

**Town of Eaton
Planning and Zoning Board
Minutes of the Meeting
May 26, 2026**

At the regular meeting of the Town of Eaton Planning and Zoning Board held on the 26th day of May 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)
	Warren Seitz	Applicant
	Paul DeFrancisco	Applicant
	Steven Alcott	Applicant

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

Chairperson Mazza opened the meeting at 7:00 p.m. followed by the Pledge of Allegiance

Board member DeLand made a motion to approve the minutes of the April 28, 2026 Planning and Zoning Board meeting as written. Board member Bigelow seconded. All ayes. The minutes were approved as written.

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.

Chairperson Mazza opened the Public Hearing at 7:03 pm. There was no written communication regarding this application. No one present to speak for or against application.

Chairperson Mazza closed the Public Hearing at 7:04 pm.

7:15 pm - Board member DeLand made a motion to approve the Special Use Permit application as presented to the Board with the condition that Mr. Seitz will have no more than 50 chickens. Board member Lodor-Morris seconded. All ayes.

The board completed a Short Environmental Assessment Form for the proposed Special Use Permit. Board member Rhyde made a motion that the proposed action will not result in any significant adverse environmental impacts. Board member Lodor-Morris seconded. All ayes.

Rebecca Nelson, Area Variance, 3210 McClure Dr, Tax Map #125.17-1-17

Ms. Nelson has applied for a variance to construct an enclosed porch attached to side of existing house. The porch would not meet the required front yard setback.

Ms. Nelson was not present; she will be rescheduled for next month.

Paul and Karen DeFrancisco, Area Variance, 2297 Cook Shore Rd, Tax Map #150.16.1-45

The DeFranciscos applied for a variance for separation distance of the existing leach field.

After a brief review of the DeFrancisco's application, town attorney, Nadine Bell referred the applicants to Madison County Department of Health to complete the required septic system regulations.

Elizabeth and Steven Alcott, Area Variance, 6450 Paino Road, Tax Map #125.17-1-50

The Alcotts applied for a variance for their septic system as it does not meet the requirements for separation distance from well to the neighbors.

After a brief review of the Alcott's application, town attorney, Nadine Bell referred the applicants to Madison County Department of Health to complete the required septic system regulations.

Heather Sgroi, Special Use Permit, Preliminary Meeting, 6084 Fearon Road, Tax Map #112.-1-9

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

Ms. Sgroi was not present; she will be rescheduled for next month.

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 Benedicts have made a few steps of progress with their applications. They have acquired a Demolition Permit and an Asbestos Permit.

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

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

Madison ACSG 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 approve the Special Use Permit 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**

May 26, 2026

Mr. Johnston moved and Mr. Bigelow 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, the Planning Board/ Zoning Board of Appeals (“Board”) has the power to grant a special use permit upon the findings set forth in §§120.23-26(E) and 120.32(D) of the Land Use Law, and does further have the authority to grant site plan approval pursuant to § 120.33 of the Land Use Law; and

WHEREAS, in accordance with the State Environmental Quality Review Act, on April 28, 2026, the Board, having circulated a Lead Agency Designation notice and declared itself Lead

Agency, did determine that the proposed action is not likely to result in any significant adverse environmental impacts, and rendered a Negative Declaration; 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, a public hearing on the application was held by the Board at its regular meeting commencing on November 24, 2026, and continuing until January 27, 2026, after due notice by publication in the Oneida Dispatch, notice to the owners of property located adjacent to and/or within 500 feet of the Property, and in accordance with law; and

WHEREAS, the Applicant appeared at the public hearing represented by Torrey Clark, with the property owner in attendance, to present its proposal and address the criteria set forth in the Land Use Law; and

WHEREAS, the application was duly referred to the Madison County Planning Department, pursuant to § 239 of General Municipal Law, for review and comment; and

WHEREAS, by Recommendation Report 121-25, dated October 27, 2025, the Madison County Planning Department returned the matter for local determination; and

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

WHEREAS, the Applicant’s application was considered fully by the Board and, in accordance with §120.23-26(E) of the Land Use Law, upon such consideration the Board rendered the following findings:

(a) Scenic viewsheds. The Project Site is not located within a designated scenic area or adjacent to a visually sensitive resource, and the proposed facility will not be visible from the Route 20 Scenic Byway. Accordingly, as proposed, the commercial solar Project shall be installed on the Property such that it will not materially detract from or block the views of all or a portion of a recognized scenic viewshed, as viewed from any public road, right of-way or publicly owned land within the Town of Eaton or that extends beyond the border of the Town of Eaton;

(b) Emergency shutdown/safety and signage. The Applicant has demonstrated the existence of adequate emergency/safety measures and has confirmed that signage shall be posted on the Property providing an emergency telephone number. In addition, the manufacturer's or installer's identity and appropriate warning signage shall be posted at the site and be clearly visible. The Applicant has further committed to providing training to local emergency responders, to the satisfaction of the Morrisville Fire Department Fire Chief, on a biannual basis;

(c) Security. As proposed, the facility will be surrounded by a chain-link security fence to prevent unauthorized access;

(d) Access road. As proposed, the access road to be installed shall be constructed in a way that allows for the passage of emergency vehicles in the event of an emergency, as evidenced by documentation from the responding fire department and emergency care provider. The access road shall be designed to be permeable to encourage proper drainage and reduce runoff;

(e) As set forth more fully in the Board's April 28, 2026, SEQRA resolution, the development and operation of the commercial solar project shall not have a significant impact on fish, wildlife, animal or plant species or their critical habitats, or other significant habitats identified by the Town of Eaton or federal or state regulatory agencies;

(f) Setbacks. The proposed facility will be set back approximately 1,000 feet from Rocks Road, far exceeding the 200-foot setback requirement, thus protecting the public's safety, health, and welfare;

(g) Screening, by means of a landscaping plan, as well as a natural, wooded buffer, will serve to mitigate any unavoidable visual impacts. Such plantings and screening shall be continuously maintained and replaced if dead, dying, or falling into disrepair;

(h) Equipment specification sheets have been submitted to the Board, and are incorporated herein, for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed;

(i) The Applicant has proposed non-invasive, native ground cover, under and between the rows of solar panels, which are suitable for animal grazing and/or pasturing and are low maintenance, drought-resistant, non-fertilizer-dependent and are pollinator-friendly. Such ground cover shall be maintained and replaced as necessary.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board/ Zoning Board of Appeals does hereby grant the Applicant's request for a Special Use Permit and Site Plan approval to construct, operate and maintain a 2.18 megawatts (MW) AC 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, conditioned upon the following:

- (1) Submission of a geological determination confirming the Project will not negatively impact caves that may be situated on the Property;
- (2) Receipt of appropriate permits from the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation to cross the on-site stream;
- (3) Approval of the Decommissioning Plan, including detailed soil restoration requirements, and financial security by the Board's legal counsel and Engineer;
- (4) Receipt of site entrance/ driveway access approval from the Madison County Highway Department;

- (5) Proof of State Pollutant Discharge Elimination System (SPDES) Permit coverage from the New York State Department of Environmental Conservation;
- (6) Receipt of financial securities, in an amount recommended by the Board's Engineer, for landscaping and construction activities;
- (7) Execution of a Maintenance Covenant and Easement Agreement to address stormwater concerns, as prepared by legal counsel for the Board;
- (8) Submission of written approval from the owner of the transmission lines to cross an easement for such existing overhead power lines;
- (9) Submission of as-built plans and an engineer's certification of completed stormwater facilities;
- (10) Hours of operation for construction activities shall be limited to 7 a.m. until 7 p.m.;
- (11) The Applicant shall coordinate with the local fire department to provide a "noxbbox" to ensure access to the site by first responders and shall further coordinate biannual training, to the satisfaction of the Morrisville Fire Department Fire Chief;
- (12) The Applicant shall submit the operations and maintenance manual to the Board's Engineer for review and approval;
- (13) A prohibition of battery energy storage systems as part of the proposal and

BE IT FURTHER RESOLVED, that the Applicant shall comply in all other respects with the Land Use Law; and

BE IT FURTHER RESOLVED, that the Code Enforcement Officer is hereby authorized and directed upon payment of any required fees to issue such permits and certificates and to take such other action as may be required to effectuate and enforce this Resolution; and

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: May 26, 2026

Board member Bigelow made a motion to adjourn the meeting, seconded by Board member Lodor-Morris. All ayes. The meeting was adjourned at 8:24 p.m.

Respectfully submitted,
Christine Boyden, Secretary