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January 23, 2017

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

RE: COMMUNITY SOLAR GARDEN - 4575 NORTH ROAD
SITE PLAN REVIEW
TAX MAP NO. 57.00-1-21.113
CPNN 0. 059-16
MRB PROJECT NO.: 0300.12001.000 PHASE 96

Dear Mr. Finch:

This letter is in response to the MRB review letter dated January 16, 2017 regarding the above referenced project. We offer the attached revised plans dated 1-22-2017 and the following responses for the Planning Board's consideration. We have offered a brief written response to each MRB comment, which are shown in a blue font below each of the MRB comments:

1. As per the Town of Canandaigua Town Code § 107-5, the following note is to be added to the plans:

This property may be near a farm, as defined in the New York State Agriculture and Markets law, §30 1, Subsection 11. Sound farming practices may generate dust, odor, smoke, noise, and vibration.'

The previous "Right to Farm" note on the drawings has been removed and the above note substituted in its place on drawing ST-1.

2. The site plans reference GIS BASE PHOTO & LIDAR' but do not appear to be based on an actual field survey performed by a licensed surveyor, and are not referenced to any property boundary/monumentation. Therefore, an instrument survey of the subject property including all monument locations, contours and elevations, who it was surveyed by and when it was completed is to be completed.

A copy of the original property boundary survey has been previously submitted to the town, and the updated property survey was done on September 6, 2016 which is dated and sealed by Brian Klump, a licensed land surveyor. The lidar contour mapping used is

accurate and more than adequate to meet the project requirements, as there will be no general site grading or modification of the natural contours, no elevation-critical utilities being installed (i.e., sewer mains), and no alteration of the present site drainage patterns. Lidar mapping is used effectively by many private and public agencies for everything from flood mapping, roadway designs, stormwater management projects, land planning, up to and including utility designs. The use of this data is more than adequate for this planning and development of this project.

3. Site data information including zoning district and setbacks should be added to the site plans.

The AR-1 Zone information has been added to the plans. The front setback requirement is 60ft, and we provide 450ft front setback from Andrews Rd. and 275ft front setback from North Rd. The rear setback requirement is 40ft and we show a 40ft rear setback. The side setback requirement is 30ft and we show a 30ft side setback along the east side property line and a 40ft side setback along the SW side property line. Please see sheet ST-1 for these notes.

4. Will the proposed 3.3 acres of the ground mounted solar array system be leased to Graystone CMS? The leased area should be delineated on the plans and associated acreage provided.

The project area will be leased to YSG Community Solar LLC, as per the copy of the lease previously submitted to the Town. The area has now been noted on the plans, which is the area of the perimeter fence and 10ft beyond, which is 10 acres. See sheet ST-1.

5. A cross access easement may need to be provided over the proposed 10' gravel driveway providing legal access to the solar arrays. Also the "new electrical easement" is to be depicted on the plans.

The new electrical easement was previously noted on the plans. The driveway is now included as an access easement on the updated ST-1.

6. Legal descriptions and easement maps for the cross access easement and proposed electrical easement are to be provided to the Town Development Office and MRB.

The access easement and electrical easement descriptions and legal descriptions are to be submitted prior to any construction.

7. The Site Plan and Erosion and Sedimentation Control Plan references a "450 ft. min. setback from Andrews Road", while the Disturbance Plan references a "400 ft. min. setback from Andrews Road". The plans should be consistent and updated accordingly.

The reference notes have been corrected to be consistent at 450ft. on the referenced ST-5 drawing

8. Will a gate be provided at the end of the gravel driveway in vicinity of the transformer and generator to provide access to vehicles for maintenance purposes? Is any site lighting being proposed? Please clarify.

There will be a fence gate and 6' chain link fence at the end of the driveway and surrounding the interface and switch gear. This is noted on the project drawings, sheet ST-1. There will not be any site lighting.

9. Please clarify what the 18' x 18' squares represent that are shown on the disturbance plan (ST-5) located around the perimeter of the project area?

The squares referenced are the standard symbol for referencing fences, and have to be that size to be visible on the drawings. If they were plotted at the actual size (6" diameter+/-) they would not be visible and the fence line would look like any other on the drawing. Please see the legends on sheets ST-4 and ST-5.

10. All proposed topsoil stockpile areas are to be depicted on the erosion and sediment control plans. Perimeter protection is also to be provided.

There will be no permanent topsoil stockpiles per say. The only soil disturbance to be performed will be for the access driveway, and stripped topsoil will be redistributed along the sides of the drive and in the small temporary pile shown on sheet ST-5. Silt fencing and perimeter protection will be provided as shown on the plans and as detailed on the Erosion and Sediment Control sheets ST-3 and ST-4.

11. The clearing limits and limits of disturbance boundaries should be clearly delineated on the plans. The total disturbance area should be updated to include the installation of the perimeter fencing and topsoil stockpile areas.

Clearing limits and cable trenching are presently shown on Drawing ST-5. Earlier submittals to the Town included a colored version of this drawing, but the Town requested that all drawings to be black and white only. The disturbance area has been updated to include the 6" fence posts, which will be driven into the ground.

12. The applicant should keep in mind that the proposed area of disturbance is .75 acres of land. If disturbance exceeds 1-acre or more, coverage under NYS DEC SPDES General Permit GP-0-15-002 and a Notice of Intent will be required. A note should be added to the plans.

The applicant is aware of the NYSDEC permit requirements, and disturbance will be kept to less than acre. A note to this effect has been added to sheet ST-5.

13. The proposed 4' wire mesh perimeter fence located along the southwestern portion of the site appears to encroach in to wetland delineation boundary

prepared by T.E.S. The total disturbance area proposed to the identified wetlands should be labeled on the plans and approval from NYSDEC and/or Army Corps of Engineers (ACOE) provided. All correspondences with NYSDEC and ACOE are to be forwarded to the Town Development Office and MRB.

The project and fencing will not encroach on the delineated wetlands. The boundaries have been clearly marked in the filed by TES, and surveyed by a licensed land surveyor. The plans also have several notes indicating that wetland disturbance shall be avoided. No wetland disturbance is required for this project, and the USACOE have indicated that no permit is required if the wetland areas are avoided. A copy of the pertinent correspondence from Steven Metivier, Chief, NY Application Evaluating Section, USACOE was previously submitted. If the project required wetland disturbance, we would be required to submit for a disturbance permit.

14. A Wetland Delineation Report was provided as part of this application and appears to have been forwarded to ACOE for review. Has a Jurisdictional Determination been provided by the ACOE?

See the answer to #13 above. A Jurisdictional Review is not required if there is no disturbance contemplated.

15. Check Dam and Grass/Vegetated Swale details are provided on Sheet ST-4, however, not identified in the Erosion and Sedimentation Control Plan. These areas are to be identified on the plans or removed if not being proposed.

This detail sheet (ST-4) is a standard sheet – the details have been removed for this project.

16. The 'Temporary Sediment Traps' notes and 'Key' should be removed from the Erosion and Sedimentation Control Plan.

The referenced note and key reference have been removed – see sheet ST-3.

17. The details provided on the plans are difficult to read and should be replaced.

The details have been darkened and enhanced for more clarity.

Please contact me if there is additional information or clarification needed.

Very truly yours,

TIMOTHY C. BUHL, P.E.



Timothy C. Buhl, P.E.

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