NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5400 I F: (585) 226-2830
www.dec.ny.gov

Facility: Norris Property
5540 Wells Curtice Road
Town of Canandaigua, Ontario County
NYSDEC Permit # 8-3224-00468/00002

Important Notice to All Permittees

The permit you requested to install approximately 700 square feet of solar panels mounted on 16 helical piers and bury approximately 285 feet of conduit in a trench that is 2 feet deep and 1 foot wide extending from the solar panels to the residence is enclosed. These activities will be located within the 100 foot adjacent area of NYSDEC Freshwater Wetland CL-11 and must be installed in accordance with the plans referenced in Natural Resources Condition Number 1.

Please read the permit carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. **Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.**

Please note the expiration date of the permit. If you need additional time to complete your project, you must submit your request, in writing, prior to expiration of the permit. Provide an explanation of why additional time is needed and how much additional time you are requesting. Applications for the permit re-issuance must be made in advance of the expiration date. Please refer to the general conditions listed in the permit for specific instructions. The permit ID #(s) listed above should be referenced on all correspondence related to this permit and any future applications for permits associated with this facility or project.

If you have any questions on the extent of the work authorized or your obligations under the permit, please feel free to contact me at (585) 226-5402 or jennifer.kurilovitch@dec.ny.gov.

Sincerely,

Jennifer Kurilovitch
Environmental Analyst

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SCOTT NORRIS
5540 WELLS CURTICE RD
CANANDAIGUA, NY 14424

Facility:
NORRIS PROPERTY
5540 WELLS CURTICE RD
CANANDAIGUA, NY

Facility Location: in CANANDAIGUA in ONTARIO COUNTY
Facility Principal Reference Point: NYTM-E: 310.26 NYTM-N: 4743.063
Latitude: 42°48'59.8" Longitude: 77°19'15.3"
Project Location: North side of Wells Curtice Road between State Route 21 and Johnson Road
Authorized Activity: Install approximately 700 square feet of solar panels mounted on 16 helical piers in an active agricultural field. Approximately 285 feet of conduit will be buried in a 2 foot deep, 1 foot wide trench extending from the solar panels to the residence. The solar panels and conduit will be located within the 100 foot adjacent area of NYSDEC Freshwater Wetland CL-11, a Class 3 wetland.

Permit Authorizations

Freshwater Wetlands - Under Article 24
Permit ID 8-3224-00468/00002
New Permit Effective Date: 2/16/2016 Expiration Date: 12/31/2018

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: THOMAS P HALEY, Deputy Regional Permit Administrator
Address: NYSDEC Region 8 Headquarters
6274 E Avon-Lima Rd
Avon, NY 14414

Authorized Signature: Scott E. Haley Date 02/16/2016
REGIONAL PERMIT ADMINISTRATOR

JK

Distribution List

H. Scott Norris, Applicant

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Site Plan
Notice of Intent to Commence Work
Permit Sign

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by H. Scott Norris and were received by the Department on January 5, 2016 (Attachment A) and Zilla Ground Mount Systems standard detail sheets for Zilla Helical Piers received by the Department on January 5, 2016 (Attachments B and C).

2. **Notice of Intent to Commence Work** The permittee shall submit a Notice of Intent to Commence Work to Bureau of Habitat at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of work.

3. **Work Within Area Depicted on Plans** All construction activity, including operation of machinery, excavation, filling, grading, clearing of vegetation, disposal of waste, street paving and stockpiling of material must take place within the project site as depicted on the project plans referenced by this permit. *Construc*tion activity is prohibited within areas to be left in a natural condition or areas not designated by the subject permit.

4. **Prior Approval of Changes** If the Permittee desires to make any changes in construction techniques, species to be planted, the site plan, any mitigation plan, scheduling or staging of construction, or any other aspect of this project, the Permittee shall submit a written request to the Regional Permit Administrator to make such proposed changes and shall not make such changes unless authorized in writing by the Department.

2-16-16

5. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

6. **Maintain Benchmarks for 1 Year after Expiration** Benchmarks, which are objects or structures used to define the location or limits of the activity subject to the permit, are designated on the attached sketch. All objects or structures so designated shall be left in place for a period of at least one year following the expiration date of this permit.

7. **Disposal of Material** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of on an approved upland site more than 100 feet from any regulated freshwater wetland. These materials shall be suitably stabilized so as not to re-enter any water body, wetland, or wetland adjacent area; and must be disposed of in accordance with all local, state, and federal statutes, regulations, or ordinances.

8. **Seed, Mulch Disturbed Areas** Within five days of final grade completion, and no later than the permit expiration date, all bare, exposed fill shall be top dressed with soil, seeded, and mulched. Mulch shall be maintained until a suitable vegetative cover is established to the Department's satisfaction.

9. **Seed, Mulch Disturbed Areas** If seeding is impracticable due to the time of year, a temporary mulch shall be applied within 5 days and final seeding shall be performed at the earliest opportunity when weather conditions favor germination and growth; but not more than six months after project completion and no later than the permit expiration date.

10. **Establish Vegetation** Permanent vegetation must become successfully established to the Department's satisfaction prior to the permit expiration date. If vegetation fails to successfully establish, the area must be replanted until successful vegetation establishment is achieved.

11. **Minimize Adverse Impacts to Wetlands, Wildlife, Water** All work must be performed in a manner which minimizes adverse impacts to wetlands, wildlife, water quality and natural resources.

12. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

13. **State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

14. **State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of

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Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

15. **State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. **Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. **Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. **Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 8 Headquarters
6274 E Avon-Lima Rd
Avon, NY14414

4. **Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands.

5. **Permit Modifications, Suspensions and Revocations by the Department** The Department

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reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

a. materially false or inaccurate statements in the permit application or supporting papers;

b. failure by the permittee to comply with any terms or conditions of the permit;

c. exceeding the scope of the project as described in the permit application;

d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification
The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the

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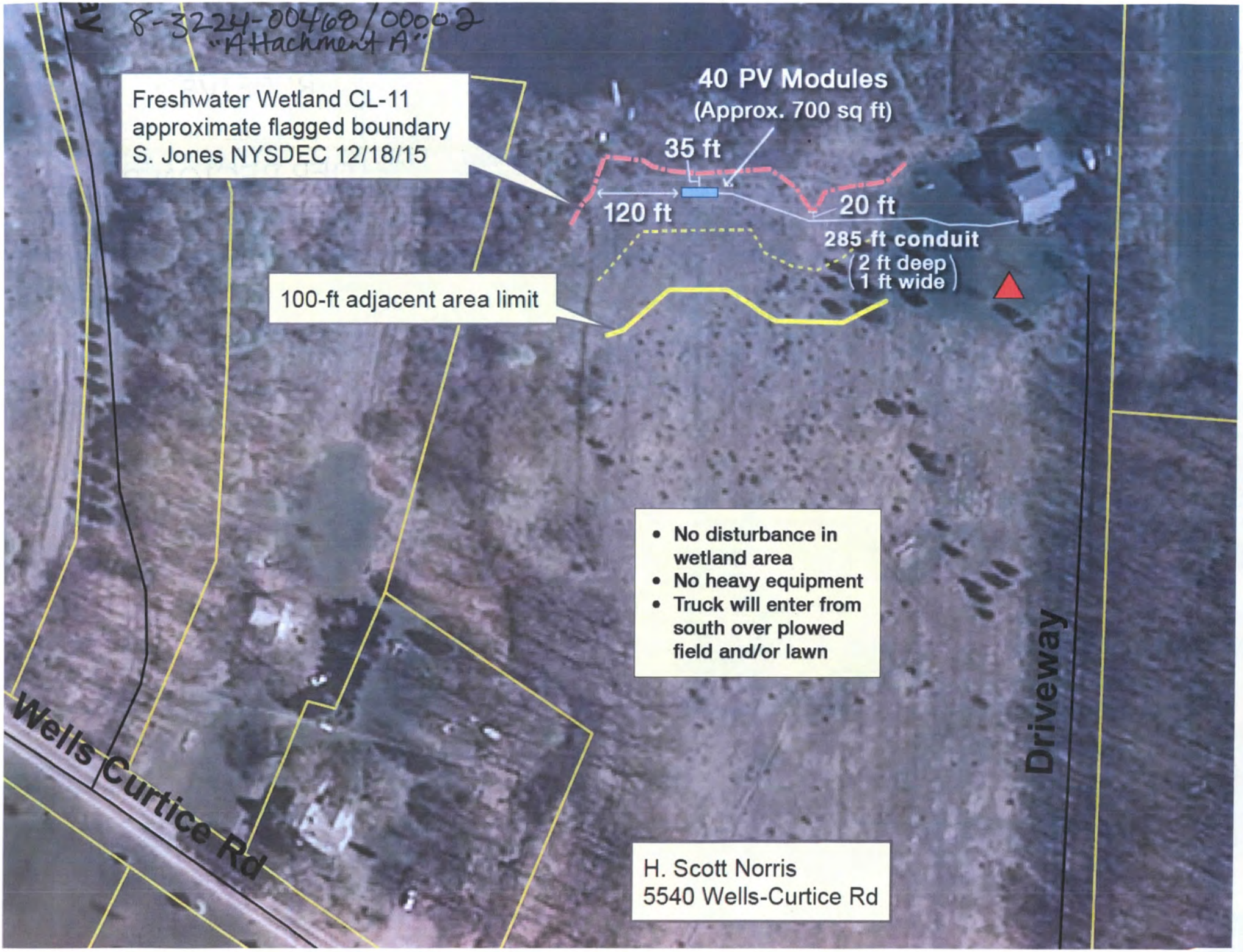
riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

2-16-16


8-3224-00468/00002
"Attachment A"
Freshwater Wetland CL-11
approximate flagged boundary
S. Jones NYSDEC 12/18/15
40 PV Modules
(Approx. 700 sq ft)
35 ft
120 ft
20 ft
285 ft conduit
(2 ft deep
1 ft wide)
100-ft adjacent area limit
• No disturbance in wetland area
• No heavy equipment
• Truck will enter from south over plowed field and/or lawn
Wells Curtice Rd
Driveway
H. Scott Norris
5540 Wells-Curtice Rd

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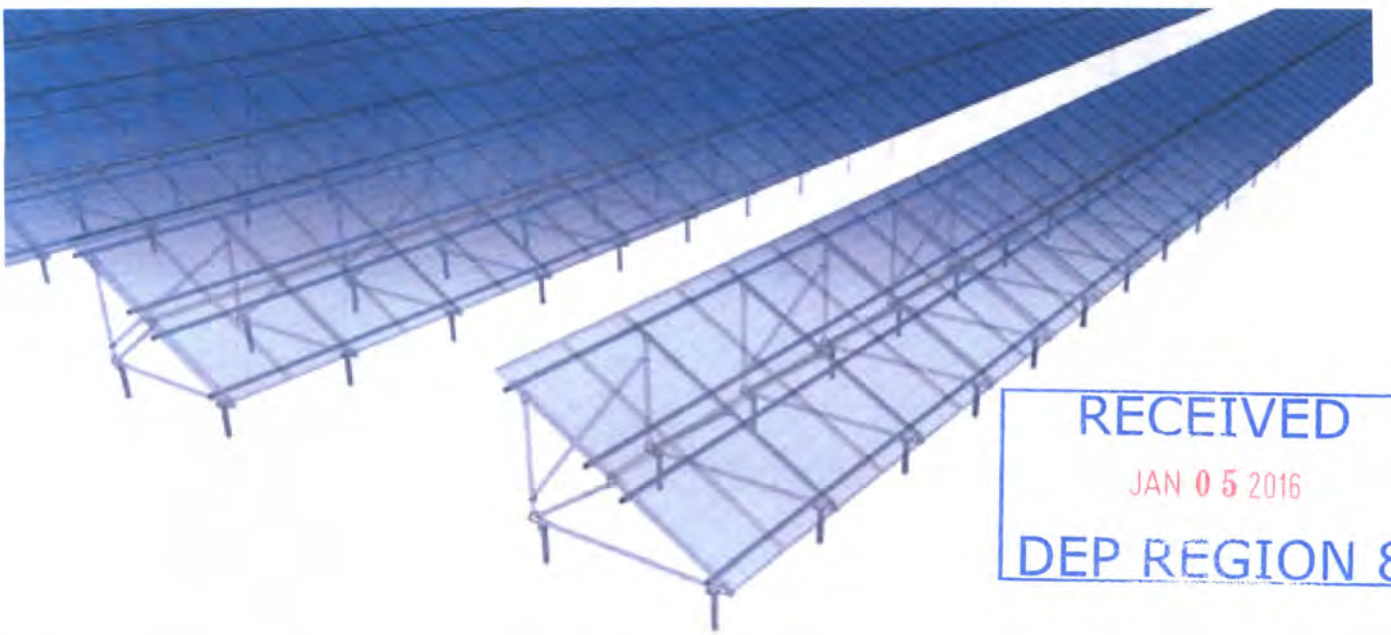
JAN 05 2015
DEP REGION 8

8-3224-00468/00002
"Attachment B"

Zilla® Ground Mount Systems

Overview

Zilla® Ground Mount Systems are designed for maximum strength, versatility and cost savings. Large or small, when using Zilla® Helical Piers and Zilla® Pre-fabricated Truss System, there is simply no faster and easier way to install a ground mount system.



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JAN 05 2016
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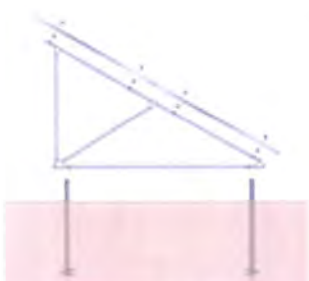
Zilla® Helical Piers

Zilla® Helical Piers provide a secure foundation that installs quickly and is immediately ready for field adjustment and attachment of Zilla® Pre-fabricated Trusses. Using locally sourced compact excavators, skid steer, or other equipment with rotational downward force, each Zilla® Helical Pier can be installed in less than a minute saving you time and money. Made out of galvanized steel, Zilla® Helical Piers work best in non-rocky soil types and will not auger into bedrock or soils containing large rocks.

VIEW INSTALLATION VIDEO

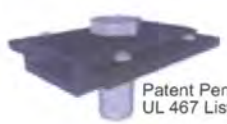
Zilla® Pre-fabricated Truss System

Zilla® Pre-fabricated Truss System can be customized to meet site specifications and arrives to your site ready for installation on the foundation of your choice. Simply add cross rails and modules and your project will be completed sooner than you expected.



Zilla® Top Clip

The Zilla® Top Clip provides secure module attachment to rails as well as integrated grounding in one simple component. The Top Clip is UL 467 listed and offers 650A of module-to-module and module-to-rail grounding when used in a Zilla® ground mount system. Although the Zilla® Top Clip is used in most systems, other module attachment options may be necessary in some custom installations.



Patent Pending
UL 467 Listed

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8-3224-00468/00002
"Attachment C"

Zilla® Ground Mount Systems

Overview Continued

Zilla® Pre-fabricated Trusses ship fully assembled for a faster and more efficient installation regardless of foundation type.

Pre-fabricated trusses for a 500 kW array can be shipped on a single flatbed semi trailer saving time and money before installation even begins.

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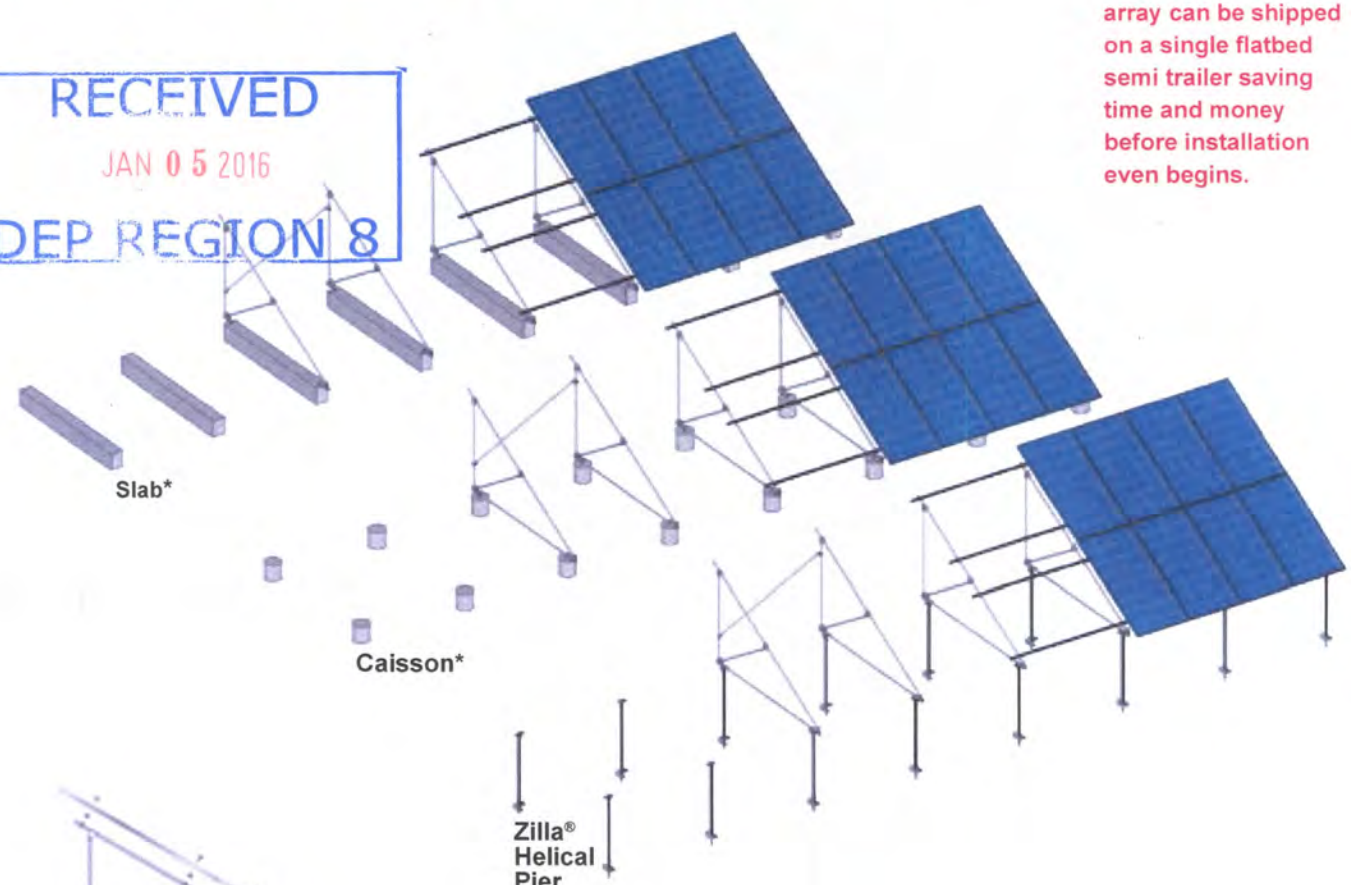

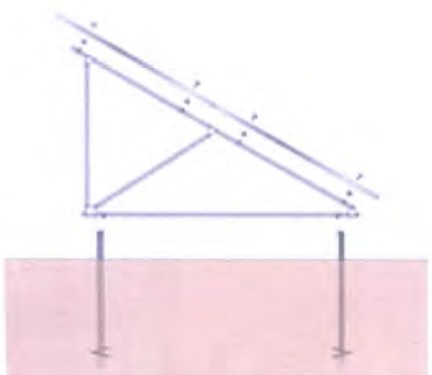

When using Zilla® Helical Piers and Zilla® *Pre-fabricated* Truss System, there is simply no faster and easier way to install *a ground mount system.*

VIEW INSTALLATION VIDEO

1 Set foundation

2 Install Pre-fabricated trusses

3 Add cross rails

4 Install modules

*Not provided by Zilla®

Zilla® So Simple It's Scary℠
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New York State
Department of Environmental Conservation

NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Tom Haley

585-226-5393

Permit Number 8-3224-00468/00002

Expiration Date 12/31/2018

NOTE: This notice is **NOT** a permit

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Divsion of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5400 I F: (585) 226-2830
www.dec.ny.gov

NOTICE OF INTENT TO COMMENCE WORK

Date: _____

NYS Department of Environmental Conservation
Bureau of Habitat
6274 East Avon-Lima Road
Avon, NY 14414

Re: DEC Permit No. 8-3224-00468/00002

In accordance with Condition # 2 of the referenced permit, I hereby serve notice to commence work on or about _____, 20___. Notice of project completion will be submitted within one week after termination of all work.

This is also to certify that, having read in entirety the permit, I am fully aware of and understand the general, supplemental and special conditions, and agree to comply in all respects to those requirements. I further understand that prior to undertaking any modification to the authorized project, I must seek and receive the written approval of the Regional Permit Administrator.

_____
Signature of Permittee

_____
Signature of Contractor (if any)

_____
Contractor's Address

_____
Contractor's Telephone Number

_____
Signature of Landowner(s)

WARNING

The Permittee and the contractor (if any) are required to follow all permit conditions. Violation of permit conditions may lead to legal action, including the imposition of substantial monetary fines and corrective work.

Attention Permittee and/or Contractor: Please fold as noted on the back and return.

(Fold #2)

Place
Stamp
Here

NYS Department of Environmental Conservation
Attn: Bureau of Habitat
6274 E Avon-Lima Rd
Avon NY 14414

(Fold #1 – Staple here)