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March 26, 2020

Town of Goshen Planning Board
Town Hall
41 Webster Ave.
Goshen, NY 10924

Attn: Chairman Bergus

Re: Forefront Power LLC - Varano Solar
Proposed 5MW Solar Farm Located at 270 & 276 Maple Ave
Site Plan and Special Use Permit Applications

Dear Chairman Bergus:

On behalf of our client, Forefront Power LLC, enclosed please find a supplemental submission related to Forefront's site plan and special use permit applications to allow for the construction of a proposed 5MW large-scale solar farm development located at 270 & 276 Maple Ave in Goshen, NY (the "Project Site"). Enclosed please find the following materials in support of this application:

1. Responses to Public Hearing Comments and Town Engineer's comment letter (herein),
2. Revised Project Plans,
3. Revised Decommissioning Plan,
4. Project parcel deeds,
5. NYSDEC' email correspondence in response to State Wetlands,
6. USACE letter regarding wetlands,
7. Owners endorsements,
8. Data "cut sheets" for proposed solar panel materials,
9. Information on wiring raceways,
10. Information on battery specifications,
11. SHPO Letter of No Effect
12. Ag Data Statement (submitted under separate cover letter).

We look forward to meeting with the Planning Board in April to continue our conversation about the project. In the meantime, should you have any questions or require any additional information concerning this project, I can be reached at 518-459-3252.

Thank you for your consideration.

Sincerely,

MASER CONSULTING P.A.

Daniel Farnan, PE, CPESC, CPSWQ Associate/Project
Manager

cc: Supervisor Bloomfield & Town Planning Dept.





SELECT RESPONSES TO PUBLIC HEARING QUESTIONS/COMMENTS

1. Response to PB Member Giovanni Pirraglia - Concerning Above ground Conduit for sections of the proposed solar field over designated SHPO areas:
 - a. Attached, please find information concerning aboveground raceways used on other solar projects where DC-wiring cannot be placed under the ground. Please note, this technology has been used in the Northeast on locations such as Solar on Landfills, where trenching is prohibited. Also, please note some of the pictures show solar panels on concrete ballast foundations. That type of foundation is not proposed for this project.

2. Response to PB Member Cynthia Hand – Concerning grass species to be planted:
 - a. The grass species selected for use consist of 4 types of Fescue, Kentucky Bluegrass and Perennial Rye. All species are native grasses to the Northeast, and are some of the most common grass types found throughout New York. These grass seed mixes will only be used where the ground is disturbed and requires re-seeding on this project. Otherwise, the natural grasses currently on the Varano and Parsoon parcels will remain. Existing grasses are annually harvested for hay and/or used for foraging livestock. None of these grass types, both existing and new, pose a threat to soils. They are all naturally growing in the area and chosen for their low-maintenance properties. Further:
 - i. According to the USDA, “Perennial ryegrass is a valuable forage and soil stabilization plant” (https://plants.usda.gov/plantguide/pdf/pg_lopep.pdf)
 - ii. According to the Cornell Cooperative Extension, Kentucky Bluegrass “is the species best adapted to New York State Conditions” (*Cornell Cooperative Extension Bulletin 185 Rev – Lawn Establishment and Maintenance - For New York*)
 - iii. According to the Cornell Cooperative Extension, Fescues “are excellent low-maintenance grasses...” (*Cornell Cooperative Extension Bulletin 185 Rev – Lawn Establishment and Maintenance- For New York*)

3. Response to PB Member Phil Dropkin – Concerning the Decommissioning Plan.
 - a. The previously submitted Decommissioning Plan has been revised and a new version is attached. The “Landscape removals” previously referred to were for tree plantings around the proposed Battery Pad. Those trees around the pad shall now remain.



4. Public Comment referring to tree plantings along the rear for Parsoon property. Further, Supervisor Bloomfield suggestion for the applicant meet with the concerned neighbor to discuss the issue.
 - a. Forefront Power spoke with the member of the public, a neighbor to Mr. Parsoon, who stated this concern. The proposed plans have made an allowance for tree plantings along the rear property line of the Parsoon Parcel to address the issue.

5. Response to Zoning or Town Board Member – Concerning batteries, what they look like inside the container and do they contain liquid like a car battery.
 - a. Attached are some illustrations of battery modules and racking within proposed steel containers. Each individual solid cell battery, much like the same battery technology found in a cell phone, is housed withing battery modules measuring 14.5”x 25”x6.5” (W x L x H). The modules are contained in 34”x 27”x 63”racking. Multiple racks are contained inside the 8-ft x 40-ft x 9-ft metal containers. The batteries contain no liquids.



RESPONSE TO TOWN ENGINEER'S COMMENTS

1. Zoning
 - a. No Comment
 - b. Maser Consulting submitted a Noise Study for the project to the Town's Engineer and Legal Counsel on February 3, 2020. There are no expected odors to be associated with proposed equipment. The project SWPPP includes standard information on dust control during construction.
 - i. A note has been added to plans that requires the contractor to submit their construction noise plan to the Building Department at the time of construction.

Please note, the tracker detail previously shown on plans has been revised to a "Fixed Tilt" system.
 - ii. The increased truck traffic will only occur during a 3-4-month period during construction. Temporary Work Zone Traffic Controls (Warning Signs) will be placed in according with County and MUTCD standards to warn traffic of entering trucks during construction. Details will be added to plans after the County has reviewed and approved proposed controls.
 - iii. It is our understanding that the Town has circulated project plans with required EMS/Fire officials and that no comments were received. Maser will issue letters to EMS/Fire officials to confirm they have no comments.
 - c. Public Hearing was held in early March 2020. No further comment.
 - d. The flood plain is noted on the plans. Please look for the 100-year flood plain line on the northern most corner of the Parsoon Property. The linetype is noted in Legends on plans.
 - e. The Scenic Road Corridor is now shown on plans. All solar panels are located outside of this area. Landscaping is proposed along select areas where the site may be viewable from Maple Ave. Please see revised plans.
 - f. The project is seeking variances with the ZBA regarding the 100-ft setback lines.
 - g. Supplementary Regulations



- i. A Slope analysis was submitted in July 2019 for the Town's consideration. There are minimal areas in the array affected by the limitation on 15% slopes. Panels have been removed from these areas. Please see revised plans, in particular sheet C-102 where gaps in panel rows are shown.

The NYSDEC provided information on Threatened and Endangered Species in their November 8th, 2019 letter to the Planning Board. There is no tree clearing proposed as part of this project that could potentially affect the two listed species of Bats. The Northern Harrier is not located near the project and no impacts are anticipated. No further study of habitat has been conducted.

NYSDEC's Michael Fraatz sent an e-mail to Maser Consulting on March 23, 2020 stating an Article 24 permit is not required for disturbance to the wetland or 100' from the wetland. (Attached)

The ACOE issued an October 31st, 2019 letter stating no wetland permitting is required for the project. (Attached)

- ii. No free-standing trees or trees in any location are planned for removal on this project. No tree clearing limits are shown on plans.
- iii. Select product cut-sheets are attached to this response as requested.
- iv. Required signage will be prepared and fixed to the project fence at the entrance to the site. Please note, signs are small (less than 3 sf) in scale and not illuminated. Warning signs will be placed on any facility equipment with current codes require them.
- v. A note has been added to plans indicating required warning signs. See Inverter Pad Detail.
- vi. A Visual & Glare study was submitted to the Town in October 2019.
- vii. Lights will be provided at the proposed battery equipment. These lights are only used when the site is accessed for maintenance. Lighting is minor, above door entry to battery containers.
- viii. A permit will not be pulled by the Applicant, but permitting plans will be prepared and sent to the County for review in accordance with Orange County's permitting procedures. The contractor will pull a County Highway



Work Permit when submitting for Town Building Permits at time of construction.

- ix. No comment.
- x. There is a note on our plans requiring contractor qualifications for solar facilities.
- xi. The developer and their distributor for battery/solar equipment is aware of new codes. Distributor/Manufacturer products will have to comply with these codes for use in New York State.

Please note, due to a change in available technologies that became available in Fall of 2019 the site now only requires 3 battery containers instead of the 6 originally proposed. Plans have been revised to reflect this change.

- xii. The fencing has been revised to show 7-ft tall fencing with no barbed wire. Proposed landscaping has been added to plans.
- xiii. No Comment.
- xiv. No Comment.
- xv. Please see attached cut sheets. Racking is capable of Site wind speeds 170+ mph and ground snow loads 90+ psf.
- xvi. A Visual & Glare study was submitted to the Town in October 2019.
- xvii. A revised Decommissioning Plan is attached for Town review.

2. Site Plan

- a. The facility is proposed to be un-manned with no official parking provided. Turnarounds would be used as temporary parking when maintenance crews & lawn care contractors visit the sites. Turnarounds are sized for vehicles maintenance crews & lawn care contractors would use (pick-up trucks).

The new access roads will be plowed after snow events. The existing road being used for access will continue to be maintained and plowed by the Parsoon Parcel owner as it is currently maintained.

- b. No Comment.



- c. A SWPPP has been prepared and will be finalized upon Town Engineer's review and comment. We assume this will be a condition of approval.

Note, reference to EPA on the plans has been revised to NYSDEC.

Earthwork Quantities Table has been completed on are now shown on sheet C-002. Note 17 has been revised for consistency.

- d. Misc.
 - i. Offsite improvements, when and where necessary would be performed by Orange & Rockland at any number of substations and/or utility poles they may need to improve. This information is not typically shared with the developer. These repairs would likely be of "in-kind" status. Further, the developer has no control or say in how Orange & Rockland allocates the fees required for interconnection.
 - ii. An Ag-Data Statement will be sent to the town under separate cover letter from the Applicant's attorney's office.
 - iii. The property is highly restricted by wetland areas which cannot be used for development. The solar facility can only be located on remaining lands. As these types of facilities are temporary in nature, and do not permanently destroy the integrity or future use of soils, we believe the project poses no threat to prime agricultural soils. Further, there is the possibility the land owner will continue to utilize grounds within the solar facility for an agricultural/grazing purpose.
 - iv. All owner's endorsements have been signed, nontiered and provided. Additional copies are attached.

3. SEQRA

- a. No Comment
- b. No impacts to wetlands/waterbodies areas are proposed
- c. The project will adhere to the Town's noise ordinance.
- d. NYSDEC's November 8th, 2019 letter to the Planning Board addresses potential impacts to Threatened and Endangered Species. There is no tree clearing proposed as part of this project that could potentially affect the two listed species of Bats. The Northern Harrier is not located near the project and no impacts are anticipated. No further study of habitat has been conducted.



- e. The proposed solar facility will be built on areas of prime agricultural and highly productive soils. As these types of facilities are temporary in nature, and do not permanently damage the integrity or future use of soils, we believe the project poses no threat to the soils. Further, there is the possibility the land owner will continue to utilize grounds within the solar facility for an agricultural/grazing purpose.
- f. A “No Effect” letter from NYSHPO has been provided to the Town. An additional copy is attached.