

September 22, 2020

Mr. Chris Newell  
Town of Cortlandville Planning Board  
The Raymond G. Thorpe Municipal Building  
3577 Terrace Road  
Cortland, NY 13045

RE: SSC Cortlandville II and III Solar Sites - Comment Response to Cortland County Review  
**Delta Project No.: 2020.260.001 and 2020.261.001**

Dear Mr. Newell:

Please accept his letter in response to the comments provided by the Cortland County Planning Department received (09.17.20). Comments in *italics*.

1. *That no work is commenced on this property for this project until the existing court order for the property is lifted by the State of New York.*
  - a. **Response: In speaking with the contractor and the engineer of record associated with the stormwater control repairs being performed on the contiguous cemetery property, it is our understanding that this work is complete and the only outstanding item is NYS DEC approval. Applicants agree that the court order being lifted may be a condition precedent to the issuance of a building permit.**
2. *That the applicants provides rationale to the Town as to the necessity of having two separate adjacent solar projects otherwise, the two projects should be combined into one project.*
  - a. **Response: The NYSUN program under NYSERDA only allow projects up to 5 MWac in system size. Furthermore, the subject solar facilities have two (2) separate project owners, two (2) separate interconnections with National Grid and two (2) separate financing structures. Consequently, two (2) separate adjacent solar projects are necessary.**
3. *The applicant's submittal of a subdivision map to the Town showing the proposed subdivision boundaries.*
  - a. **Response: Agreed. Applicants have previously submitted a subdivision application in this regard.**
4. *That access to the site either be provided from the end of Bell Crest Drive to eliminate the necessity of having two parallel roads in such close proximity to one another or that access to the proposed new road be restricted at Blue Creek Road with a security gate to limit its use to*

- only vehicles that require access to the proposed solar developments.*
- a. **Response:** Bell Crest Drive is a private road and has no nexus to the solar projects. Applicants have proposed a security gate at the projects' entrance and requests to keep as shown.
5. *The applicant obtaining Town Highway Superintendent approval for the driveway entrance from Blue Creek Road to the proposed new access road, since Blue Creek Road is a town road.*
    - a. **Response:** Agreed. Applicants are willing to obtain.
  6. *That since the proposed new road would provide access to solar projects on two separate parcels that an easement is written into the deeds of both proposed solar project parcels to insure continued access from Blue Creek Road to both parcels.*
    - a. **Response:** Agreed.
  7. *That warning signs, owner's name and contact information signs be installed every 200 ft. along the fence including on the secured access gate.*
    - a. **Response:** Agreed.
  8. *That the applicant providing assurances to the Town that the necessary steps would be taken to properly screen this project to minimize reflective glare and visual site impacts on surrounding residential properties.*
    - a. **Response:** Please see attached Project Narrative and previously submitted plan set detailing the proposed vegetative buffer and anti-reflective glass used to minimize reflective glare.
  9. *That additional view mitigation plantings of five foot tall Norway Spruce and White Spruce be planted on the southern boundary of the proposed array adjacent to the residential property off the end of Quail Ridge Road.*
    - a. **Response:** Viewshed of the project from residential property off the end of Quail Ridge Road is already inhabited by existing natural vegetation. Applicants agree that existing vegetation will remain but respectfully requests not to install additional plantings in front of existing landscape buffers as it will not provide additional viewshed buffering.
  10. *That the planting/landscaping plan for the site is thoroughly reviewed and approved by the Town to ensure that the proposed solar array is visually screened from neighboring residential properties.*
    - a. **Response:** Agreed
  11. *That a maintenance schedule be established to ensure that vegetative cover underneath and between rows of panels is maintained post-construction as it will be the primary management practice for stormwater on site.*
    - a. **Response:** Applicants have included a maintenance schedule as part of the

previously submitted SWPPP.

**12. That the applicant plant species native to central New York wherever possible for the benefit of pollinators, songbirds and other wildlife species and that the proposed conifer buffers be planted with native New York tree species and that all other revegetation of disturbed areas be planted with suitable NY native plant species.**

**a. Response: Agreed. Applicants have already selected species native to Central New York (White Spruce and Norway Spruce). Native seed mixes are also preferred.**

**13. The applicant preparing and obtaining approval of a stormwater pollution prevention plan (SWPPP), including water quality and quantity management for this site both during and after construction, from the Town upon review by the County Soil and Water Conservation District since this project would disturb more than one acre of land.**

**a. Response: Agreed. Applicants have previously submitted a SWPPP for review.**

**14. The applicant filing a Notice of Intent with the NYS Department of Environmental Conservation (DEC) in addition to the preparation of a stormwater pollution prevention plan for the site per the NYS Phase II stormwater regulations and obtaining a NYSDEC Construction Stormwater Permit GP-0-15-002 coverage since this project would disturb more than one acre of land. The SWPPP must meet the current Stormwater Management Design Manual and the Runoff Reduction and Green Infrastructure requirements.**

**a. Response: There is no need to file a Notice of Intent with the NYS DEC since the subject parcel is not in an Agricultural District as determined by NYS DEC. Applicants have submitted SWPPPs.**

**15. That the Town reviews its Agricultural & Farmland Protection Plan to ensure that this proposal conforms to the adopted Plan.**

**a. Response: Applicants appreciate the consideration of prime farmland soils as part of the Planning Board's decision making process, but points out that Town Bylaws grant the Planning Board authority to approve solar projects located on prime farmland soils. Notably, over the past year, the Planning Board has done consistently approved solar projects located on prime farmland soils.**

**16. That the applicant demonstrates through engineering studies and to the satisfaction of the Town that the proposed development will cause no adverse environmental impact that will not be satisfactorily mitigated since portions of the proposed solar development would be on slopes greater than 15%.**

**a. Response: There are no slopes greater than 15% at either project. Applicants have previously provided SWPPPs which, when implemented, will not cause any adverse environmental impacts as a result of stormwater runoff or erosion.**

**17. That all electrical lines for this solar project be installed underground unless the applicant can provide a sufficient explanation to the Town as to why the last 750 ft. of installation of electrical line to Blue Creek Road must be installed above ground.**

**a. Response: Electrical lines leading up to Blue Creek Road must be installed above**

ground as required by National Grid.

*18. That the applicant submits a detailed narrative to the Town for this project including panel height, types of plantings and planting maintenance schedule adjacent to and underneath panels/arrays, a written decommissioning plan/schedule for the project, and if the project will be used as community distributed generation.*

*a. Response: Please find the attached project narrative including a decommissioning plan / schedule.*

*19. That the decommissioning plan includes a financial surety bond in an amount estimated for the cost for removal of all materials upon the facility no longer being in use.*

*a. Response: Applicants typically hire an independent engineer after the issuance of a Special Permit to opine on the financial surety amount. Not, the financial surety amount should be substantially in line with NYSERDA guidelines. Applicants respectfully request the performance of this estimate to be a condition precedent to the issuance of building permits.*

*20. Compliance with SEQR requirements*

*a. Response: Agreed*

Respectfully,

**DELTA ENGINEERS, ARCHITECTS, LAND SURVEYORS, & LANDSCAPE ARCHITECTS, DPC**



Christopher J. Maby, CPESC  
Sr. Project Manager

*Enc.*