



May 9<sup>th</sup>, 2022

Town of Glen Planning Board  
7 Erie Street  
Fultonville, NY 12072  
ATTN: Sandra Hemstreet

**RE: Town of Glen  
NYS Route 5S  
Borrego Solar Project #: 67-1901**

To Whom it May Concern:

We are formally requesting an extension of the Special Use Permit Approval, which is set to expire on July 15<sup>th</sup> without “good cause” or “substantial activity”. As you are aware, we attended the Planning Board meeting on April 21<sup>st</sup> and presented the changes to the site design which have occurred since we received the approval. We have responded to and addressed comments received from Prime Engineering (see below).

Additionally, we are currently working diligently to partner the project with prospective IPP (Independent Power Provider) companies. We are still moving the decommissioning agreement forward with the Town as well. Much of the delay since initial SUP approval has been due to waiting for another round of State incentives through NYSERDA, since the last remaining were exhausted last year while we were still permitting with the Town. They have announced another round of incentives are forthcoming, but they are not available yet and may not be for several more months (exact date is still unknown). We will be in good shape to move the project forward quickly once the incentives are finalized.

This remainder of this document is a response to the Prime Engineering comment letter dated April 21, 2022. The letter was sent to Mr. JD Downing, Chairperson of the Town of Glen Planning Board. The responses to the numbered comments in the letter are as follows.

**Douglas P. Cole, KB Group of NY, Inc. dba PRIME AE Group of NY**

**Comment 1.**

1. The new tree clearing plan (sheet C-2.0) shows about an acre less of tree stumping and cutting than the 6/2021 submission This is an acceptable change.

*Response: Noted.*

**Comment 2.**

1. The originally designed Storm Dissipation Area can no longer be executed due to the presence of a stream where it was expected to flow to and has been removed from the latest drawings. **The SWPPP, dated June 2021, will need to be updated with the new information regarding wetlands in the text and maps, as well as any changes to the stormwater management design and reissued with a revision date.**

*Response: The SWPPP has been revised to coincide with the latest design. Sections 3.2 and 3.5 have updated language discussing the design changes and Section 4.1 has been updated to reflect the latest wetland delineation. The watershed sheets have been updated to reflect the proposed cattle guard, and riprap area. An analysis of the expected flow through the cattle guard was completed using HydroCAD and Hydraflow express to ensure the performance of the cattleguard as a stormwater conveyance method. It was found to be sufficient in size and performance, the supporting reports have been included in Appendix K of the revised SWPPP. The bode*

**Comment 3.**

1. We note the revision to some of the details including retaining wall, pavement section, and riparian buffer profile, which do not affect the previous approvals.

*Response: Noted.*

**Comment 4.**

1. We note the inclusion of detail Saw-cut Cross Section and Sheet C-5.2 which provides additional site protection details. We find these to be acceptable.

*Response: Noted.*

**Comment 5.**

1. The cattleguard and sill details provided are the standard product details per the Big R Bridge company. The applicant should provide a detail on the foundation preparation for the precast sill.

*Response: A foundation detail has been created and included on sheet C-5.1. The disturbance depths are based on our Geotech report recommendations.*

**Comment 6.**

1. The cattleguard crossing product appears that it would expand the width of the wetland at the access road crossing to reduce impacts, however, the detail on sheet C4.0 shows that the wetland under the cattleguard crossing will be filled with rip-rap based on the shading symbol. Is this what is intended and, if so, was this area factored into the total permanent wetland impact?

*Response: The rip rap was counted as disturbance for the wetland permit. The wetland permit also incorporated temporary disturbance associated with installation.*

**Comment 7.**

1. The cattleguard and sill details provided are the standard details per the Big R Bridge company. The applicant should provide a detail on the foundation for the precast concrete sill.

*Response: This is a duplicate of Comment #5, see above.*

**Comment 8.**

1. The applicant should state the permanent disturbance figures for the stone fill, rip-rap and cattleguard crossing on the plans.

*Response: The disturbance amount has been quantified on sheet C-4.0, Inset A.*

Please feel free to contact me if you have any further questions.

Sincerely,  
Borrego Solar Inc.



Gregory Gibbons, P.E.

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