

NY Lansing I, LLC
33 Lower Main Street / PO Box 384
Callicoon, NY 12723

May 28, 2024

Town of Lansing Building Department
29 Auburn Road
Lansing, New York 14882

Attn: Code Enforcement Officer
C/O Scott Russell

Re: North Triphammer Road, Parcel Project #1 and #2 - Solar Energy Facility

Dear CEO Russell,

The purpose of this letter is to request for the above reference application for a Use variance for NY Lansing I, LLC (Project #1) and NY Lansing II, LLC (Project #2) – Solar Energy Facility Project (“Project”) to be placed on the June 12th Zoning Board meeting agenda.

Included in this submission are the following items. Fifteen (15) copies of each item below have been submitted.

Items:

- GML 809 disclosure letter from Hodgson Russ
- Alternative Site Visual Report
- Site Selection Analysis
- Zoning Map with Project Location marked

Respectfully Submitted,



Mollie Messenger

Encs.

Rich Winter, Chief Executive Officer

Charles Malcomb
Partner
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Associate
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May 24, 2024

Town of Lansing Zoning Board of Appeals
Lansing Town Hall
PO Box 186
29 Auburn Road
Lansing, New York 14882

To: Members of the Zoning Board of Appeals

Re: General Municipal Law Section 809 Disclosure – Proposed Solar Energy Facilities on North Triphammer Road

As you may know, our firm represents NY Lansing I, LLC and NY Lansing II, LLC, affiliates of Delaware River Solar (“Applicant”), in connection with its efforts to develop one five (5) megawatt and one three (3) megawatt alternating current (“MWac”) solar energy facilities (“Project”) located on two neighboring parcels of land on North Triphammer Road, tax map numbers 44.-1-1.2 and 44.-1-3.3 (“Property”), in the Town of Lansing, New York (“Town”). The Property is located in the Town’s R-2 Moderate Density (“R-2”) Zoning District.

In connection with the Project, the Applicant is providing this letter pursuant to the disclosure requirements set forth in New York General Municipal Law Section 809. The Applicant is aware that the Town of Lansing Zoning Board of Appeals (“ZBA”) Chairperson, John Young, has entered into a lease agreement with NY Lansing I, LLC and NY Lansing II, LLC (the “Project Companies”) for use of lands with tax map numbers 44.-1-1.2 (owned by Chairperson Young and Susan Barnett) and 44.-1-3.3 (owned by Chairperson Young and Julie Young), located on North Triphammer Road in the Town of Lansing, Tompkins County, New York (the “Property”) for two proposed solar energy facilities (the “Project”).

Chairperson Young has previously disclosed his agreement with the Project Companies at open meetings of the Lansing ZBA and recused himself from all prior proceedings related to the Project. Chairperson Young stated at the May 8, 2024 Lansing ZBA meeting that he will continue to recuse himself from the proceedings before the Lansing ZBA for all matters related to the Project, including, without limitation, all deliberations and votes related to the Project.

The Applicant understands that this information has been previously disclosed and is part of the public record for the Project but provides it herein in an abundance of caution.

If you have any additional questions or concerns, please do not hesitate to contact me at (585) 613-3943 or astoklosa@hodgsonruss.com.

Very truly yours,

A handwritten signature in cursive script that reads "Alicia R. Stoklosa".

Alicia R. Stoklosa

AST

cc: Kelly Geiger, Planning Clerk, Town of Lansing (*via email*)
Mollie Messenger, Delaware River Solar (*via email*)



Date: 5/28/2024

Site Selection Analysis

North Triphammer Road

Project #1 and #2

Project #1 - SBL: #144-1-1.2 5MW Solar Facility

Project #2 - SBL#: 44-1-3.3 3MW Solar Facility

Prepared for:

Town of Lansing

Tompkins County, New York

Prepared by:

NY Lansing I, LLC & NY Lansing II, LLC

P.O. Box 384

Callicoon NY, 12783

Introduction

NY Lansing I, LLC (Project #1) & NY Lansing II, LLC (Project #2) (“Project Owner”), an affiliate of Delaware River Solar, LLC, proposes to build a photovoltaic (PV) solar facility (“Solar Facility”) at North Triphammer Road in the Town of Lansing (“Town”) under New York State’s Community Solar initiative. The Solar Facility is planned to have a nameplate capacity of approximately 5MW ac (MW) from Project #1 and 3MW ac from Project #2, to be constructed on private land (“Project Site”) leased by the Project Owner from the property owner (“Property Owner”).

Need For The Facility

New York State has been a leader in the pursuit of clean energy since the passing of the Climate Leadership and Community Protection Act in 2019. This ambitious act set the goal for New York State to reduce emissions to 40% below 1990 levels by 2030 and then to 85% below 1990 levels by 2050. It aims to shift the main source of energy within New York State to 70% renewables and by 2040 the goal is to have all the state’s electricity come from carbon-free sources like solar and wind.

This law also set the bar high for community solar with a goal of reaching six gigawatts of distributed solar by 2025. With currently over two gigawatts of community solar installed, the need for continued installation of community solar assets throughout the state is paramount to reach their clean energy goals.

Site Selection Overview

This initiative attracted significant interest from both local and out-of-state renewable energy developers, such as Delaware River Solar, in identifying suitable land for the development of such projects. The key driving factor to properly locating a community solar farm is identifying a three-phase circuit and substation that have excess capacity within close proximity of the project site. Additional factors to consider are site characteristics such as federal and state wetlands, topography, recorded easements, size of parcel, heavily forested (not preferred, but manageable), etc. Of course, an eager and willing landowner and favorable local municipal zoning regulations are required as well.

In the very early stages of the NY community solar market, the site selection process was much simpler. With ample capacity on the grid throughout the state, it was easy to find a site that was located near three phase circuit with excess capacity and favorable site characteristics. At this time, local municipalities also had less restrictive solar laws which widened the range of sites available for development. If a site was identified as a good candidate for solar, we would facilitate a letter to the landowner in hopes of entering into a site control agreement. From there, we would submit an interconnection application to determine if the cost of interconnection would be viable.

Over time as community solar projects were being installed, it became more difficult to find solar sites near three phase circuits that had excess capacity. The introduction of solar moratoriums and enactment of restrictive local solar laws further reduced the amount of land

available for development. Ultimately, the selection of sites, particularly sites that consist of open-fields, minimal grading requirements, and little to no wetlands became harder and harder to find.

The methodology for selecting a site became more strategic and time consuming. Developers had to adapt to the changing market conditions. They also had to find ways to make unconventional solar sites work that were still located near three phase circuits and substations with excess capacity. This also opened the door for a potential need for seeking a use or area variances in order to make projects financially viable.

The site identified for Project #1: NY Lansing I, LLC & Project #2: NY Lansing II, LLC was identified as part of this evolving site selection process and there is no other site located in the Town of Lansing that was determined to be a suitable candidate from our analysis.

Town of Lansing – Site Selection Process

Delaware River Solar, LLC started by identifying every single parcel located in the Town of Lansing that was located within a quarter mile of a three-phase circuit. We assume we can upgrade electrical cable at a reasonable cost if it is relatively close to a three-phase circuit.

Next, since we want to maximize project #2 size to 5 MW AC, we utilized GIS software to identify parcels that contained at least twenty-five or more buildable acres. The factors that were considered to establish a buildable acre were setbacks from parcel boundaries, setbacks from wetlands, and slopes of 13% or less. This shortened the list to 29 parcels.

From this stage, we went to each parcel and identified which ones were near three phase circuits that had excess capacity on the line and at the substation for a 5 MW AC solar project.

Candidates/Alternate Analysis

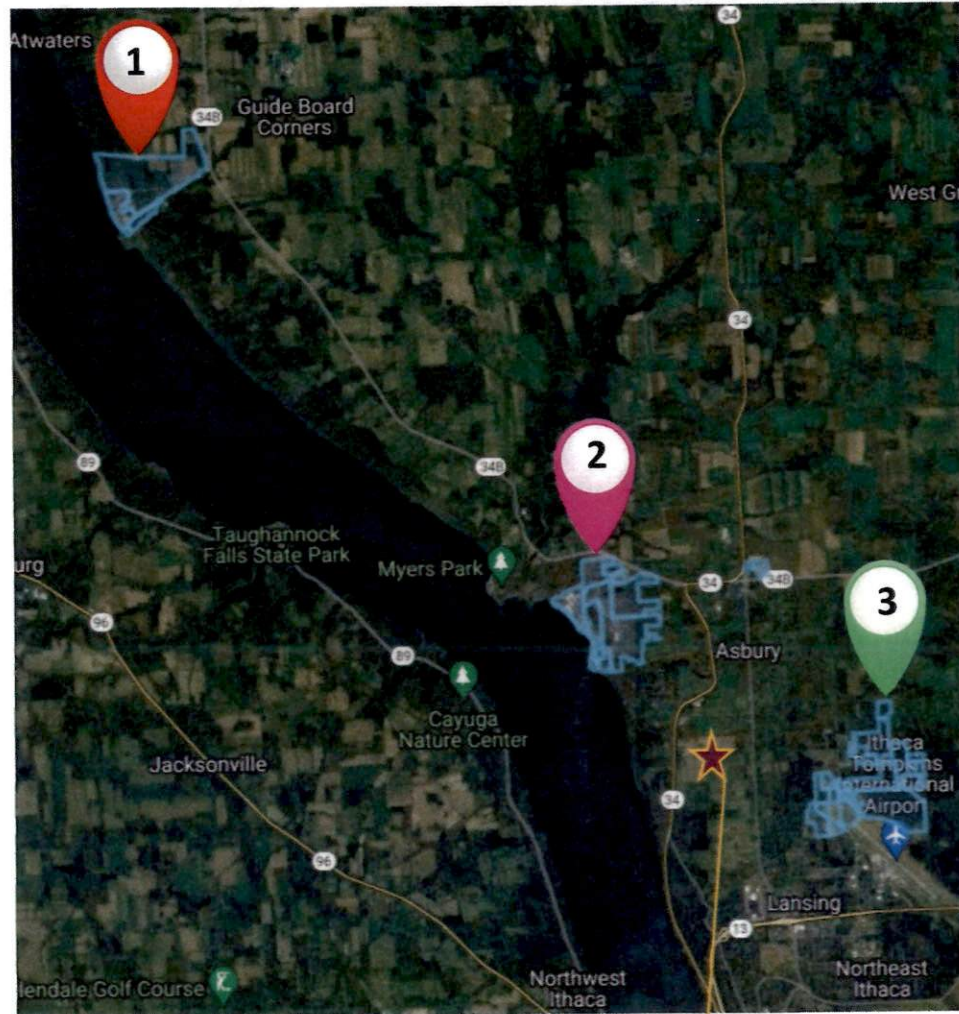
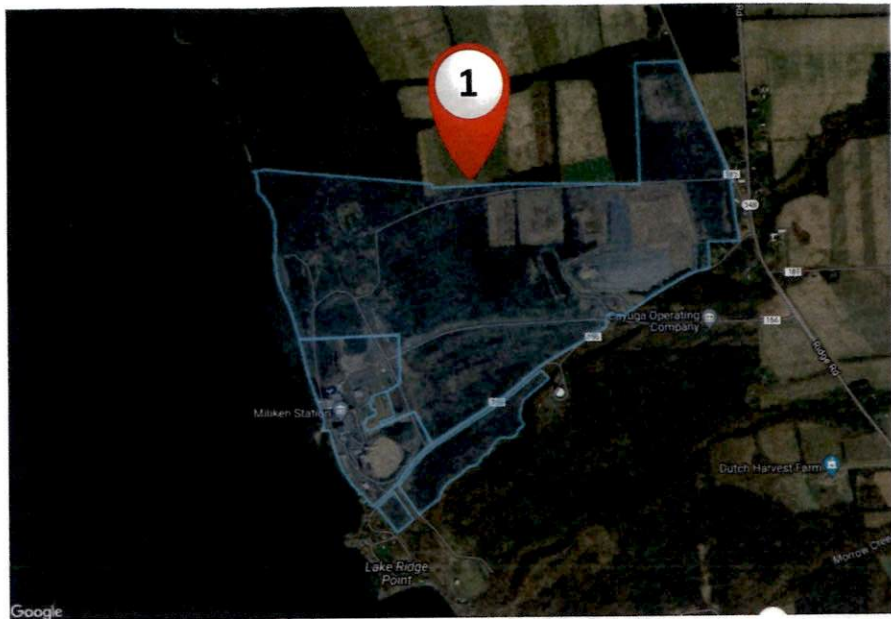
Identified properties in the Town of Lansing, which are listed in the Project Owner's use variance application (dated April 9, 2024) and various supplemental application materials (submitted on May 28, 2024), are not feasible for siting of the project for the following reasons:

- Large distance from the circuit
- Active, existing uses onsite (gravel mines, warehouses, residences, etc.) which do not provide sufficient acreage for the project
- Landowner not interested in a leasehold or sale of land
- No road frontage (landlocked parcels)

Conclusion

After identifying several potential candidates for community solar, it was identified for the reasons above that SBL: #144-1-1.2 (5MW) and SBL#: 44-1-3.3 (3MW) are the best locations for the proposed facilities.

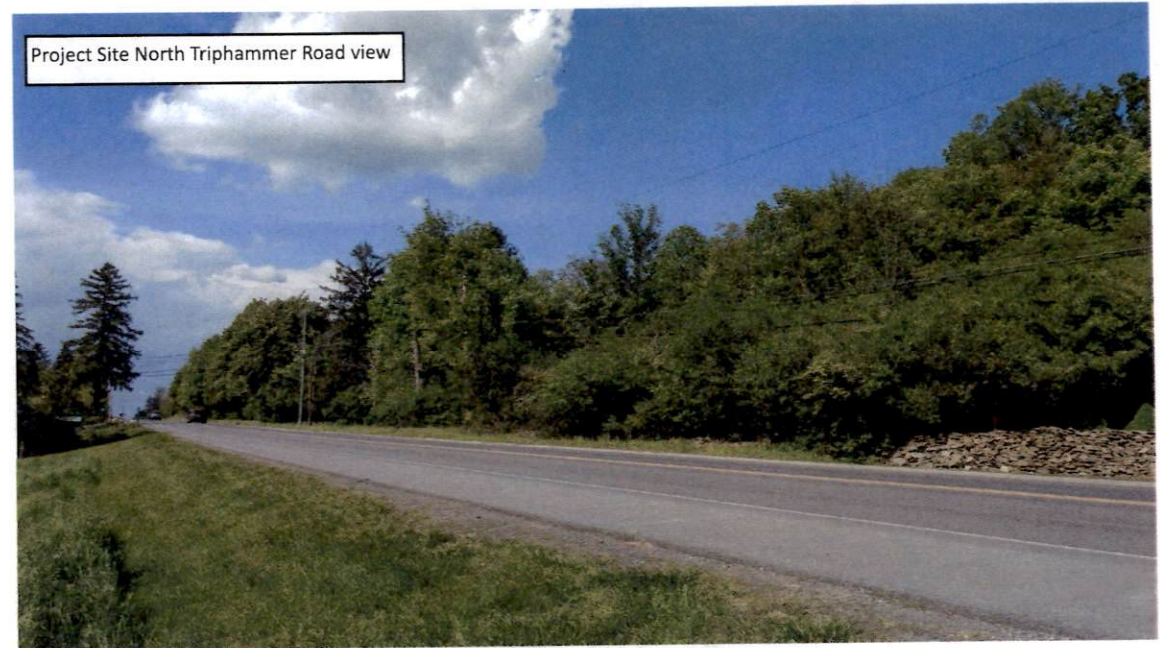
As demonstrated, there are no other suitable candidates for solar and due to other site constraints previously discussed, we ultimately require the requested use variance for a financially feasible project.

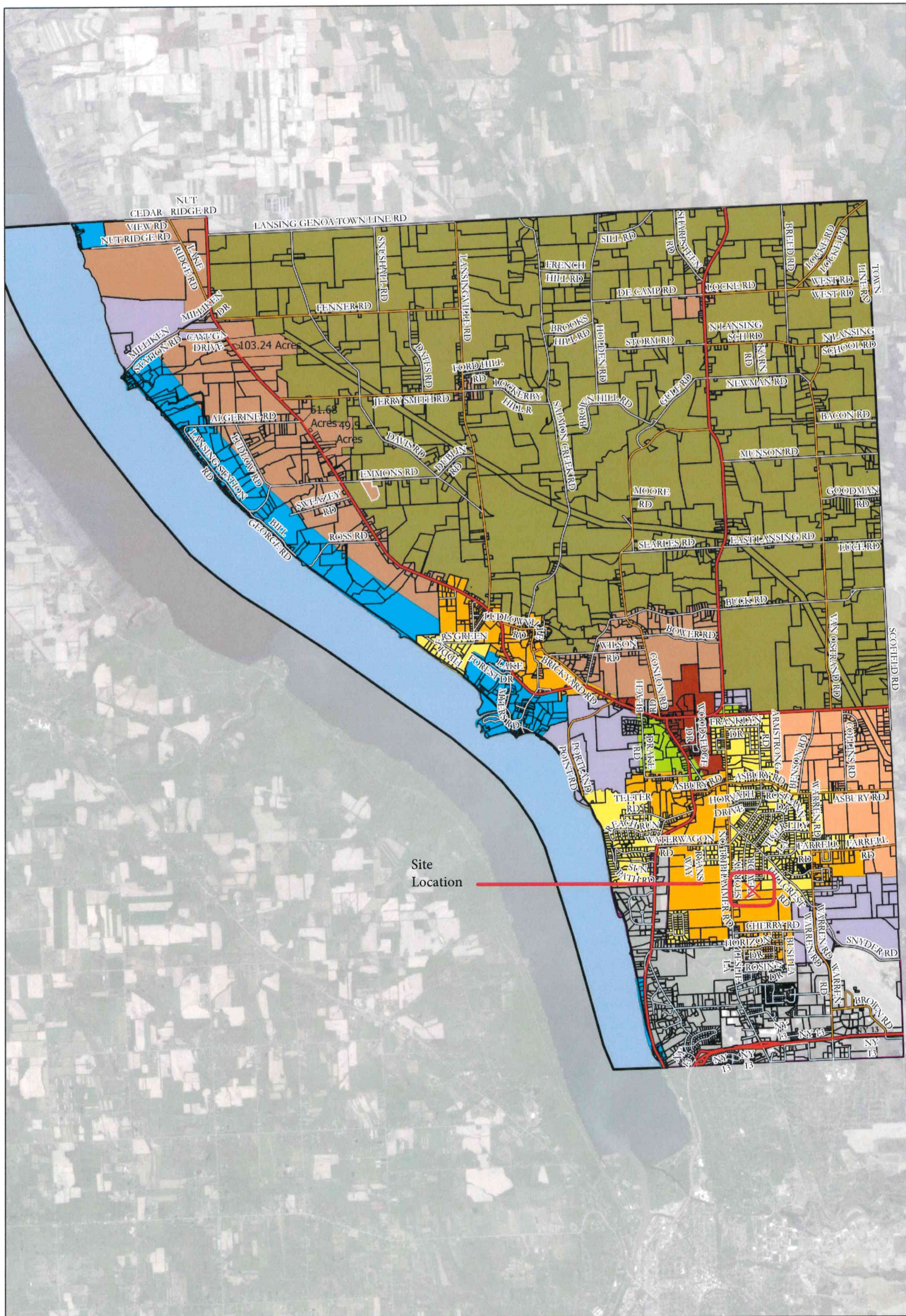


Project Site

Properties in the Town of Lansing with 10+ acres. IR or IR/R2 zoning only.

Parcel Number	Reason why Project is not Feasible
1	Too far from circuit.
2	Too far from circuit.
3	Too far from circuit.
4	Active gravel mine onsite.
5	Active gravel mine onsite.
6	Too far from circuit; existing warehouse onsite.
7	Active gravel mine onsite.
8	Parcel too small to accommodate Project.
9	Parcel too small to accommodate Project.
10	Parcel too small; existing buildings onsite.
11	Landowner not interested.
12	Landowner not interested.
13	Landowner not interested; wetlands onsite.
14	Landowner not interested; wetlands onsite.
15	Parcel too small; existing warehouse onsite.
16	Parcel too small; existing warehouse onsite.
17	Landowner not interested.
18	Landowner not interested.
19	Landowner not interested.
20	Landowner not interested.
21	Parcel too small; existing buildings onsite.
22	Landowner not interested; no Rd frontage.
23	Parcel too small to accommodate Project.
24	No Rd frontage.
25	Landowner not interested; no Rd frontage.
26	Landowner not interested; no Rd frontage.
27	Parcel too small; existing buildings onsite.





Town of Lansing Zoning Map April 2023

Zoning April 2023

B1

B2

IR

L1

R1

R2

R3

RA

AG

<all other values>

CayugaLake

