

February 5, 2026

TOWN OF HOMER PLANNING BOARD

**SEQRA RESOLUTION – CLASSIFICATION OF PROPOSED ACTION AND ISSUING A
NEGATIVE DECLARATION**

SCOTT ROAD SOLAR PROJECT

WHEREAS, on or about March 18, 2025, Scott Road Solar, LLC and Seaboard Solar Operations, LLC (together the "Applicant") submitted a site plan review application and conceptual site plan to the Town of Homer Planning Board ("Planning Board") for consideration;

WHEREAS, on or about March 20, 2025, the Town of Homer Code Enforcement Officer referred the Application to the Cortland County Planning Department pursuant to GML §239-m;

WHEREAS, on or about March 26, 2025, the Applicant made an initial presentation to the Board on the Project and Application, received comments from the Board, the Building Inspector, and the public;

WHEREAS, on or about on or about July 21, 2025, the Town of Homer Planning Board received and is considering an application for site plan review pursuant to Local Law No. 1 of 2017 and a minor subdivision approval from the Applicant to develop, construct and operate a ±5 megawatt ("MW") AC solar energy system ("Project"), on ±216 acres of a 435-acre parcel of property (Tax Map No. 45.00-01-14.000) located at 331 Houghton Hill Road in the Town of Homer, Cortland County, New York ("Property") in the Town's Agricultural zoning district; and

WHEREAS, on or about July 21, 2025, the Applicant submitted an application package including the Town's application form, a utility memorandum confirming the utility issues a Coordinated Electrical System Interconnect Review ("CESIR"), a copy of the CESIR, an Agricultural and Soils Report prepared by Whitestone Environmental and Geotechnical Engineers and Consultants, a Habitat Suitability Assessment from Ecological Solutions, Inc., a Civil Site Plan set prepared by Bohler Engineering, a Full Environmental Assessment Form ("FEAF"), an ALTA Survey prepared by Control Point Associates, Inc. P.C., a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Wetland Assessment from Ecological Solutions, Inc., a visual impact analysis and line of sight analysis, a proposed stormwater pollution prevention plan ("SWPPP") prepared by Bohler Engineering, and responses to comments received;

WHEREAS, on or about August 21, 2025, the Cortland County Planning Department having received a referral of the Application pursuant to General Municipal Law Section 239-m provided its determination and comments on the Application to the Board;

WHEREAS, on or about August 27, 2025, the Applicant presented the Project as set forth in the civil plan set to the Board, received additional comments from the Board on the Project;

WHEREAS, the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively “SEQRA”) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQRA;

WHEREAS, on or about August 27, 2025, the Board adopted a resolution declaring its intent to be SEQRA Lead Agency and

WHEREAS, on or about September 11, 2025, the Board sent notices of the Board’s commencement of a coordinated review of the Proposed Action and its intent to be lead agency for the Project to all potentially involved and interested agencies¹ including:

1. NYS Dept. of Environmental Conservation,
2. NYS Dept. of Agriculture and Markets,
3. NYS Office of Parks, Recreation and Historic Preservation,
4. Cortland County Planning Department,
5. Cortland County Soil and Water Conservation District;

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Town of Homer Planning Board serving as Lead Agency for the Project; and

WHEREAS, the Applicant received several comment letters including a comment letter from the Town’s Designated Engineer, Timothy C. Buhl, P.E. dated November 24, 2025, written comments from the Cortland County Soil and Water Conservation District dated December 16, 2025 and a letter from the Homer Code Enforcement Officer dated August 27, 2025 (“Comment Letters”);

WHEREAS, on or about December 23, 2025, the Applicant submitted a supplemental package to the Board including a letter from Bohler Engineering responding to the Comment Letters including an updated narrative of the project, a revised FEAf, a utility property owner consent for interconnection, landowner consent for the access easement, an updated civil site plan set; a revised SWPPP, a revised decommissioning plan and estimate, revised operations and maintenance plan, Phase 1 ESA, and line of sight analysis;

WHEREAS, the Applicant received a second comment letter from the Town’s Designated Engineer, Timothy C. Buhl, P.E., dated January 23, 2026 and submitted a letter from Bohler Engineering dated February 3, 2026 responding to these comments including a revised FEAf, a Report of Geotechnical Investigation dated January 15, 2026, prepared by Whitestone Engineering, revised civil site plan set, and revised SWPPP;

¹ After a submission of an application to the Cortland County IDA, on December 12, 2025, the Planning Board sent a Notice of its Intent to be Lead Agency to the CCIDA and received consent to its doing so.

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WHEREAS, the Applicant, after subsequent consultation with the Town's Designated Engineer, Timothy C. Buhl, P.E., submitted supplemental technical documentation dated February 3, 2026, detailing additional mitigation efforts relating to stormwater runoff and erosion.

WHEREAS, the Planning Board has considered the significance of the potential environmental impacts of the Proposed Action by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with the Application, supplemental submissions and other available supporting information, to identify the relevant areas of environmental concern:

NOW THEREFORE BE IT RESOLVED, by the Planning Board of the Town of Homer hereby:

1. Declares itself to be SEQRA Lead Agency for the Proposed Action; and,
2. Classifies the Proposed Action as a Type I action under SEQRA as defined in 6 NYCRR Part 617.4; and
3. Finds that the Proposed Action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared.
4. Issues and adopts the Negative Declaration attached hereto as Exhibit A and incorporated herein by reference, for the reasons stated in the attached negative declaration.
5. The Planning Board Chairman is hereby authorized and directed to issue, on behalf of the Planning Board, the Negative Declaration in the Part 3 of the Environmental Assessment Form.
6. The Planning Board Chairman is authorized to file, distribute and publish notice of this negative declaration with involved and interested agencies and in the Environmental Notice Bulletin and generally in accordance with 6 NYCRR § 617.12.
7. This resolution shall take effect immediately.

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PASSED AND ADOPTED this 5 day of February, 2026 by the Planning Board of the Town of Homer.

ROLL CALL VOTE	AYE	NAY	ABSTAIN
M. McMahon, Chairman	X		
Jon Miller	X		
Erin Mahunik	X		
Bruce Crandall ABSENT			
Zach young	X		
Chad Butts ABSENT			
Michael May	X		
Lindsay Andersen, Alternate	X		

EXHIBIT A

**NEGATIVE DECLARATION
Determination of Non-Significance**

Lead Agency: Town of Homer Planning Board

Date: February 5, 2026

This notice is issued pursuant to 6 NYCRR Part 617, the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law (collectively "SEQRA").

The Town of Homer Planning Board (the "Planning Board"), as lead agency, has reviewed the Proposed Action and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Scott Road Solar LLC Solar Energy Project.

Location of Project Site: on a 216 acre portions of a 435-acre tract of land on Houghton Hill Road in the Town of Homer, Cortland County, New York on lands (Tax Map No.: 45.00-01-14.000)

SEQRA Status: Type I

Description of Action: The Applicant proposed to construct, operate and decommission a ±5 MW AC photo-voltaic solar energy system, including solar panel array, access road, collection lines and interconnection to the electrical grid, related site improvements and landscaping plantings.

Reasons Supporting this Determination:

Following the submission of the application in March 2025 and July 2025, the Planning Board (i)

conducted a review of the civil site plan set and subsequent revisions thereto, the Full EAF as revised, a proposed Operations and Maintenance/Vegetative Management Plan, Decommissioning Plan and Estimate and form of decommissioning security, a copy of the interconnection agreement for the Project, the SWPPP for the Project, the Agricultural and Soils report, the Wetlands assessment, visual simulations, Habitat Suitability Assessment, the NYSDAM Notice of Intent, among other materials, (ii) identified the relevant areas of environmental concern and (iii) has taken a hard look at each of the identified areas as required under SEQRA. The Planning Board compared the Application with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below in the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Planning Board hereby determines that the Proposed Action will not create any significant adverse environmental impacts and, therefore, the Proposed Action will not have a significant adverse impact on the environment.

A. As required by §617.7(a)(2), the Planning Board has determined that an Environmental Impact Statement is not required because any identified adverse environmental impacts will not be significant.

B. As required by §617.7(b), the Planning Board has:

1. Considered the action as defined in subdivisions 617.2(b) and 617.3(g).
2. Reviewed all revised civil plan sets, the revised Full EAF and all documentation required under the Solar Energy Law and supplemental submissions, responses to comments from the Planning Board, the Town's Designated Engineer, and the public on the Proposed Action, the criteria identified in 617.7(c) and other supporting information to identify relevant areas of environmental concern.
3. Analyzed the identified relevant areas of environmental concern to determine whether the action will have a significant adverse impact.
4. Set forth herein its written Finding of No Significant Environmental Impact.

C. The Planning Board has compared the impacts reasonably expected to result from the Application to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts:

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

a. Traffic Impacts

The Proposed Action will not have a significant adverse impact upon traffic or transportation. This action involves short-term impacts from traffic during the construction and decommissioning periods and traffic during operational period is insignificant. All such traffic will utilize the existing road network.

b. Noise Impacts

There will be no significant adverse noise impacts from the Proposed Action based upon

the testimony provided by the Applicant. This action involves short-term impacts from noise during the construction and decommissioning periods and noise during operational period is insignificant.

c. **Air Quality Impacts**

The Proposed Action will not create any significant adverse impact to air quality, the only impacts will be short-term, temporary and reversible disturbances only occurring during construction and decommissioning. The project does not produce any air emissions.

d. **Wetland Impacts**

There are no wetlands impacts from the Proposed Action. The civil site plan set includes a wetlands delineation and demonstrates there will be no state or federal jurisdictional wetlands affected by the Proposed Action.

e. **Erosion and Drainage Impacts**

The Proposed Action will implement the SWPPP and comply with all applicable state and federal laws and regulations, including compliance with the Clean Water Act and the requirement to obtain applicable permits for stormwater discharges from construction activities. In areas of steep slopes (>15%) and shallow bedrock (<2.5 feet), The Proposed Action has included additional mitigation on the Civil Site Plans submitted on February 3, 2026 to protect these areas including a holding basin, straw wattles, and water bars and provided additional details and mitigation measures to minimize any potential impacts from erosion. The Town's Designated Engineer reviewed these plans and has found these measures to be satisfactory.

f. **Surface Water Impacts**

The Proposed Action will not cause significant adverse impacts to surface waters from potential unchecked surface water run-off as the SWPPP has been revised to illustrate the permanent measure to be put in place to avoid or minimize any impacts to surface waters.

g. **Solid Waste Production**

The Proposed Action will not increase solid waste production. The decommissioned system and construction waste will be recycled and/or disposed of in accordance with the Decommissioning Plan and all applicable State and local regulations.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The site is currently an agricultural property. The loss of agricultural property, however, will not be permanent as site restoration (backed by a decommissioning agreement, plan and bond) will occur. The loss of the acreage for the Proposed Action compared to the volume and quality of Town and region's agricultural resources is minimal. Additionally, the quality of the soils are low and less suitable of agricultural production. There will be no interference with the movement of any resident or migratory fish or wildlife species. The property is not a significant habitat area and there will be no substantial adverse impacts on any threatened or endangered species of animal or plant, or the habitat of such a species, nor other significant adverse impacts to natural resources.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

As demonstrated in the revised Full EAF for the Application, there are no Critical Environmental Areas within the Project area. Thus, there will be no impacts Critical Environmental Areas.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The Proposed Action is consistent with the Town's current plans and goals, which specifically authorizes solar projects in the zoning district where the Proposed action is located. The Board notes that existing mature landscaping around the solar arrays will substantially mitigate views of the Proposed Action to the maximum extent practicable thus avoiding and/or minimizing the visual impacts represents a significant degree with of conformity with the Solar Energy Law regulating solar energy projects.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The Proposed Action includes a substantial mix of mitigation measures intended to avoid and/or minimize visual impacts to the maximum extent practicable. The Planning Board notes that the existing mature vegetation and distance from any adjacent residences of the solar arrays as shown on the civil plan set will substantially mitigate views of the Proposed Action to the maximum extent practicable and represents a significant degree of conformity with the Solar Energy Law.

Finally, the Proposed Action is located in a zone designated by the Town Code as appropriate for solar and, in light of the substantial remaining 219 acres available for agricultural production and open space, the Proposed Action will not negatively impact neighborhood character, and based on the above findings will not negatively impact the character or quality of important historical, archeological, architectural, or aesthetic resources.

(vi) a major change in the use of either the quantity or type of energy;

There will be no negative impacts to energy because of the Proposed Action and, once constructed, the Proposed Action will generate electricity and increase the supply of renewable energy to the electrical grid.

(vii) the creation of a hazard to human health;

There will be no such impacts as a result of the Proposed Action. The Planning Board notes the testimony provided by the Applicant that the solar panels are comprised of silicon, copper wires and glass, contain no liquids and do not emit any pollutants to the air, ground or water. None of the materials installed into the soils emit any pollutants nor cause any contamination of groundwater sources. Periodic soil monitoring will be conducted during the life of the project. During decommissioning, a new erosion and sediment control plan will be provided to ensure that no impacts to surface or groundwater supplies occur.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The Proposed Action will result in the placement of a solar energy facility in a field currently used for limited agricultural purposes. The Board notes that the open space surrounding the Project plays a role in the mitigation of views of the Proposed Action and preservation of the rural character of the area. The Board finds the minimal acreage of agricultural lands to be irreversibly converted to non-agricultural use is de minimus relative to the total acreage of agricultural land base in Cortland County. Additionally, the Proposed Action does not represent a substantial change in the use or intensity of use of land from those allowed under the Town's current land use laws, the land will be returned to its current condition after decommissioning allowing agricultural use to resume.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There will be no impacts from the Proposed Action attracting large numbers of people. The Proposed Action is located on private lands and is over 500 feet from the nearest road. The solar facility will be enclosed by a chain link fence in accordance with the NYS electrical code and will be locked to deter unauthorized entrants.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

There will be no impacts from the Proposed Action creating a material demand for other actions.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a

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substantial adverse impact on the environment; or

There will be no impacts from the Proposed Action which creates changes in two or more elements above that, taken together, would result in a significant adverse environmental impact.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

There will be no significant adverse cumulative impacts resulting from the Proposed Action. The Planning Board notes the Cortland County Planning Board determined the Proposed Action will not have any significant county-wide or inter-municipal impact as well.

For Further Information:

Contact Person: Michael McMahon, Planning Board Chairman

Address: Town of Homer Town Offices
31 North Main Street
Homer, NY 13077

Telephone Number: (607) 749-4581

Email: mcmahonez@outlook.com

**TOWN OF HOMER
COUNTY OF CORTLAND
STATE OF NEW YORK**

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)

: ss.:

COUNTY OF CORTLAND)

I, Brooke L. Poli, the duly appointed Town Clerk of the Town of Homer, County of Cortland, State of New York, do hereby certify that the attached resolution is a true and correct copy of a resolution duly adopted by the Town of Homer Planning Board at a duly noticed meeting held on February 5, 2026, at which a quorum was present and voting throughout.

I further certify that said resolution has not been amended, modified, rescinded, or repealed and remains in full force and effect as of the date set forth below.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Homer this 6th day of February, 2026.



Town Clerk
Town of Homer

(SEAL)

