

DEC 12 2025

**TOWN OF CONCORD  
ERIE COUNTY  
SPRINGVILLE, NEW YORK**

CONCORD TOWN CLERK

INTRO NO. 4(c)  
RESOLUTION NO. 32

DATE: December 12, 2025

I hereby certify that at a meeting of the Town Board of the Town of Concord held at the Town Hall in the Town of Concord on the 11<sup>th</sup> day of December, 2025 a Resolution was adopted of which the following is a true copy.

Council Member Drake moved the adoption of Resolution 32, seconded by Council Member Krzemien:

**TOWN OF CONCORD TOWN BOARD RESOLUTION  
NEGATIVE DECLARATION FOR THE  
PROPOSED CONCORD PV, LLC; CONCORD SOLAR PROJECT**

**WHEREAS**, the Town Board of the Town of Concord ("the Board") has been provided with an application for the development of a 5.00-megawatt solar project on a 100.2-acre property on 12119 Springville Boston Rd, identified with the SBL# 307.00-3-37 ("the Project") by RIC Energy; and

**WHEREAS**, the Concord Planning Board has reviewed the site plan and application, has determined the application to be complete, and has forwarded the application to the Town board for the completion of SEQR and consideration of the Special Use Permit as required in the Town of Concord Solar Energy Systems local law contained in Chapter 150, Article XXXIX of the Town Code, specifically §150-215; and

**WHEREAS**, in accordance with the provision of 6 NYCRR Part 617 (SEQR), following the coordinated review activities, the Board adopted a resolution on May 29, 2024, designating itself as Lead Agency for the proposed action pursuant to 6 NYCRR Part 617; and

**WHEREAS**, on January 9, 2025, the Board determined that the proposed action may have a significant adverse effect on the environment, issued a Positive Declaration, and required that a Draft Environmental Impact Statement ("DEIS") be prepared; and

**WHEREAS**, the applicant, Concord PV, LLC, prepared and submitted a draft scoping document for the Draft Environmental Impact Statement (DEIS) for the Board's review, a Public Scoping Session to gather public comment on the draft scoping document for the proposed Project, and on May 19, 2025, the Board issued the Final Scoping Document to the applicant and posted the Notice of Availability of Final Scope Environmental Impact Statement to the NYSDEC Environmental Notice Bulletin; and

**WHEREAS**, on or about July 24, 2025, the Applicant submitted the Draft Environmental Impact Statement (DEIS) for the Project, the Town Board determined the DEIS to be adequate for public review, notice was published on the Environmental Notice Bulletin (ENB) on October 1, 2025, a public hearing was held on October 14, 2025, and public comments were accepted through October 24, 2025; and

**WHEREAS**, the DEIS reviews and summarizes the material facts, analyzes the relevant impacts and evaluates reasonable alternatives, and is written in clear and concise language; and

**WHEREAS**, no substantive comments were received on the DEIS during the public hearing, during the comment period following, or from any interested or involved agencies; and

**WHEREAS**, the potential impacts to Agricultural Resources are sufficiently mitigated for the following reasons:

1. The farmland can return to agricultural use after the 25-30 year operational lifespan of the project.
2. The Project is compliant with the Town's maximum limit for impacts on farmland, as it will not exceed 50% of the area of prime soils or farmland of statewide importance on the parcel.
3. Construction will limit grading, and topsoil will be preserved, consistent with NYS Department of Agriculture and Markets (NYSDAM) guidelines.
4. Upon decommissioning, all solar infrastructure will be removed, and the site will be restored to a condition that allows the land to return to productive agricultural use.
5. The operational period acts as a "long fallow period" which may enhance soil productivity; and

**WHEREAS**, the potential impacts to Aesthetic Resources are sufficiently mitigated for the following reasons:

1. Vegetative Screening: Native evergreen trees, native deciduous trees, and native shrubs are proposed along the western fence line to obscure views of the facility from Springville Boston Road and neighboring residences.
2. Glare Reduction: The solar panels will utilize anti-reflective coatings to further reduce potential glare.
3. Other Design Features: The use of setbacks, fencing, and landscape buffering is employed to achieve minimal, ground-level visual impacts; and

**WHEREAS**, the potential impacts to Open Space and Recreation are sufficiently mitigated for the following reasons:

1. Restoration: The solar facility will be decommissioned and the soil restored to an agricultural-ready condition, ensuring restoration of the temporary loss of perceived open space.
2. No Loss of Public Land: The site is privately owned, is not accessible by the public, and does not contain any public or private recreational facilities.
3. Screening: The Project already includes screening and is not visible from nearby parks or public open spaces, designated by the Town of Concord; and

**WHEREAS**, the concerns about consistency with Community Plans are sufficiently mitigated for the following reasons:

1. Compliance: The Project is a permitted use in the Residential-Agricultural zoning district by Special Use Permit and complies with all Town of Concord Solar Energy Systems Law regulations and setback requirements.

2. Economic Benefits: The Project will provide economic benefits through a Host Community Agreement and a Payment in Lieu of Taxes (PILOT) agreement with the Town, County, and local school district.
3. Community Benefits: The Project will provide an electric bill discount, ranging from 5% to 10% in the form of "solar credits," to local subscribers, including homes, farms, and businesses; and

**WHEREAS**, the concerns about consistency with Community Character are sufficiently mitigated for the following reasons:

1. The projected lifespan of the Project is 25-30 years, following which, the site is planned to be fully restored to its pre-construction agricultural condition, preserving the land's long-term value to the rural community.
2. Visual Minimization: Setbacks, fencing, and landscape buffering are implemented to reduce ground-level visual impacts and minimize changes to the community's rural visual landscape; and

**WHEREAS**, the Town has now completed its review of the potential impacts of the project; considered relevant environmental impacts, facts and conclusions disclosed in the DEIS, and weighed and balanced relevant environmental impacts; and taken a hard look at the potential significant adverse impacts together with the proposed mitigating measures.

**NOW THEREFORE**, based upon the information contained in the DEIS and associated documents, the Board, as Lead Agency for the Proposed Action contemplated herein, and after due deliberation, review and analysis of the Proposed Action and the criteria set forth in 6 NYCRR §617.7(c), hereby determines that the Proposed Action will not result in a significant adverse environmental impact.

**AND THEREFORE**, in accordance with 6 NYCRR 617.9 (a)(5)(i), No Final EIS will be prepared.

**AND THEREFORE**, the Negative Declaration shall be filed, distributed and maintained, as necessary, pursuant to 6 NYCRR 617.12.

Voting as follows:

Council Member Drake	Aye
Council Member Kassel	Aye
Council Member Krzemien	Aye
Council Member Zittel	Abstained
Supervisor Drozd	Aye

By majority vote of the Town Board of the Town of Concord at its meeting of December 11, 2025.

  
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 Philip Drozd, Town Supervisor

Attest:

  
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 Darlene G. Schweikert, Town Clerk

