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May 26, 2020

Hon. Christopher B. Newell, Chair  
Town of Cortlandville Planning Board  
The Raymond G. Thorpe Municipal Building  
3577 Terrace Road  
Cortland, New York 13045

RE: McLean Solar I, LLC  
460 McLean Road  
Town of Cortlandville, New York

Dear Mr. Newell:

We offer this additional information responsive to comments made at the Public Hearing on December 3, 2019 for the above referenced project. Several of the comments that were made were duplicates, therefore we will respond accordingly. We further would like to acknowledge that, as the general public is not as familiar with the standards and terminology used with New York State Department of Environmental Conservation environmental assessment forms, it appears that many of the comments provided are as a result of a misunderstanding on their part of the standards required when completing these documents or an attempt to create the appearance of environmental impacts that may not otherwise exist. We have updated the form in response to some of the comments received in accordance with the professional standards for such evaluations.

### Comments #1

1. Page 1 of 13, A. Project and Applicant Information, project location is wrong address. Not 415 Mclean Road. *Please note that at the time of submittal there was no 911 address designated for this parcel, therefore it is common practice to list the closest adjacent address. The tax map numbers provided were correct. Since the time of the submission, a 911 address has been assigned to this property and the Full Environmental Assessment Form ("FEAF") has been updated.*
2. Page 2 of 13, C.2. Adopted land use plans, c. Project is in Prime Farmland and within the growth area as designated in the Town of Cortlandville Agriculture and Farmland Protection Plan. *Agreed, we have this listed correctly on the EAFs submitted for this Project and the previous five (5) solar projects that were approved.*
3. Page 3 of 13, C.3. Zoning, Zoned RI See Local Law No. 2 Solar Energy Systems I Intent ... while protecting health, safety and welfare and minimize the adverse impact on adjacent and surrounding neighboring properties. *The zoning is correct as submitted. No revision required.*
4. Page 3 of 13, C.3.c - Use Variance being requested. A use variance is required for use prohibited by zoning. Applicant must prove all (4) factors.
  - No reasonable return

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- Unique circumstances
- No self-created hardship
- No alteration to the essential character of the neighborhood

The FEAF correctly identified that a use variance was required. The commenter's statement of the statutory standard for a use variance is irrelevant for the FEAF. The Planning Board lacks jurisdiction to determine the applicable standard for a use variance as that determination is within the jurisdiction of the Zoning Board of Appeals. Relevant information was submitted as Attachment A to the Application for the Use variance not to the FEAF.

5. Page 3 of 13, D. Project Details, b.b., Total acreage to be physically disturbed +/- .59 acres - In a 2/8/19 letter to Bruce Weber for Cortland County Soil and Water Conservation District, the disturbed area being stated at less than 1 acre was questioned. Depending on construction details, actual area disturbed may be greater than estimated.

The position on solar panels as to being an impervious surface was also discussed. Commenters suggested that solar sites have the potential to concentrate flow and greatly reduce the area available for stormwater infiltration relative to the area receiving rainfall. It was recommended that at a minimum, a "basic" SWPPP for erosion and sediment control be required.

Please refer to the March 26, 2019 Letter from the Cortland County Soil and Water Conservation District (SWCD) which acknowledges that their concerns regarding both the calculation of disturbed area and runoff had been addressed. Please note that the Town of Cortlandville and SWCD accepted and approved other solar project applications using the same standards for determining the actual amount of disturbance that is associated with these projects. The same standards for determining actual disturbance are being applied to this project and the disturbance has been determined to be 0.59 acres. No Revision Required.

6. Page 6 of 13, D2 Project Operations, e. Will the proposed action disturb more than one acre - The answer is YES. Please refer to the previous response. No revision required.
7. Page 10 of 13, E. Site Setting of Proposed Action, d. Are there any facilities serving children...within 1500 feet of the project site. Not sure of exact distance of how measured, but Lime Hollow Nature Center is very close. Address on the application is even nearer. Please refer to the attached documentation from NYSDEC which indicates that this project is NOT within the radius of any natural communities. No revision required.
8. Page 12 of 13, E.3 Designated Public Resource On or Near Project Site - d. Is the project site located in or does it adjoin a state listed Critical Environmental Area. Not at this time. However, The Comprehensive Planning Committee is considering in adding CEA's. The submitted answer is correct, the project is not located in or adjoin a STATE listed Critical Environmental Area. The criteria for this question is based upon current conditions and not potential future conditions as well as the requirement that it is a State listed Critical Environmental Area. No revision required.

## **Full Environmental Assessment - Attachment A**

Unnecessary hardship arising from application of current zoning laws is a self- created hardship. The property is and was zoned R-1 and Local Law No. 2 applies.

Claiming that the statutory standards have been deemed inapplicable to public utilities and private companies developing renewable energy projects seems a stretch.

The proposed two part test requires a utility to demonstrate

- (a) There is a public necessity for the installation - I feel that the answer is NO.
- (b) There are no available alternatives -An alternate site could be located.

As stated above, the Planning Board lacks jurisdiction to determine the applicable standard for the use variance applied for by McLean Solar. In addition, Attachment A was to the use variance application not the FEAF. As a result, the opinion of what standard applies and whether it has been met falls outside this Lead Agency's jurisdiction. The Zoning Board of Appeals will address these issues.

With regards to the comments in (a) and (b) above, it is respectfully submitted that these answers lack any factual basis and represent generalized public opposition to a project. No evidence was offered to support this claim regarding public necessity and flies in the face of the strong public policy of the State of New York that is focused on establishing 70% of electrical generation in the State through renewable energy by 2040 as set forth in the NYS Energy Plan. Additionally, the state continues to offer incentives for the development of such solar energy projects as a key component of the State's ability to meet such goals. Regarding the alternatives, again no evidence has been submitted to support this comment. To the contrary, the Applicant lacks any other lands under its control which would be a suitable alternative to the proposed Action.

## **Short Environmental Assessment Form**

Unlisted actions may use full or short form EAF. Even though I feel that this project is a Type I action and requires a full, Part 2 - Impact Assessment questions are appropriate.

1. Will the proposed action create a material conflict with an adopted land use or zoning regulations? Moderate to large impact may occur.
2. Will the proposed action result in a change in the use or intensity of the use of the land? Moderate to large impact may occur.
3. Will the proposed action impair the character or quality of the existing community? Moderate to large impact may occur.

Base on all of the above, McLean Solar I should have a SEQR positive declaration.

As part of the Lead Agency's SEQRA review, it is expected that Part 2 of the FEAF will be evaluated and the evidence supplied will be analyzed according to the criteria in the regulations. The above comments lack any factual basis and as such should be disregarded. While the fact that a use variance is needed is evidence that the conflict with the adopted land use or zoning regulations there is no evidence to conclude the

impact is moderate to large. The use variance will in effect apply to only 12 acres of a 141-acre parcel and 12 acres of the town's overall acreage. Even as to the acreage of land currently zoned R-1, the impact on the zoning district is minimal.

A change in use of the land will occur, but, again, to only 12 acres out of the 141-acre parcel. The balance of the parcel will remain available for agricultural use as is currently being performed. It is respectfully submitted that a development as permitted under the zoning regulations such as a residential development would impose a greater change and intensity of use than the proposed solar project. While the proposed action may change the character of the immediate area it will not cause a significant adverse change the character of the community. The development of 12 acres of land for a solar project on a 141-acre parcel within a much larger area of the overall zoning district mitigates against such a conclusion. The project will produce no traffic impacts, no noise or odor impacts. It will simply be partially visible after the planting of landscaping as proposed or modified during the review of the project by three of the Town's boards. Further, at least five (5) other similarly sized and designed projects have been approved demonstrating that such projects do not unduly affect the community. In this instance, the only difference here is the location of this particular project. Other than that fact alone, no evidence has been submitted to substantiate any of the above comments. Absent such evidence, there is no basis to conclude that significant adverse impact may occur.

## **Comments #2**

One year ago in October, the town of Cortlandville finalized Local law# 2 of 2018 amending the town's zoning law for the governance of Solar Energy Systems. It spelled out the provisions for the permitting of certain solar photovoltaic systems. It stated quite clearly that:

1. It wants to encourage renewable sources of energy. I strongly agree with this. This facility will accomplish this.
2. Ground mounted large-scale solar systems shall not be located on Prime farmland. Please note that this is only a portion of the permitted location statement from the local law. The full requirement states that these facilities cannot be allowed in Prime farmland soils "unless approved by the Town Planning Board". As stated above, the solar project will occupy only 12 acres of a 141-acre parcel and the balance of which may continue to be utilized for agricultural purposes. The Proposed Action will not emit any noise, odors or discharge any effluent or air pollutants that could otherwise impact the continued agricultural use of the balance of the parcel. Moreover, the property is located within the "Growth Area" identified in the Town's Agricultural and Farmland Protection Plan as suitable for development. The area outside the Growth Area is the farmland that is sought to be protected by the Plan. This rationale was relied upon in part in deciding to allow the other solar projects to move forward as they too were located on prime farmland. The Planning Board has approved five (5) other sites in prime farmland soils, therefore the same standard should be applied to this property.
3. No conditional permit will be granted if the proposed solar system does not conform to all adopted plans of the Town of Cortlandville and complies with all other requirements of the Town of Cortlandville Zoning law. This statement means the Planning Board cannot grant a Conditional Permit for the Proposed action **absent** the grant of a use variance for the Proposed Action. The project complies with all standards of the Town's regulations for such projects.

4. The ground mounted large scale Solar Systems shall have the least visual effect practical for the environment. As shown during the presentation at the public hearing, a substantial landscape buffer is proposed to mitigate views of the project to the greatest extent feasible. Photographic visual simulations were prepared to provide a basis to evaluate views of the project from surrounding properties. The Applicant further offered to continue discussions on the design of the landscaped buffer with the Planning Board as the review progresses.
5. The Applicant previously sought a zone change for the McLean I Solar project. Large-scale solar arrays are not allowed in a R-1 residential zone or on USDA designated Prime farmland. The McLean Rd property is both. These comments are outside the jurisdiction of the SEQRA Lead Agency and pertain to the request for a use variance that will be heard by the Zoning Board of Appeals. As to the prime farmland comment, please see our response to Comment #2, Response #2 above.
6. The proposed 7000 panel solar farm does not fit in this single-family neighborhood. This subjective comment lacks any supporting evidence and it is respectfully submitted that the comment simply constitutes generalized public opposition. The entire project will be located on a 12 acre portion of the larger 141-acre parcel which is a small percentage of lands within the R-1 zone. The balance of the parcel can continue to be used for agricultural purposes, residential uses or any other permitted use in the R-1 district, if desired. Moreover, the testimony demonstrates that the parcel is adjacent to nearby agricultural parcels where solar is permitted and that, while there are residences nearby the residences are on larger parcels and are few in number.
7. It is within a mile of our beautiful Lime Hollow Environmental Center, a local scenic resource and park. Please note that the Lime Hollow Solar project, a similarly sized and designed solar project previously approved by the Town, is closer to the Lime Hollow Environmental Center. At the public hearing for the Lime Hollow Solar project, a representative from the Lime Hollow Environmental Center appeared and stated the Center did not have any concerns on the closer project affecting the Center. Given that this project is located farther away from the Center, it will have less impact than the Lime Hollow Solar project. In addition, the Project will have a significant landscaped buffer to screen views from roadways and to the extent feasible from adjacent properties. Given these factors, it is respectfully submitted that there will be no significant adverse impacts to the Center.
8. Every year, this farmland produces a crop of corn or soybeans. The person who farms this land decried the loss of this land to a solar farm that could and should go elsewhere in the county where the land is not as fertile. Please refer to the previous responses which address farmland soils, the location of the Project within the Growth Area of the Town's Agriculture and Farmland Protection Plan and the fact that only 12 acres of the 141-acre parcel will be converted for the solar use.
9. A snowmobile trail runs through the property providing public recreation. The property owner has not been aware of this unauthorized use of their land by members of the community. The project layout and design would not preclude

such recreational use so long as the property owner consented to such use and the snowmobilers stay out of the fenced compound.

10. A chain-link fence surrounding 7000 solar panels is not something that has the least visual effect in an R-1 residential zone. Prior to the public hearing, a proposed landscaping plan with a substantial planted buffer area and photographic simulations of this buffer were submitted for review. These materials demonstrate the Applicant's plan to mitigate views of the project from roadways and adjacent properties. As such, it is respectfully submitted that this comment lacks any basis.
11. The glare from these panels also must be addressed. Glare has been addressed in previous submittals. It has been established that the glare from the panels is equal to or less than that of shingles.
12. The need to request a land use change was a self-created hardship. This comment is outside the scope of the FEAF, pertains to issues before the Zoning Board of Appeals and, respectfully, lacks any factual basis. By way of background, the Applicant acquired rights to the land in November 2016 and submitted a sketch plan to the Town in the Spring of 2017 before the Town's moratorium and subsequent adoption of its solar law in 2018.
13. It is this board's job to protect the environment. We agree that environmental protection is important. Please note that one of the leading causes of runoff pollution has been identified as farmland as identified by both the Federal and State governments. Therefore, as this project proposes to convert an area of +/-12.0 acres of high pollutant runoff into a grass covered area this will provide a large benefit to the environment. Additionally, by converting this land from crop land to lawn, this reduces the quantity and velocity of stormwater runoff, thus improving the water quality and allowing additional water to infiltrate.
14. The McLean Solar project is proposed for a lovely chunk of productive farmland and while people from away might think we have lots of empty land up here that could be turned into farmland, but that's actually not the case. Please refer to our responses above concerning the location of the project within the Growth Area of the Town's Agriculture and Farmland Protection Plan. As such, the project is consistent with that Plan and the Town's vision of preserving not only the farmland necessary for the production of crops but the cultural benefits of having an agricultural community. The environmental and climate benefits of solar energy will enhance the ability to farm, not preclude it.
15. Recreation - the proposed McLean Solar project is just around the corner from Lime Hollow Nature Center. That land has been donated and purchased to enhance the lives of those of us who live here; it is a beautiful area that deserves our protection. Please refer to our response above regarding the Lime Hollow Solar project and the testimony the Center's representative stating the project would not affect the Center. This project is farther away from the Center than the Lime Hollow solar project. As such, there will be no adverse impact on the Center nor the public's ability to enjoy the Center.

16. Aesthetic Significance - I live on Deerfield Heights, across the McLean Road from the proposed Solar project. It would certainly destroy some of the aesthetic significance of our neighborhood if the Solar project were put up across the road from us. In recognition of the views of the project from the adjacent residences, the Applicant has proposed a substantial landscaped buffer to mitigate views of the project. As the project is only occupying 12 acres of the 141-acre parcel, agricultural use can continue. If the property owner consents, recreational use of the property may be allowed. We respectfully submit that with the landscaped buffer area and the small size of the project relative to the parcel the overall character of the neighborhood will not be significantly impacted. Please refer to the photo simulations that have been provided which demonstrate that with the proposed buffer screening that will be provided, we respectfully submit that little actual visual impact.
17. I hope you will recognize and maintain the protections we (you) have put into place to protect that farmland, the recreation areas, and the aesthetics we now enjoy. Again, please refer to our response above pertaining to the project's compatibility with the town's plan to protect farmland and agriculture. Moreover, the project, if approved, would have to be removed when it is no longer used, and the land must be restored to its original condition in accordance with the decommissioning plan for the project. Accordingly, the land could be returned to full agricultural production at that time if the landowner chose to do so.
18. From NYCRR 617.2 (l) Environment means the physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health. See NYCRR 617.2 and N.Y. Env. Cons. L. § 8-0105.6}; Comment noted.
19. You must give the project a Positive Declaration of Significance, and you must properly label it as a Type I Action under SEQRA because it would involve the physical alteration of greater than 5 acres for non-residential development. See 617.4 Type I Actions 6 (i). Please refer to our responses above and correspondence from SWDC confirming that this project will only disturb +/- 0.59 acres and not greater than 5 acres as stated. NYSDEC has already issued their opinion on the standard for disturbance related to solar energy fields, which has previously been submitted to this board. Using this standard, the Board agreed upon the area of disturbance for five (5) other solar projects in the town and the same methodology has been applied to this project. As such, the project should be classified as an Unlisted action.
20. Many of the answers given by the applicant on the FEA are wrong, misleading or absent. The FEA was prepared by a professional environmental consulting firm in accordance with applicable industry standards. As mentioned earlier, many of the comments that follow appear to be as a result of a misunderstanding of the NYSDEC regulations and requirements.
21. FEA, Page 2 question C2-a, re: answer to second part of question should be Yes: There are specific recommendations for the site where the proposed action would take place. The land is zoned R-1. Large scale ground mounted solar is not allowed in R-1. The answer as submitted is correct. The currently adopted



comprehensive plan does not have specific recommendations for this site. No revision required.

22. FEAF, Page 2 C2 b: most of the site is in the Aquifer Protection District. This answer is absent. The answer as submitted is correct. The FEAF addresses aquifers later in the document, refer to question E.2.I and an application for an aquifer permit was identified as being required.
23. FEAF, Page 3 C3 d: what parks serve the site? Answer given N/A. The correct answer is Lime Hollow Nature Center is at some points about 1500 feet west of the proposed site. There is no question C.3.d on the long form EAF. In addition, please see the responses above concerning the Lime Hollow Nature Center.
24. FEAF, Page 3 Question D I b b: re acreage disturbed. The wrong answer of 0.59 acres was given. The correct answer would be more like that entire area which would be stripped of vegetation, excavated, graded, made into roads, all fences and screening plantings, and the entire area covered by the 7000 solar panels...and because this area is greater than 5 acres it is a Type I Action under SEQR. Please correct the record on this. The submitted answer is correct. Please refer to the above responses. The area of disturbance was calculated using DEC approved methodology which was reviewed and concurred with by the SWCD. No revision required.
25. FEAF, Page 4 g: No answer given for the dimensions of the project. The information provided is correct. There are no buildings proposed and solar panels do not meet the definition of structure, therefore there is no further information to provide. Notwithstanding the above, the panels will have a maximum height of 10 feet, and each are approximately 6 feet by 3.5 feet in size as set forth in our original submission. No revision required.
26. FEAF, Page 4 D2 Wrong answer given to the question re excavation: of course, there would be excavation for the pavement and underground lines. 2000 feet of underground cable would need to be excavated for. The answer submitted was correct. Please refer to the full question which states "Not including general site preparation, grading or installation of utilities or foundations where all excavated material will remain onsite." No revision required.
27. FEAF, Page 6 D2e, wrong answer given to the question re disturbance of greater than 1 acre. Check with DEC re definition of disturbance of land. Cynthia Hill of the DEC told me that the entire area which would be changed from crops to being covered by solar panels, graded, excavated, and all roads and fences and screening plantings is the area that would be disturbed. It is greater than 1 acre, it is greater than 5 acres. This makes this project a Type I Action. The answer submitted was correct, please refer to previous above responses. No revision required.
28. The drip line off 7000 solar panels would alter to flow of stormwater and could cause concentrated flows of stormwater, altered hydrology and potential for erosion. This information is absent from the application. This was addressed in the February 8, 2019 letter from the Soil and Water Conservation District to the applicant as well as by NYSDEC, the governing authority for stormwater.



29. A SWPPP needs to be submitted. Please refer to the previous submission from NYSDEC which stated that solar panels are not considered to change the hydrology of a site. Additionally, please refer to the March 26, 2019 letter from SWCD confirming that **no** SWPPP would be required.
30. FEAF, Page 8 D2 m...noise. It is possible that during construction for 3 months there would be noise. The submitted answer is correct. It appears that this comment is based upon a lack of knowledge of noise regulations and the construction methods proposed to be used for this project. As explained in the study "Assessing and Mitigating Noise Impacts" by NYSDEC, sound changes in inverse proportion to the square of the distance from the sound source. At distances greater than 50 feet from a sound source, every doubling of the distance produces a 6 dB reduction in the sound. Also, as discussed in the NYSDEC study, sound levels of multiple sound sources do not create a mathematical additive effect. Instead, an increase of sound is based upon the difference between the two sound levels. Please refer to the local code for requirements for noise thresholds at the property lines. As such, any impact will be temporary, short-term and reversible and therefore, there will be no significant adverse impact from the construction of the project. No revision required.
31. FEAF, Page 8 D2r: re solid waste generated: How many cubic feet of landfill space would the 7000 panels and all structures and pavement take up in the landfill at decommissioning? The submitted answer is correct. In accordance with the NYSDEC EAF workbook, this question provides information about whether solid waste will be generated during construction and operation phases. No revision required.
32. FEAF, Page 10 Eld: Wrong answer was given by applicant: because Lime Hollow Nature Center properties are within 1500 ft of the western border of the site. The answer submitted is correct, please refer to previous response to this issue.
33. FEAF, Page 12 E3b: Wrong answer given. The site is 85.% prime farmland per Eric Lopez, GIS specialist for Cortland County. It is presently in production of Agricultural crops. The answer submitted is correct, please refer to previous response to this issue.
34. FEAF, Page 12 E3d...the area was recommended in the 2002 aquifer Protection Plan to be designated as a Critical Environmental Are...but Cortlandville failed to adopt that recommendation. Again, the Comprehensive Plan Committee for the new Comprehensive Plan has recommended that the entire area be designated as a Critical Environmental Area because it is over the aquifer and because of its proximity to unique bogs and ponds and springs. The answer submitted is correct, please note that the standard for this question is a STATE listed Critical Environmental area. Again, the Lime Hollow Solar site, which is closer to the area mentioned has already been approved. Additionally, a previously failed adoption demands the conclusion that after evaluation the Town determined that the area should not be designated a Critical Environmental Area. It is not logical nor required to therefore treat this area as such simply because the commenter disagrees with the town's past determination. Finally, the project would require an Aquifer Protection permit from the Town Board before it could be constructed. No revision required.

35. FEAF, Page 13E3 h. Wrong answer was given. The correct answer is that the proposed site is within 5 miles of Lime Hollow...in fact it is approximately 1500 feet from Lime Hollow. The answer submitted is correct, please refer to previous response to this.
36. The Public Necessity Test should not apply. The applicant brought on their own hardship by electing to propose this site where our intact zoning and our solar law prohibits this solar project. As stated previously, the applicable standard for the use variance application for the project falls within the jurisdiction of the Zoning Board of Appeals and is not relevant to the SEQRA Lead Agency's analysis of whether the project will result in significant adverse environmental impacts. SEQRA does not change the jurisdiction of agencies.
37. The two-part test which the applicant proposes also falls short A) there is no necessity for this 5th solar farm which the applicant seeks to have permitted. B) there are alternatives: the applicant can find another location. As stated previously, the applicable standard for the use variance application for the project falls within the jurisdiction of the Zoning Board of Appeals and is not relevant to the SEQRA Lead Agency's analysis of whether the project will result in significant adverse environmental impacts. SEQRA does not change the jurisdiction of agencies.
38. The intrusion upon the community would be significant. The land is now in active agricultural production, is zoned R-1 is in commuting distance to Ithaca, Dryden, and Cortland. As stated previously, the applicable standard for the use variance application for the project falls within the jurisdiction of the Zoning Board of Appeals and is not relevant to the SEQRA Lead Agency's analysis of whether the project will result in significant adverse environmental impacts. SEQRA does not change the jurisdiction of agencies. In addition, since only 12 acres will be used for the solar facility, the balance of ±129 acres can be used for residential uses.
39. According to Eric Lopez, the county GIS Specialist: Only 9% of Cortlandville is zoned R-1. If this information is correct, then this project only represents 0.04% of Cortlandville.
40. 85.5% of the site is prime farmland. Please see our responses above regarding the Town's Agriculture and Farmland Protection Plan and the project's location within the permitted Growth Area of that Plan.
41. Only 30% of Cortlandville is prime farmland. If this information is correct, then this project only represents 0.04% of Cortlandville.
42. This site does not qualify for large scale ground mounted solar because it is zoned R-1 and it is prime farmland, and it would negate the R-1 property rights and expectations of the people who are the neighbors in the R-1 zoned area. Please see our previous responses regarding the Zoning Board of Appeals Jurisdiction over the use variance application, the Planning Board's authority and previous rationale for allowing solar to be placed on prime farmland. In addition, there are no facts submitted to establish that granting of a use variance would negate property rights of landowners in the R-1 district where the project is located.

43. Page I of the Attachment to the EAF: the ZBA is not required to grant the use variance based upon the applicant's preference to have 6 permitted solar farms rather than the 5 which have already been permitted on parcels where our intact zoning and our solar law allow the use. As stated previously, the determination whether to grant or deny the use variance application for the project falls within the jurisdiction of the Zoning Board of Appeals and is not relevant to the SEQRA Lead Agency's analysis of whether the project will result in significant adverse environmental impacts. SEQRA does not change the jurisdiction of agencies.
44. Numerous false, misleading and even absent answers have been submitted by the applicant on this EAF and attachment. No false or misleading answers or information has been submitted. The FEAf was prepared in accordance with relevant professional standards by a licensed engineer and no evidence has been introduced to prove that any aspect of the FEAf or supporting materials were incorrect much less misleading. Moreover, these same engineers prepared the EAFs using the same methodology and analysis for the other sites reviewed by the Planning Board and for which negative declarations were issued. It appears that this resident is not familiar with the requirements of NYSDEC regarding this document and is attempting reverse engineer the FEAf to support his or her preferred conclusion.
45. There would be impacts to the environment including to agricultural resources, land and water due to the disturbance of greater than 5 and even 10 acres, and impacts to the existing community character, noise, existing patterns of population concentration, distribution or growth. We respectfully submit that these conclusions have been addressed above, are baseless and are not supported by evidence in the record.
46. Project should be classified as a Type I Action as required under NYS ECL 617 and given a Positive Declaration of Significance. The proposed action does not fall within any of the Type I categories set forth in the SEQRA regulations and therefore must be classified as an Unlisted action. In the event the Lead Agency were to classify this as a Type I action, an EIS is not necessarily required. It is respectfully submitted that there has been no evidence submitted to establish that a significant adverse environmental impact may occur as a result of the project.
47. The applicant should prepare a full Environmental Impact Statement. The applicant will comply with SEQRA regulations and the determinations of the Lead Agency. The Applicant does, however, reserve the right to challenge any determination of the Lead Agency regarding its determination of significance.
48. Nick Renzi, Comments on Part I FEAf
- a. FEAf, C.2b should mention the aquifer protection district. Aquifer district information is addressed in Question E.2.1. No revision required.
  - b. FEAf, C.3c correct answer is yes even though it is a variance. A use variance is not a zoning change as is the basis for this question. No revision required.
  - c. FEAf, D.1b total acreage to be physically disturbed is 12 not just the .59 acres for the panels. The answer submitted (0.59 acres) is correct, please refer to

previous responses to this issue and the associated letters from NYSDEC and the SWDC. No revision required.

d. FEAF, D.1g answers for I<ii and iii are required. The answer submitted is correct, please refer to previous responses to this statement. No revision required.

e. FEAF, D.2a the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

f. FEAF, D.2e the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

g. FEAF, D.2m the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

h. FEAF, D.2r the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

i. FEAF, E.1d the correct answer is yes lime hollow and a group home. The answer submitted is correct, please refer to previous response to this issue. No revision required.

j. FEAF, E.3b the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

k. FEAF, E.3h the correct answer is yes. The answer submitted is correct, please refer to previous response to this issue. No revision required.

49. Nick Renzi, comments on Attachment

a. The four use variance standards were supplanted for situations involving public utilities. Mclean I is a power generator not a public utility. Even if the two-part test were to be applied there is no real public necessity for the solar farm under consideration and there are other available alternatives that would bring less disruption of the community's zoning plan. The applicable standard for the use variance application is not within the jurisdiction of the Lead Agency but rather the Zoning Board of Appeals. It is respectfully submitted that these statements here are conclusory and lack any factual basis. Please see our response above.

b. On what basis of law or other legally standing decision is Mclean I a public utility. The status of the Applicant is relevant only to the determination of the applicable standard for the use variance – an issue outside the jurisdiction of the Lead Agency. Moreover, the public utility standard has been applied to private companies by NY Courts. The applicant will fully address this issue before the Zoning Board of Appeals at the appropriate time.

c. How has the applicant shown that the proposed project is necessary to render safe and effective service to customers in New York? The information relative to this issue is relevant only to the determination to whether to grant the use variance – an issue outside the jurisdiction of the Lead Agency. The applicant will fully address this issue before the Zoning Board of Appeals at the appropriate time.

d. Under the paragraph titled safe and effective electric service it is disingenuous to deem the proposed project as necessary to provide safe and reliable electric service reflecting on the state's goal of generating 70% of the state's electrical power by clean renewable energy sources by 2040. The McLean I project is far from "key to meeting the state's goal". Please see our response above regarding

the critical role that renewable energy generally and solar energy in particular play in meeting the State's goals for having 70% of electrical power generated by renewable resources by 2040. As such, this and every other solar, wind and even off-shore wind project is key to meeting these goals. In addition, the information relative to this issue is relevant only to the determination to whether to grant the use variance – an issue outside the jurisdiction of the Lead Agency. The applicant will fully address this issue before the Zoning Board of Appeals at the appropriate time.

- e. According to the U.S. Energy Information Administration's New York State Energy Profile Renewable Energy Production in New York for small scale solar photovoltaic generation is 203 thousand mwh, this converts to 203,000,000 kwh. The Mclean I Project with anticipated production of 3,507,504 kwh represents less than 2 % of the New York State total. Hardly a "key" source. The project is not a small-scale solar project – if it were, it would not be prohibited under the Town's zoning code at this location. This comment is misleading as it attempts to inaccurately portray the project's capacity. Further, the information relative to this issue is relevant only to the determination to whether to grant the use variance – an issue outside the jurisdiction of the Lead Agency. The applicant will fully address this issue before the Zoning Board of Appeals at the appropriate time.

We understand that the Planning Board as Lead Agency wished to provide the public the opportunity to review these responses and consent to doing so provided that the any submissions or comments be provided to the applicant prior to the March 31, 2020 meeting to be addressed at that meeting.

Respectfully,

Keystone Associates  
Architects, Engineers and Surveyors, LLC



Paul T. Woodward  
Senior Designer

Enclosures

PTW:

P:\Projects\2018\2850\2850\_24418\2850\_24418\_I Mclean Solar I\Correspondence\Use Variance  
response\285024418\_I\_Response Letter\_McLean I.docx

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: McLean Solar 1		
Project Location (describe, and attach a general location map): 460 McLean Road Cortland, NY		
Brief Description of Proposed Action (include purpose or need): Construction of a ground mounted, 2 MW large scale solar energy system (+/- 12 acres) including landscaping, access drive, utility easements and connection to existing power distribution system. A use variance, conditional use permit or other local approvals are required for this project.		
Name of Applicant/Sponsor: McLean Solar 1, LLC; ATTN: Elie Schecter		Telephone: (914) 420-5803
		E-Mail: eas@c2.energy
Address: 55 5th Avenue		
City/PO: New York	State: New York	Zip Code: 10003
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Farm East, LLC		Telephone: (315) 409-9199
		E-Mail:
Address: 890 McLean Road		
City/PO: Cortland	State: New York	Zip Code: 13045

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Aquifer Permit	TBD
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan approval, referral for use variance	TBD
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Use Variance	TBD
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	PILOT Agreement	TBD
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	239 Review and PILOT Agreement	TBD
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

NYS Major Basins: Upper Susquehanna  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

The Town of Cortlandville Agriculture and Farmland Protection Plan  
 \_\_\_\_\_  
 \_\_\_\_\_



**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Zoned Residential \_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action? **Use Variance being requested**  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Dryden \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
Cortland County Sheriff \_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
Cortlandville Fire \_\_\_\_\_

d. What parks serve the project site?  
N/A \_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? solar energy facility \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? +/- 12.6 acres  
b. Total acreage to be physically disturbed? +/- 0.59 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/- 12.00 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: +/- 3 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes, **Construction includes access drive, solar panels with equipment and perimeter fence with landscaping.**

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

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iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- Describe types of new point sources. \_\_\_\_\_
- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
  - Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

---

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>- Mowing 4-5 times a year  - Annual Maintenance 1 time a year  - Maintenance as needed (+/- 3 times a year)</p>
--	---	--

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	141.93	141.93	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)		+/- 12.0 acres will be used for the solar system and accessories, but will be returned to agricultural land at end of useful life.	
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			



c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ > 6.5 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Howard gravelly loam	_____	+/- 92.2 %
Bath-Valois	_____	+/- 7.8 %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ > 6.5 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 100 % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names: Cortland-Homer Preble SSA \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>birds _____ deer _____ rabbits _____</p> <p>squirrel _____ _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>No impact is anticipated</p>	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Paul T. Woodward Date 5/26/2020

Signature  Title Senior Designer



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Major Basins:Upper Susquehanna
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Cortland-Homer Preble SSA
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



## *Cortland County Soil and Water Conservation District*

100 Grange Place, Room 202, Cortland, NY 13045  
Phone: (607) 756-5991 • Fax: (607) 756-0029  
[www.cortlandswcd.org](http://www.cortlandswcd.org)

*SWCD - Celebrating 70 years of promoting the conservation and wise use of our county's natural resources*

March 26, 2019

Bruce Weber, Planning and Zoning Officer  
Town of Cortlandville  
3577 Terrace Road  
Cortland, NY 13045

Re: McLean Solar Sites 1, 2, 4, 6

Dear Mr. Weber:

We have reviewed additional material regarding erosion and sediment control (ESC) plans at the four proposed solar panel installation sites referenced above, provided to us on March 15, 2019 by Paul Woodward of Keystone Associates (Keystone). Cortland County SWCD expressed concern regarding ESC at these sites at the March 5, 2019 Cortland Review Committee meeting. Because proposed disturbance at these sites is less than one acre each, NYSDEC stormwater permits and SWPPPs are not required. In our February 5, 2019 letter to you, we encouraged the Town of Cortlandville to require basic SWPPPs (ESC only) under the Cortlandville ordinance because concentration of flow across the solar panels and reduced infiltration have the potential to impact water quality.

Our primary concerns were regarding: 1) ESC practices during construction, 2) successful establishment of permanent vegetation after installation, 3) maintenance of adequate vegetation on the entire site relative to site slope, vehicle usage, and shading, 4) maintenance of adequate vegetation in particular areas where panels would be perpendicular to the slope and concentration of flow off panel drip edges would have the greatest potential to cause erosion and 5) inspection and maintenance requirements to ensure that additional actions are taken if vegetative coverage is ever inadequate to control erosion.

The additional information provided by Keystone indicates that at each site, basic ESC practices during construction such as stabilized entrances, silt fencing, mulching, topsoiling and perennial grass establishment are proposed. In addition, grass buffers 20 to 50' wide, depending on the site, are proposed outside the array fence boundaries to provide additional water quality protection. These buffers would be located downslope of areas described in concern #4 above or particularly steep areas, and upslope of sensitive areas such as tributaries, wetlands, and ponds. In addition, proposed long-term ESC controls would include inspection and maintenance activities after installation has been completed to ensure that any erosion problems are remediated promptly.

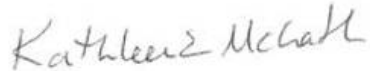


If ESC controls as proposed are maintained inside and outside the fenced areas and regular inspections and additional maintenance are required as needed, we believe these safeguards will adequately limit potential impacts of stormwater downgradient of these sites and protect water quality.

We remain concerned regarding the potential for these types of sites to experience reduced infiltration associated with flow concentration off the panels, and the potential for site expansion of these and any future sites. Developers must prepare SWPPPs for subdivisions even when less than one acre is disturbed per individual house lot, as part of a common plan. A similar approach to solar site development should be considered if sites are later expanded such that total disturbance area exceeds one acre.

Please call me at 756-5991 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen E. McGrath".

Kathleen E. McGrath  
Water Quality Specialist

Cc: Katherine Wickwire, Cortlandville Planning Board  
Amanda Barber, Cortland SWCD  
Dan Dineen, Cortland County  
Paul Woodward, Keystone Associates

## Paul Woodward

---

**From:** Dlugolenski, Joe M (DEC) <joe.dlugolenski@dec.ny.gov>  
**Sent:** Thursday, April 4, 2019 3:56 PM  
**To:** Paul Woodward  
**Subject:** RE: Cortlandville Solar Projects  
**Attachments:** Woodward CortVirgilRd.pdf; Woodward ERiverRd.pdf; WoodwardLimeHollowRd.pdf; WoodwardMcLean2.pdf; WoodwardMcLeanSolar1.pdf; WoodwardRoute13.pdf

Paul-wow, that's a lot of solar panels! Nice.

I looked at each project site on our DEC resource maps and included protected species, watercourses, state and fed wetlands and archeological sites. Map for each site is attached. All are No Jurisdiction for the DEC. The East River Road site near Ames Road is within a known area sensitive for archeological resources, so SEQR would require the Town to coordinate with OPRHP to determine if adverse impacts to arch resource would be significant or not. Also, as discussed, sites over one acre are subject to DEC's Stormwater SPDES for Construction permit, as you well know. Other than that, no issues of concern.

Thanks for coordinating with us and best wishes on a safe and speedy solar panel installation.  
Joe

### Joe Dlugolenski

Deputy Regional Permit Administrator, Division of Environmental Permits  
**NYS Department of Environmental Conservation Region 7**  
1285 Fisher Ave, Cortland, NY 13045  
P: 607-753-3095 ext 233 ~ F: 607-753-8532 ~ joe.dlugolenski@dec.ny.gov

---

**From:** Paul Woodward <pwoodward@keyscomp.com>  
**Sent:** Thursday, April 04, 2019 2:28 PM  
**To:** Dlugolenski, Joe M (DEC) <joe.dlugolenski@dec.ny.gov>  
**Subject:** Cortlandville Solar Projects

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Joe,

Thank you for the information earlier. Please find attached the site plans for the six (6) sites that we are working on currently. If you have any questions, or need additional information, please feel free to contact our office.

Thank you,

**Paul T. Woodward**, Senior Designer

**KEYSTONE ASSOCIATES**

Architects | Engineers | Surveyors

58 Exchange Street, Binghamton, NY 13901 | T: 607.722.1100, ext. 104; F: 607.722.2515  
[pwoodward@keyscomp.com](mailto:pwoodward@keyscomp.com) | <https://protect2.fireeye.com/url?k=9ce7e13f-c0c1d58b-9ce5180a-000babd9fe9f-6ac621d3caa54eb1&u=http://www.keyscomp.com/>

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**Files attached to this message**

<b>Filename</b>	<b>Size</b>
285024418_1_McLean Solar 1 Complete Site 3rd submittal.pdf	20.6 MB
285024418_2_McLean Solar 2 Complete Site 3rd submittal.pdf	122 MB
285024418_3_Route 13 Complete Site 3rd submittal.pdf	12.1 MB
285024418_4_East River Road Complete Site 3rd submittal.pdf	15 MB
285024418_5_Lime Hollow Complete Site 3rd submittal.pdf	13.8 MB
285024418_6_Cortland-Virgil Complete Site 3rd submittal.pdf	12.6 MB

Please click on the following link to download the attachments: <https://protect2.fireeye.com/url?k=ff070db1-a3213905-ff05f484-000babd9fe9f-053dfb333a982089&u=https://files.keyscomp.com/message/bEfSA7jMdEq1QeG0ZTQoOt>

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The attachments are available until: **Saturday, 4 May.**

Message ID: bEfSA7jMdEq1QeG0ZTQoOt

## Paul Woodward

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**From:** Gasper, David J (DEC) <david.gasper@dec.ny.gov>  
**Sent:** Friday, August 25, 2017 1:07 PM  
**To:** Tim O'Connor  
**Subject:** RE: SWPPP Modeling Questions

Tim,

The following is a summary of our criteria for permitting and Stormwater Pollution Prevention Plan (SWPPP) requirements for a solar farm project below.

If the solar panels will be constructed in accordance with the following criteria, the SWPPP for this portion of the project will typically just need to address erosion and sediment controls:

- Solar panels are constructed on post/ballast (elevated off of the ground surface),
- The panels are spaced apart so that rain water can flow off the down gradient side of the panel and reach the ground, and
- The ground surface below the panels will be a well-established vegetative cover.

If the project includes solar panels mounted directly to the ground (i.e. no space below panel to allow for infiltration of runoff) the SWPPP will need to address post-construction stormwater management controls (WQv, RRv, Cpv, Qp and Qf). If the project includes the construction of any traditional impervious areas (i.e. buildings, substation pads, gravel access roads or parking areas, etc.), those portions of the project will need to address post-construction stormwater management controls in the SWPPP.

If the construction of the solar panels (for panels constructed on post/ballast and meet the 3 criteria above) will include significant changes to pre-development hydrology (i.e. changes to topography, etc.), the designer may have to address quantity control sizing criteria for those areas.

With regards to modeling the fire truck access road as meadow, are they bringing in material (i.e gravel, stone, NYS DOT subbase, etc.) to construct the road or are they just driving over the existing soil. If driving over the existing soil, I would say they could model it as existing conditions.

Let me know if you have additional questions.

---

**From:** Tim O'Connor [mailto:toconnor@keyscomp.com]  
**Sent:** Friday, August 25, 2017 9:18 AM  
**To:** Gasper, David J (DEC) <david.gasper@dec.ny.gov>  
**Subject:** SWPPP Modeling Questions

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Hello Dave,

I left you a vm and just wanted to verify that solar panels are considered pervious since they are pole mounted and drain to meadow directly beneath them?

Also, if a 15 foot emergency access lane could be considered a “meadow” post condition. I’m performing a review of another engineer’s SWPPP and wanted to verify your thoughts. Could you please call me at the office to discuss quickly? Thank you Dave.

**Timothy M. O'Connor, C.E.P., CPESC, CPSWQ, LEED AP** | Senior Environmental Scientist

**KEYSTONE ASSOCIATES**

**Architects, Engineers and Surveyors, LLC**

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