

Special Authorization Application
Town of Herkimer

Section I.

I, _____ as the applicant or the authorized representative of the applicant identified below hereby request and apply for issuance/renewal(circle one) of a Special Authorization Permit from the Town of Herkimer Town Board, as required by the Town of Herkimer Zoning Ordinance and/or Town of Herkimer Local Law No. 3 of 2019, concerning solar energy systems, and submit this application and documentary evidence, including all attached Exhibits, in support of this request and application and hereby certify that, following reasonable due diligence and investigation, this application and all information provided herein and all supporting exhibits are correct, true, and accurate to the best of my/our knowledge; and I further acknowledge and agree that (1) should any such evidence, exhibits or information later be determined to be false or not credible in any material respect; and (2) a Special Authorization permit was issued/renewed based thereon, (3) the Town of Herkimer Town Board may determine any such Special Authorization is void or voidable and revoke any such Special Authorization as provided for in the Town Zoning Ordinance.

Applicant's Signature and Title

Date

Section II.

1. Applicant identification:

Name of Applicant: _____

Applicant Address: _____

Applicant telephone number: _____

Applicant email address: _____

Name of applicant's primary contact person: _____

Contact person address: _____

Contact person's phone number: _____

Contact person's email address: _____

2. Property identification of proposed development (the "Site"):

Tax Map Parcel No (s): _____

Physical address (s) of the Site: _____

Present use of the Site (or portion within Town of Herkimer): _____

Current Town of Herkimer Site zoning: _____

Name of Site owner(s): _____

Address of Site owner(s): _____

Telephone number of Site owner(s): _____

Section III.

1. Description of proposed project:
2. Name of proposed development:
3. Describe in detail the proposed use of land to be developed (add additional sheets or drawings as necessary):
4. Total Site acreage:
5. Total acres to be developed:
6. Total acres to be developed within Town of Herkimer:
7. Access to Town Road/Street? Yes No
8. Access to County Highway? Yes No
9. Access to State Highway? Yes No
10. Anticipated number of employees, guests, customers on property (during and after renovation/construction):
11. Hours of proposed operation: Construction: _____ Post-construction _____
12. Anticipated Vehicle Parking requirements:
Construction: _____ Post-construction _____
13. Parking Area Buffer/Screening:

14. Anticipated Vehicle traffic volume:

Construction: _____ Post-Construction _____

15. Proposed site lighting:

16. Anticipated noise sources during and after construction/renovation (known decibel levels):

17. Landscape:

Existing landscaping:

Proposed landscaping: Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures and fences.

18. Proposed signage:

19. Level of municipal and other services required to support the activity (i.e. water supply, sanitary sewer etc.):

20. Identify all construction/renovation and operational permits/licenses required; Local, County State Federal:

21. Length of property on a developed town street: ft.

22. Is this a corner lot? Yes No Frontage of each street: ft. ft.

23. Is this a through lot? Yes No Frontage of each street: ft. ft.

24. Building setbacks:

25. Lot frontage ft.

26. Lot depth ft

27. Front set back from property line: ft.

28. Set back from rear property line: ft.

29. Set back from side property line ft.

Exhibits to be Attached to Special Authorization Applications

EXHIBIT A: Detailed site plan of any proposed anticipated construction. Drawings are to be certified by the appropriate design professional, include at time of application such detail as required per the Town of Herkimer Zoning Ordinance.

EXHIBIT B: Survey Map certified by a licensed surveyor within two years of date of application. Survey should show all existing state of facts, improvements, structures, easements, rights of way, appropriation, landscape features, encroachments, and existing pavements to site. Any survey map last re-dated prior to 60 days before the application filing date shall be accompanied by an affidavit from the applicant, owner, occupant, (i.e. someone with personal knowledge) that the survey map accurately shows the state of facts of the survey map as of the date of the application filing or if it does not, the affidavit should describe any change features.

EXHIBIT C: Legal Description of proposed site. The legal description must be in form sufficient to follow the legal description on the survey map submitted.

EXHIBIT D: Drainage, SWPPP if applicable, sanitary sewer, water service plans and specification for proposed site by a certified licensed professional engineer.

EXHIBIT E: Environmental Assessment form. A short environmental assessment form may be provided with any application for an unlisted action, however, acceptance of same shall not be deemed a waiver by the Town of its rights to require a long EAF with appropriate documentary substantiation of answers provided. For type one Action a long EAF must be submitted at time of application.

EXHIBIT F: Freshwater Wetlands Letter. Where the application involves regulated conduct or activity in, at or about freshwater wetlands or adjacent areas, the applicant must obtain either a permit or letter of permission from the NYSDEC or the authorized government having jurisdiction over the wetland. Any delineation such determination is based on shall likewise be provided. (Attached as Exhibit F).

EXHIBIT G: *For Tier 3 Solar Energy Systems and other applications:* Erosion and sediment control and storm water management plans prepared to New York State Department of Environmental Conservation standards, if applicable.

EXHIBIT H: *For Tier 3 Solar Energy Systems only:* A site plan and/or blueprints or drawings of the solar photovoltaic installation signed by a licensed Professional

Engineer showing the proposed layout of the system and any potential shading from nearby structures and which to the extent not specified document compliance with the Minimum Requirements for Tier 3 Solar Energy Systems set out in Town of Herkimer Local Law 3 of 2019, Article III, Section 3, ¶5 (a)(1)-(13).

EXHIBIT I For Tier 3 Solar Energy Systems only: A description of the Solar Energy System facility and the technical, economic, and other reasons for the proposed location and design shall be prepared and signed by a licensed professional engineer.

EXHIBIT J: For Tier 3 Solar Energy Systems only: Confirmation prepared and signed by a licensed professional engineer that the Solar Energy System complies with all applicable Federal and State standards.

EXHIBIT K: For Tier 3 Solar Energy Systems only: One- or three-line electrical diagram detailing the Solar Energy System layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices.

EXHIBIT L: For Tier 3 Solar Energy Systems only: Documentation of the major system components to be used including the PV panels, mounting system, and inverter.

EXHIBIT M: For Tier 3 Solar Energy Systems only: Property Operation and Maintenance Plan. An operation and maintenance plan shall include measures for maintaining safe access to the installation, as well as general procedures for operational maintenance of the installation. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.

EXHIBIT N: For Tier 3 Solar Energy Systems only: Glare. The manufacturer's specifications, warranty or statement confirming that all Solar Panels shall have anti-reflective coating(s).

EXHIBIT O: For Tier 3 Solar Energy Systems only: Specifications on noise (Inverter) and reflectivity/glare of solar panels and identify potential impacts to abutters.

EXHIBIT P: For Tier 3 Solar Energy Systems only: A visual assessment of the visual impact of the Solar Energy System that meets the requirements of Town of Herkimer Local Law 3 of 2019, Article III, Section 3, ¶5 (a)(13)

EXHIBIT Q: *For Tier 3 Solar Energy Systems only:* A Decommissioning Plan that complies with Town of Herkimer Local Law 3 of 2019, Article III, Section 3, ¶5 (d) and Appendix I (copy attached) and includes a decommissioning cost estimate prepared by a qualified engineer and a proposed financial assurance mechanism or agreement.

NOTE: THE ABOVE ARE NOT INTENDED AS AN EXHAUSTIVE LISTING OF THE APPLICATION REQUIREMENTS. THE APPLICANT SHALL BE RESPONSIBLE FOR FAMILIARIZING ITSELF WITH ALL TOWN CODE ZONING ORDINANCES AND AMENDMENTS, SITE PLAN REVIEW, AND SPECIAL PERMIT REQUIREMENTS, AND THE REQUIREMENTS OF OTHER INVOLVED AND PERMITTING AGENCIES INCLUDING RELATIVE TO SEQRA, GENERAL MUNICIPAL LAW SECTION 239 REVIEW, STATE/COUNTY DOT, DOH AND THE LIKE.

THE FOREGOING NOTWITHSTANDING IT IS ACKNOWLEDGED THAT UPON INITIAL APPLICATION CERTAIN OF THE ABOVE MAY NOT, WITHOUT INITIAL INPUT FROM THE TOWN BOARD OR PLANNING BOARD, BE REASONABLY CAPABLE OF FINAL COMPLETION, AND ACCORDINGLY MAY BE WAIVED OR SUCH REQUIREMENTS RELAXED TEMPORARILY AND UNTIL SUFFICIENT SPECIFIC DIRECTION FROM THE RESPECTIVE BOARDS HAS BEEN GIVEN. AT TIME OF SUBMISSION THE APPLICANT SHALL SPECIFICALLY REFERENCE ANY SUCH REQUEST(S) AND ITS REASON(S) FOR SAME IN A DETAILED ENCLOSURE LETTER DESCRIBING THE SUBMISSION AND EXHIBITS.

RENEWAL APPLICATIONS SHALL REQUIRE ONLY SUCH OF THE FOREGOING INFORMATION AND EXHIBITS AS ARE DEEMED NECESSARY FOR CONSIDERATION OF A RENEWAL PERMIT INVOLVING NO MATERIAL CHANGES FROM OR VIOLATIONS UNDER THE PRIOR ISSUED SPECIAL PERMIT.

APPLICATIONS SHALL BE SUBMITTED IN BOUND TABBED BOOKLET FORM WITH A COVER LETTER, TABLE OF CONTENTS REFERENCING EXHIBITS, AND LEGIBLE "11 by 17" MINIMUM DRAWINGS FOLDED TO LETTER SIZE THEREIN. TWELVE COPIES SHALL BE DELIVERED TOGETHER WITH SEVEN (7) FULL SIZE PRINTS OF ALL DRAWINGS.

SUBSEQUENT SUBMISSIONS OF MINOR MODIFICATIONS MAY BE SUBMITTED IN THE SAME MANNER WITH A LETTER REFERENCING THE SPECIFICS OF THE SUBSTITUTION, HOWEVER, IF NUMEROUS OR MATERIAL IN NATURE, ENTIRE REPLACEMENT SUBMISSIONS MAY BE REQUESTED.

Town of Herkimer April 2020