Warwick Valley Central School District – Solar Project
Balance of Public Interest

Nature and Scope of the Instrumentality Seeking Immunity
We are a Public School District and Lead Agency for the Solar Project. Historically, New York Courts have recognized that certain entities are entitled to absolute immunity from zoning regulations, which include the federal government, state government, state urban development corporations, and public schools.

Kind of Function or Land Use Involved
The site of the Solar Project is located at the Sanfordville Elementary School. The school has approximately 120 acres of land. The Solar Project will utilize approximately 10 acres on the left side of the school. Currently, the land designated for the solar project is located within a cross country track that encompasses it. The land is not used for any other purpose. The track will continue to be utilized by our students.

The Extent of Public Interest to be Served
The Solar Project will bring both economic and environmental savings. Furthermore, the data gathered from the Solar Project will be used for educational purposes. The Solar Project is expected to produce 2,919,000 kWh of electricity. The yearly average savings will be approximately $250,000 with an 18-year total savings of approximately $4,393,687.

Yearly carbon dioxide savings equal 3,362,987 pounds or 1681 tons.

The environmental savings are significant – for every 1 kWh generated, there is 1 less carbon dioxide into the atmosphere. Yearly carbon dioxide savings equal 3,362,987 pounds or 1681 tons.

The Solar Project will include solar information kiosks, which allow the District to view solar information through the District website. Information on current power generation, historical power generation, and environmental benefits will help our students learn about solar power in the classroom.

The Effect Local Land Use Regulations would have upon the Enterprise Concerned
The project will not have any significant adverse impact on the community character in the area. Commercial solar generation is an allowed use within the zoning district; and, although compliance with local zoning is not required, the project design is in harmony with local standards for similar projects and the Town of Warwick’s Solar By-Law.
The project is in unison with the objectives of the 2016 Town of Warwick’s Comprehensive Plan, including the expansion of renewable solar energy generation. The plan discusses reducing energy dependency, strengthening the economy, and expanding renewable energy generation within Warwick.

The project is also consistent with the operating principles of the Orange County Planning Department’s Green/Sustainability Plan, which seeks to establish Orange County as a leader in fostering green energy and environmental sustainability; and, specifically, promotes the use of solar energy.

**Impact upon Legitimate Local Interest**
The District performed a Type 1 SEQR, which resulted in a negative declaration. The SEQR is an evaluation process to determine any environmental impact. SEQR establishes a process to systematically consider environmental factors early in the planning stages of actions that are directly undertaken and funded or approved by local, regional, and state agencies. By incorporating environmental review early in the planning stages, projects can be modified, as needed, to avoid adverse impacts on the environment.

This SEQR process included an Archeological Study, Glare Study, and a Visual Impact Assessment.

The **Archeological Study** was completed. The project area is considered to have moderate sensitivity for the presence of prehistoric and historic cultural remains. Given the moderate sensitivity of the project area for both prehistoric and historic cultural resources, subsurface archeological testing was completed. The testing did not find any significant cultural resources within the project area.

A **Glare Study** was performed to evaluate potential effects of periodic reflections of sunlight from the panel surfaces onto adjacent properties and roadways. The results of the study concluded that glare from the array services will not significantly impact adjacent roads or property.

A **Visual Impact Assessment** was performed on the proposed Solar Project. The solar array is partially visible or visible from portions of Route 94 and Sanfordville Road. The NYSDEC Program Policy document, “Assessing and Mitigating Visual Impacts”, suggested that line-of-site profiles be constructed in order to determine view sheds within the project area. These are also meant to determine “control points” within the project area, which determine the visibility of the proposed construction within the various lines of sight. The solar array will be substantially mitigated by the combination of proposed perimeter fencing with visual slats and an 8-foot evergreen tree line installed adjacent to nearby roadways.

**The Applicant’s Legislative Grant of Authority**
We are a public school district and the Lead Agency of the project.
Alternative Locations for the Facility in Less-Restrictive Zoning
The District is installing a 10-acre, 2.419 Mw-DC Solar Installation at the Sanfordville Elementary School located at 144 Sanfordville Road, Warwick, New York 10990. The Solar Installation will produce electricity and receive credits that will cover the District’s entire electricity bill. The Sanfordville Elementary School site is the only school that has any excess land to place solar installations of this magnitude. The District cannot use the roofs for solar installations, because a roof needs to be less than 5 years old and most of the schools’ roofs do not qualify. The excess land available and the proximity of the land at Sanfordville Elementary School make it ideal for a solar installation.

Alternative Methods of Providing the Needed Improvement
There are essentially seven fundamental methods of generating electricity - Static, Electromagnetic Induction, Turbines, Electrochemistry, Photovoltaic, Piezoelectric and Nuclear Transformation. Of all of these options, Photovoltaic is clearly the best choice. The other forms of generating electricity are not practical.

Intergovernmental Participation in the Project Development Process and an Opportunity to be Heard
The District performed a Type 1 SEQR, which resulted in a negative declaration. As part of the SEQR process, the District sent a Lead Agency Declaration and Notice of Intent to Conduct an Environmental Review to the Town of Warwick; NYS Education Department; NYS DEC; Orange County Planning and Development; NYS Energy Research and Development Authority; NYS Department of Agriculture and Markets; NYS DOT; NYS Office of Parks, Recreation and Historic Preservation; U.S. Army Core of Engineers Upstate New York Field Office; and Orange & Rockland Utilities for comments.

The District held discussions at various Board Meetings regarding the project, as well as nine Facility Committee Meetings, that were open to the public and addressed the Solar Project in detail at various stages. In addition, the District held a Public Meeting on November 14, 2016 specific to the Solar Project. The District advertised this meeting in local newspapers and sent out letters to residents living in the general vicinity of the Sanfordville Elementary School to inform them about the project and encourage them to attend and provide input.

The District has also created a link on their District Website to provide the public with articles and information about the Solar Project.