



**Adirondack
Park Agency**

Solar Projects: Mapping, Local Land Use Controls, and the APA Act

October 14, 2021

Solar Projects in the Park

Scope of Current Work:

- 5 Active Applications
- 9 Pre-Applications
- 3 Approved Permits

Total Projects Reviewed or Under Review:

- 164MW
- 980 Acres (approximate) of Fenced Area
- Total Fenced Acreage Constitutes About 0.03% of All Private Lands in the Park

Solar Projects in the Park

Issued Permits (3):

15 MW (~2,250 – 3,150 homes)

102 Acres

Active Applications (5):

36.8 MW (~5,520 – 7,728 homes)

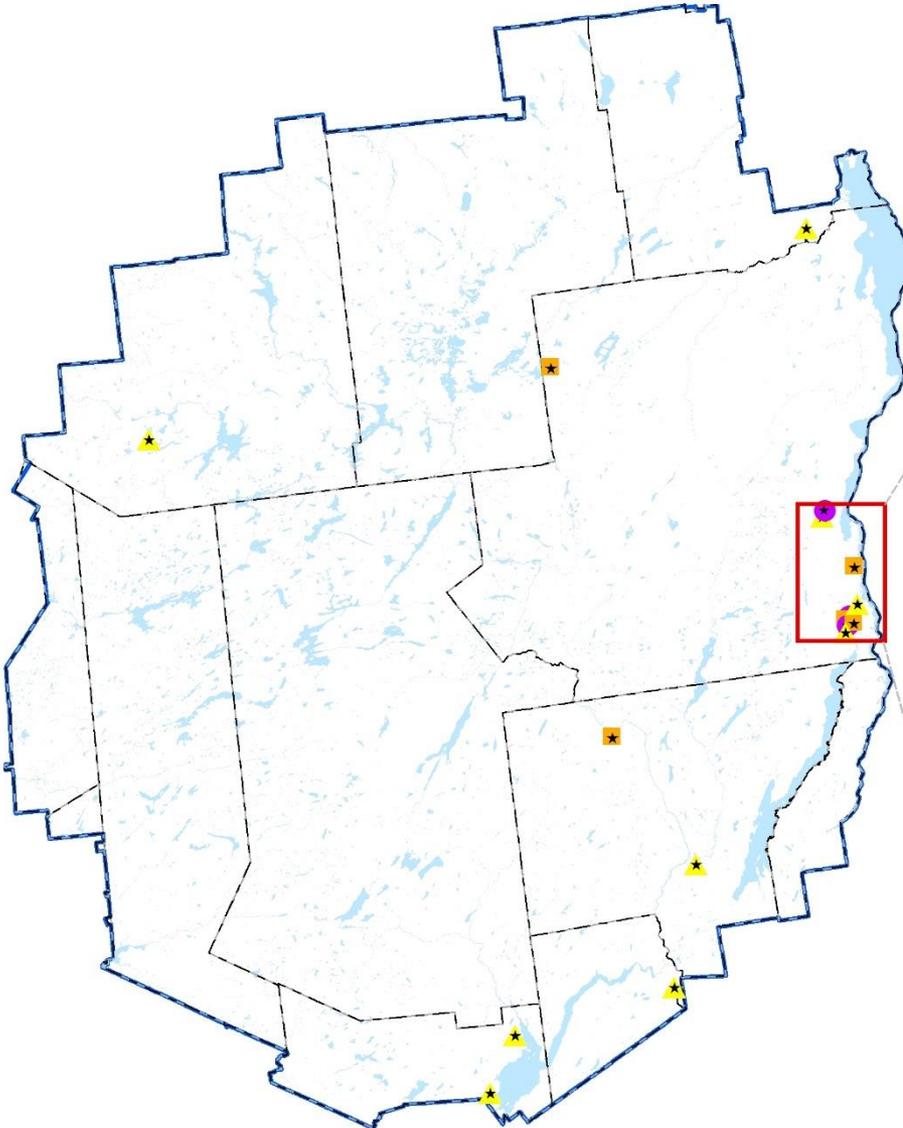
198 Acres

Pre-Applications (9):

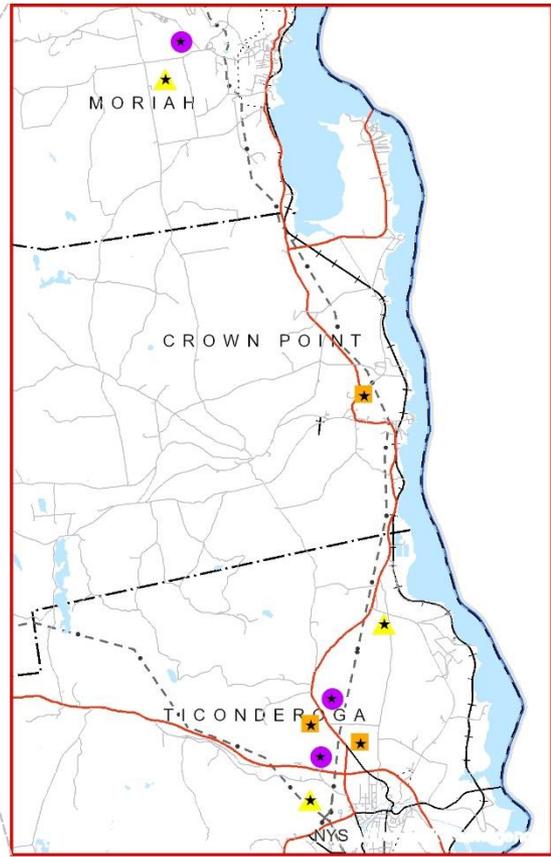
112.3 MW (~16,845 – 23,583 homes)

680 Acres

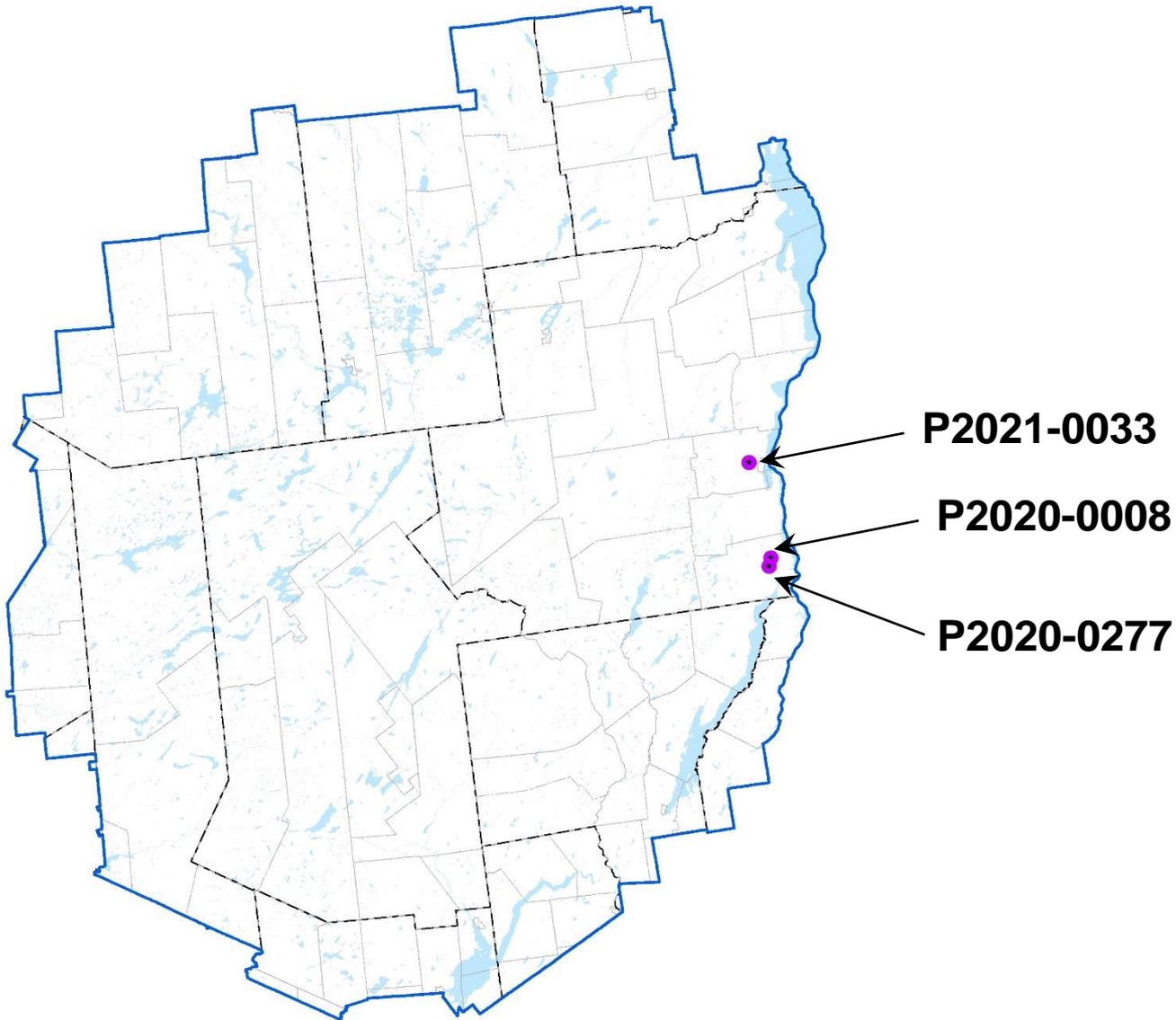
Applications for Solar Generating Facilities



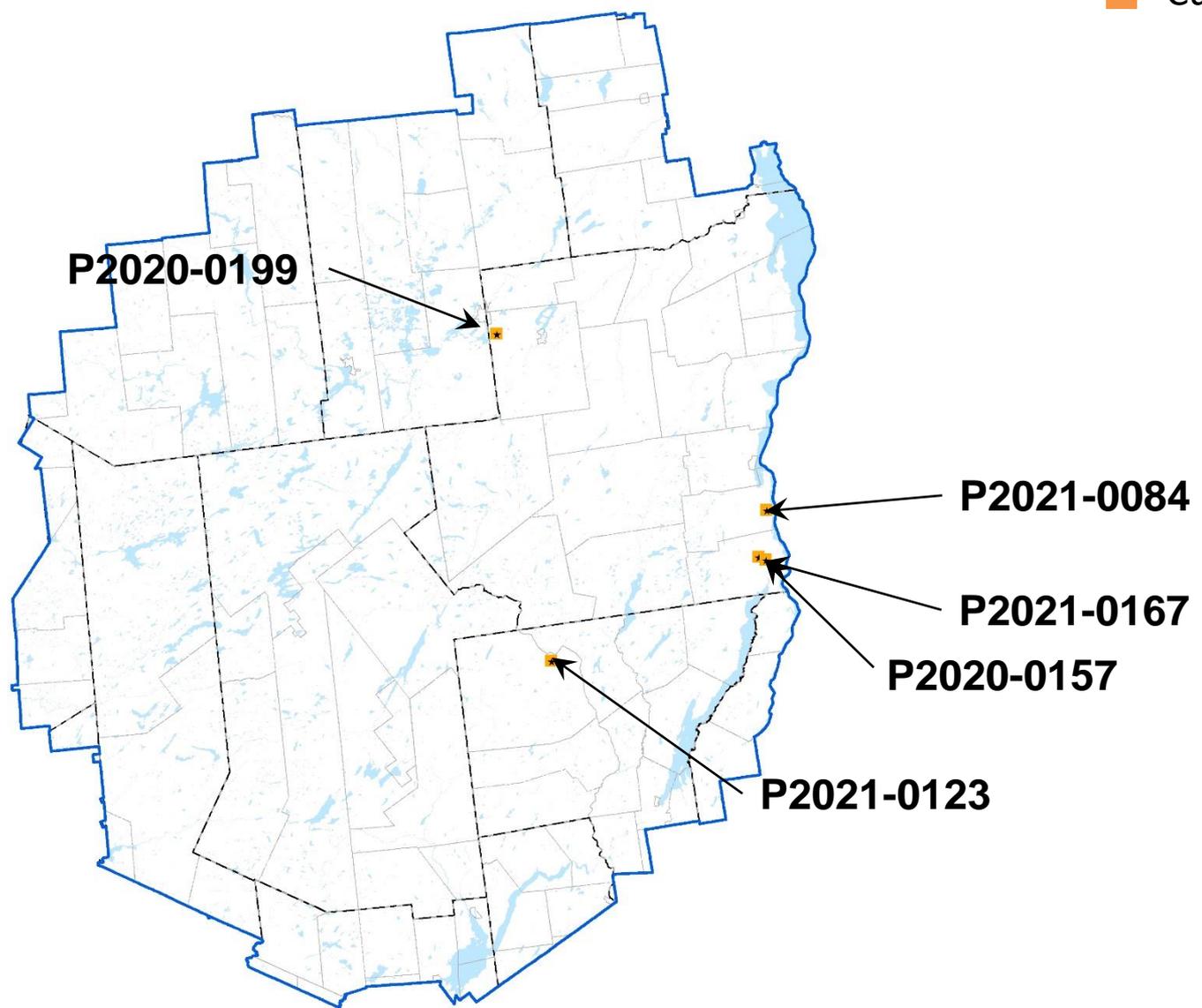
- ★ Issued Permits
- ★ Current Applications
- ★ Pre-Application



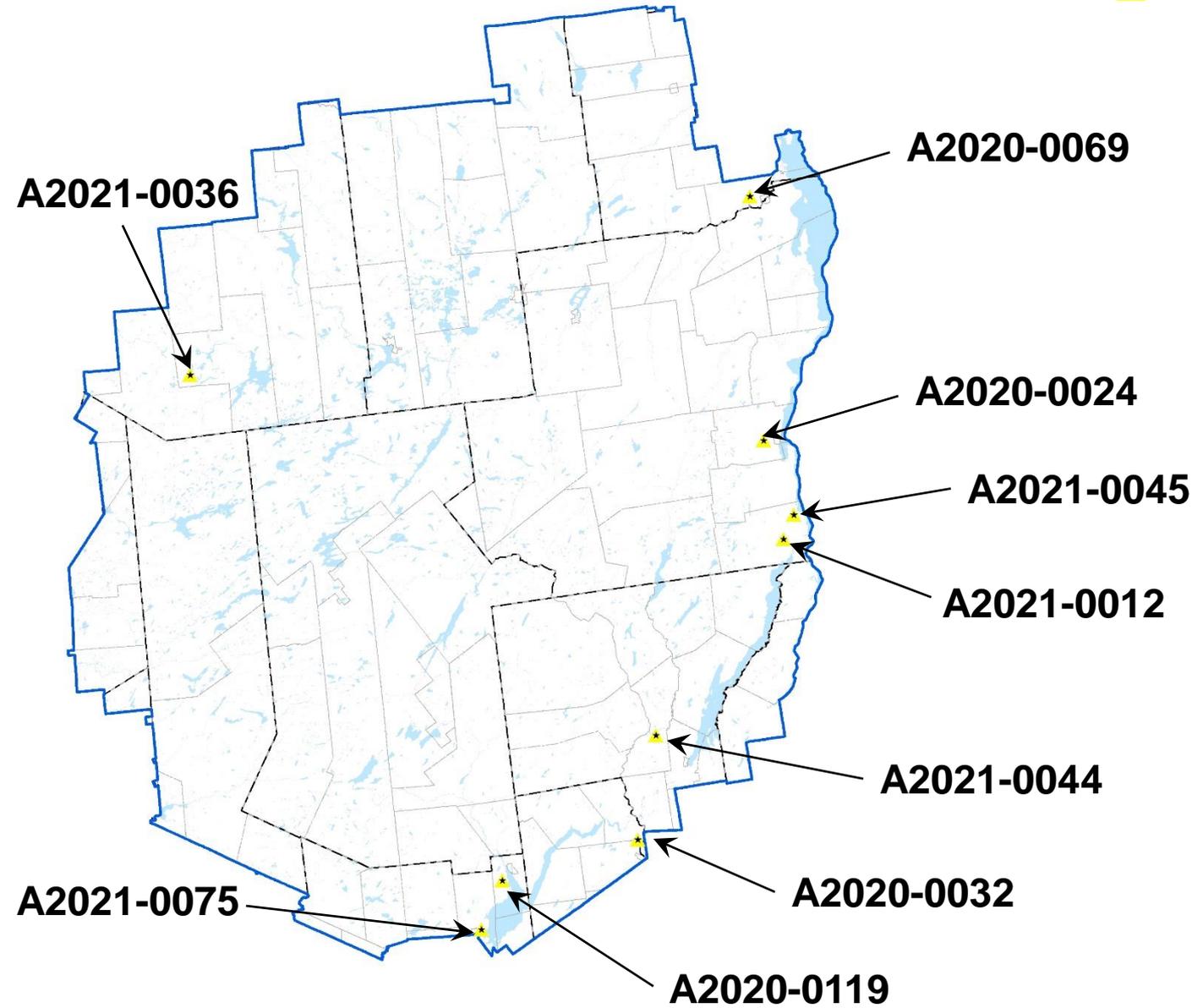
★ Approved Applications



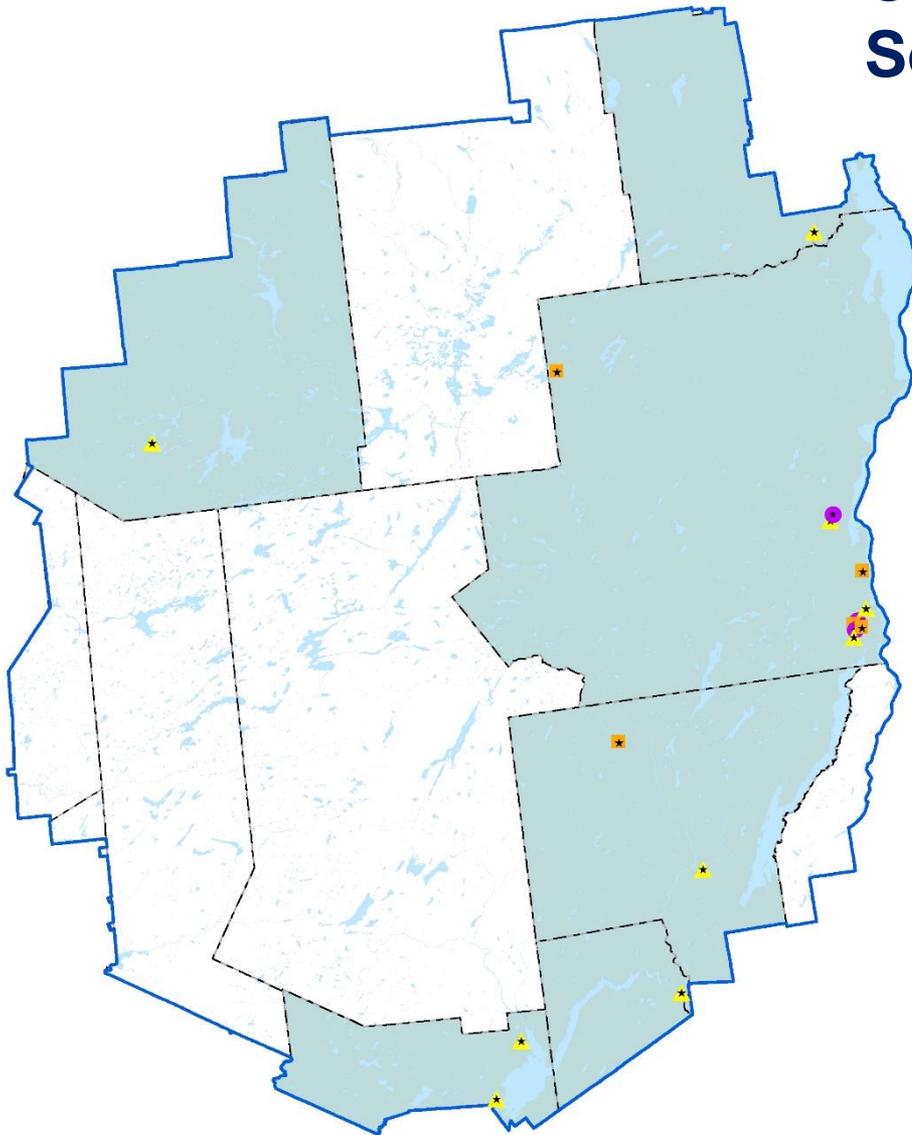
★ Current Applications



★ Pre-Application

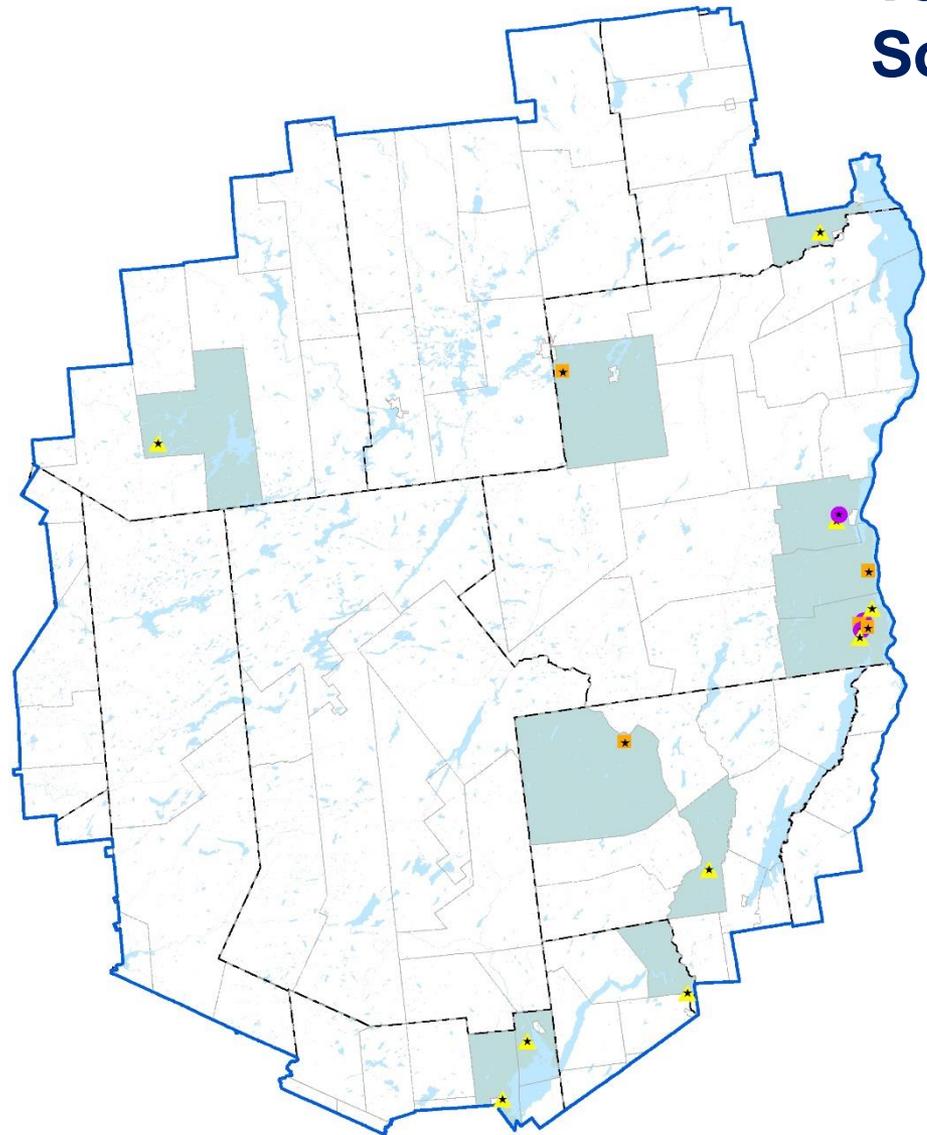


Counties with Applications for Solar Generating Facilities



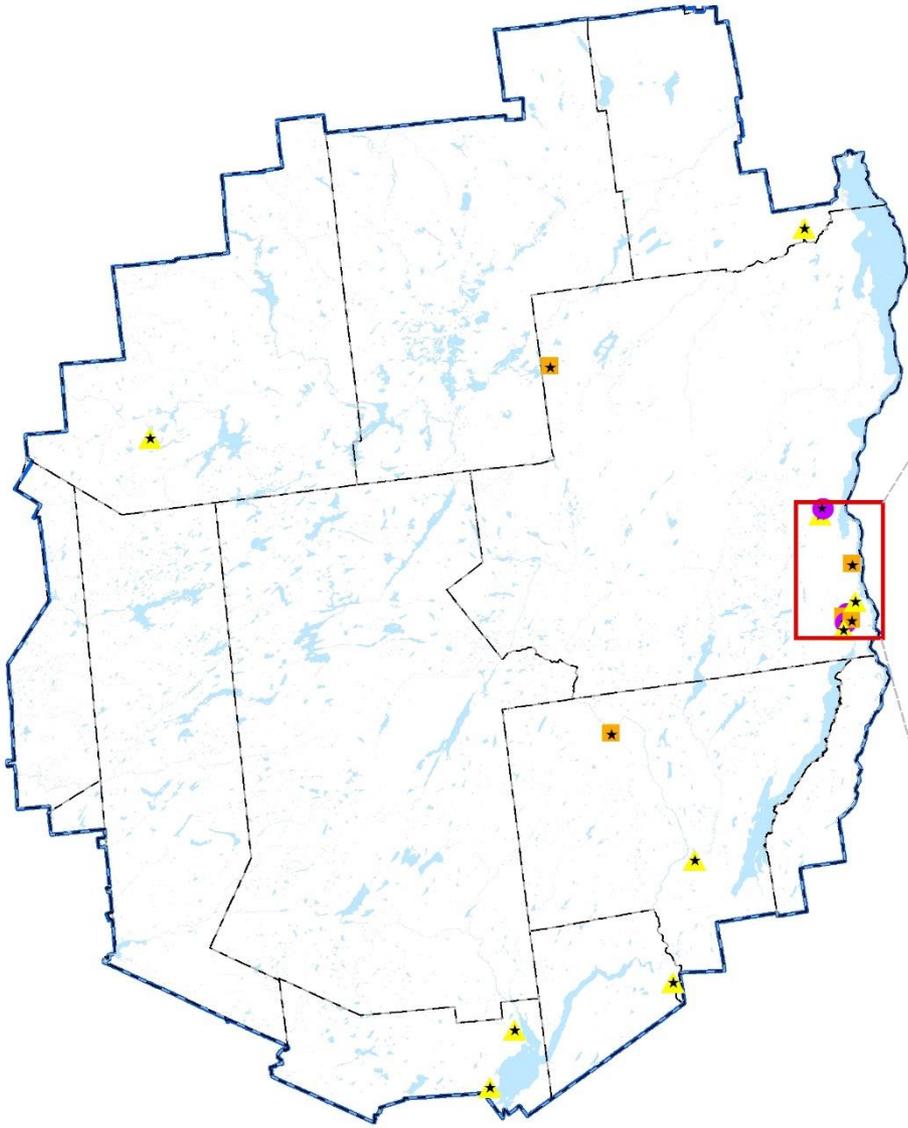
- ★ Approved Applications
- ★ Current Applications
- ★ Pre-Application

Towns with Applications for Solar Generating Facilities

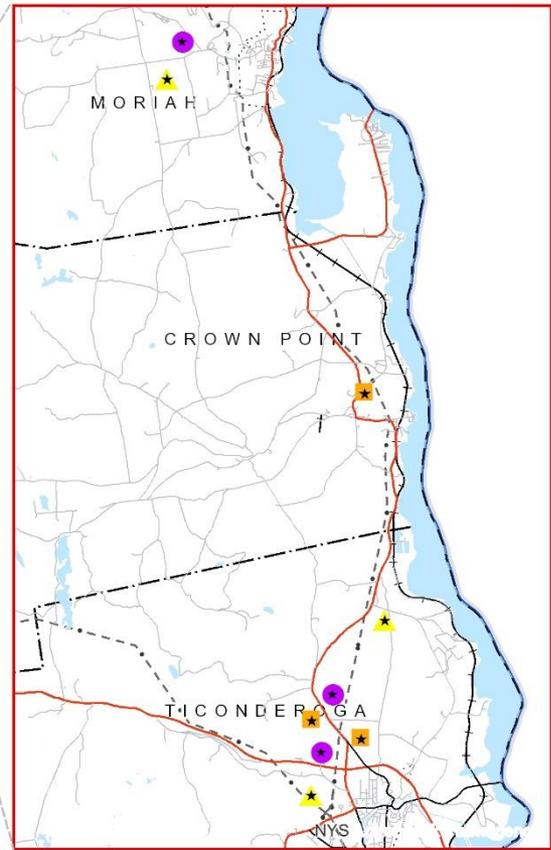


- Approved Applications
- Current Applications
- Pre-Application

Applications for Solar Generating Facilities



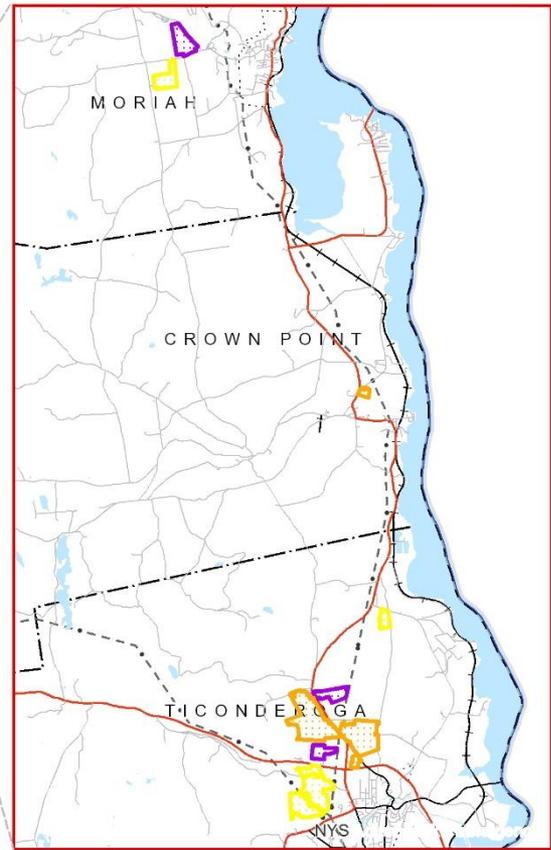
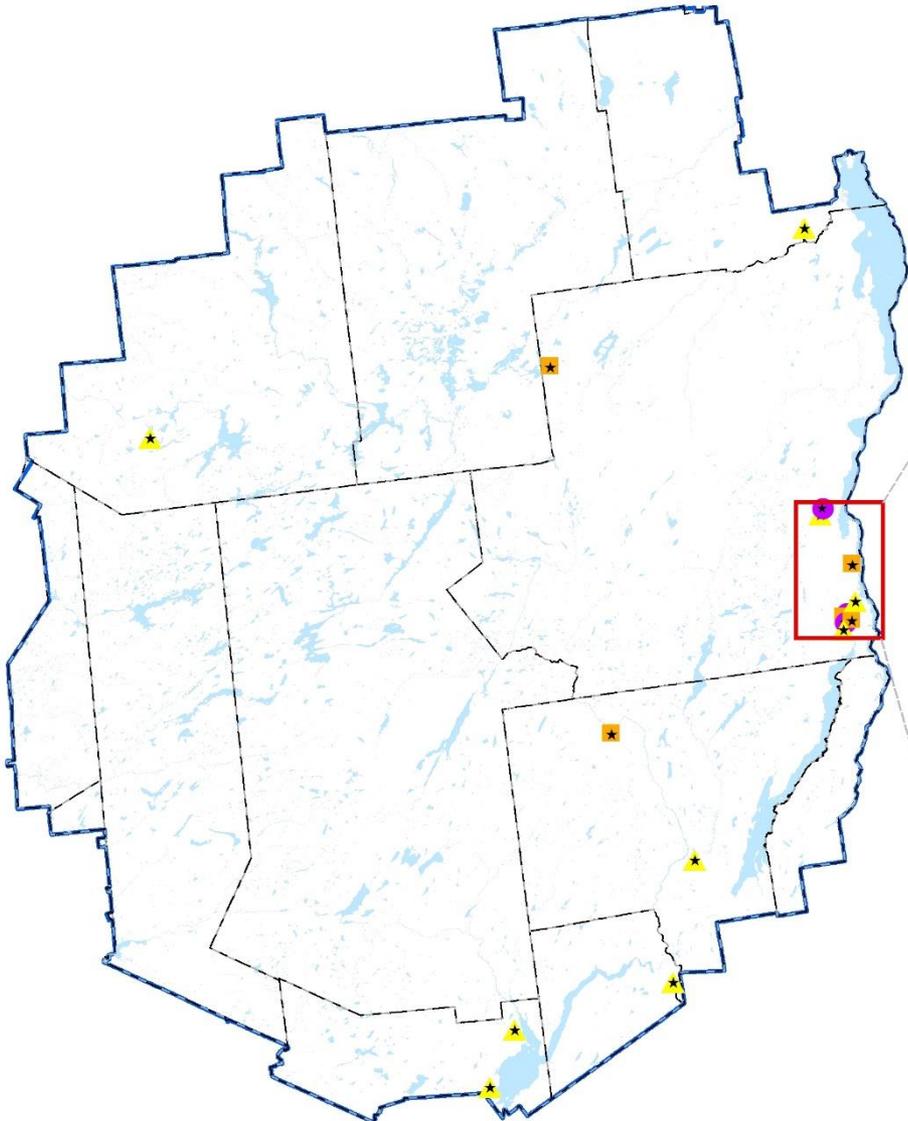
- ★ Approved Applications
- ★ Current Applications
- ★ Pre-Application



Applications for Solar Generating Facilities

Applications mapped by tax parcel

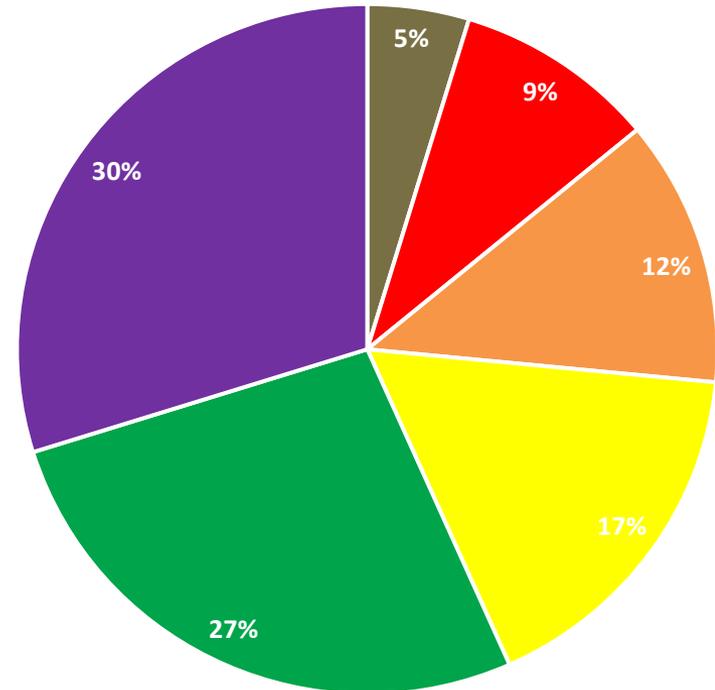
-  Approved Applications
-  Current Applications
-  Pre-Application



Diverse Sites

Application by Land Use Area (by acreage)

- Hamlet
- Moderate Intensity Use
- Low Intensity Use
- Rural Use
- Resource Management
- Industrial Use

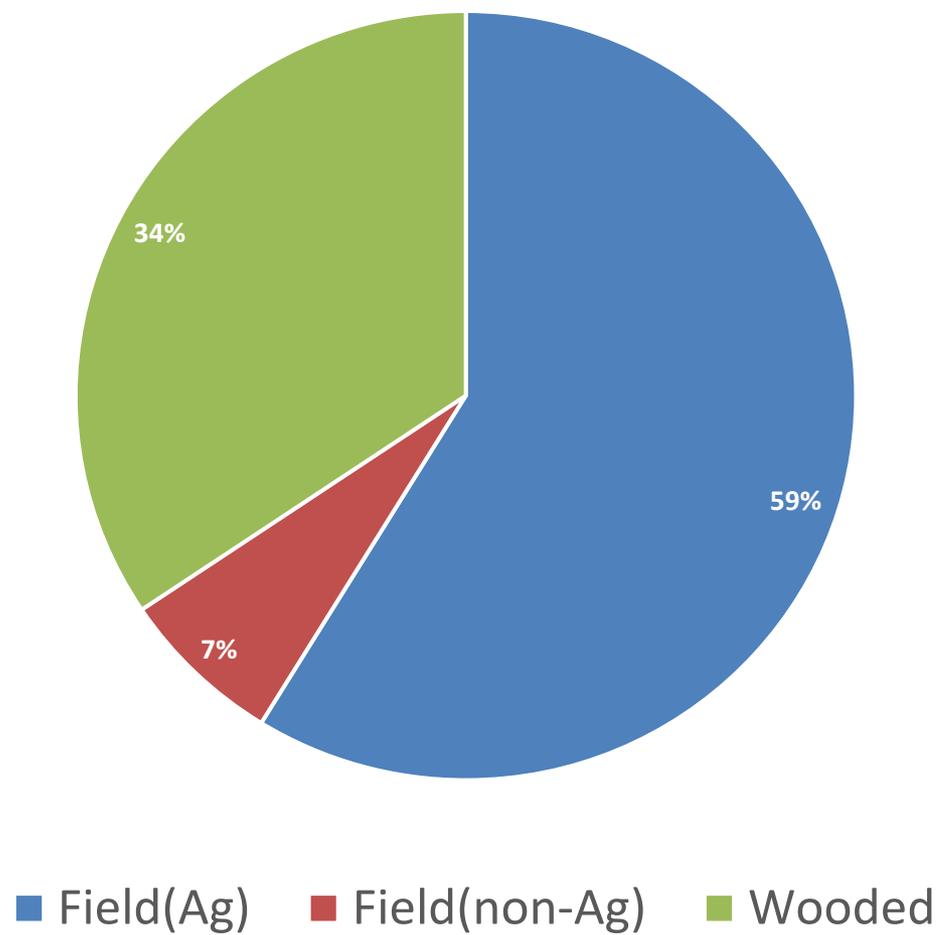


Diverse Sites:

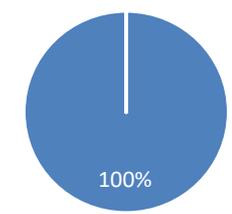
- Hamlet Commercial District
- Former Mine
- Vacant Field
- Pasture
- Rural Residential

Diverse Sites

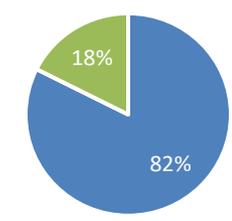
Project Site Characteristics (All Projects)



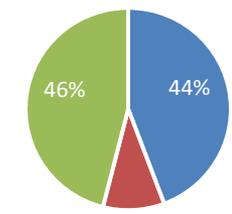
Issued Permits



Active Applications



Pre-Applications



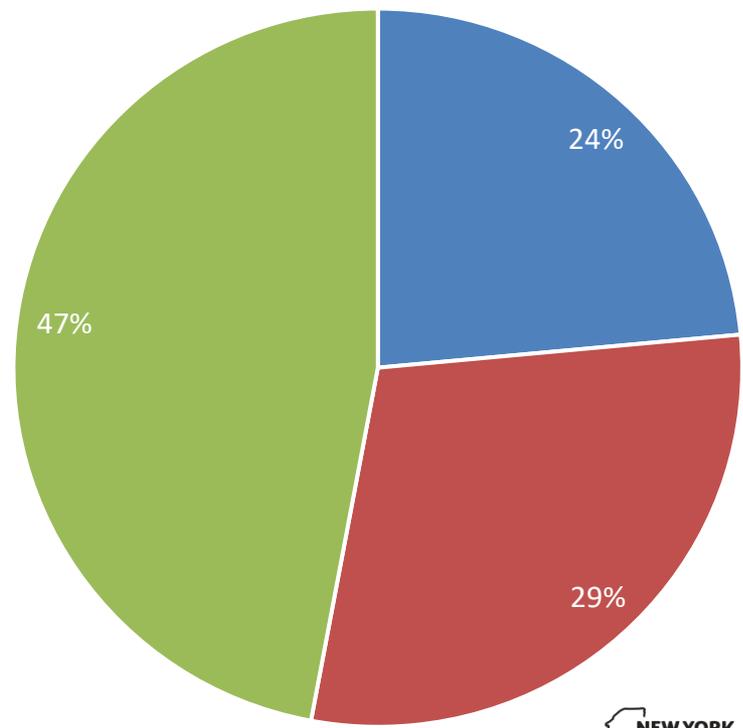
Local Land Use Controls

Zoning Controls

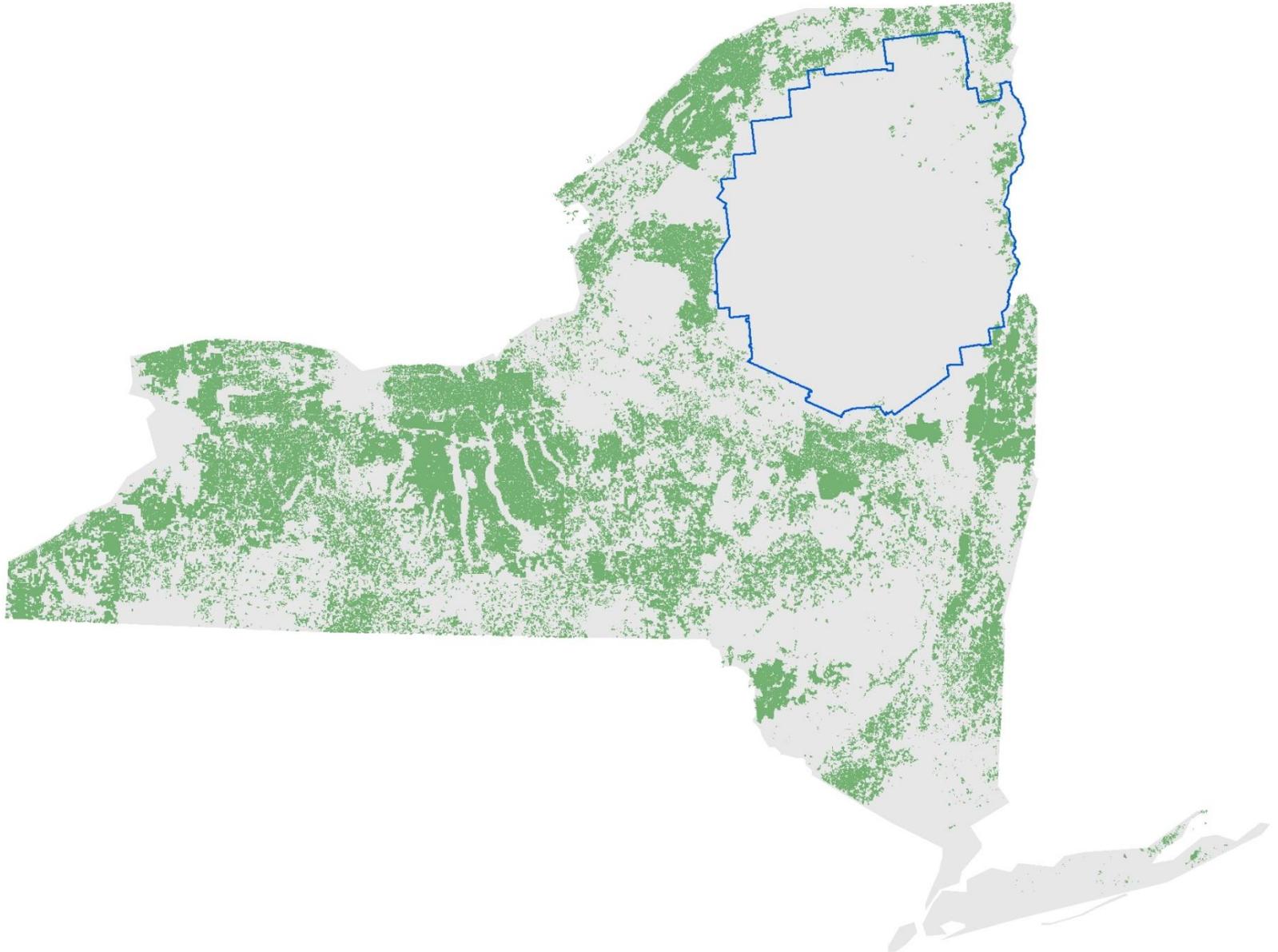
■ No Zoning

■ Zoning - No Commercial Solar Regs

■ Zoning for Commercial Solar



Agricultural Districts in NYS – over 9 million acres



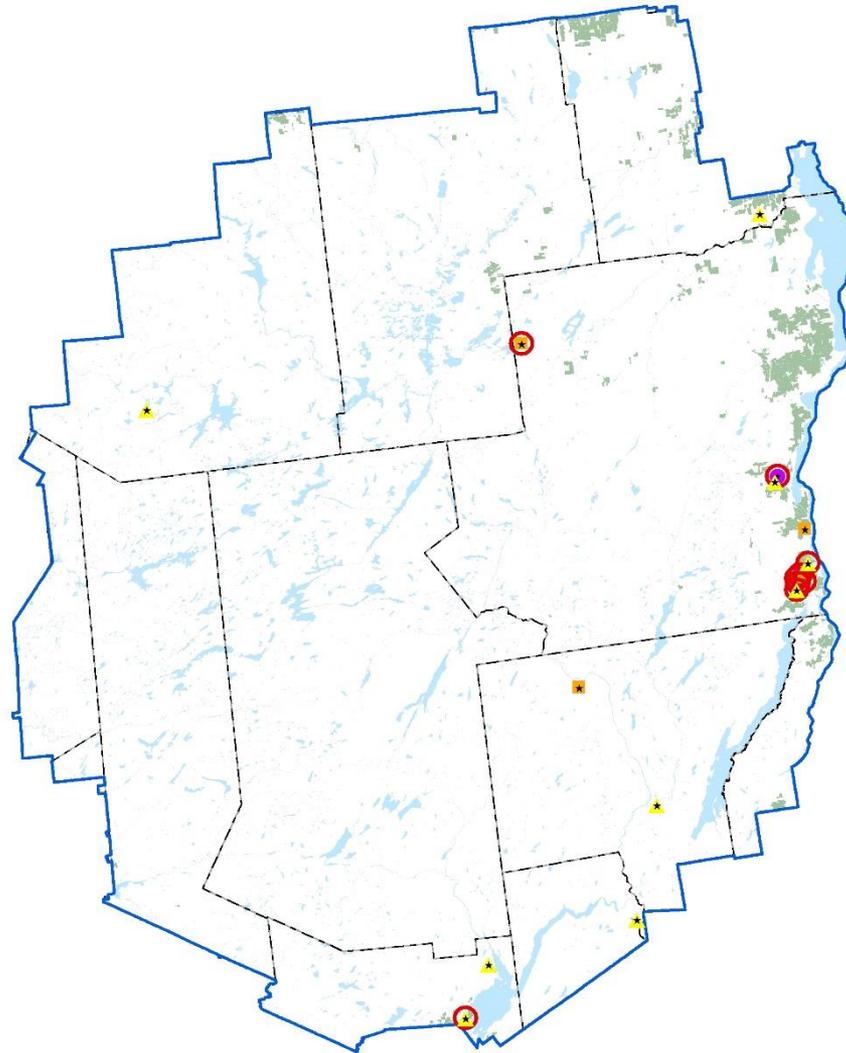
Agricultural Districts in the Adirondack Park

103,921 acres



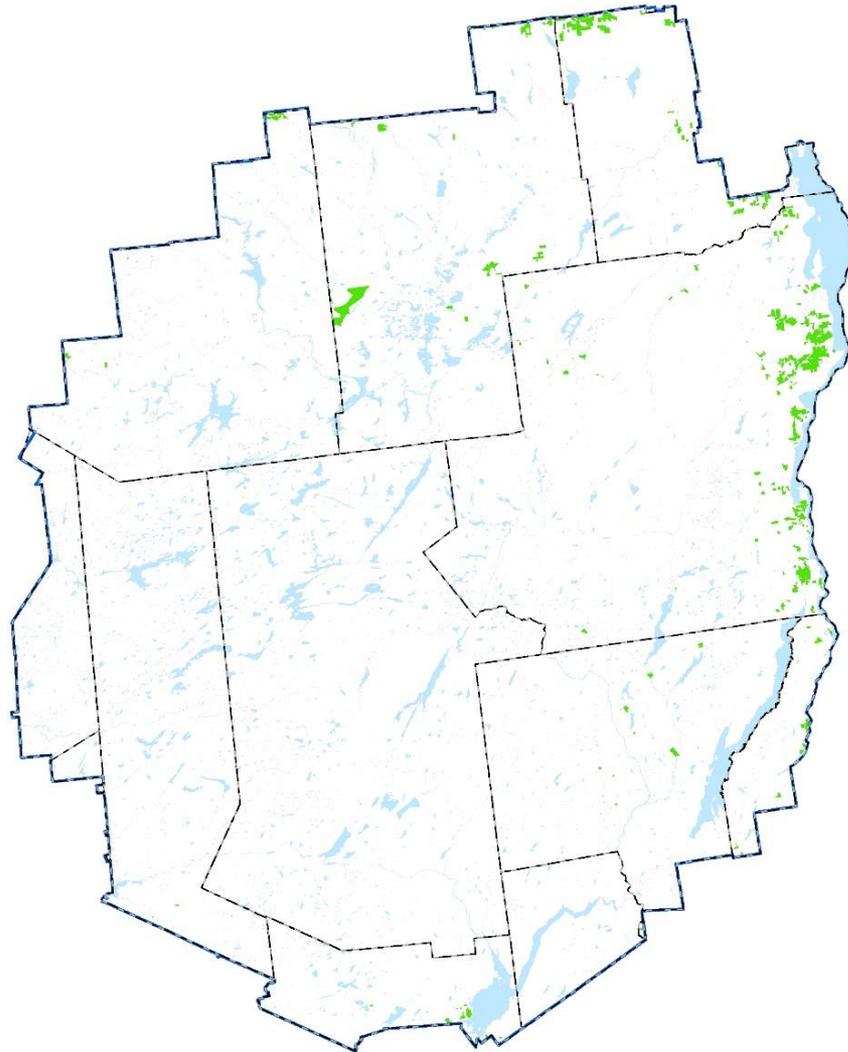
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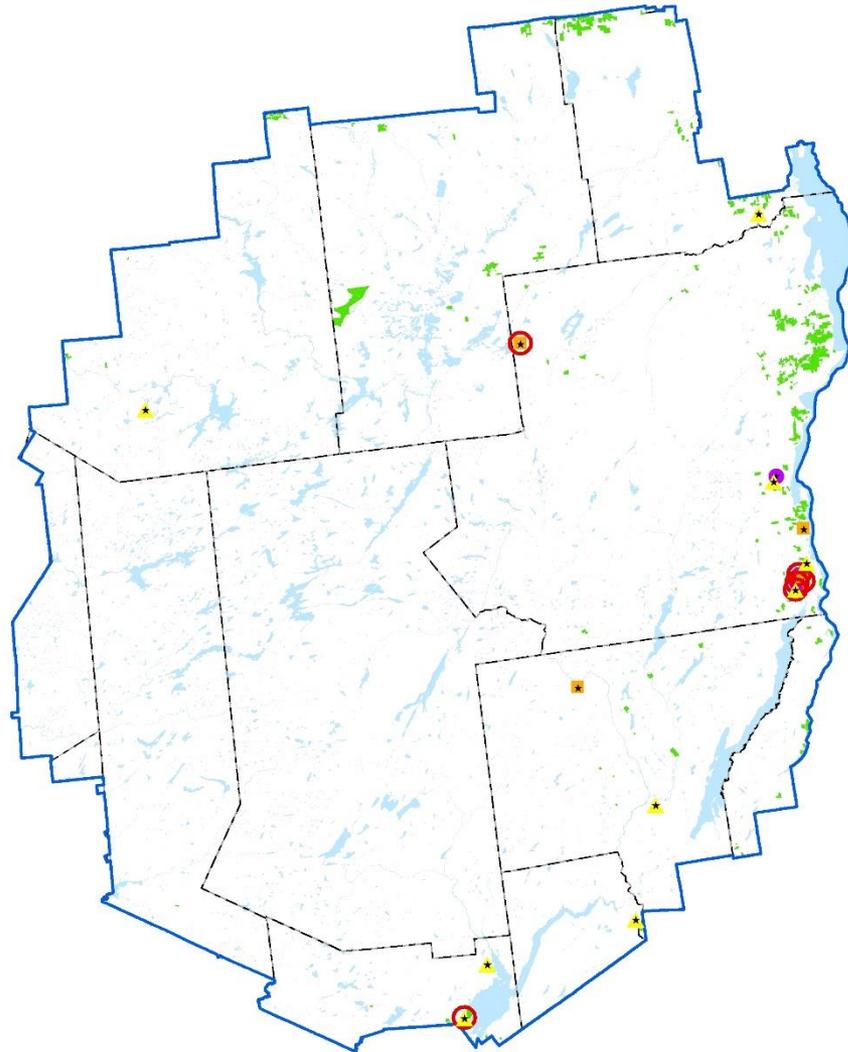
Agricultural Use Parcels in the Adirondack Park

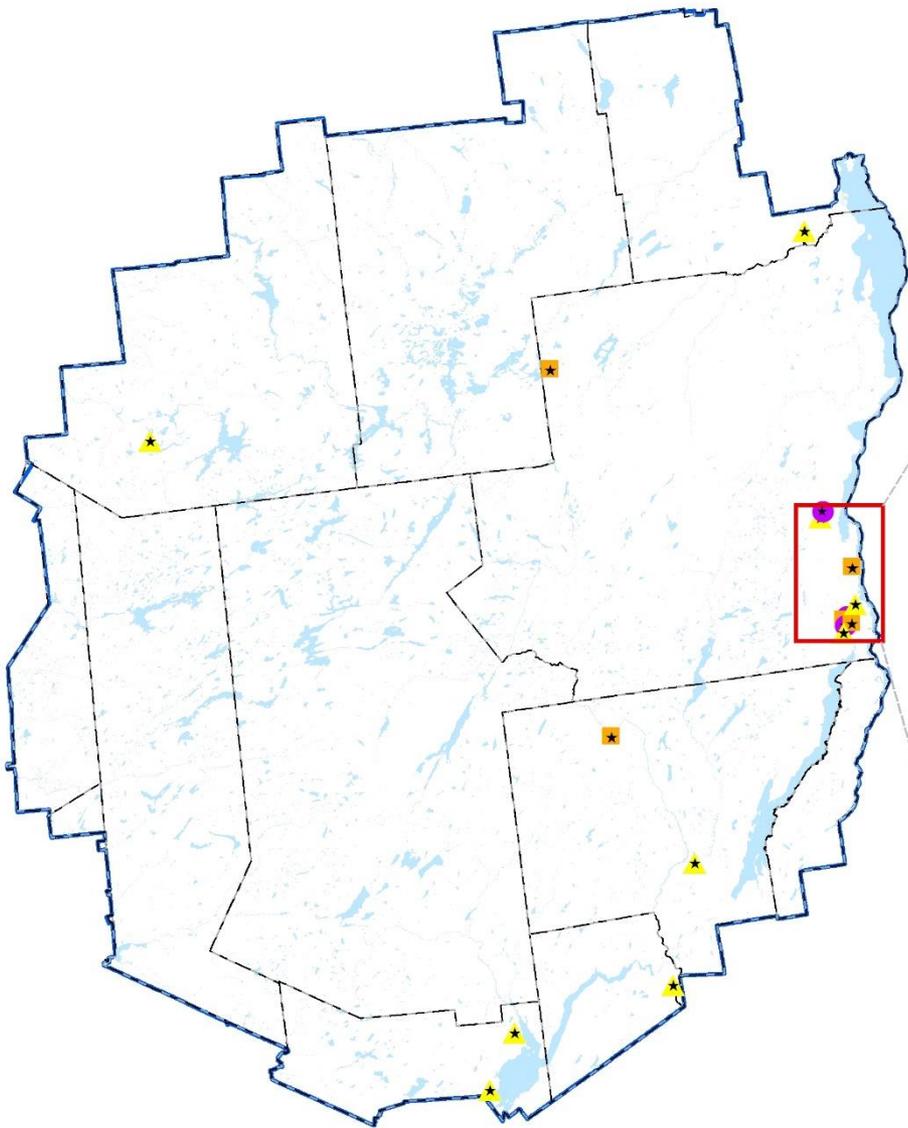
44,990 acres



Agricultural Use Parcels in the Adirondack Park

44,990 acres

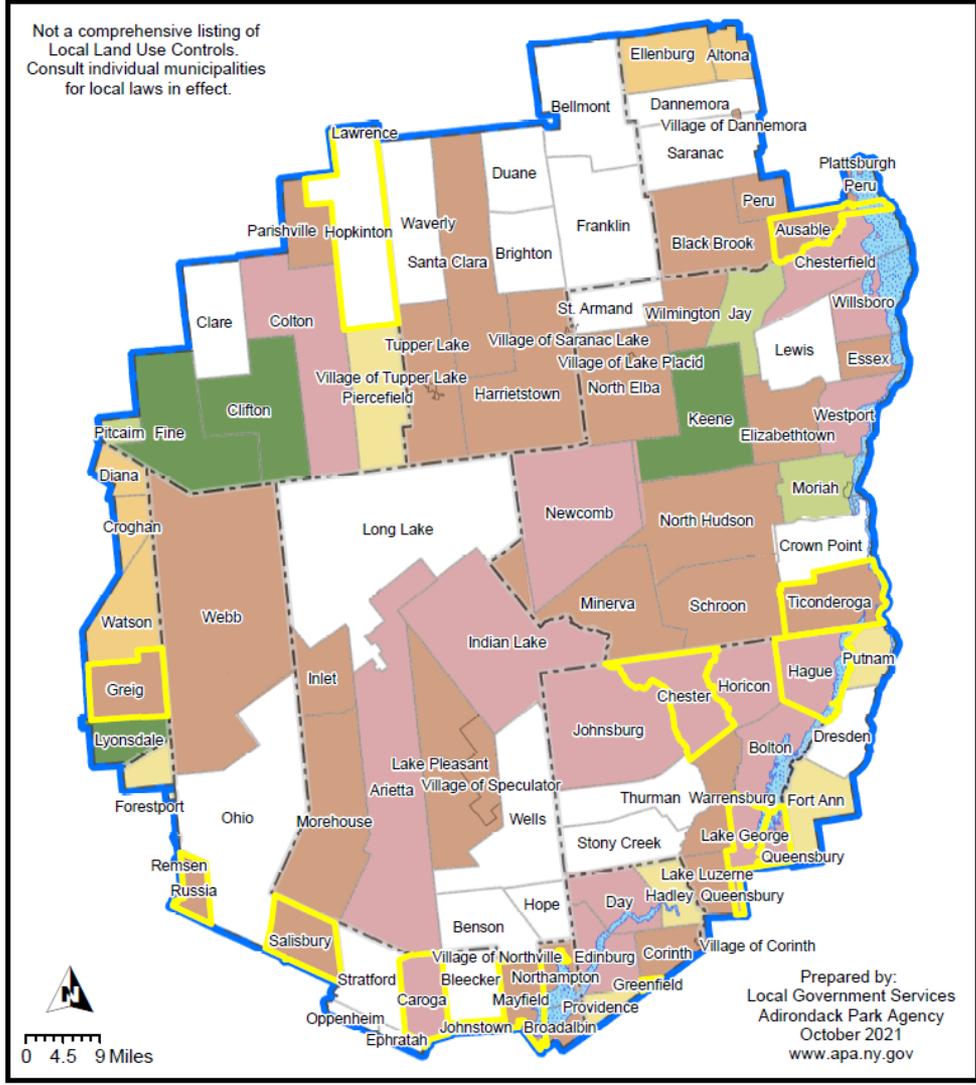




- ★ Approved Applications
- ★ Current Applications
- ★ Pre-Application



Solar Generation Facility Controls

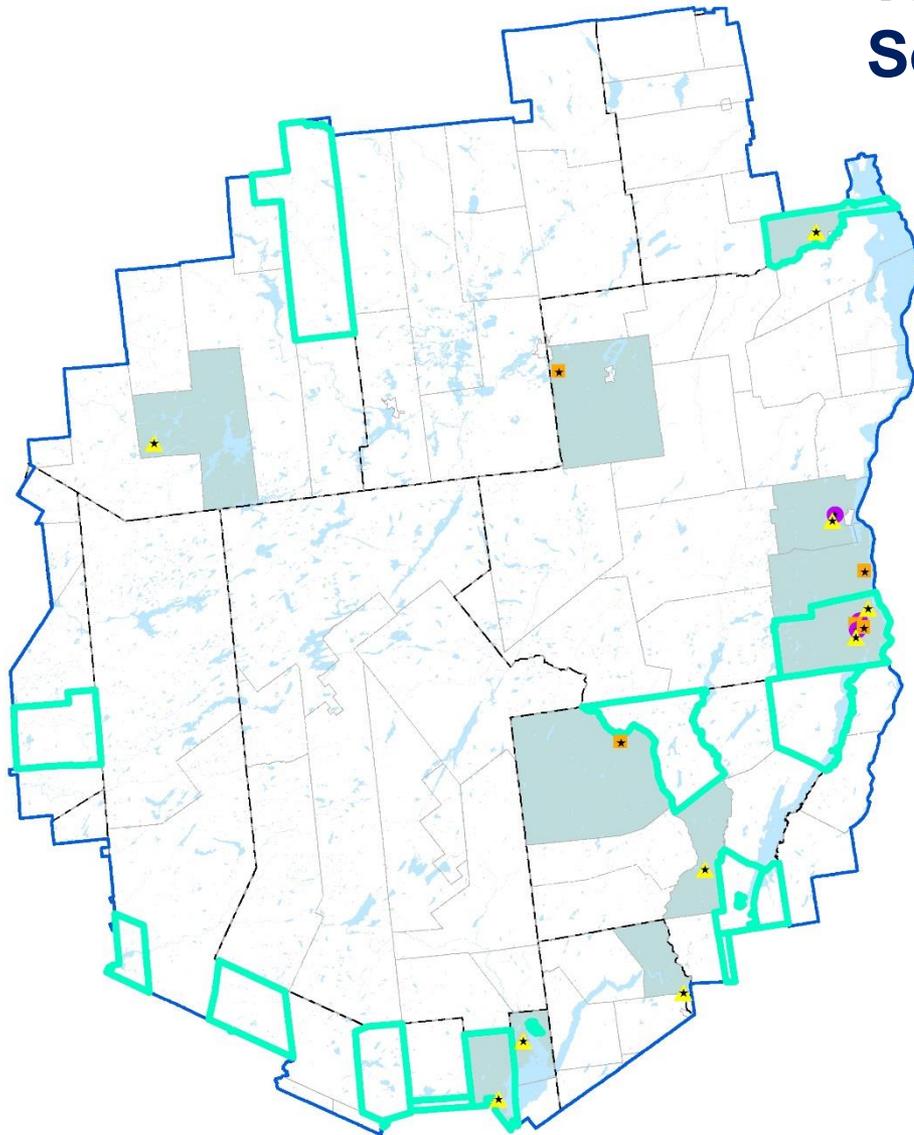


Local Land Use Controls in the Adirondack Park

- Park Blueline
 - State Boundary
 - County Boundary
 - Town Boundary
 - Village Boundary
- Large-Scale Solar**
- SOLAR
- Local Land Use Controls**
- NO ALLUP, SD, SPR or Zoning
 - Site Plan Review
 - Subdivision Regulations
 - Subdivision & Site Plan Review
 - Zoning
 - Zoning & Subdivision
 - APA-Approved Local Land Use Program
- Villages***
- Corinth: Z & SD
 - Dannemora: Z & SD
 - Lake George: ALLUP
 - Lake Placid: Z & SD
 - Mayfield: Z
 - Northville: Z & SD
 - Saranac Lake: Z & SD
 - Speculator: Z & SD
 - Tupper Lake: Z & SD
- Summary**
- 101 Towns/Villages in the Park
 - 62 have Zoning (Z, Z & SD or ALLUP)
 - 18 with ALLUP
 - 25 without Zoning, Subdivision, Site Plan Review or an ALLUP
- *ALLUP= APA-Approved Local Land Use Program; SD= Subdivision Regulations; SPR= Site Plan Review Only; Z= Zoning

Prepared by:
Local Government Services
Adirondack Park Agency
October 2021
www.apa.ny.gov

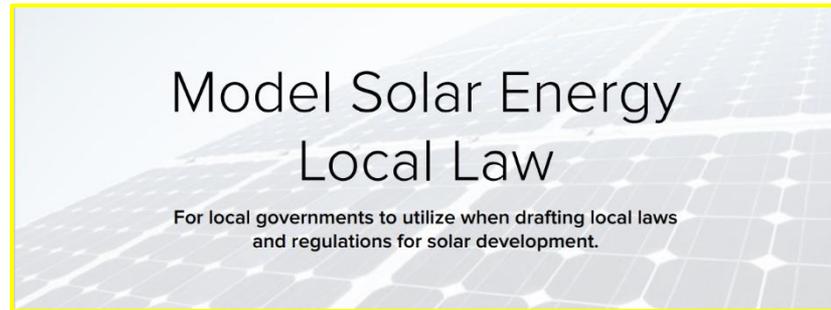
Towns with Applications for Solar Generating Facilities



- ★ Approved Applications
- ★ Current Applications
- ★ Pre-Application
- Local Commercial Solar Regulations

- > Solar Basics
- > Solar Permitting and Inspecting
- > Roof Top Access and Ventilation
- > State Environmental Quality Review (SEQR) for Solar
- > New York State's Real Property Tax Law § 487
- > Solar Payment-in-Lieu-of-Taxes (PILOT)
- > Using Special Use Permits and Site Plan Regulations to Allow Large-Scale Solar Installations While Protecting Farmland
- > Solar Installations in Agricultural Districts
- > Landowner Considerations for Solar Land Leases
- > Decommissioning Solar Panel Systems
- > Model Solar Energy Local Law
- > Municipal Solar Procurement Toolkit

NYSERDA



**Model Solar Energy
Local Law**
 For local governments to utilize when drafting local laws
and regulations for solar development.

Common Zoning Considerations for Solar

- Districts/Locations
- Minimum Lot Size
- Setbacks

Appendix 1: Lot Size Requirements

The following table displays the size requirements of the lot for Ground-Mounted Solar Energy Systems to be permitted.

Table 1: Lot Size Requirements

Zoning District	Tier 3 Solar Energy Systems
Residential Low Density	≥ 2 acres
Residential High Density	—
Commercial / Business	≥ 5 acres
Light Industrial	N/A
Heavy Industrial	N/A
Agricultural / Residential	≥ 5 acres

Key:

—: Not Allowed
 N/A: Not Applicable

Appendix 2: Parcel Line Setbacks

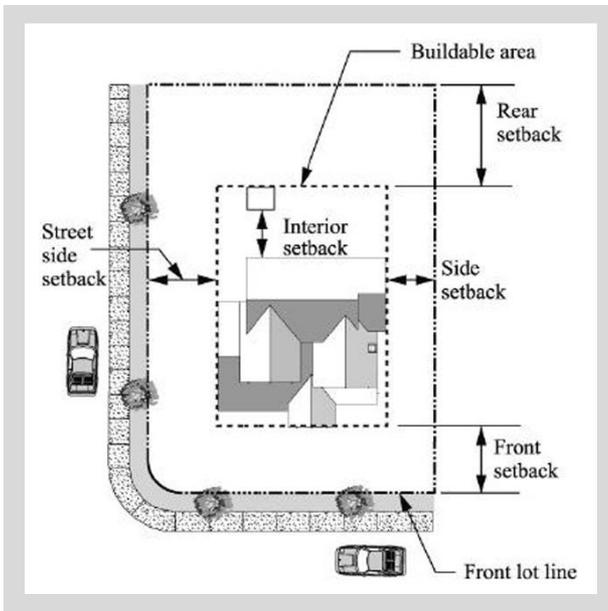
The following table provides parcel line setback requirements for Ground-Mounted Solar Energy Systems. Fencing, access roads and landscaping may occur within the setback.

Table 2: Parcel Line Setback Requirements

Zoning District	Tier 3 Ground-Mounted		
	Front	Side	Rear
Residential Low Density	100'	100'	100'
Residential High Density	—	—	—
Commercial / Business	30'	15'	25'
Light Industrial	30'	15'	25'
Heavy Industrial	30'	15'	25'
Agricultural / Residential	30'	15'	25'

Key:

—: Not Allowed



Common Zoning Considerations for Solar

- Panel Height
- Lot Coverage
- Signage
- Decommissioning

Appendix 3: Height Requirements

The following table displays height requirements for each type of Solar Energy Systems. The height of systems will be measured from the highest natural grade below each solar panel.

Table 3: Height Requirements

Zoning District	Tier 1 Roof-Mounted	Tier 2	Tier 3
Residential Low Density	2' above roof	10'	15'
Residential High Density	2' above roof	10'	—
Commercial / Business	4' above roof	15'	20'
Light Industrial	4' above roof	15'	20'
Heavy Industrial	4' above roof	15'	20'
Agricultural / Residential	2' above roof	15'	20'

Key:

—: Not Allowed

Zoning and APA Act

Municipal Zoning

APA Act

Zones for Uses		Any Use in Any Land Use Area
Setback Requirements		No Front/Side Yard (Shoreline Setback Requirements)
Height Restrictions		No Height Restrictions
Minimum Lot Sizes		Average Overall Intensities

VARIANCES

PERMITS

Zoning and APA Act

Municipal Zoning

APA Act

Zones for Uses	↔	Any Use in Any Land Use Area
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Setback Requirements	↔	No Front/Side Yard (Shoreline Setback Requirements)
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Height Restrictions	↔	No Height Restrictions
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Minimum Lot Sizes	↔	Average Overall Intensities
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VARIANCES

PERMITS

Solar Planning, Policy, and Guidance

- Adirondack Park Agency Act, The New York State Freshwater Wetlands Act The New York State Wild, Scenic, and Recreational Rivers System Act
- Guidance Documents
 - DAP
 - Visual Analysis Methodology
 - Freshwater Wetlands Delineation Model
- Consistency in Agency Review
- Informal Pre-Application Conversations
- Formal Pre-Application Processes
- Pre-Permitting Processes

Implementing APA Act

Section 809(10) “The agency shall not approve any project...unless it first determines that such project meets the following criteria:”

- a. “...consistent with the land use and development plan”
- b. “...compatible with the character description and purposes, policies and objectives of the land use area wherein it is proposed to be located”
- c. “...consistent with the overall intensity guideline for the land use area involved”
- d. “...comply with the shoreline restrictions if applicable”
- e. “...not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the park or upon the ability of the public to provide supporting facilities and services made necessary by the project, taking into account the commercial, industrial, residential, recreational or other benefits that might be derived from the project. In making this determination, as to the impact of the project upon such resources of the park, the agency shall consider those factors contained in the development considerations of the plan which are pertinent to the project under review.”

Implementing APA Act

No Undue Adverse Impact to Section 805(4) Development Considerations Including:

Water Quality

Existing Drainage and
Runoff Patterns

Viable Agricultural Soils

Forest Resources

Open Space Resources

Habitats of Rare and
Endangered Species and
Key Wildlife Habitats

Wetlands

Scenic Vistas

Natural and Man-Made
Travel Corridors

Slopes

Erosion

Municipal, School or Special
District Taxes or Special
District User Charges



Development Considerations/Benefits

Viability Agricultural Soils

- Preservation of Agricultural Soils

Open Space Resources

- Long-Term Preservation of Open Space

Habitats of Rare and Endangered Species and Key Wildlife Habitats

- Pollinator Plantings Support Diverse Habitats and Farms
- Wildlife-Friendly Fencing

Municipal, School or Special District Taxes or Special District User Charges

- Pilot Agreements, Community Benefit Agreements, and/or Increased Assessments Augment Municipal Revenue with Minimal Use of Local Services

Adjoining and Nearby Land Uses

- Night Sky Preservation

Potential Scale and Carbon Benefits

To Serve Park's 131,000 Year-Round Residents:

- 223 – 312 MW of Electricity (Approx.)
- 1,560 – 2,183 Acres of Fenced Solar (Approx.)

This Level of Solar Would Constitute:

- 0.026% - 0.0364% of Total Park Acreage (Approx.)
- 0.054% - 0.076% of Private Land Acreage (Approx.)
- 1.5% - 2.10% of Park Land in Agricultural Districts (Approx.)
- 3.47% - 4.85% of Park Land in Agricultural Use (Approx.)

One Acre of Solar Panels Provides Enough Energy for 60-84 Residents

One Acre of Forest Sequesters the Carbon Emissions of 0.10 – 0.25 People

An Acre of Solar Panels Offsets Approximately 240 – 800 Times More Carbon than an Acre of Forest

Cumulative Impact Review

- Electric generating facilities are defined as a Major Public Utility in the APA Act
- Major Public Utilities do not constitute a Principal Building
- For most other uses, APA Act considered cumulative impacts through Principal Building definitions and Overall Intensity Guidelines
- How should potential or unknown future projects be considered in cumulative impact review?
- Agency staff seek to ensure no undue adverse impact to the 37 development considerations for each individual project

Questions

Thank You