

The August 6, 2026, East Otto planning board was attended by Ken Phillips, Kim Phillips, Sharon Huff, Julie Anderson, Corraine Brath and Jeff Hollar. Ken Phillips led the pledge of allegiance. Ken addressed the public about our plan to make a positive declaration. Corraine also brought up inconsistencies and agricultural resources. New Energy will have to produce a positive declaration before continuing with the solar project. All of our concerns will be addressed in it. Ken read the resolution

The August 6, 2026, East Otto The August 6, 2026, East Otto planning board was attended by Ken Phillips, Kim Phillips, Sharon Huff, Julie Anderson, Corraine Brath and Jeff Hollar. planning board was attended by Ken Phillips, Kim Phillips, Sharon Huff, Julie Anderson, Corraine Brath and Jeff Hollar. of the positive declaration to the board and the public.

Resolution of Positive SEQR Declaration is stated as follows:

WHEREAS, the Planning Board of the Town of East Otto ("Planning Board") has received an application from Cattaraugus CSG (the "Applicant") to construct a +/- 3.00-megawatt solar energy facility located at 7997 Meyer Hill Rd, East Otto, NY 14729 (the "Proposed Action"); and

WHEREAS, the Planning Board has determined that the Proposed Action is subject to the State Environmental Quality Review Act under the N.Y.S. Environmental Conservation Law, Article 8 ("SEQRA"), classified the Proposed Action as a Type 1 action under SEQRA, declared its intention to act as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA, and conducted a coordinated review; and

WHEREAS, the Planning Board has reviewed the application materials and project at several meetings and received additional information from the Applicant, and received input from the Cattaraugus County Planning Department (including completing the required Section 239 referral), other agencies and the Town Consultant; and

WHEREAS the Planning Board received input from the public throughout the process and held a public hearing on January 8, 2026; and

WHEREAS, the Planning Board has reviewed Part 1 of Full Environmental Assessment Form, and completed Part 2 and an expanded Part 3 analysis; and

WHEREAS, the Planning Board has concluded that the Proposed Action may have a significant impact on the environment if it is approved and built.

NOW, THEREFORE BE IT RESOLVED, that the East Otto Planning Board hereby issues a SEQRA Positive Declaration; and

BE IT FURTHER RESOLVED, that the Planning Board Chairman is authorized to complete and sign the Determination of Significance on the Full Environmental Assessment Form

declaring as set forth therein that the Proposed Action “may result in one or more large impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared”’ and be it

FURTHER RESOLVED, that the Planning Board Chairman is authorized to have the Positive Declaration filed, as adopted aforesaid with the agencies named in the Positive Declaration and otherwise in accordance with applicable law; and be it

FURTHER RESOLVED, that scoping shall be conducted in accordance with 6 NYCRR 617.8 based on a draft Scoping Document for preparation of a Draft Environmental Impact Statement, which the project Applicant shall submit to the Town within one (1) year from the date of this Resolution; and be it

FURTHER RESOLVED, that a scoping session will be held by the Planning Board once the Draft Scoping Document is submitted; and be it

FINALLY RESOLVED, that the Planning Board Chairman and other appropriate Town Officers are authorized to take such other and further action as might be necessary to meet the Planning Board’s obligations as SEQRA Lead Agency or as otherwise might be appropriate in its role as Lead Agency.

Dave made a motion to have Julie and Sharon abstain from voting on the Resolution due to conflicting interest with the Solar Project. Kim seconded it. All were in favor.

Dave made a motion to accept the Resolution. Ken seconded it. Dave, Ken, and Kim voted yes. Ken signed the Resolution.

Sharon suggested to have a battery storage law. We will talk to the Town Board about this. Ken made a motion to adjourn and Dave seconded it. All were in favor. Meeting Adjourn.

Respectively Submitted,

Kimberly Phillips