

**Town of Eaton
Planning and Zoning Board
Minutes of the Meeting
April 28, 2026**

At the regular meeting of the Town of Eaton Planning and Zoning Board held on the 28th day of April 2026 at the Town of Eaton Office Building, Cedar Street, Morrisville, the following were:

Present:	Michael Mazza	Chairperson
	Don Bigelow	Member
	Paul Rhyde	Member
	Michael Johnston	Member
	Denise Lodor-Morris	Member
	Aaron DeLand	Member
	James Crowell	Member
	Charlie Page	Alternate
Applicants Present:	Jamie & Clyde Benedict	Applicants
	Torrey Clark	Applicant (Solar Rep)
	Carol MacBain	Applicant

Others Present: John Stevens, Orrin Stevens, Nadine Bell (Town Attorney) and John Dunkle (Town Engineer)

Chairperson Mazza opened the meeting at 7:02 p.m. followed by the Pledge of Allegiance

Board member Lodor-Morris made a motion to approve the minutes of the March 24, 2026 Planning and Zoning Board meeting as written. Board member Bigelow seconded. All ayes. The minutes were approved as written.

Carol Macbain, Area Variance, 2728 Bradley Brook Road, Tax Map #151.-2-51

Ms. Macbain has applied for a variance for a pre-existing shed that does not meet the required setback.

After discussion with Codes Enforcement Officer, Larry Cesario, it was determined that two sheds on Ms. Macbains property were grandfathered in, the newest shed will be moved behind the house with the guidance of Larry, and the garage needs a 27' variance as it is unable to be moved. The garage will also need a building permit.

7:18 pm - Board member Crowell made a motion to approve the Area Variance application as presented to the Board with a 27' variance. Board member Bigelow seconded. All ayes.

Clyde and Jamie Benedict, Area Variance, Special Use Permit, and Subdivision, Preliminary Review, Brooklyn St and Route 26, Tax Map #136.18-1-81

The Benedicts wish to subdivide a lot into three separate lots and wish to put a mobile home on one of them, which requires a Special Use Permit. The proposed subdivision creates lots that do not meet the minimum dimensions of 2 acres thus needing an area variance.

The board expresses concern over septic and well placement on such small parcels along with concern over wetlands on these properties.

The Benedicts also mention the possibility of purchasing another nearby property to add to the total acreage.

The Benedicts will have to acquire a subdivision plan before moving forward with these applications.

Warren Seitz, Special Use Permit, Public Hearing, 4224 State Route 26, Tax Map # 152.-1-29.121

Mr. Seitz wishes to purchase chickens but needs a Special Use Permit as he does not meet the minimum of five acres that is required for non-domestic animals.

Mr. Seitz was not present for Public Hearing; he will be rescheduled for next month.

Madison CSG 1, Special Use Permit and Site Plan Review, Rocks Road, Tax Map # 112-1-5

Madison ACSV 1 wishes to build a solar facility on Rocks Road. Town of Eaton Local Law #1 of 2024 requires them to seek a Special Use Permit and a Site Plan Review to construct such a facility.

Nadine Bell (Town Attorney) and John Dunkle (Town Engineer) were both present to finish reviewing SEQRA and the resolution is as follows:

**RESOLUTION OF THE PLANNING BOARD/ ZONING BOARD OF APPEALS
OF THE TOWN OF EATON**

**NEW ENERGY EQUITY SOLAR FACILITY
SEQRA NEGATIVE DECLARATION RESOLUTION**

April 28, 2026

Mr. Bigelow moved and Mr. Crowell seconded the following Resolution, which was carried as recorded below:

WHEREAS, New Energy Equity, as “Applicant,” has applied to the Town of Eaton for a Special Use permit and Site Plan approval to construct, operate and maintain a 2.18 megawatts (MW) commercial solar energy facility, known as “Madison CSG 1 LLC Solar Project,” consisting of approximately 12 acres (the “Project Site”), on property containing approximately 73.53 acres, located on Rocks Road, in the Town of Eaton, County of Madison, Tax Map Arcel No. 112.-1-5 (the “Property”), located in the Agricultural/ Residential/ Commercial Zoning District; and

WHEREAS, in accordance with the State Environmental Quality Review Act (“SEQRA”), on August 25, 2025, the Planning Board (as predecessor to the joint Planning Board/ Zoning Board of Appeals) made the following initial SEQRA determinations:

1. That the proposed action is a Type I Action;
2. That the Planning Board/ ZBA shall act as Lead Agency status in connection with the SEQRA review for this project;
3. That the Madison County Planning Department, Madison County Soil and Water Conservation District, Eaton Fire Department, New York State Department of Transportation, New York State Department of Environmental Conservation, New York State Department of Agriculture and Markets, New York State Parks, Recreation & Historic Preservation, and U.S. army Corps of Engineers, are involved or interested agencies in connection with the SEQRA review; and
4. The action will require the submission of a Long Form Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and

WHEREAS, the Planning Board/ Zoning Board of Appeals (“Board”) did further direct that notification be provided to all agencies, interested/involved, that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice; and

WHEREAS, the Lead Agency Designation notice was duly sent to all interested and involved agencies, by correspondence dated August 28, 2025; and

WHEREAS, the Board has either received consent from the interested and involved agencies to serve as Lead Agency, or the statutory time period to object has passed; and

WHEREAS, the Applicant has submitted detailed site plan documents prepared by the following design professionals:

- Sheet C-100 – Site plan, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-101 – Site details, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-102 – Site details, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-200 – Grading and Drainage, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-201 – Enlarged grading and drainage, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-202 – Enlarged grading and drainage, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-203 – Grading and drainage details, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-204 – Erosion control plan, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-205 – Erosion control details, prepared by Carmina Wood Design, last revised March 24, 2026;
- Sheet C-206 – Access road profiles, prepared by Carmina Wood Design, last revised March 24, 2026;
- Q. Peak DUO XL-G11 Series Solar Module Specifications and Data Sheets;
- SMA Sumy Highpower PEAK3 Inverter Specifications and Data Sheets;
- SMA Array DuraTrack HZv3 Racking Specifications and Data Sheets;
- Cooper Power Series, Three-Phase CA202003EN Transformers Specifications and Data Sheets;
- Stormwater Pollution Prevention Plan (“SWPPP”), dated March 13, 2026; and

WHEREAS, the plans submitted have been reviewed by the Board and its engineering consultant (“Engineer”); and

WHEREAS, for purposes of the Board’s consideration of the environmental impacts of the project, the Board has further considered the potential cumulative impacts of the project to the area and has compared the potential impacts to the criteria identified under 6 NYCRR Part 617 et seq.; and

WHEREAS, the Applicant submitted a Full EAF, dated May 9, 2025, which has been fully reviewed by the Board along with various submissions.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board/ Zoning Board of Appeals hereby determines that the proposed action is not likely to result in any significant adverse environmental impacts, such that this Resolution shall constitute a Negative Declaration, for the following reasons:

1. Impact on Land, small impact may occur.
 - a. As noted by the Applicant, few projects are entirely devoid of land impacts which include grading, clearing, filing, excavation and construction. As proposed, the Applicant has designed the proposed facility to either avoid physical alterations or reduce alterations through appropriate mitigation.
 - b. More specifically, the depth to the water table is greater than three (3) feet, there are no slopes of 15% or greater, and while there is no exposed bedrock on the project site, a geotechnical investigation will be performed prior to construction.
 - c. The project will comply with New York State Department of Agriculture and Markets' Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands. Construction is estimated to take between six (6) and eight (8) months, and phasing will be done to preserve topsoil integrity.
 - d. The Applicant has submitted a proposed SWPPP for review and approval by the Engineer.
2. Impact on Geological Feature, small impact may occur.
 - a. There are caves situated on the Property. Although not believed to be located on the Project Site, to avoid any impact the Applicant has agreed to move the Project Site if it is confirmed that caves are in fact within the Project Site.
3. Impacts on Surface Water, small impact may occur.
 - a. The Applicant has submitted a proposed SWPPP for review and approval by the Engineer; accordingly, the improvements are not anticipated to cause significant impact to drainage.
 - b. Furthermore, the proposal will not create a new water body, result in an increase or decrease of more than 10% or more than a 10 acre change in surface area of any body of water, or involve dredging of a wetland or water body.
 - c. The Applicant also submitted a "Letter of No Jurisdiction – Freshwater Wetlands," dated December 4, 2025, from the New York State Department of Environmental Conservation, confirming that there are no NYS DEC

regulated freshwater wetlands and/ or adjacent areas identified on the Property; accordingly, no freshwater wetlands permit is required.

- d. The proposed project may create turbidity that is temporary and easily controlled with erosion-controlled methods and is limited in size and scope. To further mitigate any impact, the Applicant will obtain a stream crossing permit and a State Pollutant Discharge Elimination System (“SPDES”) permit prior to construction.
 - e. A steam culvert is proposed as part of the project.
4. Impact on Groundwater, no impact may occur.
- a. The Project does not require any activities that significantly impact groundwater resources. There will be no use of groundwater for construction or operations, and no discharges to groundwater are proposed.
 - b. Construction will avoid areas with shallow water tables and erosion control measures will prevent infiltration of contaminants.
5. Impact on Flooding, no impact may occur.
- a. The Project Site is not located within a designated 100-year or 500-year floodplain.
 - b. No structures or grading will occur within flood-prone areas, and the project will not alter natural drainage patterns or increase flood risk on or off-site.
6. Impacts on Air, small impact may occur.
- a. Temporary air emissions may be impacted due to the dust generated during construction, which is projected to last six (6) to eight (8) months. Impacts will be mitigated by the Applicant’s routine watering of the Project Site and access drive.
 - b. No federal or state air emission permits are required, nor is state air emission registration required.
7. Impact on Plants and Animals, small impact may occur.
- a. The Project Site consists of previously disturbed agricultural land and woodland.
 - b. The US Fish and Wildlife Service IPaC identified the northern long-eared bat (endangered) and monarch butterfly (threatened) within or adjacent to the Project Site. By letter dated March 16, 2026, the US Fish and Wildlife Service issued a “Not Likely to Adversely Affect” determination regarding the northern long-eared bat.
 - c. Although the Board did determine that some temporary displacement of wildlife will occur during construction and that wildlife inhabiting trees will be permanently displaced as a result of tree removal, the impact to be realized is deemed to be none to small.
8. Impact on Agricultural Resources, small impact may occur.

- a. The Applicant has sited the proposed facility in a manner intended to minimize impacts to agricultural lands. The solar panels within the fenced area will cover approximately 11.5 acres of land, of which 3.27 acres are MSG 1 and 2 soils. Ground disturbance to agricultural lands is limited to grading and installation of posts for the racking systems, footings for equipment pads, and construction of access roads.
 - b. Adjacent agricultural land uses will not be impacted.
 - c. The Project Site is not located in a New York State Agricultural District, and Chapter 120 of the Town Code mandates certain agricultural protections.
 - d. Approximately one (1) acre of Prime Agricultural soils and approximately 3 acres of non-prime soils will be distributed. Disturbance is deemed temporary as the soils will be restored in accordance with the New York State Department of Agriculture and Markets standards and the decommissioning plan, upon discontinuance of the solar facility.
9. Impact on Aesthetic Resources, small impact may occur.
- a. The Project Site is not located within a designated scenic area or adjacent to a visually sensitive resource. Although the Route 20 Scenic Byway is situated approximately one (1) mile from the Project Site, the proposed facility will not be visible from Route 20.
 - b. The proposed project will not be visible to routine traffic along local roads; existing screening, setbacks, and proposed plantings will screen the facility and limit visibility of the project to the surrounding properties and area.
 - c. The installation of additional overhead powerlines and power poles, in close proximity, will be visible from Rocks Road, but is determined to be a small aesthetic impact.
10. Impact on Historic and Archeological Resources, no impact may occur.
- a. In accordance with correspondence from the New York State Office of Parks, Recreation and Historic Preservation, dated May 22, 2025, there are no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places that will be impacted by the project.
11. Impact on Open Space and Recreation, no impact may occur.
- a. There is no evidence that development of the Project Site as proposed will result in a significant impairment of natural functions, or of current or future formal or informal open space or recreational areas.
12. Impact on Critical Environmental Areas, no impact may occur.
- a. There are no Critical Environmental Areas in the Town that will be impacted by the project.
13. Impact on Transportation, no impact may occur.

- a. The project will generate minimal traffic during construction and negligible traffic during operation. According to NYS DEC standards, a project generating fewer than 100 peak hour vehicle trips per day will not result in any significant increases in traffic. As proposed, during construction the peak daily traffic is projected to be 10-30 heavy vehicle trips (i.e., flatbeds, concrete trucks, etc.), and 20-40 light vehicle trips (i.e., personnel vehicles).
 - b. As proposed, there is no paved parking area for 500 or motor vehicles, not is the present pattern of movement of people or goods impacted.
- 14. Impact on Energy, no impact may occur.
 - a. The project will contribute positively to the State's renewable energy goals by generating clean solar power. The facility will not place a significant demand on local energy infrastructure, and it is designed to reduce reliance on fossil fuels.
- 15. Impact on Noise, Odor, and Light, small impact may occur.
 - a. Construction noise will be temporary. Any impacts realized by construction activities will be mitigated by limiting work hours from 7:00 a.m. until 6:00 p.m. on weekdays, and requiring the use of mufflers, which will be conditions of approval.
 - b. During operation, the project will not generate noise, odors or significant lighting. Any lighting installed at the facility will be for security purposes and will be downward deflecting and shielded to minimize off-site impacts.
- 16. Consistency with Community Plans, small impact may occur.
 - a. The proposed ground-mounted commercial solar energy facility use of the Property is permitted subject to the issuance of a Special Use Permit; as such, the Town Board of the Town of Eaton has determined that the proposed use is appropriately situated within the Agricultural/ Residential/ Commercial Zoning District.
 - b. The proposed use is and location is consistent with the Town of Eaton Comprehensive Plan and will not require new or expanded public infrastructure.
- 17. Consistency with Community Character, small impact may occur.
 - a. The proposed project does contrast in scale and style from the surrounding agricultural land uses, such that the installation of a ground-mounted commercial solar energy facility will change the character of the immediate area; however, the proposed project is relatively isolated. It is not visible from Rocks Road (the facility is set back approximately 1,000 feet, far exceeding the 200-foot setback requirement), nor is the facility visible from any adjacent lands. Between the facility and the roadway and adjoining parcels, the Property is wooded, providing natural screening. In addition, the Applicant has submitted a screening and landscaping plan which includes landscape buffering and plantings to screen the facility from neighboring properties.

- b. The proposed project will not create a demand for additional community services and will not displace affordable or low-income housing in the area.
- 18. Impact on Human Health, no impact may occur.
 - a. The project poses no known risks to human health. It does not involve hazardous materials, emissions, or activities that may affect public safety. Construction and operational practices will comply with applicable health, occupational and safety regulations.
 - b. The Project Site is not located within 1,500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.
 - c. The Project Site is not currently undergoing remediation, and the proposed use does not involve the construction or modification of a solid waste management facility; be it further

RESOLVED, that this Resolution shall be effective as of the date of its filing with the Town Clerk.

The question of the enactment of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Michael Mazza	Aye
Don Bigelow	Aye
Paul Rhyde	Aye
Michael Johnston	Aye
Denise Lodor-Morris	Aye
Aaron DeLand	Aye
James Crowell	Aye

The foregoing resolution was thereupon declared duly adopted.

DATED: April 28, 2026

Board member DeLand made a motion to adjourn the meeting, seconded by Board member Lodor-Morris. All ayes. The meeting was adjourned at 8:37 p.m.

Respectfully submitted,
Christine Boyden, Secretary