



**Carson Power LLC**  
110 William St 24 Floor  
New York, NY 10038  
[www.carson-power.com](http://www.carson-power.com)

September 3<sup>rd</sup>, 2024

To: Planning Board  
Town of Marlborough, New York

RE: Highland 201 Solar LLC, Application for Site Plan Approval and Special Permit

Dear Members of the Town of Marlborough Planning Board,

Carson Power LLC, on behalf of our affiliate, Highland 201 Solar LLC (the “Applicant”), is pleased to present this application for site plan approval and special use permit for a 4.1 MW (AC) ground mounted large scale community solar system in the Town of Marlborough. The project site is 206 Milton Turnpike and is owned by Organic Valley LCC (Mr. Robert Titanic). The proposed project complies with all standards of the Town of Marlborough zoning code Section §155-32.2, utilizing a fixed-tilt racking system with an area of use of less than 20 acres and a maximum panel height of less than 15 feet above existing grade. The project is located primarily in the already-cleared areas onsite. The previously proposed collocated battery/energy storage system has been removed from the project.

Our team greatly appreciates the feedback from the August 5<sup>th</sup>, 2024 concept review meeting and has carefully considered all input in revising our design to the site plan and associated application materials contained herein. We understand that of greatest concern to the Planning Board were stormwater runoff and visual impacts due to the proposed project:

### **Stormwater Runoff**

Carson Power acknowledges the Engineer’s comments on compliance with the current NYSDEC stormwater design guidance regarding solar panels on steep slopes and the maintenance of sheet flow. To address these concerns, the site plans and Stormwater Pollution Prevention Plan (SWPPP) show that the ground beneath the solar panels will be vegetated and will furthermore include gravel level spreaders spaced every ~100’ along the contours to ensure sheet flow is maintained for the treatment of the solar area.

We also understand that the Board has expressed concerns about runoff rates due to the proposed development. In its existing condition, the parcel naturally drains into the stream that bisects the property and flows offsite to the northeast. Although not necessary to comply with the Stormwater Design Manual, due to the Board’s concerns we have voluntarily included a large dry detention pond to further reduce runoff rates. Please refer to the SWPPP for details.

### **Visual Impacts and Glare**

We further understand that the Board would like to discuss the potential for glare or visual impacts from the proposed project. Included in the submission package is a glare study and a visual impact assessment from our consultants. The glare study demonstrates that there will be no adverse



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impacts due to glare, and the viewshed report discusses nearby aesthetic resources, in addition to the viewshed from immediately adjacent parcels. The viewshed assessment conservatively excludes the mitigative effects of any proposed landscaping, and identifies locations that could be chosen as receptors for visual simulations. We look forward to discussing the map of proposed receptors with the Board. In addition, please find the following attachments as part of this submission package:

- Cover Letter – 12 copies
- Attachment 1: Engineer Comment Response Letter – 12 copies
- Attachment 2: Site Plan and Special Permit Application – 12 copies
- Attachment 3: Town Zoning Map - 12 copies
- Attachment 4: Part 1 Full Environmental Assessment Form (EAF) – 12 copies
- Attachment 5: Agricultural Data Statement – 12 copies
- Attachment 6: Site Plans – 12 copies
- Attachment 7: Stormwater Pollution Prevention Plan (SWPPP) – 2 copies
- Attachment 8: ALTA Survey with Property Legal Description – 12 copies
- Attachment 9: Wetlands and Threatened & Endangered Species Report – 12 copies
- Attachment 10: Visual Impact Assessment – 12 copies
- Attachment 11: SGHAT Glare Study – 12 copies
- Attachment 12: Memorandum of Lease – 12 copies
- Attachment 13: Property Deed – 12 copies
- Attachment 14: Decommissioning Plan and Cost Estimate – 12 copies
- Attachment 15: Operations & Maintenance Plan – 12 copies
- Attachment 16: Interconnection Contract – 12 copies
- Attachment 17: Typical Equipment Specification Sheets – 12 copies

Application fees and escrow have been sent under separate cover. Thank you for your consideration on this topic and we look forward to discussing our project in detail at the next regularly scheduled Planning Board meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nic Cunha".

Nic Cunha  
Senior Project Developer