

Zoning Board Application

APPEAL # _____

1	Application Date	12/3/20
2	Applicant(s) Name	Sky Solar Inc.
3	Address	830 Morris Turnpike, Suite 204, Short Hill, NJ 07078
4	Phone Number	905-779-1064 x 620
5	Email Address	ryan.magee@skysolarholdings.com
6	Property Owners Name	John, Vincent and Anthony Del Grosso
7	Property Address	119 Brandy Lane, Wappinger Falls NY 12590
8	Phone Number	
9	Email Address	Johndelgrosso4@gmail.com
10	Date owner acquired the property	7/10/2003
11	Tax Map Location (Section-Block-Lot)	19-1-28.2 & 4
12	Street Address	Tice Lane
13	Zoning District (circle one)	<u>RA</u> / RA-1/ R1/ R2/ R-AH/ RM-B/ NC/ TC/ OR/ HC/ ENT-L/ ENT
14	Lot Size and Acreage	100.03 acres and 23.89 acres
15	Soil Type described in Town Code	Mardin & Swartswood
16	Application fee	(Check or Cash) Amount-\$ <u>825</u>

Ross - 656-8966

Appeal Request:

Any Appeal is made or requested by the applicant for the following:

- Interpretation of the Zoning Law
- Commercial Variance
- Use Variance
- Sign Variance
- Area Variance
- Residential (Decks, Shed, Pool, Addition, Accessory bldg. /structure) (New Structure)
- Accessory building larger than 28ft x 28ft

Other: Variance 1- Section 249-114 E. to allow 17.5% of trees to be removed when only 15% is permitted for tax lot 19-1-28.2 and 20% of trees to be removed for tax lot 19-1-4.

Front / Side / Rear / Yard setback from	250	to	100	Section	249-114 A. (2)	(Variance 2)
Front / Side / Rear / Yard setback from		to		Section		Setback from road
Front / Side / Rear / Yard setback from		to		Section		for tax lot
Front / Side / Rear / Yard setback from		to		Section		19-1-18.2
Lot area from		to		Section		

State reason and purpose for Request:

1- The code permits an array to be 15% of the lot area but limits tree clearing to 15% of the lot area these requirements conflict and would further limit the area of the array. 2- To minimize visual and environmental impacts the array has been located at the top of the hill. Away from steep slopes and abutting residents. To achieve this the location requires the array to be to be within 250 feet of Gap Road (an abandon road).

Applicant must print and submit Environmental Assessment Form. This form must be filled out by going to the following link and following the steps given: www.dec.ny.gov/eafmapper

- Has this proposal appeared before the Planning Board? YES NO
- Property taxes up to date with the Town of Wallkill? YES NO

Property owner must have their signature notarized on this application:

please sign and notarize

Owners Signature: *[Handwritten Signature]*

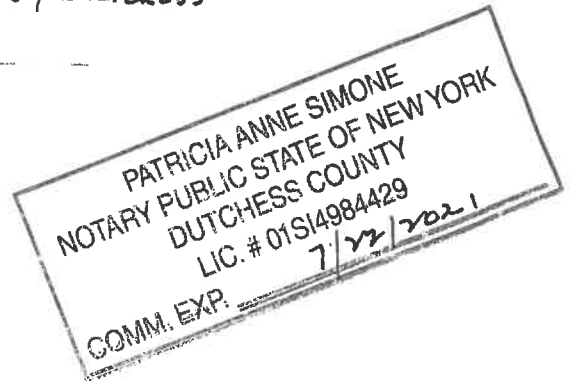
Notary Public: *Patricia A. Simone*

Sworn to before me this date: *12/5/20*

Applicant same as owner

State of New York
County of Orange / *Dutchess*

Building Inspector signature: _____ Date: _____



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 Front / Side / Rear / Yard setback from _____ to _____ Section _____ Setback from road
 Front / Side / Rear / Yard setback from _____ to _____ Section _____ for tax lot
 19-1-18.2
 Front / Side / Rear / Yard setback from _____ to _____ Section _____
 Lot area from _____ to _____ Section _____

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Owners Signature: [Handwritten Signature]

Notary Public: [Handwritten Signature]

Sworn to before me this date: 12/5/2020

State of New York

County of Orange Brume

Applicant same as owner

Building Inspector signature: _____ Date: _____

please sign and notarize

NICOLE L CABALLERO
 Notary Public - State of New York
 NO. 01CA6393512
 Qualified in Bronx County
 My Commission Expires Jun 17, 2023

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Lot area from _____ to _____ Section _____

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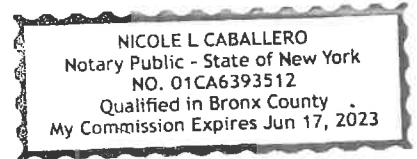
Sworn to before me this date: 12/5/2020

State of New York
County of Orange Bruno

Applicant same as owner

Building Inspector signature: _____ Date: _____

please sign and notarize



APPLICANT DISCLOSURE FORM – ORANGE COUNTY, NY REVIEW UNDER SECTION 239-M OF GENERAL MUNICIPAL LAW

The following is information relative to the below named project which is presently pending before the _____
(City/Town/Village) of Wallkill (Planning/Zoning/City/Town/Village) _____ Board.

Title of Project: Sky Solar - Tice Lane

Municipality: Town/Village/City of _____
(underline one of above)

Nature of Owner or Owners (LLC, Corporation, Partnership, Joint Venture, natural person, professional corporation or other type of business entity or combination of the above):

Individuals

The names of the Members, Officers, Shareholders, Directors, Beneficial Owners owning at least five percent of the Stock or Membership or Partnership Interest or Beneficial interest in the project are:

John Del Grosso, Vincent Del Grosso & Anthony Del Grosso

Short Environmental Assessment Form

Part 1 - Project Information

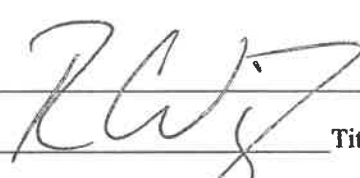
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Sky Solar - Tice Lane			
Project Location (describe, and attach a location map): Tice Lane Town of Wallkill Orange County, New York			
Brief Description of Proposed Action: the proposed action consists of two arrays for a commercial solar farm			
Name of Applicant or Sponsor: Sky Solar		Telephone: 905-604-4436	
		E-Mail: ryan.magee@skysolarholdings.com	
Address: 830 Morris Turnpike, Suite 204			
City/PO: Short Hills		State: New Jersey	Zip Code: 07078
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		120.6 acres	
b. Total acreage to be physically disturbed?		26.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		120.6 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ None required	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ None required	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ state and federal wetlands on site and will be delineated. _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Indiana Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Engineer Applicant/sponsor/name: <u>Ross Winglovitz, P.E.</u> Date: <u>10/02/2020</u> Signature: <u></u> Title: <u>Engineer</u>		

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area] No

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No

Part 1 / Question 12b [Archeological Sites] No

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Part 1 / Question 15 [Threatened or Endangered Animal] Yes

Part 1 / Question 15 [Threatened or Endangered Animal - Name] Indiana Bat

Part 1 / Question 16 [100 Year Flood Plain] No

Part 1 / Question 20 [Remediation Site] No