

# **TIMOTHY C. BUHL, P.E.**

**35 Fire Lane 24  
Auburn, NY 13021  
(607) 423-1919**

February 8, 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 February 2, 2017 regarding the above referenced project. We offer the attached revised plans dated 2-08-2017 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. Site data information including zoning district and setbacks should be added to the site plans.

Completed and noted per previous response letter dated January 23, 2017.

The AR-1 Zone information was added to the previous submittal, and is also shown on this revised submittal. 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.

2. 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.

Completed and noted per previous response letter dated January 23, 2017.

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 was previously noted on the pervious submittal, which is the area of the perimeter fence and 10ft beyond, which is 10 acres. Please see sheet ST-1.

3. 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.

Completed and noted per previous response letter dated January 23, 2017.

The new electrical easement was previously noted on the plans. The 14' (not 10') driveway was included as an access easement on the updated ST-1.

4. 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.

Noted per previous response letter dated January 23, 2017.

As referenced last month, the access easement and electrical easement descriptions and legal descriptions are to be submitted prior to any construction

5. 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.

Completed and noted per previous response letter dated January 23, 2017.

As previously referenced, 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 was noted on the last submittal of the project drawings, sheet ST-1. There will not be any site lighting.

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

Completed and noted per previous response letter dated January 23, 2017.

As previously indicated, 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 has been shown on the plans and as detailed on the Erosion and Sediment Control sheets ST-3 and ST-4.

7. The clearing limits/limits of disturbance boundaries should be clearly delineated on the plans for all proposed areas.

Completed and noted per previous response letter dated January 23, 2017.

Clearing limits and cable trenching were previously 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 was updated earlier to include the 6" fence posts, which will be driven into the ground.

8.

8. 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-O-15-002 and a Notice of Intent will be required.

Completed and noted per previous response letter dated January 23, 2017.

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

9. The legend and Key located on Sheet ST-3 depicts different symbols for silt fence. Please update the plans accordingly.

The Legend Key has been updated as per this comment.

10. 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 anticipated wetland disturbance is to be identified and labeled on the plans. Coordination with NYSDEC and/or Army Corps of Engineers(ACOE) is to be provided. All correspondences with NYSDEC and ACOE are to be forwarded to the Town Development Office and MRB.

Completed and noted per previous response letter dated January 23, 2017.

As stated in our previous review response, the project and fencing will not encroach

on the delineated wetlands. The boundaries have been clearly marked in the field 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.

11. 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?

Noted per previous response letter dated January 23, 2017.

See the answer to #9 above. As indicated in our last response, a Jurisdictional Review is not required if there is no disturbance contemplated

12. The plans should clearly depict the proposed landscaped areas. A landscaping schedule is to be provided identifying each specie, quantity, and size.

The Landscaping Schedule has been added to Sheet ST-2 as per this comment.

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

Very truly yours,  
**TIMOTHY C. BUHL, P.E.**

A handwritten signature in dark ink, appearing to read 'Timothy C. Buhl', written in a cursive style.

Timothy C. Buhl, P.E.