

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
		Co./Dept.	From		
		Fax #	Phone #		

239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Wappinger**

Referring Agency: **Planning Board**

Tax Parcel Number(s): **3764320000**

Project Name: **Myers Corners Solar Farm - Lightstar**

Applicant: **Lightstar Renewables, LLC**

Address of Property: **189 Myers Corners Rd, Wappinger, NY 12590**

Exempt Actions:*
239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☒ Site Plans (all)
- ☒ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

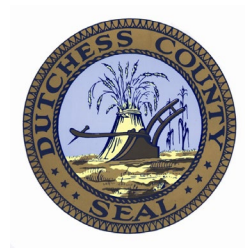
- ☐ State Road:
- ☒ County Road: **Myers Corners Road**
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☒ Farm operation in an Agricultural District

Date Response Requested: **3/6/2023**

Entered By: **Ogunti, Bea**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
<p>No Comments:</p> <p><input type="checkbox"/> Matter of Local Concern</p> <p><input type="checkbox"/> No Jurisdiction</p> <p><input type="checkbox"/> No Authority</p> <p><input type="checkbox"/> Withdrawn</p> <p><input type="checkbox"/> Incomplete - municipality must resubmit to County</p> <p><input type="checkbox"/> Exempt from 239 Review</p> <p><input type="checkbox"/> None</p>		<p>Comments Attached:</p> <p><input checked="" type="checkbox"/> Local Concern with Comments</p> <p><input type="checkbox"/> Conditional</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County</p> <p><input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)</p>	
Date Submitted: 2/16/2023	Notes: Digital submission.		<input type="checkbox"/> Major Project
Date Received: 2/16/2023			Referral #: ZR23-053
Date Requested: 3/6/2023			
Date Required: 3/17/2023			
Date Transmitted: 3/3/2023	<input type="checkbox"/> Also mailed hard copy	Reviewer:	



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

March 3, 2023

To: Planning Board, Town of Wappinger
Re: **ZR23-053, Myers Corners Solar Farm – Lightstar – Special Use Permit and Site Plan**
Lots: 376432, Myers Corners Rd

The Dutchess County Department of Planning and Development has reviewed the submitted referral for countywide and intermunicipal impacts as outlined in General Municipal Law (Article 12B, §239-l/m).

ACTION

The applicant is seeking a special use permit and site plan approval for the development of a 2.1 MW-AC dual-use solar farm.

COMMENTS

- The application discusses which crops are proposed for the site, but the site plans do not include any information about the proposed agricultural component of the project, such as where the crops will be planted, whether there will be a public component that could require parking (such as pick-your-own), or other considerations. This raises concerns about the ability to access and tend to the plantings and the solar panels without inflicting damage to either. The board could request such details to ensure that the uses are congruous, and that the agricultural use will be successful enough to support the preservation and improvement of the prime agricultural soils available on this site. We also note that there should be a conversation between the landowner, developer, and town assessor regarding the project's impact on the agricultural value assessment of the property.
- We understand that Dutchess County DPW may be requesting additional paving of the proposed access beyond standard specifications in order to limit tracking of mud and debris onto the County highway. The applicant should coordinate with County DPW to ensure that the site access drive meets these standards.
- The project area intrudes on the 100ft buffer of a delineated wetland, and significant tree clearing is proposed within the buffer. The applicant could consider other panel arrangements that avoid the wetland buffer.
- Although a landscaping plan was provided, the visual impact of the project is not clear. The board could ensure that the proposed screening from the road is sufficient.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By

A handwritten signature in cursive script, reading "Tara Grogan".

Tara Grogan

Planner

cc: Mathew Dutcavich, DCDPW (via email)
Jennifer Fimbel, Dutchess County Agricultural Navigator (via email)