

The Town of Scipio Planning Board met on Wednesday, April 23, 2025 at the Town of Scipio Offices at 3705 State Route 34, Scipio Center, NY 13147

Attending: Melissa Alford, Andy Miller, Bill Nivison, Peter Rogers, Josh Saville

Others: Patrick Doyle, Ann Robson, Lori Kunert, Jennifer and Howard Haines, Connie O'Hearn, Anita Dungey, Tim Weir

1. Chair Alford called the meeting to order at 6:22pm.
2. Agenda Modification – add to Old Business the Cordelio Minor Subdivision application tabled from the March 2025 Planning Board meeting.
3. Approved March 26, 2025 Town of Scipio Planning Board meeting minutes
Motion to approve made by Alford, second by Saville. All in favor. 5/0
4. Old Business
 - a. Cordelio Scipio Solar NY LLC application for a Minor Subdivision to create 0.34+/- acre parcel for existing Substation Expansion. 2900 Center Rd, Scipio Center, NY 13147. Tax Map # 174.00-1-35. Motion to approve made by Miller, second by Rogers. All in favor. 5/0
 - b. Liberty-Renewables
 - i. Chair Alford reported the Agricola Project application has been deemed complete by ORES and is under review. Board members were charged with reviewing the application and to list/research points of concern. Those with ORES granted party status will be able to speak at the future public hearings to be scheduled.
 - ii. Town of Scipio Planning Board's statement of opposition to RAPID Act.
Resolution 2025-2 Opposing Public Service Law Article VIII Entitled "Siting of Renewable Energy and Electric Transmission. Motion to approve statement made by Rogers, second by Miller. All in favor. 5/0
 - c. Owasco Lake Watershed Protection and Inspection Division's proposed town zoning addendum on sediment and erosion control. Code Enforcement Officer Doyle advised the Planning Board that the current town Zoning Ordinance that was amended in July 2024 has incorporated these recommendations. CEO Doyle intends to add an Erosion Control sheet to the town's application packet. Alford made the motion for no new amendments, second by Miller. All in favor. 5/0
5. New Business
 - a. Timothy Weir, Jr., 3297 State Route 38, Moravia, NY 13147,
Tax Map# (s) 175.00-1-17.412 and 175.00-1-17.211 Minor Lot Alteration to merge portion of #175.00-1-17.412 with #175.00-1-17.211 to erect modular home. Motion to approve made by Saville, second by Nivison. All in favor. 5/0
 - b. Howard Haines III, 37 Fire Lane 23, Auburn, NY 13021 Tax Map # 154.03-1-5
Site Plan Review – Construction of Garage within Waterfront District
Motion to approve by Alford, second by Nivison. All in favor. 5/0
6. Date Change for the May 2025 meeting to the third Wednesday, May 21, at 6:30pm.
7. Motion to adjourn made by Saville, second by Nivison at 7:00pm. All in favor. 5/0

Respectfully submitted,

Ann Robson
Town of Scipio Clerk

TOWN OF SCIPIO PLANNING BOARD
RESOLUTION No. 2025-2

**RESOLUTION OPPOSING PUBLIC SERVICE LAW ARTICLE VIII ENTITLED
“SITING OF RENEWABLE ENERGY AND ELECTRIC TRANSMISSION”**

The Planning Board of the Town of Scipio, New York (the “**Planning Board**”), duly convened in regular session on April 23, 2025 at the Town Office Building, located at 3705 Route 34, Scipio Center, NY 13147, does hereby resolve as follows:

WHEREAS, effective April 20, 2024, the Renewable Action through Project Interconnection and Deployment Act (the “**RAPID Act**”) repealed Executive Law § 94-c, repealed the current Public Service Law article VIII, and enacted a new Public Service Law article VIII entitled “Siting of Renewable Energy and Electric Transmission” (“**Article VIII**”); and

WHEREAS, the RAPID Act also transferred the Office of Renewable Energy Siting and Electric Transmission (“**ORES**”) from the Department of State to the Department of Public Service, continuing all existing functions, powers, duties, and obligations of the Office under the former Executive Law § 94-c, and adding new functions, powers, duties, and obligations related to major electric transmission siting; and

WHEREAS, the RAPID Act consolidated environmental review and permitting of major renewable energy facilities under ORES, established regulatory timelines, and expanded approvals to include major electric transmission projects; and

WHEREAS, the RAPID Act has undermined sound environmental review of major electric transmission facilities by requiring ORES to render a permit decision within twelve (12) months, regardless of the proposed project’s size, impact upon prime agricultural soils, or impact upon private property; and

WHEREAS, the RAPID Act has further eroded home rule and local decision making set forth in the New York State Constitution, Local Government Bill of Rights, Statute of Local Governments, and Municipal Home Rule law, usurping the rights of local governments to determine how communities and property within their jurisdictions develop, and contravening the purpose of comprehensive planning outlined in Section 272-A of Town Law; and

WHEREAS, the Planning Board has witnessed the above-described negative effects of the RAPID Act first hand through the current pending Application of Agricola Wind LLC for a Permit Pursuant to Article VIII of the New York State Public Service Law to Construct the Agricola Wind Project, a Major Renewable Energy Generation Facility to be Located in the Towns of Venice and Scipio, Cayuga County, New York (the “**Agricola Application**”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Planning Board strongly opposes any state or federal action that has the effect of weakening or eliminating New York State’s longstanding tradition of home rule and local government authority; and it is further resolved that

2. The RAPID Act and ORES have removed the authority of the Planning Board to approve the siting of large scale solar or wind facilities, as has been experienced by the Planning Board first-hand through the Agricola Application; and it is further resolved that

3. The Town Attorney is hereby directed to file a copy of this resolution with ORES through its portal related to the Agricola Application.

4. This Resolution shall take effect immediately.

The adoption of the foregoing Resolution was moved by Rogers seconded by Miller and duly put to vote, which resulted as follows:

Melissa Alford	Voting	Aye
Andy Miller	Voting	Aye
Peter Rogers	Voting	Aye
Josh Saville	Voting	Aye
Bill Nivison	Voting	Aye

The resolution was thereupon declared duly adopted.

Dated: April 23, 2025