays: 0

**REFERRAL OF THE TOWN OF BYORN PROPOSED LOCAL LAW ENTITLED “TOWN OF BYRON ZONING LAW - SECTION 11.15 SOLAR ENERGY SYSTEMS” TO THE BYRON PLANNING BOARD FOR A REPORT AND RECOMMENDATION THEREON**

**RESOLUTION #78:**

Councilman Kent offered the following resolution and moved for its adoption:

**WHEREAS**, the Town Board of the Town of Byron has introduced a proposed local law entitled **“Town of Byron Zoning Law - Section 11.15 Solar Energy Systems”** to amend the current zoning ordinance, and

**WHEREAS**, the Town Board of the Town of Byron finds it in the best interest of the Town to refer the proposed local law to the Planning Board for a report and recommendation there,

**NOW, THEREFORE**, Town Board of the Town of Byron hereby refers the proposed local law entitled **“Town of Byron Zoning Law - Section 11.15 Solar Energy Systems”** to the Town of Byron Planning Board for a report and recommendation thereon, a copy of which is attached hereto and made a part thereof, and the Town Clerk is hereby directed to enter said proposed local law into the minutes of this meeting.

**AND IT IS FURTHER RESOLVED**, that the Town Clerk is directed to transmit a copy of this resolution to the Town of Byron Planning Board.

**AND IT IS FURTHER RESOLVED**, that the Town of Byron Planning Board is directed to prepare and transmit a report and recommendation on the proposed local law to the Town Board within thirty (30) days after receiving said referral.

**AND IT IS FURTHER RESOLVED**, that that failure of the Town of Byron Planning Board to provide said report and recommendation to the Town Board within thirty (30) days after receipt of the referral by the Town Planning Board shall be deemed approval of the proposed local law.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 5                   Nays: 0

**ENACTMENT OF THE PROPOSED LOCAL LAW ENTITLED “TOWN OF BYRON ZONING LAW - SECTION 11.15 SOLAR ENERGY SYSTEMS” IS SUBJECT TO SEORA AND CLASSIFYING CONSIDERATION OF THE PROPOSED LOCAL LAW AS A TYPE I ACTION UNDER SEORA**

**RESOLUTION #79:**

Councilman Zuber offered the following resolution and moved for its adoption:

**WHEREAS**, on September 9, 2020 the Town Board of the Town of Byron introduced a proposed local law entitled **“Town of Byron Zoning Law - Section 11.15 Solar Energy Systems,”** and

**WHEREAS**, adoption of the proposed local law would involve a change in allowable uses within at least one district affecting 25 or more acres of the district, and

**NOW THEREFORE**, the Town Board of the Town of Byron hereby declares itself lead agency for purposes of SEQRA review.

**AND THEREFORE**, the Town Board of the Town of Byron finds that the adoption of the current version of the proposed local law entitled "**Town of Byron Zoning Law - Section 11.15 Solar Energy Systems**," would qualify as a Type I action under SEQRA because it would involve a change in allowable uses within at least one district affecting 25 or more acres of the district under 6 NYCRR 617.4(b)(2).

**AND THEREFORE**, the Town Board of the Town of Byron further resolves that the proposed action is classified as a Type I Action under SEQRA.

**AND THEREFORE**, the Town Board of the Town of Byron will review continue its SEQRA review of the proposed local law by preparing a Full Environmental Assessment Form.

**AND THEREFORE**, the Town Board of the Town of Byron will review any relevant submissions and comments related to the proposed local law in order to make a determination of environmental significance under SEQRA.

**AND THEREFORE**, the Town Clerk of the Town of Byron is hereby directed to enter this resolution into the minutes of this meeting.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote:           Ayes: 5           Nays: 0

**REFERRAL OF THE TOWN OF BYRON PROPOSED LOCAL LAW ENTITLED  
"TOWN OF BYRON ZONING LAW - SECTION 11.15 SOLAR ENERGY SYSTEMS"  
TO THE GENESEE COUNTY PLANNING BOARD PURSUANT TO GML 239-M  
RESOLUTION #80:**

Councilman Kent offered the following resolution and moved for its adoption:

**WHEREAS**, the Town Board of the Town of Byron has introduced a proposed local law entitled "**Town of Byron Zoning Law - Section 11.15 Solar Energy Systems**" to amend the current zoning ordinance, and

**WHEREAS**, on September 9, 2020 the Town Board of the Town of Byron declared itself lead agency for purposes of SEQRA review of the proposed action and completed Part 1 of the Full Environmental Assessment Form, and

**WHEREAS**, the Town Board of the Town of Byron is required to refer any adoption or amendment of a zoning ordinance or local law to the County Planning Board pursuant to GML 239-m.

**NOW, THEREFORE**, Town Board of the Town of Byron hereby refers the proposed local law entitled "**Town of Byron Zoning Law - Section 11.15 Solar Energy Systems**" to the Genesee County Planning Board for a report and recommendation thereon, a copy of which is attached hereto and made a part thereof, and the Town Clerk is hereby directed to enter said proposed local law into the minutes of this meeting.

**AND IT IS FURTHER RESOLVED**, that the Town Clerk is directed to transmit a copy of this resolution and the completed portions of the Full Environmental Assessment Form Part 1 to the Genesee County Planning Board.

**AND IT IS FURTHER RESOLVED**, that that failure of the Genesee County Planning Board to provide said report and recommendation to the Town Board within thirty (30) days

after receipt of the referral by the Town Planning Board shall be deemed approval of the proposed local law.

Councilman Zuber seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 5                   Nays: 0

**SOLAR:**

**EXECUTIVE SESSION:**

A **motion** was made by Councilman Thompson to go into executive session pursuant to Public Officer's Law 105(1)(d) to discuss Town of Byron's litigation strategy in the Application of Excelsior Energy Center for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law with the Town's special counsel at 7:55 p.m. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

A **motion** was made by Councilman Thompson to come out of executive session at 8:24 pm. The motion was seconded by Councilman Kent and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**Councilman Zuber:** Expressed his displeasure of the virtual open house by Nextera. He believes questions were hand-picked and not fully answered.

**Jim Lamkin:** He believes the open house was a waste of time

**Mary Beth Stacy:** She believes it was very informative

**Pam Lynch:** Believes her questions were ignored, and that there was no give and take with the public

**Dave Engle:** Believes questions were ignored and the questions that were addressed were predetermined by Nextera

**Michelle Piasecki, Harris Beach:** Nextera only had so much time to answer questions and the questions were not predetermined. Answers to questions will be posted on the project website.

**David Stanley:** Who is responsible for determining if a comment was a question that would be provided to the public or not

**Councilman Zuber:** Why was the open house limited to an hour

**Michelle Piasecki, Harris Beach:** Nextera took 35 minutes of each session to answer a lot of questions

**Jim Lamkin:** BAAS received 7 emails from members that their questions were not answered and that they were frustrated because there wasn't a live open house

**Michelle Piasecki, Harris Beach:** All responses will be published. The safety of Nextera employees and the public are most important due to COVID-19. There will not be an in person meeting.

A **motion** was made by Councilman Zuber that the Town Board is displeased with the virtual open house by Nextera and wishes the town had more opportunities to have their questions answered and that Nextera was more transparent. The motion was seconded by Councilwoman Fuller and carried with the following vote:

Vote:                   Ayes: 3                   Nays: 2 (Supervisor Yasses, Councilwoman Fuller)



**TRAILER PARK REPLACEMENT OF SEPTIC TANKS:**

**Supervisor Yasses:** At the August Town Board meeting the Supervisor informed the Board that some of the baffles are rotten on the tanks at the trailer park and need to be replaced. The Board had budgeted \$44,798 in 2020 in the sewer account to start replacing the tanks. The grant that MRB Group applied for on behalf of the Town is pretty much dead because there is no money available due to COVID. The Supervisor suggested taking \$35,000 or \$36,000 out to start replace them. The average cost of a new tank is \$3,500. The Town Board bid out replacing tanks to see how many a bidder can do for \$35,000. The Board can move some money in the sewer budget to do 11 tanks instead of 9. Shaun Dempsey from Camden will pick the worst tanks to replace first. The following bids were received:

Barefoot Septic & Sewer, Inc.	\$3,795.00 per tank
A.D. Call & Sons Excavating & Trucking, Inc.	\$4,270.00 per tank
Dilcher's Excavating & Contracting	\$4,456.25 per tank

**BYRON MOBILE HOME PARK SEPTIC TANK REPLACEMENT**

**RESOLUTION #82:**

Councilman Kent offered the following resolution and moved for its adoption:

**Resolved,** that the Town Board of the Town of Byron hereby awards the Byron Mobile Home Park Septic Tank Replacement to Barefoot Septic & Sewer, Inc. at a cost of \$3,795.00 per tank as per the bid specs.

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 5                      Nays: 0

**HIGHWAY SUPERINTENDENT'S REPORT – David Leaton:**

- Finished roadsides
- Doing road repairs
- Would like to deem Mack 6-Wheeler with plow, wing and sander as surplus in order to sell it.

A **motion** was made by Supervisor Yasses to deem the Mack 6-Wheeler truck with plow, wing and sander as surplus equipment and allowing the Highway Superintendent to put it up for auction. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

A **motion** was made by Councilman Kent to approve the Highway Superintendent's Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**CEO/ZEO REPORT – Mike Morris:**

- A copy of the report is on file with the CEO/ZEO

A **motion** was made by Councilwoman Fuller to approve the CEO/ZEO report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**PARK COMMITTEE REPORT – George Squires:**

·Discussed how much work the highway department has done in the parks and how pleased the Park Committee is with everything they’ve done.

**West Shore Park Law/Town of Byron Parks Law:**

·Town Attorney Paul Boylan is working on the law

A **motion** was made by Councilman Kent to approve the Park Committee Report as given. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**ABSTRACTS**

**RESOLUTION #83:**

Councilman Kent offered the following resolution and moved for its adoption:

***Resolved***, that the Byron Town Board pay the following abstracts:

<b><i>Fund:</i></b>	<b><i>Abstract:</i></b>	<b><i>Vouchers:</i></b>	<b><i>Amount:</i></b>
General Fund	#9	#173 - #190	\$66,694.93
Highway Fund	#9	#134 - #148	\$ 8,850.92
Sewer Fund	#9	#41 - #46	\$ 7,629.01
General Post Audit	#7	#53 - #58	\$ 1,716.27
Sewer Post Audit	#7	#22 - #23	\$ 700.35

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 5                      Nays: 0

**TOWN CLERK’S REPORT:**

Paid to the NYS Ag and Markets for spay/neuter program.....	\$ 94.00
Paid to NYS DEC.....	\$1,846.92
Paid to NYS Health Dept. for Marriage Licenses.....	\$ 22.50
Paid to Town of Byron Park Committee for pavilion rentals.....	\$ 20.00
Paid to the Town of Byron Supervisor.....	\$4,196.08
Total Disbursed for August 2020.....	\$6,179.50

A **motion** was made by Councilwoman Fuller to approve the Town Clerk’s Report as given for August, 2020. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                      Ayes: 5                      Nays: 0

**FINANCIAL REPORT:**

·The August 2020 Financial Report was reviewed.



A **motion** was made by Councilman Zuber to approve the August 2020 Financial Reports. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**SUPERVISOR'S REPORT:**

- Received \$7,669.19 in Cable Franchise revenue
- Received another \$94,960.00 in Sales Tax Distribution
- Received \$50,206.96 in intervenor funding
- Began budget process, but need to schedule a special budget meeting to start reviewing.
- Received notice from the County that the Town would tentatively receive \$369,968 in sales tax distribution in 2021, a 40% decrease from 2020. In 2020 the Town was supposed to receive \$685,000.

A **motion** was made by Councilman Kent to call a Special Town Board Meeting on Tuesday, September 15, 2020 at 7:00 p.m. at the Town Hall to review the 2021 budget. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**BBS ACCOUNTING, LLC CONTRACT FOR BOOKKEEPING AND PAYROLL SERVICES**

**RESOLUTION #84:**

Councilman Kent offered the following resolution and moved for its adoption:

***Resolved,*** that the Town Board of the Town of Byron hereby authorizes the Supervisor to sign the Contract for Bookkeeping and Payroll Services between BBS Accounting, LLC and the Town of Byron in the amount of \$11,300.00 plus a quarterly flat fee of \$525.00, totaling \$2,100.00 a year..

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 5                   Nays: 0

A **motion** was made by Councilman Thompson to approve the Supervisor's Report as given. The motion was seconded by Councilman Zuber and carried with the following vote:

Vote:                   Ayes: 5                   Nays: 0

**OTHER BUSINESS:**

**WATER IMPROVEMENT BENEFIT AREA NO. 1:**

- A Public Informational Meeting was held last evening.
- The SEQR is done and County Planning and Ag and Markets have received it.
- Some residents on Bird Road said they didn't want to be a part of the WIBA, but after the meeting a couple of people said they lived on Bird Road and wanted to be in the WIBA.
- There is no reason for the Town Board not to move forward with WIBA#1.
- During the Informational Meeting someone asked about the surveys that they received several times, these surveys were income surveys that aided in the district receiving funding from USDA Rural Development, not yes/no surveys on whether the residents wanted it or not.

**APPROVAL OF THE BYRON WATER IMPROVEMENT BENEFIT AREA No. 1  
UNDER ARTICLE 12-C OF TOWN LAW**

**RESOLUTION #85:**

Councilman Thompson offered the following resolution and moved for its adoption:

**WHEREAS**, on July 10, 2019, the Town Board of the Town of Byron duly adopted a resolution directing the Town Engineer, MRB Group P.C., to supervise the preparation of a general plan, report and map for providing water improvements (water mains, fire hydrants, and all related equipment) in portions of the Town of Byron, said area to be known as the Byron Water Improvement Benefit Area No. 1; and

**WHEREAS**, the proposed water improvement will include approximately 145,815 linear feet of 6-12 inch diameter PCV water main and will serve all residents not currently served with public water. Water services consisting of 1 inch minimum Type K copper tubing will be provided to improved residential and commercial properties at the road right of way line. The water distribution system will also include the normal appurtenances, such as line valves, fire hydrants, air release valves, blow-off valves and related items. The water distribution system will be constructed in one or more phases (or contracts) and will be installed within, or alongside of, the road right of ways within the proposed water improvement benefit area that do not have public water; and

**WHEREAS**, on November 30, 2019, the Town Engineer duly filed said plan, report and map in the Office of the Town Clerk of the Town of Byron; and the Town Board did, on August 12, 2020, duly adopt an order reciting the improvement, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the proposed method of apportioning the costs of said improvement, the fact that a plan, map and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that said Town Board shall meet at the parking lot of the South Byron Fire Company. in the Town of Byron, New York on the 8<sup>th</sup> day of September, 2020, at 6:30 P.M. for the purpose of conducting a public hearing on such proposal to provide such improvement and to hear all persons interested in the subject thereof; and

**WHEREAS**, such order was duly posted and published as required by law; and

**WHEREAS**, a hearing in the matter was duly held by the Board on the 8th day of September, 2020 commencing at 6:30 P.M. at the parking lot of the South Byron Fire Company and considerable discussion upon the matter having been had and all persons desiring to be heard having been duly heard;

**NOW, THEREFORE**, upon the evidence obtained by the Town Board at the September 8th, 2020 public hearing and upon all other information obtained and reviewed by the Board, it is hereby

**RESOLVED AND DETERMINED** that the notice of hearing was published and posted as required by law and is otherwise sufficient; and be it further

**RESOLVED AND DETERMINED** that it is in the public interest to provide for the water improvement above described; and it is further

**RESOLVED AND DETERMINED** the boundaries of the area within the Town of Byron being benefitted by said water improvement are set forth in Schedule A attached hereto and incorporated herein by reference;

**RESOLVED AND DETERMINED** that all the parcels within said boundaries are benefitted by said Water Improvement Benefit Area No.1 and that no parcels outside the boundaries are benefitted thereby, and be it further

**RESOLVED AND DETERMINED**, that the maximum amount proposed to be expended for such water improvement (including the cost of construction, easements, engineering fees, legal fees and financing fees) is Nine Million Nine Hundred Twenty-Five Thousand Dollars (\$9,925,000); and be it further

**RESOLVED AND DETERMINED**, that the costs of the proposed water improvement shall be financed from the issuance of bonds, notes, certificates or other indebtedness of the Town of Byron for a period not to exceed forty (40) and a grant from the United States Department of Agriculture; and be it further

**RESOLVED AND DETERMINED** that the costs of said water improvement be apportioned / paid as follows:

**A) Upon final approval of the project and creation of the Byron Water Improvement Benefit Area No. 1, Five Million Five Hundred Fifty Thousand Dollars (\$5,550,000) from a Serial Bond issued to the United State Department of Agriculture**

**B) A grant from that same United States Department of Agriculture in the amount of Four Million Four Hundred Twenty Five Thousand Dollars (\$4,425,000); and be it further**

**RESOLVED AND DETERMINED** that

**A) The repayment of the debt service relating to the project shall be borne by the several lots and parcels of land located in the benefitted area in just proportion to the benefit received by those parcels**

**B) The formula to be used to assess costs within the benefitted area shall be as follows:**

Residential Properties:	1 unit
Commercial Properties:	1 unit for each 60,000 gal. annual consumption
Vacant Lots:	0.5 unit
Landlocked Parcels:	0 unit

**RESOLVED**, that within ten (10) days after the adoption of this resolution, or within ten (10) days after the Town has received any necessary approval from the State Comptroller, whichever is later, the Town Clerk shall file a certified copy of this resolution in the Genesee County Clerk's Office; and be it further

**RESOLVED**, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted.

Councilwoman Fuller seconded the resolution which was adopted by the following vote:

Vote:           Ayes: 5           Nays: 0

## **SCHEDULE A**

The **Town of Byron Water Improvement Benefit Area No. 1** shall have an exterior boundary described as follows:

Area A:

Beginning at a point, said point being the intersection of the centerline of Byron Holley Road and the centerline of North Bergen Road; thence

1. Westerly, 500 feet more or less, along a line perpendicular to the centerline of Byron Holley Road to a point, said point being 500 feet westerly of the centerline of Byron Holley Road; thence
2. Northerly, 8086 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Byron Holley Road to a point, said point being 500 feet south easterly of the centerline of Cook Road; thence
3. Southwesterly, 2593 feet more or less, along a line parallel to and 500 feet southeasterly of the centerline of Cook Road to a point, said point being 500 feet easterly of the centerline of Searls Road; thence
4. Southerly, 7404 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Searls Road to a point; thence
5. Westerly, 1000 feet more or less, along a line perpendicular to the centerline of Searls Road to a point, said point being a northwesterly boundary corner of The Town of Byron Water District No. 6; thence
6. Northerly, 7133 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Searls Road to a point, said point being 500 feet southerly of the centerline of Cook Road; thence
7. Westerly, 4170 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cook Road to a point, said point being 500 feet easterly of the centerline of Merriman Road; thence
8. Southerly, 3970 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Merriman Road to a point, said point being 500 feet northerly of the centerline of Shelt Road; thence
9. Easterly, 1289 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Shelt Road to a point; thence
10. Southerly, 3297 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Shelt Road to a point, said point being along a northerly boundary of The Town of Byron Water District No. 6; thence
11. Westerly, 500 feet more or less, along a northerly boundary of The Town of Byron Water District No. 6 to a point; said point being along the centerline of Shelt Road; thence
12. Southerly, 140 feet more or less, along the centerline of Shelt Road to a point, said point being along a northerly boundary of The Town of Byron Water District No. 6; thence
13. Westerly, 364 feet more or less, along a southerly property line of Tax Account 2.-1-27.22 to a point, said point being a southwesterly property corner of Tax Account 2.-1-27.22, and along a northerly boundary of The Town of Byron Water District No. 6; thence
14. Northerly, 97 feet more or less, along a westerly property line of Tax Account 2.-1-27.22 to a point, said point being a southwesterly property corner of Tax Account 2.-1-27.22, and along a northerly boundary of The Town of Byron Water District No. 6; thence
15. Westerly, 52 feet more or less, along a southerly property line of Tax Account 2.-1-27.22 to a point, said point being a southwesterly property corner of Tax Account 2.-1-27.22 and along a northerly boundary of The Town of Byron Water District No. 6; thence
16. Northerly, 39 feet more or less, along a westerly property line of Tax Account 2.-1-27.22 to a point, said point being along a westerly property line of Tax Account 2.-1-27.22 and along a northerly boundary of The Town of Byron Water District No. 6; thence
17. Westerly, 83 feet more or less, along a northerly boundary of The Town of Byron Water District No. 6 to a point, said point being 500 feet westerly of the centerline of Shelt Road; thence
18. Northerly, 2270 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Shelt Road to a point, said point being 500 feet southerly of the centerline of Shelt Road; thence

19. Westerly, 4330 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Shelt Road to a point; thence
20. Northerly, 714 feet more or less, along a line perpendicular to the centerline of Shelt Road to a point, said point being the northwesterly property corner of Tax Account 2.-1-38.2; thence
21. Easterly, 206 feet more or less, along the northerly property line of Tax Account 2.-1-38.2 to a point, said point being the northeasterly property corner of Tax Account 2.-1-38.2; thence
22. Northerly, 289 feet more or less, along the westerly property line of Tax Account 2.-1-37 to a point, said point being 500 feet northerly of the centerline of Shelt Road; thence
23. Easterly, 2856 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Shelt Road to a point, said point being 500 feet westerly of the centerline of Merriman Road; thence
24. Northerly, 4978 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Merriman Road to a point; thence
25. Easterly, 2615 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cook Road to a point, said point being 500 feet westerly of the centerline of Upper Holley Road; thence
26. Northerly, 2866 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Upper Holley Road to a point, said point being along the northerly property line of Tax Account 1.-1-13.1; thence
27. Easterly, 1000 feet more or less, along a line perpendicular to the centerline of Upper Holley Road to a point, said point being 500 feet easterly of the centerline of Upper Holley Road and along the northerly property line of Tax Account 1.-1-15; thence
28. Southerly, 2866 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Upper Holley Road to a point, said point being 500 feet northerly of the centerline of Cook Road; thence
29. Easterly, 1870 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cook Road to a point; thence
30. Northeasterly, 3488 feet more or less, along a line parallel to and 500 feet northwesterly of the centerline of Cook Road to a point, said point being 500 feet westerly of the centerline of Byron Holley Road; thence
31. Northerly, 651 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Byron Holley Road to a point, said point being along the northerly property line of Tax Account No. 1.-2-2.111; thence
32. Westerly, 1000 feet more or less, along a line perpendicular to the centerline of Byron Holley Road to a point, said point being 500 feet easterly of the centerline of Byron Holley Road and along the northerly property line of Tax Account 1.-2-4.11; thence
33. Southerly, 9094 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Byron Holley Road to a point, said point being 500 feet northerly of the centerline of North Bergen Road; thence
34. Northeasterly, 5171 feet more or less, along a line parallel to and 500 feet northerly of the centerline of North Bergen Road to a point, said point being 500 feet westerly of the centerline of Bird Road; thence
35. Northerly, 4436 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Bird Road to a point, said point being along the southerly property line of Tax Account 1.-2-6.122; thence
36. Easterly, 124 feet more or less, along the southerly property line of Tax Account 1.-2-6.122 to a point, said point being the southwestly property corner of Tax Account 1.-2-6.121; thence
37. Northerly, 692 feet more or less, along the westerly property line of Tax Account 1.-2-6.122 to a point, said point being the northwesterly property corner of Tax Account 1.-2-6.121; thence
38. Westerly, 130 feet more or less, along the southerly property line of Tax Account 1.-2-6.115 to a point, said point being 500 feet westerly of the centerline of Bird Road; thence
39. Northerly, 1063 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Bird Road to a point, said point being a northwesterly property corner of Tax Account 1.-2-23; thence

40. Easterly, 1000 feet more or less, along a line perpendicular to the centerline of Bird Road to a point, said point being along the northerly property line of Tax Account 1.-2-7; thence
41. Southerly, 2974 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Bird Road to a point, said point being 500 feet northerly of the centerline of East Bird Road; thence
42. Easterly, 1723 feet more or less, along a line parallel to and 500 feet northerly of the centerline of East Bird Road to a point, said point being 500 feet westerly of the centerline of Merrill Road; thence
43. Northerly, 2959 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Merrill Road to a point, said point being along the northerly property line of Tax Account 1.-2-22.2; thence
44. Easterly, 1000 feet more or less, along a line perpendicular to the centerline of Merrill Road to a point, said point being along the northerly property line of Tax Account 12.-1-10; thence
45. Southerly, 3631 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Merrill Road to a point, said point being 500 feet northerly of the centerline of North Bergen Road; thence
46. Easterly, 1683 feet more or less, along a line parallel to and 500 feet northerly of the centerline of North Bergen Road to a point, said point being 500 feet westerly of the centerline of South Holley Road; thence
47. Northerly, 1753 feet more or less, along a line parallel to and 500 feet westerly of the centerline of South Holley Road to a point, said point being the northwesterly property corner of Tax Account 12.-1-2.2; thence
48. Easterly, 1000 feet more or less, along a line perpendicular to the centerline of South Holley Road to a point, said point being 500 feet easterly of the centerline of South Holley Road; thence
49. Southerly, 1568 feet more or less, along a line parallel to and 500 feet easterly of the centerline of South Holley Road to a point, said point being 500 feet northerly of the centerline of North Bergen Road; thence
50. Easterly, 2266 feet more or less, along a line parallel to and 500 feet northerly of the centerline of North Bergen Road to a point, said point being along the easterly property line of Tax Account 12.-1-4.1; thence
51. Southerly, 1000 feet more or less, along a line perpendicular to the centerline of North Bergen Road to a point, said point being along the easterly property line of Tax Account 11.-1-6; thence
52. Westerly, 4978 feet more or less, along a line parallel to and 500 feet southerly of the centerline of North Bergen Road to a point, said point being 500 feet easterly of the centerline of Merrill Road; thence
53. Southerly, 2481 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Merrill Road to a point, said point being 500 feet northerly of the centerline of Warboys Road; thence
54. Easterly, 5142 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Warboys Road to a point, said point being along an easterly property line of Tax Account 11.-1-7.1; thence
55. Southerly, 1230 feet more or less, along a line consisting of easterly property lines of Tax Account 11.-1-7.1, Tax Account 11.-1-13, Tax Account 11.-1-14.2, Tax Account 11.-1-15.1 to a point, said point being 500 feet southerly of the centerline of Warboys Road; thence
56. Westerly, 14670 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Warboys Road to a point, said point being along an easterly boundary of The Town of Byron Water District No. 2; thence
57. Northerly, 439 feet more or less, along an easterly boundary of the Town of Byron Water District No. 2 to a point, said point being along a northerly property line of Tax Account 5.-2-36.1; thence
58. Northeasterly, 469 feet more or less, along a northerly property line of Tax Account 5.-2-36.1 to a point, said point being a northwesterly property corner of Tax Account 5.-2-36.1; thence

59. Northerly 247 feet more or less, along a westerly property line of Tax Account 5.-2-36.1 to a point, said point being along the centerline of Warboys Road; thence
60. Southwesterly, 50 feet more or less, along the centerline of Warboys Road to a point; thence
61. Northerly, 298 feet more or less along a westerly property line of Tax Account 5.-2-33 to a point, said point being a southwesterly property corner of Tax Account 5.-2-33; thence
62. Westerly, 149 feet more or less, along a southerly property line of Tax Account 5.-2-33 to a point, said point being a southwesterly property corner of Tax Account 5.-2-33; thence
63. Southerly, 21 feet more or less, along a westerly property line of Tax Account 5.-2-33 to a point, said point being a southwesterly property corner of Tax Account 5.-2-33; thence
64. Southwesterly, 376 feet more or less, along a southerly property line of Tax Account 5.-2-33 to a point, said point being a southwesterly property corner of Tax Account 5.-2-33; thence
65. Northerly, 350 feet more or less, along a westerly property line of Tax Account 5.-2-33 to a point, said point being along an easterly boundary of The Town of Byron Water District No. 2; thence
66. Easterly, 8490 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Warboys Road to a point, said point being 500 feet westerly of the centerline of Merrill Road; thence
67. Northerly, 2441 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Merrill Road to a point, said point being 500 feet southerly of the centerline of North Bergen Road; thence
68. Westerly, 4709 feet more or less, along a line parallel to and 500 feet southerly of the centerline of North Bergen Road to a point, said point being a southwesterly property corner of Tax Account 3.-1-71; thence
69. Westerly, 312 feet more or less, along a southerly property line of Tax Account 3.-1-71 to a point, said point being a southwesterly property corner of Tax Account 3.-1-71; thence
70. Southwesterly, 476 feet more or less, along a southerly property line of Tax Account 3.-1-71 to a point, said point being a southwesterly property corner of Tax Account 3.-1-73; thence
71. Easterly, 305 feet more or less, along a northerly property line of Tax Account 3.-1-22.1 to a point; thence
72. Southwesterly, 3692 feet more or less, along a line parallel to and 500 feet southerly of the centerline of North Bergen Road to a point, said point being along an eastern boundary of The Town of Byron Water District No. 2; thence
73. Northerly, 602 feet more or less, along a line parallel to and 400 feet easterly of the centerline of Byron Holley Road to a point, said point being along the centerline of North Bergen Road; thence
74. Southwesterly, 447 feet more or less, along the centerline of North Bergen Road to a point, said point being the Point of Beginning.

Area B:

Beginning at a point, said point being the intersection of the centerline of Tower Hill Road and a southwesterly boundary corner of The Town of Byron Water District No. 2; thence

1. Easterly, 267 more or less, along the centerline of Tower Hill Road to a point, said point being a southwesterly boundary corner of The Town of Byron Water District No. 2; thence
2. Southerly, 505 feet more or less, along a line consisting of the westerly property lines of Tax Account 5.-1-9, Tax Account 5.-1-8, Tax Account 5.-1-7 to a point, said point being 500 feet southerly of the centerline of Tower Hill Road; thence
3. Westerly, 1961 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Tower Hill Road to a point, said point being 500 feet easterly of the centerline of Byron Road; thence

4. Southerly, 3051 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Byron Road to a point, said point being along the southerly property line of Tax Account 4.-1-32.2; thence
5. Westerly, 539 feet more or less, along the southerly property line of Tax Account 4.-1-32.2 to a point, said point being along the centerline of Byron Road; thence
6. Southerly, 1062 feet more or less, along the centerline of Byron Road to a point, said point being 500 feet southerly of the centerline of Byron Elba Road; thence
7. Westerly, 4842 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Byron Elba Road to a point, said point being 500 feet easterly of the centerline of Bank Street Road; thence
8. Southerly, 3056 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Bank Street Road to a point, said point being 500 feet northerly of the centerline of Cockram Road; thence
9. Easterly, 642 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram road to a point, said point being a northwesterly boundary corner of The Town of Byron Water District No. 7; thence
10. Southerly, 1000 feet more or less, along a line perpendicular to the centerline of Cockram Road to a point, said point being a southwesterly boundary corner of The Town of Byron Water District No. 7; thence
11. Westerly, 4518 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Cockram Road to a point, said point being along the centerline of Transit Road; thence
12. Northerly, 1000 feet more or less, along the centerline of Transit Road to a point; thence
13. Easterly, 2917 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Cockram Road to a point, said point being 500 feet westerly of the centerline of Bank Street Road; thence
14. Northerly, 2650 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Bank Street Road to a point, said point being 500 southerly of the centerline of Byron Elba Road; thence
15. Westerly, 2286 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Byron Elba Road to a point, said point being along a westerly property line of Tax Account 6.-1-34.11; thence
16. Northerly, 400 feet more or less, along a westerly property line of Tax Account 6.-1-34.11 to a point, said point being a southwesterly property corner of Tax Account 6.-1-34.11; thence
17. Westerly, 229 feet more or less, along a southerly property line of Tax Account 6.-1-34.11 to a point, said point being a southwesterly property corner of Tax Account 6.-1-34.11; thence
18. Northerly, 33 feet more or less, along a line perpendicular to the centerline of Byron Elba Road to a point, said point being along the centerline of Byron Elba Road; thence
19. Westerly, 637 feet more or less, along a southerly property line of Tax Account 6.-1-2.2 to a point, said point being along the centerline of Transit Road; thence
20. Northerly, 325 feet more or less, along the centerline of Transit Road to a point, said point being 500 feet northerly of the centerline of Byron Elba Road; thence
21. Easterly, 1456 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Byron Elba Road to a point, said point being along the northerly property line of Tax Account 6.-1-2.2; thence
22. Easterly, 274 feet more or less, along the northerly property line of Tax Account 6.-1-2.2 to a point, said point being the northeasterly property corner of Tax Account 6.-1-2.2; thence
23. Northerly, 103 feet more or less, along the westerly property line of Tax Account 6.-1-53 to a point, said point being 500 feet northerly of the centerline of Byron Elba Road; thence
24. Easterly, 1759 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Byron Elba Road to a point, said point being along the northerly property line of Tax Account 6.-1-49; thence
25. Easterly, 254 feet more or less, along the northerly property line of Tax Account 6.-1-49 to a point, said point being the northeasterly property corner of Tax Account 6.-1-49; thence



26. Easterly, 213 feet more or less, along a northerly property line of Tax Account 6.-1-4 to a point, said point being a northwesterly property corner of Tax Account 6.-1-4; thence
27. Northerly, 27 feet more or less, along a westerly property line of Tax Account 6.-1-4 to a point, said point being a northwesterly property corner of Tax Account 6.-1-4; thence
28. Easterly, 1216 feet more or less, along a northerly property line of Tax Account 6.-1-4 to a point, said point being a southwesterly property corner of Tax Account 4.-1-32.1; thence
29. Southerly, 42 feet more or less, along a westerly property line of Tax Account 4.-1-32.1 to a point, said point being a northwesterly property corner of Tax Account 4.-1-16.1; thence
30. Easterly, 443 feet more or less, along a northerly property line of Tax Account 4.-1-16.1 to a point, said point being a northwesterly property corner of Tax Account 4.-1-16.1; thence
31. Westerly, 176 feet more or less, along a southerly property line of Tax Account 4.-1-16.4 to a point, said point being a northwesterly property corner of Tax Account 4.-1-16.1; thence
32. Easterly, 845 feet more or less, along a northerly property line of Tax Account 4.-1-16.1 to a point, said point being the northeasterly property corner of Tax Account 4.-1-16.1; thence
33. Easterly, 49 feet more or less, along the northerly property line of Tax Account 4.-1-27.11 to a point, said point being the northeasterly property corner of Tax Account 4.-1-27.11; thence
34. Easterly, 826 feet more or less, along the northerly property line of Tax Account 4.-1-15.1 to a point, said point being the northeasterly property corner of Tax Account 4.-1-15.1; thence
35. Easterly, 690 feet more or less, along the northerly property line of Tax Account 4.-1-27.11 to a point, said point being the northeasterly property corner of Tax Account 4.-1-27.11; thence
36. Easterly, 948 feet more or less, along the northerly property line of Tax Account 4.-1-14.2 to a point, said point being 500 feet westerly of the centerline of Byron Road; thence
37. Northerly, 3059 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Byron Road to a point, said point being 500 feet southerly of the centerline of Tower Hill Road; thence
38. Westerly, 6616 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Tower Hill Road to a point, said point being along the centerline of Transit Road; thence
39. Northerly, 1000 feet more or less, along the centerline of Transit Road to a point, said point being 500 feet northerly of the centerline of Tower Hill Road; thence
40. Easterly, 7032 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Tower Hill Road to a point, said point being along the centerline of Searls Road; thence
41. Northerly, 819 feet more or less, along the centerline of Searls Road to a point; thence
42. Easterly, 390 feet more or less, along the northerly property line of Tax Account 5.-2-5.2 to a point, said point being a northeasterly property corner of Tax Account 5.-2-5.2; thence
43. Southerly, 490 feet more or less, along an easterly property line of Tax Account 5.-2-5.2 to a point, said point being 500 feet northwesterly of the centerline of Byron Road; thence
44. Northeasterly, 2885 feet more or less, along a line parallel to and 500 feet northwesterly of the centerline of Byron Road to a point, said point being along a westerly boundary line of The Town of Byron Water District No. 2; thence
45. Southerly, 320 feet more or less, along a westerly boundary line of The Town of Byron Water District No. 2 to a point, said point being a southeasterly property corner of Tax Account 5.-2-4.1; thence
46. Westerly, 122 feet more or less, along a northerly boundary line of The Town of Byron Water District No. 2 to a point, said point being the northwesterly property corner of Tax Account 5.-2-16.2; thence
47. Southerly, 473 feet more or less, along a westerly boundary line of The Town of Byron Water District No. 2 to a point, said point being along the centerline of Byron Road; thence
48. Southwesterly, 383 feet more or less, along the centerline of Byron Road to a point, said point being along a westerly boundary of The Town of Byron Water District No. 2; thence
49. Southeasterly, 211 feet more or less, along an easterly property line of Tax Account 5.-2-13 to a point; thence

50. Southerly, 395 feet more or less, along an easterly property line of Tax Account 5.-2-13 to a point, said point being a southeasterly property corner of Tax Account 5.-2-13 and 500 feet southeasterly of the centerline of Byron Road; thence
51. Southwesterly, 1037 feet more or less, along a line parallel to and 500 feet southeasterly of the centerline of Byron Road to a point, said point being 500 feet northerly of the centerline of Tower Hill Road; thence
52. Easterly, 805 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Tower Hill Road to a point, said point being along a westerly boundary line of The Town of Byron Water District No. 2; thence
53. Southerly, 529 feet more or less, along a westerly boundary line of The Town of Byron Water District No. 2, said point being the Point of Beginning.

Area C:

Beginning at a point, said point being the intersection of the centerline of Byron Road, and a southerly boundary of The Town of Byron Water District No. 7; thence

1. Easterly, 412 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Walkers Corners Road to a point, said point being the northeasterly property corner of Tax Account 8.-1-25.11; thence
2. Southerly, 395 feet more or less, along the easterly property line of Tax Account 8.-1-25.11 to a point, said point being the southeasterly property corner of Tax Account 8.-1-25.11; thence
3. Easterly, 73 feet more or less, along the northerly property line of 8.-1-43 to a point, said point being the northeasterly property corner of Tax Account 8.-1-43; thence
4. Southerly, 3533 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Byron Road to a point, said point being along the southerly property line of Tax Account 8.-1-21; thence
5. Westerly, 1991 feet more or less, along the Towns of Byron and Stafford Town Line to a point; thence
6. Northerly, 4608 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Byron Road to a point, said point being 500 feet southerly of the centerline of Walkers Corners Road; thence
7. Westerly, 3263 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Walkers Corners Road to a point, said point being along the westerly property line of Tax Account 8.-1-27; thence
8. Northerly, 1000 feet more or less, along a line perpendicular to the centerline of Walkers Corners Road to a point, said point being 500 feet northerly of the centerline of Walkers Corners Road; thence
9. Easterly, 3503 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Walkers Corners Road to a point, said point being 500 feet westerly of the centerline of Byron Road; thence
10. Southerly, 1020 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Byron Road to a point, said point being 500 feet southerly of the centerline of Walkers Corners Road; thence
11. Easterly, 500 feet more or less, along a line parallel to and 500 feet southerly of the centerline of Walkers Corners Road to a point, said point being the Point of Beginning.

Area D:

Beginning at a point, said point being the intersection of the centerline of Clinton Street and the Towns of Byron and Bergen Town Line; thence

1. Southerly, 2243 feet more or less, along the Towns of Byron and Bergen Town Line to a point, said point being the intersection of the Towns of Byron and Bergen Town Line and the Towns of Byron and Le Roy Town Line; thence
2. Westerly, 5064 feet more or less, along the Towns of Byron and Le Roy Town Line to a point, said point being 500 feet easterly of the centerline of Coward Road; thence
3. Northerly, 289 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Coward Road to a point, said point being 500 feet northerly of the centerline of Clinton Street; thence
4. Northeasterly, 5720 feet more or less, along a line parallel to and 500 feet northerly of the centerline of Clinton Street to a point, said point being along the Towns of Byron and Bergen Town Line; thence
5. Southerly, 632 feet more or less, along the Towns of Byron and Bergen Town Line to a point, said point being the Point of Beginning.

**WATER IMPROVEMENT BENEFIT AREA NO. 1 - MUNICIPAL SOLUTIONS, INC. PROPOSAL FOR SERVICES**

**RESOLUTION #86:**

Councilman Kent offered the following resolution and moved for its adoption:

*Resolved*, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Proposal for Services between the Town of Byron and Municipal Solutions, Inc. This Agreement authorizes Municipal Solutions, Inc. to assist the Town in the financial services of the project to extend public water to the area designated as Water Improvement Benefit Area No. 1, and to comply with the requirements of Rural Development. Municipal Solutions, Inc.'s fee for such work shall be an amount not to exceed \$16,000.00.

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 5                      Nays: 0

**WATER IMPROVEMENT BENEFIT AREA NO. 1 - MENGEL, METZGER, BARR & CO. LLP ENGAGEMENT LETTER**

**RESOLUTION #87:**

Councilman Kent offered the following resolution and moved for its adoption:

*Resolved*, that the Supervisor of the Town of Byron is hereby authorized as the official representative of the Town to execute the Engagement Letter for the Year Ended December 31, 2020 between the Town of Byron and Mengel, Metzger, Barr & Co. LLP. The Engagement Letter authorizes Mengel, Metzger, Barr & Co. LLP to audit the financial statements of the Town in compliance with Rural Development requirements with regard to Water Improvement Benefit Area No. 1. Mengel, Metzger, Barr & Co. LLPs fee for such work shall be in the amount of \$10,900.00.

Councilman Thompson seconded the resolution which was adopted by the following vote:

Vote:                      Ayes: 5                      Nays: 0

**PUBLIC COMMENTS:**

Ben Raccuia: Requests that in person meetings be reinstated.

Candy Hensel: In light of Next Era's virtual open house, what is the Boards thoughts on community solar?

Councilman Kent: Candy has forwarded the Town Board information on what New York offers through NYSERDA.

**ADJOURN:**

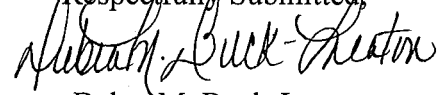
A **motion** was made by Councilman Kent to adjourn the Byron Town Board Meeting at 9:42 p.m. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote:

Ayes: 5

Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton

Byron Town Clerk

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Town of Byron Zoning Law - Section 11.15 Solar Energy Systems		
Project Location (describe, and attach a general location map): Town of Byron		
Brief Description of Proposed Action (include purpose or need):          		
Name of Applicant/Sponsor: Town of Byron by Supervisor Peter N. Yasses		Telephone: 585-548-7123 ext. 14
		E-Mail: supervisor@byronny.com
Address: 7028 Byron Holley Rd		
City/PO: Byron	State: NY	Zip Code: 14422
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Board, Adoption	8/26/2020
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Genesee County Planning, GML 239-m referral	8/26/2020
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): Genesee County Agriculture and Farmland Protection Plan	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): Genesee County Agriculture and Farmland Protection Plan	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
This action will amend the zoning code.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Byron-Bergen Central School District

b. What police or other public protection forces serve the project site?  
Byron Fire Department, Byron Rescue Squad, South Byron Vol. Fire Department, Genesee County Sheriff, New York State Police

c. Which fire protection and emergency medical services serve the project site?  
Byron Fire Department, Byron Rescue Squad, South Byron Volunteer Fire Department

d. What parks serve the project site?  
N/A

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
  - Does the existing public water supply have capacity to serve the proposal?  Yes  No
  - Is the project site in the existing district?  Yes  No
  - Is expansion of the district needed?  Yes  No
  - Do existing lines serve the project site?  Yes  No
- iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

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e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

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f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

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iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

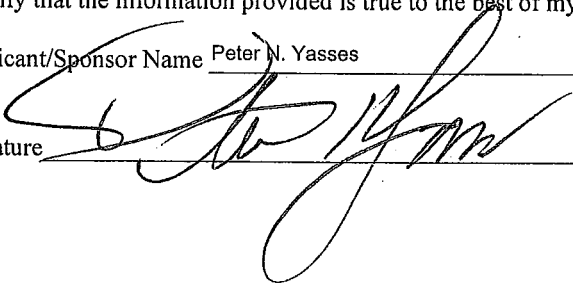
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Peter N. Yasses Date Sept. 9, 2020

Signature  Title Supervisor