

MEMORANDUM

TO: Town of Hoosick Board of Zoning Appeals

CC: Andrew W. Gilchrist, Town Attorney, Gilchrist Tingley, P.C.
Sage Ezell, Senior Project Developer, CS Energy

FROM: Kevin J. Schwenzfeier, Senior Planner, Laberge Group (TDE)

DATE: May 3, 2023

RE: Hawthorn Solar Special Use Permit – Full Environmental Assessment Form (FEAF) Review

On May 1, 2023 CS Energy submitted a Preliminary Special Use Permit and Area Variance application package for the Hawthorn Solar, LLC project: a 20-MW AC solar electric generation facility (defined as a Tier 3 Solar Energy System). The project would be dispersed across 130 acres of land along Pine Valley Road and Fords Road within the Agricultural/Residential Zoning District on lands owned by Dale Ford (36.-1-9.2) and Timothy & Brittany Marbot (36.-1-10.1, 36.-1-11.1, & 46.-1-10.11).

The proposed project will consist of galvanized steel posts, driven or screwed into the ground, galvanized steel racking, solar photovoltaic modules, inverters, transformers, gravel access roads, concrete equipment pads, and appurtenant equipment, conductors, and security fencing. The project will involve minimal tree clearing and incorporate additional landscaping measures to provide for adequate screening from public and neighbor views.

As a condition of the projects award from NYSERDA, it must abide by enhanced guidelines for solar project construction published in the New York State Department of Agriculture and Markets in 2019. The project will abide by or exceed these guidelines for the construction, operation, and decommissioning of the project to ensure that the land can be returned to agricultural use at the end of the project's useful life.

The project will be interconnecting directly to a 115kV electrical transmission line that is adjacent to the western board of the project site, owned and operated by National Grid. Hawthorn solar will sell electricity directly into the wholesale market via the transmission system.

FEAF Comments

- **Question B.b.** Town Planning Board Coordinated SEQRA Review – Chapter 7.2 (Special Permits: Site Plan Review) of the Hoosick Land Use Law states: *The Zoning Board of Appeals and Planning Board shall coordinate in State Environmental Quality review and other aspects in their review of projects needing Special permits and Site plan reviews.*

- **Question D.1.b.c.** Total acreage owned or controlled by the applicant or project sponsor should be changed from 431 for the total parcels area to 240 acres for the total leased area.
- **Question D.1.e.i.** The anticipated period of construction was left blank, it should state 12 months as indicated in Question D.2.m.
- **Question D.1.h.** “Does the proposed action include construction or other activities that will result in the impoundment of any liquids?” should be marked as *Yes* since eight (8) pocket ponds are proposed for stormwater treatment and control. Consequently, questions D.1.h.i. through D.1.h.vi. should also be answered.
- **Question D.2.b.** “Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?” should be marked as *Yes* since racking and fencing will be placed within Federally Regulated Wetlands 11, 22, and 37. DEC Guidance states: “This would include regulated and non-regulated wetlands... AND areas adjacent to any of these features.” Consequently, questions D.2.b.i. through D.2.b.v. should also be answered.
- **Question D.2.l.i.** It should be noted that the hours of operation during construction will be limited to a maximum of six (6) days per week.
- **Question D.2.n.** “Will the proposed action have outdoor lighting?” should be marked as *Yes* since limited lighting will be necessary at the substation.
- **Question E.1.b.** Roads, buildings, and other paved or impervious surfaces are shown to increase by 5.5 acres, however, Question D.2.e.i. states there will be 5.23 acres of impervious surface created; please revise.

Additional Comments

Application for a Variance, Special Permit, and/or Appeal:

- Property Ownership information is missing for each parcel and has not been included on the Attachment as indicated.
- Signature and Date required under Certification and Authorization.

Site Plan:

- Sheet C-406 shows three (3) ponds at the southern edge of the drawing. The eastern pond is labeled as Stormwater Detention Pond, the central pond is labeled as Pocket Pond, and the western pond is not labeled. The eastern and central ponds are both designed as Stormwater Detention Ponds, while the western pond is designed as a Pocket Pond; please revise.
- Please provide a line delineating the projects limit of disturbance.