

The Town of Kirkland Planning Board having met in regular session at the offices of the Planning Board at Lumbard Hall, 100 North Park Row, Clinton, New York 13323, on the 18th day of July, 2024, at 7:30 p.m. local time.

The meeting was called to order by Chairman Edward Kaido and, upon the roll being called, the following were:

PRESENT: John Hecklau, Mark Harjung, Todd Kogut, Michael Teesdale

ALSO PRESENT: Melinda Albertine and Anthony Hallak

_____ presented the following “Resolution” which was seconded by _____:

RESOLUTION OF THE TOWN OF KIRKLAND PLANNING BOARD ISSUING A “POSITIVE DECLARATION” PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”) TO KIRKLAND SOLAR, LLC (THE “APPLICANT”) FOR CONSTRUCTION OF THE KIRKLAND 1 SOLAR FARM AND KIRKLAND 2 SOLAR FARM PROJECT, A GROUND MOUNTED SOLAR FACILITY, IN THE TOWN OF KIRKLAND.

WHEREAS, the Town of Kirkland Planning Board, (hereafter the “Board”) has received an application from Applicant to:

(a) Construct a ground-mounted solar facility. The facility includes installation of photovoltaic solar panels, inverters, access roads, buried electrical lines and a perimeter security fence; and

(b) To undertake such actions necessary to connect the solar array and associated facilities to National Grid’s existing electric distribution system (the foregoing collectively called the “Project”); and

WHEREAS, pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”), the Applicant caused to be prepared Part 1 of a Full Environmental Assessment Form for the Project (hereinafter the “EAF”); and

WHEREAS, the Board resolved to notify all involved agencies of the Project and assumed the status of lead agency for the Project and the Board notified such involved agencies of said intent and requested comments regarding the Project; and

WHEREAS, the Board desires to make its determination “of significance” (the “Determination”) with respect to the Project and in accordance with SEQRA regulations at 6 NYCRR §617.7 and to give notice of said Determination pursuant to 6 NYCRR §617.12;

NOW THEREFORE, BE IT:

RESOLVED by members of the Kirkland Planning Board as follows:

Section 1. That based upon a thorough examination of the EAF, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Board’s knowledge of the area surrounding the Project site, all the representations made in connection with the Project, and such further investigation of the Project and its environmental effects as the Board has deemed appropriate, the Board makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(a) The Project consists of the components described above in the first WHEREAS clause of this resolution;

(b) The Project constitutes an “Unlisted Action” (as said quoted term is defined in the SEQRA);

(c) An Environmental Impact Statement (“EIS”) be required for this project.

Section 2. This Project has one or more aspects that may result in a significant adverse environmental impact.

Section 3. The basis for this Determination is set forth in Schedule “A” attached hereto and incorporated by reference herein. Schedule “A” shall be incorporated into Part 3 of the Full Environmental Form.

Section 4. The Positive Declaration shall be filed at the Offices of the Board and copies of this Resolution and Determination sent to:

- Office of the Chief Executive officer for the Town of Kirkland;
- The Applicant, Kirkland Solar, LLC a subsidiary of Atlas Renewables, LLC;
- Any person(s) who have requested a copy (e.g., New Hartford);
- Environmental Notice Bulletin, 625 Broadway, 4th Floor, Albany, NY 12233.

Section 5. A copy of this Resolution, together with the attachment, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

Section 6. The question of the adoption of the foregoing Resolution and Determination was duly put to vote on a roll call, which resulted as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>
Edward Kaido	_____	_____
John Hecklau	_____	_____
Mark Harjung	_____	_____
Michael Teesdale	_____	_____
Todd Kogut	_____	_____

Section 7. This resolution shall take effect immediately.

Dated: July 18, 2024

TOWN OF KIRKLAND PLANNING BOARD

By: _____
Edward Kaido, Chairman

SCHEDULE A