



Albany Office

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April 15, 2021

Mr. Tim Reilly, Chairperson  
Town of Glen Planning Board  
7 Erie Street  
Fultonville, NY 12072

Re: Town of Glen  
Borrego Solar Project  
Our Project No. 67-1901

Dear Mr. Reilly:

We are in receipt of the Glare Study dated March 17, 2021, Comment Response letter, revised FEAF part 1, revised Site Use Permit Set, draft SWPPP Report, and the Revised Decommissioning Estimate/Plan dated April 9, 2021. The project involves the construction of a large-scale, ground mounted, solar photovoltaic system that consists of 5 MW AC system with 12,688+/- panels on approximately 19.17 +/- acres of the total 47.64 +/- acres (tax map id 53.3-1-13). Based on a review of the documents, we have the following comments:

#### Glare Study

1. Review of the Glare Study demonstrates that this proposed project will pose limited to insignificant glare impact to motor vehicles and residents due to existing vegetation. However, it appears that some of the screening vegetation is on lands owned by others, not under the control of Borrego. So how does the applicant propose to ensure the screenings will remain in place for the life of the project?

#### FEAF – Part 1

1. All prior comments have been addressed.

#### Site Use Permit Plans

1. We find the signage plan to be acceptable.
2. We have been advised that a Visual Assessment will be provided at the public hearing for comment.
3. C-3.0: The location of the motion sensor light should be shown on the plans.
4. C-3.0/C-4.0: All proposed work should be labeled as such, for example all culverts, dissipation areas, buffer zones, etc.
5. C-4.0: It appears grading will take place along the proposed access road. The proposed contour notation should be added to the legend.
6. C-4.0: Certain line types used in drawings do not seem to have been added to the legend associated with each drawing they are presented in. These include but are not limited to proposed tree line, bold dash-dot-dot line, LV line, MV line, line at the Northern end of site between the existing houses, bold dots (as seen on steep incline to the east of proposed access road), existing and proposed topography, stationing, and culverts.
7. C-5.1: It is understood that a riparian zone will be utilized for managing stormwater for this project. It is understood that no construction will take place to create the riparian zone, however a general detail should be provided in the plans to show the existing properties of the area that will be utilized as such.



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8. Comment by the local fire department should be considered prior to start of work. We received a copy of email correspondence on April 14, 2021 from Greg Gibbons (Borrego) to the Glen FD asking for comments prior to the public hearing.

#### SWPPP

1. The SWPPP states the acreage of the project to be 47.6 acres but the pre and post development stormwater runoff characteristics of the site show that the total acreage of the site is actually 51.54 acres. It is suspected to be that the areas contributing flows to the project site are slightly outside of the property bounds, but this should be clarified, if this is the case.
2. A Riparian buffer is the green infrastructure method of runoff reduction technique proposed to meet some of the stormwater requirements for this project, therefore it will be necessary to ensure this area will not be developed for the lifetime of the solar facility. How can the owner/operator guarantee this as a portion of the riparian buffer area is located outside of the parcel boundaries owned by the owner/operator? The NYS Stormwater Design Manual mentions conservation easements are acceptable.
3. The riparian zone appears to merge with the Class C stream on the adjoining property – is there truly 150' of riparian surface at this point?
4. NYSDEC stormwater management handbook states that riparian zones should avoid being developed along steep slopes, yet the riparian zone proposed at the north eastern end of the site and at other locations along the proposed zone show steep inclines. How does the owner/operator plan on mitigating this incline?
5. Section 3.5 should include more information regarding the need and development of the proposed swales, level spreaders, sheet flow buffers and stone dissipation zones as shown in the plans. This information should discuss how these methods comply with the NYSDEC stormwater management handbook.
6. Spill Prevention and Control Plan section should include the NYSDEC spill hotline phone number.
7. NOI will need to be updated prior to submission to DEC to include:
  - a. Owner/Operator Information:
    - i. Owner/Operator first and last name
    - ii. Contact phone number.
    - iii. Contact email address.
    - iv. Federal Tax ID number
  - b. Project Site Information
    - i. Project site name
    - ii. Project site address
  - c. Question 4: Existing impervious area to be disturbed should be revised – existing impervious area of the site is listed to only be 0.59 acres in the FEAF Part 1
  - d. Question 4: Future impervious area within disturbed area should be revised as the future impervious area identified in the FEAF is 1.52 acres.
  - e. Question 6: Percentage of Hydrologic Soil Groups may have to be revised when acreage of site is revised to match the 47.6 acres outlined in the FEAF and elsewhere.
  - f. Question 7: Project is said to be phased in the SWPPP but said to not be phased in NOI - this should be revised to be consistent.
  - g. Question 8: Anticipated start and end date of project should be included.
  - h. SWPPP Preparer Certification: signature and date



- i. Question 26: Vegetative measures to include seeding and topsoiling.
  - j. Question 27: Planning Practices should not include driveway reduction.
  - k. Question 40: DEC permit needs to be selected.
  - l. Question 41: If federal waters are on site as indicated by FEA, ACOE should be notified and may require a permit.
  - m. Owner/Operator Certification
8. Water Quality Volume Calculations should be updated so the impervious area and total area of the site are consistent with all project materials.

#### Decommissioning Plan

1. The Decommissioning Estimate/Plan provided contains more Estimate than Plan. To be considered a complete Plan, there should be more description of the project in an introduction section, a written scope of the decommissioning work required, and language about establishing the decommissioning fund, in addition to the cost estimates that are already in the Plan.
2. The decommissioning future value of \$237,740.56 is in the typical range we see for this size facility.

#### Conditions of Approval

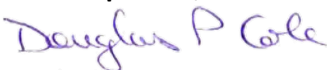
We have prepared the following draft conditions of approval to be considered by the Planning Board at the appropriate time. Additional items may be added upon further review by the Planning Board or based on revised plans or documents from the applicant.

1. Prior to the issuance of site development and/or building permits by the Town of Glen, the applicant shall:
  - a. Receive TDE approval of the final Stormwater Pollution Prevention Plan (SWPPP).
  - b. Obtain a SPDES General Permit for Stormwater Discharges from Construction Activity from the New York State Department of Environmental Conservation (NYSDEC GP-0-15-002).
2. Decommissioning surety to be agreed upon by all parties and provided by owner. Surety to be provided under written agreement with the Town.
3. Decommissioning Cost Estimate to be revised every 5 years by N.Y.S. Licensed P.E.
4. Phase 1A/1B Archeological Survey must be completed by a qualified archeologist and presented to New York State Office of Parks, Recreation and Historic Preservation to evaluate and give approval of work before work may begin. This may require revising answer E.3.e in the Full Environmental Assessment Form.
5. Completion of SWPPP inspections and reporting during construction by a Qualified Inspector.

If you have any questions, please feel free to contact me.

Sincerely,

**KB Group of NY, Inc. dba PRIME AE Group of NY**



Douglas P. Cole, P.E.

Senior Director of Engineering

cc: Gregory Gibbons, Borrego Solar

