



July 13, 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:

This document is a response to the Prime Engineering comment letter dated June 28, 2022. Additionally, we've provided a status update on the conditions of approval. 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

SWPPP

The SWPPP has been extensively revised due to the site plan changes incorporating the federal wetlands and cattle guard crossing.

1. The page number references are no longer accurate in the Table of Contents due to the additional text added to the body of the SWPPP and need to be updated.

Response: The Table of Contents has been updated to accurately reflect the contents of the SWPPP.

2. Water Quality Management for Water Quality Volumes (WQv) and Runoff Reduction Volumes (RRv) Volumes are proposed to be provided with a combination of open vegetated dry swale with pocket pond, cattleguard weir/wet swale, and sheet flow to natural buffers/filter strips, which are all standard practices accepted by NYSDEC.

Response: Noted

3. Water Volume Management is proposed to be provided by a detention pond (berm construction method) in the northwesterly portion of the site and a pocket pond to the north of the wetland system adjacent to the access road. The summary comparison table of pre-development versus post-development runoff rates for the three design storms (1-yr, 10-yr and 100-yr) shows an overall decrease in post-development runoff rates due to the proposed stormwater management practices employed.

Response: Noted

4. The SWPPP Preparer Certification page in Section 9 will need to be signed and provided to the Town.

Response: Noted. This will be completed and submitted along with the NYS NOI when the SWPPP is finalized closer to the start of construction of the project, as the SWPPP is still in draft form until a contractor is selected and construction dates finalized.

5. NOI comments:

- a. Question 9a should have the “wetland/Federal Jurisdictional On Site” item selected.

Response: The NOI form has been updated.

- b. Question 41 should be answered “yes” as a USACOE wetland permit is required and the size of the impact entered. As per the ACOE letter dated March 9, 2022, the wetland impacts will be authorized under NWP #14.

Response: Question 41 has been answered yes and the total square foot of impact corrected per the ACOE authorization letter.

- c. The Owner/Operator Certification page needs to be completed.

Response: The Owner/Operator Certification page has been updated.

6. Appendix F – the three (3) Phases in the Construction Site Notice do not agree with the four (4) phases called out in Section 3.3 Construction Sequencing.

Response: Appendix F has been updated to align with the phasing called out in Section 3.3.

Site Use Permit Plan Set

No further comments. All prior comments have been addressed.

Response: Noted

Original Conditions of Approval

Below are the conditions of approval that PRIME AE originally recommended for this project.

1. Prior to the issuance of site development and/or building permits by the Town of Glen, the applicant shall 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).

Response: Understood. The SPDES general permit will be applied for and received by the contractor prior to construction and prior to issuance of the building permit.

2. Decommissioning surety to be agreed upon by all parties and provided by owner. Surety to be provided under written agreement with the Town.

Response: Understood. *The decommissioning estimate and surety bond amount was approved by the Town Board on 6/13/22.*

3. Decommissioning Cost Estimate shall be updated every 5 years by a N.Y.S. Licensed P.E. and be provided to the Town for review and approval.

Response: Understood.

4. An approximate fifteen-foot wide vegetative buffer must be retained between the Auriesville Cemetery and the proposed access road and solar panel installation per NYS OPRHP requirements.

Response: Understood. *The existing vegetative buffer to the Auriesville Cemetery will remain. The contractor shall maintain a minimum of 15' to the cemetery fence.*

5. Completion of SWPPP inspections and reporting during construction shall be performed by a Qualified Inspector and submitted to the Town.

Response: Understood. *The contractor will provide a qualified SWPPP inspector to perform all of the inspection duties as stipulated in the SWPPP and SPDES General Permit.*

6. The applicant shall consult with Cornell Cooperative Extension to have an appropriate number of soil samples taken within the project disturbance area to properly define the existing soil conditions through testing, so that such pre-construction conditions of prime agricultural land can be reestablished by the project owner at the time of decommissioning. Test results shall be provided to the Town.

Response: *Cornell Cooperative Extension has been consulted and testing has been performed throughout the site as part of the Geotech explorations and documented in the Geotech Report. Future testing in the same locations will be performed during site decommissioning as documented and approved by the Town Board as part of the decommissioning requirements.*

7. The existing vegetative buffer must be retained in the easterly fifty-foot setback between the subject parcel and the neighboring Friends of Our Lady of Martyrs Shrine, Inc. property.

Response: *The buffer shall be maintained. As shown on the plans, there is no proposed work within the buffer.*

Proposed Additional Conditions of Approval

The three (3) proposed additional conditions of approval from our May 18, 2022 letter have been satisfied.

Response: Noted

We believe we have adequately addressed all the remaining comments which can be answered at this time. As noted above, the final SWPPP details and contact information require a contractor to be in place and will be addressed prior to applying for a SPDES General Permit and the Town Building Permit. Please confirm if there is anything else you require at this time.

Sincerely,
Borrego Solar Inc.



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