

October 16, 2017

Mr. Doug Finch, Town Manager
Town of Canandaigua
5440 Routes 5 & 20 West
Canandaigua, New York 14424

**RE: Cypress Creek Renewables, Aegis Solar, LLC – 5932 Monks Rd
One-Stage Preliminary Site Plan Review
Tax Map No. 153.00-1-72.3000**

Dear Mr. Finch:

Cypress Creek Renewables respectfully submits review memo responses and updated application materials in response to the review of the Aegis Solar project completed by MRB Group on September 10th, 2017. Each written comment is listed below, followed by a response differentiated in **bold**. Responses from TRC Companies are listed where applicable. These responses are submitted in advance of the continuation of the project's Public Hearing scheduled for October 24th, 2017.

1. The Full EAF Part 1 is to be revised to answer all questions, signed and dated by the applicant and resubmitted to the Town.

CCR Response: A revised Full EAF Part 1 is included with the enclosed application update.

2. As the project is located within an Archaeological Sensitive Area, a "No Impact" letter from the State Historic Preservation Office (SHPO) is required to be provided. All correspondences with SHPO should be forwarded to the Town Development office and MRB.

CCR Response: SHPO is currently reviewing the proposed project to assess impact. All correspondence will be forwarded to the Town Development office as it is received. Current agency correspondence status is included in the enclosed SEQR Application Package.

3. The Preliminary Site Improvement Plan (Sheet Z-2), Site Plan for Review (Sheet Z-2C) and Steep Slopes Exhibit (Figure 1) were provided under a different cover from

the 'Preliminary Civil Drawings' drawing set. The above-referenced Plans should be included in the drawing set and the Drawing List should be updated.

TRC Response: Zoning sheets Z-2, Z-2C and Figure 1 -steep slope exhibit) added into Civil Plan set. Sheet list table updated.

4. The Bulk Zoning Table should be updated to reference §220-77.1 (Solar Energy Law) and §220-62.2 (Large Scale Solar Energy Systems). Furthermore, the Table should specify that Large Scale Solar System projects are permitted through the issuance of a special use permit.

TRC Response: Bulk zoning table updated to refer to 220.77.1 (Solar Energy Law) and 220.62.2 (Large Scale Solar Energy Systems)

5. The minimum rear and side yard setbacks within the Bulk Zoning Table should be revised to 30 feet and 20 feet respectively. The setback envelope should be adjusted accordingly.

TRC Response: Bulk zoning table revised to read revised rear and side yard setbacks (30ft, 20ft respectively). Set back envelop adjusted

6. The proposed site access includes the installation of an 18" RCP driveway culvert. This should be identified on the Site Layout & Materials Plan (C-200). Please note that review and approval from the Town Highway Superintendent will be required.

TRC Response: 18" RCP driveway culvert called out on C-200

7. It's unclear how drainage from the pocket pond is going to be conveyed to the roadway drainage swale. Please clarify and update accordingly.

TRC Response: Additional details added to pocket pond which includes outlet and a flow spreader.

8. Please annotate the proposed underground utility connections to the equipment pads. All proposed utilities are to be clearly shown on the plans. All coordination efforts are to be forwarded to the Town Development Office and MRB.

TRC Response: Electrical equipment and wiring will run overhead along utility poles up to the proposed project fence line, at which point it will run underground to the inverter pad and other equipment. The exact

route of the wiring will be shown with the electrical set of construction-level plans prior to building permits.

9. The total leased area (acreage) should be provided and added to the site data table.

CCR Response: As described in the Lease Agreement, the leased acreage for the project will likely be synonymous with the proposed Limit of Disturbance. The lease line will be further refined with construction level plans following zoning approval and prior to building permits.

10. The Town Attorney is to review and approve the Ground Lease Agreement and the Decommissioning Plan.

CCR Response: The Ground Lease Agreement and Decommissioning Plan were submitted for review prior to this application update. A Decommissioning Cost Estimate is included with this application update.

11. An automatically renewing surety /bond for the construction, maintenance, and decommissioning of the solar project shall be submitted by the applicant to the Town of Canandaigua for review and approval by the Town Engineer and Town Attorney. The surety is to be accepted by the Town Board prior to the issuing of building permits.

CCR Response: Cypress Creek will enter into all necessary agreements with the Town.

12. The Planning Board shall also consider a surety to assure proper installation of erosion control measures and the stabilization of the site.

CCR Response: Cypress Creek will enter into all necessary agreements with the Town.

13. Signature lines should be added for the Town Engineer and Highway & Water Superintendent.

TRC Response: Signature lines for Town Engineer and Highway & Water Superintendent added to all sheets

14. The Planning Board will need to discuss how this application complies with the Town's Steep Slope Protection Law. The design engineer should consider providing written notice to the Town Planning Board describing how the proposed application complies.

TRC Response: Following notes and adjustments added to Figure 1 - Steep Slopes Exhibit:

1. The Town of Canandaigua has a Steep Slope Protection Regulation (220-8) requiring steep slope protections on land areas having slopes of 15% or greater. The slope protection areas are categorized as moderately steep - 15% to less than 25%; very steep - 25% to less than 40%, and extremely steep - 40% or greater."
2. The improvements designed to comply with § 220_8 and have been designed to fit the existing natural elements of the site instead of altering the site to fit the development goals.
3. Contours of existing and proposed conditions at vertical intervals of no more than two feet.
4. Temporary roads, driveways, parking areas and pathways, including the widths and slopes of these features.
5. Location of all trees within the proposed project limits that are located in a steep slope protection area with a DBH of six inches or greater and which, if any, of these trees will be cut as part of this project.
6. An overlay of each steep slope category as defined in § 220-8.1(B)(2) of this local law for existing site conditions. (15-25%; 25-40%; and 40 and greater %)
7. Location and description of all existing and proposed, open and closed, drainage features, to include roof drains, footing drains and retaining wall drains, with discharge points identified. Stormwater calculations shall be provided for all existing and proposed culverts or changes to gullies. The applicant will need to document that each of these drainage features can convey the twenty-five-year one-hour storm event.
8. The Planning Board may request cross-sectional profiles of the existing and proposed slopes for projects that disturb greater than 2,500 square feet of a steep slope protection area. The applicant is encouraged to submit three cross-sectional profiles of the existing and proposed slopes if the applicant proposes greater than 2,500 square feet of disturbance in a steep slope protection area to expedite the review process.

15. Please note that Large Scale Solar Energy Systems to be connected to the utility grid shall provide a "proof of concept" letter from the utility company. Please clarify?

CCR Response: A "proof of concept" letter from NYSEG is provided with the enclosed application updates.

16. Since the 'Laydown Yard' will be utilized for the storage and the staging of equipment during construction activities. This should also be shown on the Grading and Erosion Control Plan.

TRC Response: Laydown area included in Grading and Erosion Control Plans

17. A Wetland and Waterbody Delineation Report was provided as part of this application. Was this Report forwarded to ACOE for review? All correspondences with ACOE are to be forwarded to the Town Development Office and MRB.

CCR Response: The Wetland and Waterbody Delineation Report will be submitted to the USACE when the limit of disturbance is finalized. This is part of our request for a No Permit Required determination. Cypress Creek seeks NPRs for all our proposed project sites when we are avoiding wetland features.

18. The Wetland and Waterbody Delineation Report identifies Stream 2 (S-2) as a USACE Jurisdictional stream, however, the Plans identify S-2 as 'Non-Jurisdictional Stream'. Please clarify.

TRC Response: Stream S-2 identified as USACE Jurisdictional Stream.

19. The Hydrologic Soil Table should be updated to include 24C - Howard gravelly loam, 8 to 15 percent slopes; Soil Group A.

TRC Response: Soil 24C-Howard gravelly loam added into Soil Table and referred on the map.

20. The Demolition Plan should be updated to include discussion on the ditch/stream. Will the ditch remain or be filled in?

TRC Response: Ditches and streams are not to be filled. A note is included on the C-150 Existing Site Conditions and Demolition Plan. A note was added into the General Notes Section.

21. The Laydown Yard, which will provide as the construction staging area, should provide perimeter silt fencing along the southern and western sides of the area.

TRC Response: Silt fence added around laydown area.

22. How will the proposed laydown yard area and concrete washout area be access during construction? It appears as though these access points will be over the diversion swale and primary runoff areas to the proposed pocket pond.

TRC Response: Laydown silt fence added accordingly. These details are discussed further in the updated SWPPP.

23. A detailed construction sequence should be provided to include the detailed steps for installation of the roadside diversion swale, pocket pond and erosion control measures. A detail should be provided for the concrete washout area.

TRC Response: Laydown, stock pile and concrete wash out areas moved accordingly and details added. Construction sequence is discussed further in the updated SWPPP.

24. More details for the access drive diversion ditch are needed, such as propose □ contours, materials, utilization of check dams, etc. Please update the Legend to provide a check dam symbol.

TRC Response: Additional details (contours, materials, check dams etc.) for access drive diversion ditch provided.

25. The Landscaping Plan 'General Notes' should reference that the minimum. caliper for proposed tree plantings are 2 ½".

TRC Response: A note added under General Notes stating that proposed three plantings shall be a minimum 2.5" caliper size.

26. The Shrub Planting and Native Tree Planting Details should be replaced with the details provided in Appendix FF of the Town of Canandaigua Site Design and Development Criteria.

TRC Response: Landscaping plan revised to incorporate tree planting details provided in Appendix EF of Town of Canandaigua.

27. It appears that the project will have more than 5 acres disturbed at a time. If the project cannot be phased, a waiver from the Town of Canandaigua will be required.

TRC Response: The project phasing/sequencing plan is devised to limit disturbance areas less than 5 acres at a time.

28. The Town requires enhanced phosphorus removal for projects within the Canandaigua Lake Watershed. The proposed stormwater management facilities shall be designed to meet the criteria of Chapter 10 of the NYS Stormwater Management Design Manual.

TRC Response: NYS Stormwater Management Design Manual Chapter 10 Enhanced Phosphorous Removal Guide followed in the Stormwater management system.

29. The SWPPP shall verify that the pocket pond geometry and benching is consistent with the criteria of Chapter 6 of the NYS Stormwater Management Design Manual.

TRC Response: Pocket pond slopes are 4:1 so that no safety shelf is required. Pocket pond grading is consistent with Chapter 6 and incorporated into relevant sheets of Civil Set and SWPPP figures.

30. The SWPPP shall contain a grading plan that demonstrates that the stormwater management facility can be constructed where proposed and receive runoff from the driveway for treatment.

TRC Response: Pocket pond grading that demonstrates its constructability is incorporated into relevant sheets of Civil Set and SWPPP figures.

31. The stormwater modeling shall be revised to acknowledge and quantify the flow rate through the cross-culvert on Monks Rd in both the pre-and post-development condition. A stormwater management facility may be necessary prior to discharging stormwater from the site to this culvert.

TRC Response: Results for design point 1, which is established on Monks Road at the exiting culvert location, between pre and post models show reduced flow rates from the site. In addition, the land use model as meadow as required by NY stormwater design manual is included. The proposed development establishes meadow, which will lead to further reduction than what the model shows.

32. A Stormwater Maintenance Agreement between the owner/operator and the Town for the longterm operation and maintenance of the stormwater management facilities.

CCR Response: Cypress Creek will enter into the required Stormwater Maintenance Agreement prior to zoning approval for the proposed project.

33. The SWPPP shall contain a letter of "No Impact" from the NYSHPO, which shall be provided prior to project approval.

CCR Response: The NYSHPO is currently reviewing our project to determine impact. All correspondence will be provided to the Planning Board as it is received. Current agency correspondence status is included in the enclosed SEQR Application Package.