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September 06, 2024

Town of Marlborough
Planning Board
21 Milton Turnpike, Suite 200
Milton, NY 12547

Attn: Chris Brand, Planning Board Chair

**RE: ELP MARLBOROUGH SOLAR
335 BINGHAM ROAD, TOWN OF MARLBOROUGH, NEW YORK
TAX MAP ID: 108.3-3-21
TECHNICAL REVIEW COMMENTS – RESPONSE LETTER #3
C&A # 4996.26**

Dear Chair Brand:

Thank you for your time and attention at the August 19, 2024 Planning Board meeting in relation to the Site Plan Review Application that was submitted for ELP Marlborough Solar, located at 335 Bingham Road. Crawford & Associates Engineering (C&A) is in receipt of a comment letter dated August 16, 2024 from the Town's consultant, Patrick J. Hines, MHE Engineering, D.P.C. We have reviewed the comments from MHE and offer responses herein for the Board's consideration. Please see original comments from MHE below in **bold**, C&A responses in *italics*.

1. Review of the interconnection documents by the Planning Board Attorney should be received.

The following interconnection documents have been provided to the Planning Board for review:

- Redacted Coordinated Electric System Interconnection Review Report from Central Hudson, submitted April 5, 2024 ahead of the April 15, 2024 Planning Board meeting*
- Interconnection Agreement with Central Hudson, and a summary of improvements along Bingham Road, submitted July 3, 2024 ahead of the July 15, 2024 Planning Board meeting.*

2. Comments from the jurisdictional Fire Department are outstanding.

Our office has been in contact with Chief Mike Troncillito to discuss the fire department's feedback on the project.

3. The applicants are requested to address the Maryland Department of Environmental Stormwater Design Guidance for Solar Installations. These design guidelines as approved by the DEC require implementation of stormwater management features within solar arrays to return the flow to sheet flow throughout the arrays. These stormwater techniques vary based on the slopes on the site. This office has experienced significant drainage issues from solar projects which have been constructed on slopes sites. Construction phase stormwater runoff can be significant due to ground disturbance caused by the intensity of the work associated with construction of the solar facility.

Our office has been in contact with Patrick J. Hines of MHE Engineering to discuss this comment in further detail and reach a solution which will resolve any concerns. Per our latest conversation, we have prepared a letter which demonstrates that the expected maximum stormwater runoff velocity for post development conditions will be below NYSDEC thresholds for erosion. As such, the permanent stormwater management features for returning runoff to a sheet flow condition as outlined in the Maryland guidance will not be required for the project. We look forward to continuing this conversation with Mr. Hines upon his review of the letter, which is included in this submission package.

4. The Planning Board should review the additional submissions provided by the applicant with regard to potential visual impact.

Please advise if additional materials or clarifications are required by the applicant.

5. The Planning Board should declare its intent for lead agency.

It is our understanding that Lead Agency was declared on April 15, 2024, per the meeting minutes of the Town of Marlborough Planning Board. Can the Planning Board please confirm that the materials have been circulated for coordinated review?

6. Response to County Planning Comments should be received. County Planning comments dated 10 July 2024 have been provided.

Comments from Ulster County Planning have been received and reviewed by our office.

Seed Mix – Required Modification: Recommend a “NY Pollinator Habitat Seed Mix” or a comparable seed mix designed for the site that does not use turf grass and avoids non-native species.

The design drawings have been revised to include a note that a NY Pollinator Habitat friendly seed mix will be used for restoration of the site.

Stormwater Monitoring/Maintenance – Required Modification: As a condition of approval, regular site visits by the Town’s stormwater inspector should be conducted to ensure the site remains compliant and that no unexpected stormwater seepages occur. The daily log must be available online on the Town’s website for public viewing.

During construction, the applicant will work with the Town's stormwater inspector to coordinate regular site visits.

Fire Access – Required Modification: The local fire district will need to review the plans to verify the access for emergency response vehicles and hoses is adequate to serve the project.

Site plans have been provided to the fire department for review and comment.

Remaining comments from UCPB are advisory to the planning board and do not require response from the applicant.

7. Approval of the decommissioning security by the Town Board is required.

Please confirm that the Planning Board is coordinating this with the Town Board based on the submitted decommissioning cost estimate or if any additional support is required from the Applicant.

8. Surface water flow from the solar array will generally be in a direction from the high point of approximately 670 to a low point of approximately 560. It is requested the applicants evaluate the runoff from the site which will be directed based on existing topography generally towards homes along the property frontage.

Please see the SWPPP provided in the September 6, 2024 submission package for the pre and post condition drainage analysis completed for the proposed project.

9. Show any pipe crossings on Bingham Road.

All existing pipe crossings found during the property survey are shown on the site plans. Callouts have been added to sheet C-101, "Site Plan – Existing Conditions & Demo", to indicate these crossing locations.

10. The applicants are requested to confirm that an actual field survey has been submitted regarding the location of property lines. Reference drawings identify approximate property boundaries downloaded from Ulster County GIS.

A field survey was completed by Control Point Associates Inc., P.C. titled "Map of a portion of Lands of Truncali, prepared for ELP Marlborough Solar, LLC." Dated May 28, 2024. A copy of this stamped survey map was provided in the July 3, 2024 submission. This field survey is used as the background for the site plan drawings, as noted in Site Plan Note #2. Ulster County GIS property boundaries were used to show adjoining/adjacent properties only, per Site Plan Note #3 on the drawings.

11. The SWPPP should address decompaction of any areas impacted by construction traffic.

Please refer to the SWPPP submitted on September 6, 2024. Decompaction is addressed in section VIII (H) "Soil Restoration".

12. We continue to have a concern regarding solar arrays that are not parallel to the contours. Areas depict solar arrays on steep slopes which are perpendicular to the contours.

Our office has been in contact with Patrick J. Hines of MHE Engineering to discuss this comment in further detail and reach a solution which will resolve concerns. Please see comment response to #3 above for information about the latest analysis the applicant has performed to address these concerns.

13. Any substitute comments received at the Public Hearing should be addressed by the applicants representative.

Please review the additional response letter included in this package addressing our responses to the public comment.

If you have any questions regarding the information above, please feel free to contact me at (518) 828-2700 x1138.

Sincerely,
Crawford & Associates
Engineering & Land Surveying, P.C.



Christopher J. Knox, PE
Project Manager II

Cc: Chris Brand, Planning Board Chair (cbrand@marlboroughny.us)
Jen Flynn, Planning Board Secretary (marlboroughplanning@marlboroughny.us)