DIEHLUX, LLC
- *Innovative Ecology* -

January 10, 2019

Mr. Lance Brabant, P.E.
MRB Group Engineering, Architecture, & Surveying, P.C.
The Culver Road Armory
145 Culver Road, Suite 160
Rochester, New York 14620

RE: YELLOW MILLS ROAD SOLAR PROJECT
TOWN OF FARMINGTON, ONTARIO COUNTY, NEW YORK
WETLAND DELINEATION REVIEW SUPPORT SERVICES MEMO

Dear Mr. Brabant:

The following represents our findings, recommendations, and conclusions upon completion of the freshwater wetlands, watercourse, and water body overview investigation and review of updated contract drawings provided by the MRB Group, herein referred to as the "Client," on December 19, 2018 (Appendix I). These services were performed to assist the Client with investigation of existing field conditions and a cursory overview and verification of identified Waters of the United States, including wetlands, completed by North Country Ecological Services (NCES) in July of 2018 (Appendix II). This was completed to develop a portion of the parcel for the purposes of establishing a solar farm at the southwest intersection of Yellow Mills Road and Fox Road in the Town of Farmington, Ontario County, New York (Site).

DIEHLUX, LLC was retained by the Client to review the Wetland Delineation Report by NCES and perform Site reconnaissance to verify the relative accuracy of identified wetlands and watercourses as well as indicate additional areas that may have been omitted during the original delineation which may be jurisdictional under Section 404 of Clean Water Act or Articles 15/24 of the Environmental Conservation Law (ECL). On December 19, 2018, DIEHLUX staff reviewed Site and surrounding area from Fox and Yellow Mills Road against wetland maps provided by the Client from NCES prior delineation. In addition, DIEHLUX spoke with landowner who advised against traversing fields as there were bulls within grazing pastures and it was unsafe.

The Site is mainly flat, open pasture with a large wooded upland ridge located along the southwestern corner of Site (Appendix III). Much of the land is currently utilized for grazing by cattle and farmed for hay/field crops. DIEHLUX reviewed and verified the edge of Wetland No. 2 and associated watercourse flowing north off Site under Fox Road. The eastern extent of

Wetland No. 1 and Wetland No. 3 were not able to visually confirmed due to the limited access mentioned previously.

However, the field verification and jurisdiction of the identified wetlands and WOTUS on-Site will be completed through the Jurisdictional Determination process by staff from the U.S. Army Corps of Engineers Buffalo Office and/or Jurisdictional Wetlands Boundary Verification process with the New York State Department of Environmental Conservation Region 8 Office. DIEHLUX cannot perform/confirm such agency jurisdictional verification reviews. Based on DIEHLUX's review of subject wetlands and watercourses identified by NCES, the limits of subject features appear consistent with observations from our field visit. Should the project plans be updated or revised to incorporate additional areas of disturbance beyond those previously field delineated by NCES and outlined in the December 2018 plans provided by the Client, this memo becomes void and should be updated to reflect any such changes and potential associated permitting implications.

It is also important to note that the 2015 Clean Water Rule was re-implemented on August 29, 2018. The USACE/EPA in 22 states (Including New York) have reverted back to utilizing the 2015 Clean Water Rule for completion/review of WOTUS permit applications and consultation. This rule has significantly altered the "significant nexus" clause as it relates to "isolated" wetlands. This update may impact this project as Wetland No. 3 was not fully delineated and deemed "potentially isolated" by NCES. Further, any ordinary high-water mark (OHWM) for perennial or intermittent watercourse identified on-Site should be clearly indicated on the Site plans for agency review(s). DIEHLUX recommends consulting with USACE Buffalo Office for clarification as to the need for any additional field work or permit application materials as project advances through development stages.

We appreciate the opportunity to be involved in your project and hope that you have found our services helpful. We are happy to assist with any agency consultation, permit applications or follow up should you need our assistance. Please contact us if you have any questions, comments, concerns or requests for additional information.

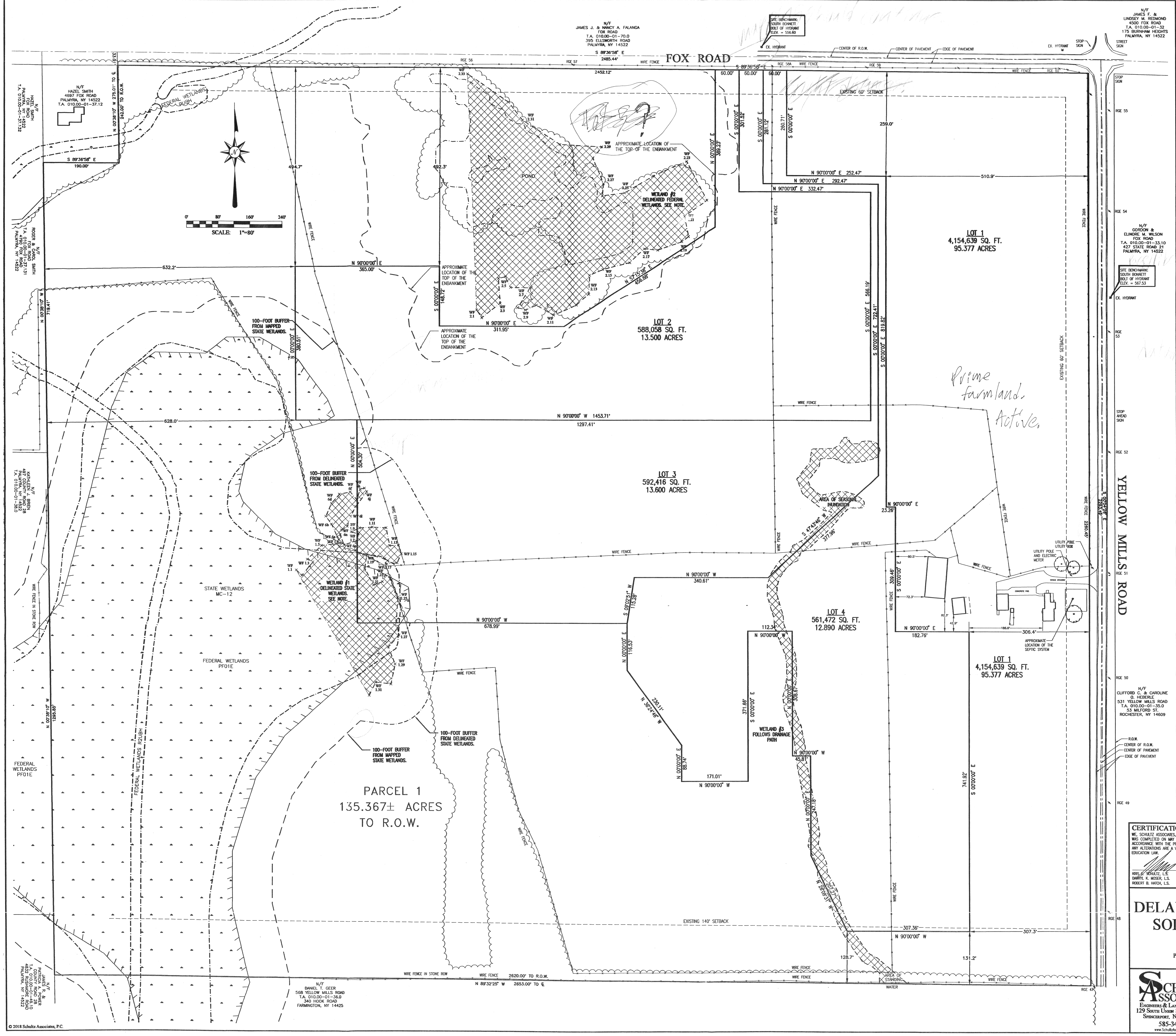
Respectfully Submitted,

Travis Money
Manager of Ecological Services/Senior Ecologist

Reviewed and Approved by PHILIP LONDON, PWS (#2739): _____

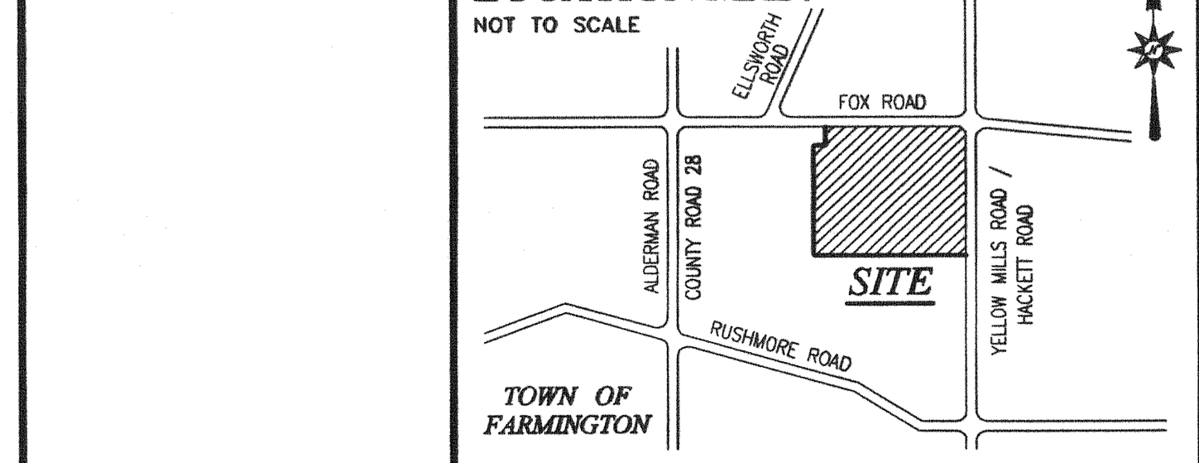
Attachments: Appendix I – Contract Drawings (12/2018)
Appendix II – NCES Wetland Delineation Report
Appendix III - Photographs

APPENDIX I



LOCATION MAP:

NOT TO SCALE



LEGEND:

CENTERLINE; PROPERTY LINE; EASEMENT LINE; EXISTING CONTOUR; CHAIN LINK FENCE; WOOD FENCE; STORM SEWER & MANHOLE; SANITARY SEWER & MANHOLE; WATER LINE; GAS LINE; ELECTRIC; OVERHEAD WIRES; EROSION CONTROL; STONE WALL; EDGE OF WOODS; DIRECTION OF FLOW; UTILITY POLE; WATER VALVE; GAS VALVE; UTILITY BOX; SURVEY MONUMENT; MAILBOX; SIGN; IRON PIPE/REBAR; TRAFFIC CTRL MH; CLEANOUT; CATCH BASIN; FIRE HYDRANT; SIGNAL SPAN POLE; PERC HOLE; DEEP HOLE; BENCHMARK; INVERT END SECTION; SPOT ELEV. x351.00'

GENERAL NOTES:

1. SITE LOCATED IN FLOOD ZONE C, PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 361299 0010 B, DATED SEPTEMBER 30, 1983.
2. THE SITE BENCHMARK IS THE SOUTH BONNETT BOLT ON THE HYDRANT LOCATED ON THE NORTH SIDE OF FOX ROAD, ELEVATION 556.60'.
3. TEMPORARY EROSION/SILTATION CONTROL IS TO BE PROVIDED, MAINTAINED AND REMOVED BY OWNER AND/OR DEVELOPER.
4. ALL IMPROVEMENTS TO BE IN ACCORDANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF THE TOWN OF FARMINGTON.
5. DEVELOPER IS TO OBTAIN ANY APPROPRIATE STATE, COUNTY, AND TOWN APPROVALS AND/OR PERMITS PRIOR TO CONNECTING TO ANY PUBLIC UTILITIES.
6. UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE. ALL UTILITIES SHALL BE FIELD STAKED BEFORE COMMENCING WORK. CONTRACTOR IS CAUTIONED TO NOTIFY CENTRAL STAKEOUT NUMBER 1-800-962-7962 FOR LOCATION OF UNDERGROUND UTILITY LOCATION PRIOR TO CONSTRUCTION.
7. AS-BUILT PLAN TO SHOW ALL UNDERGROUND UTILITY LOCATIONS TO BE PROVIDED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
8. ALL UTILITIES TO BE UNDERGROUND.
9. ALL SITE LIGHTING SHALL BE COMPLIANT WITH THE TOWN CODE, CHAPTER 165.
10. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND INSPECTED BY THE TOWN CODE ENFORCEMENT OFFICER OR HIS/HER REPRESENTATIVE PRIOR TO ANY PERMITS BEING ISSUED.
11. THIRD PARTY INSPECTIONS MAY BE REQUIRED BY THE TOWN C.E.O. AT THE EXPENSE OF THE OWNER/DEVELOPER.

!! CALL !!

BEFORE YOU DIG, DRILL OR BLAST

811 or 1-800-962-7962

IN ACCORDANCE WITH UFPO (UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION), CONTRACTOR MUST NOTIFY ALL UTILITIES IN THE AREA TWO (2) WORKING DAYS BEFORE EXCAVATION.

THIS WILL NOTIFY
- WAYNE COUNTY WATER AUTHORITY
- GLOBAL CROSSINGS/FRONTIER
- ALLTELL - MANCHESTER-SHORTSVILLE TELEPHONE
- TELERGY FIBEROPTIC
- MCI
- AMERICAN TELEPHONE AND TELEGRAPH
- BUCKEYE PIPE LINE COMPANY
- ROCHESTER GAS & ELECTRIC COMPANY
- NIAGARA MOHAWK (NIMO) ELECTRIC
- MOBILE OIL
- TENECO
- NEW YORK TELEPHONE
- NEW YORK STATE ELECTRIC & GAS
- EMPIRE STATE PIPELINE
- TENNESSEE PIPELINE COMPANY
- CANANDAIGUA-FARMINGTON WATER & SEWER DEPT.

IN ADDITION, THE CONTRACTOR SHALL NOTIFY THE MUNICIPAL SEWER AND WATER DEPARTMENTS WITHIN THE PROJECT AREA.

WETLAND DELINEATION:

1. PORTIONS OF THE WETLANDS DEPICTED ON THIS MAP WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES, INC. ON APRIL 30, 2018 (25 WEST FULTON STREET, GLOVERSVILLE, NY 12078).
2. THE MAPPED BOUNDRY OF THE NYDEC STATE WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER.
3. THE MAPPED BOUNDRY OF THE FEDERAL WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAPPER.

MAPS OF REFERENCE:

1. MAP SHOWINGS LANDS OF THE MERKLEY ESTATE BY MICHAEL JOY, LS DATED: JULY 1989 AND FILED IN THE ONTARIO COUNTY CLERK'S OFFICE AS MAP NUMBER 17479.

NOTICE OF PROJECT NEAR FARM OPERATIONS

IT IS THE POLICY OF THE TOWN OF FARMINGTON TO CONSERVE, PROTECT, AND ENCOURAGE THE DEVELOPMENT AND IMPROVEMENT OF AGRICULTURAL LAND FOR THE PROTECTION OF FOOD AND OTHER PRODUCTS AND ALSO FOR ITS NATURAL ECOLOGICAL VALUE. THIS NOTICE IS TO INFORM THE PROSPECTIVE GRANTEE THAT THE PROPERTY THEY ARE ABOUT TO ACQUIRE LIES PARTIALLY, WHOLLY OR WITHIN 500' OF EITHER AN AGRICULTURAL DISTRICT OR LAND FOR WHICH AN INDIVIDUAL COMMITMENT HAS BEEN RECEIVED PURSUANT TO SECTION 305 OF 306 OF THE AGRICULTURAL AND MARKET LAW OF THE STATE OF NEW YORK, AND THAT FARMING ACTIVITIES MAY OCCUR ON SUCH PROPERTY. SUCH FARMING ACTIVITIES MAY INCLUDE BUT NOT LIMITED TO ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

SITE DEVELOPMENT STATISTICS

ZONING: A-80 AGRICULTURE DISTRICT
TAX ACCOUNT No.: 010.000-01-037.131
CURRENT ADDRESS: 466 YELLOW MILLS ROAD
PARCEL AREA: 135.4± ACRES (TO R.O.W.)

CURRENT OWNER:
RODGER & CAROL SMITH
4790 FOX ROAD
PALMYRA, NY 14522

DEVELOPER:
DELAWARE RIVER SOLAR, LLC
CONTACT: PETER DOLGOS
33 IRVING PLACE
NEW YORK NY 10003
(646) 998-6495

A-80 AGRICULTURE DISTRICT SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 20'
REAR: 20'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.

TOWN CODE 165-65.3.6: LARGE SCALE GROUND MOUNTED SOLAR SYSTEMS SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 140'
REAR: 140'
AGRICULTURE: 40'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.
LOT COVERAGE: 25%

TOWN APPROVALS:

PLANNING BOARD CHAIR ____ DATE ____
WATER & SEWER SUPERINTENDENT ____ DATE ____
MUNICIPAL ENGINEER ____ DATE ____
HIGHWAY & PARKS SUPERINTENDENT ____ DATE ____

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	-	-	-

CERTIFICATION:

WE, SCHULTZ ASSOCIATES, ENGINEERS AND LAND SURVEYORS P.C. HEREBY CERTIFY THIS MAP WAS COMPLETED ON MAY 30, 2018 FROM AN INSTRUMENT SURVEY COMPLETED MAY 23, 2018 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ANY ALTERATIONS ARE A VIOLATION OF ARTICLE 145 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

KRIS E. SCHULTZ, L.S. NO. 49982
DARRYL K. MOSER, L.S. NO. 49146
ROBERT B. HATCH, L.S. NO. 50631

STATE OF NEW YORK · KRIS EDWARD SCHULTZ · LICENSE No. 049982 · Licensed Land Surveyor

A MAP SHOWING

DELAWARE RIVER SOLAR, LLC SOLAR ENERGY FACILITY

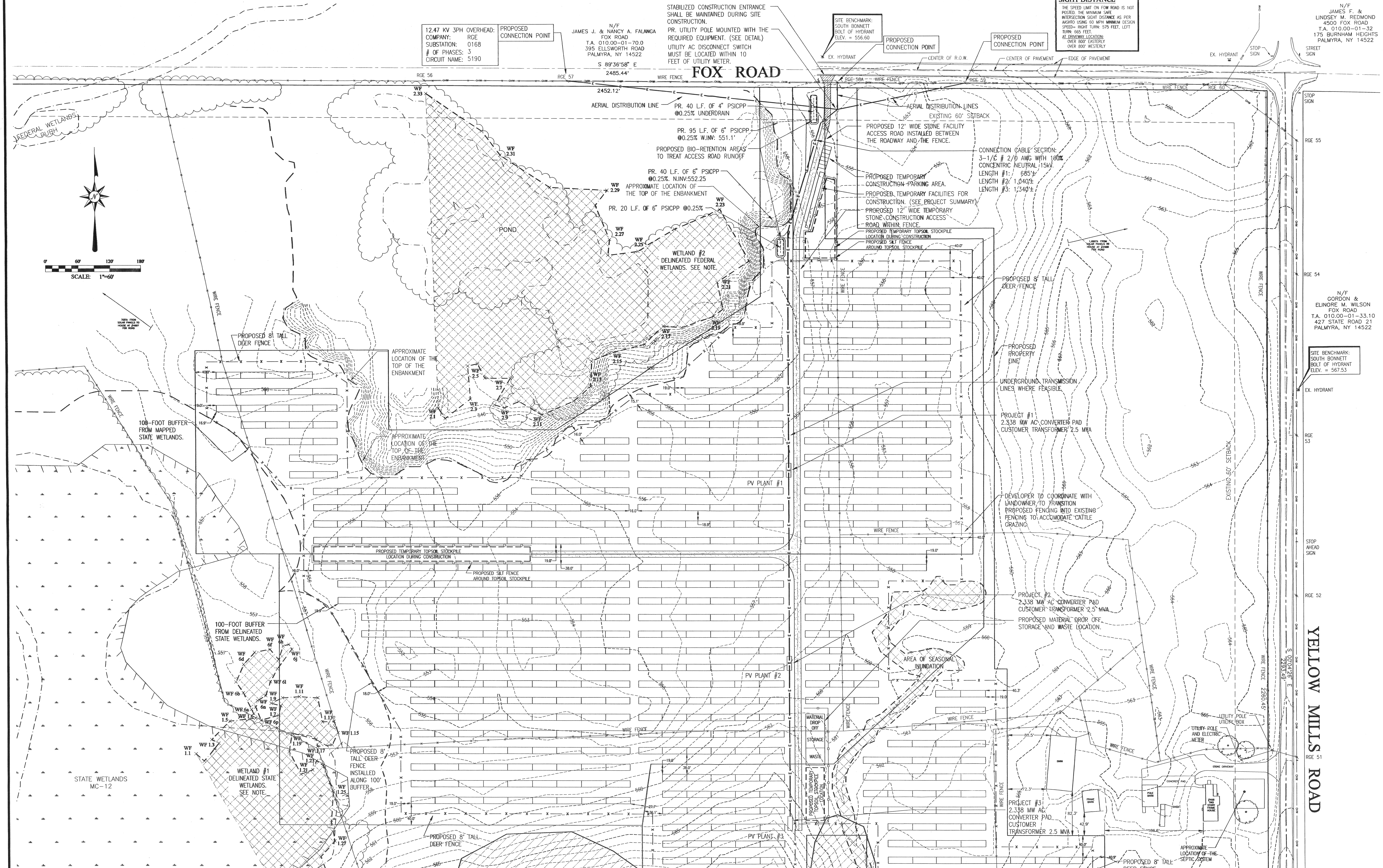
~ YELLOW MILLS ROAD ~

SITUATE IN:
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON, COUNTY OF ONTARIO, STATE OF NEW YORK

SCHULTZ ASSOCIATES
ENGINEERS & LAND SURVEYORS, P.C.
129 SOUTH UNION STREET, PO BOX 89
SPENCERPORT, NEW YORK 14559
585-349-3750
www.SchultzAssociatesPC.com

PRELIMINARY PLAT MAP

DRAWN BY:	RBH/JES/DSM	PROJECT NO.	18.023
CHECKED BY:	CJA	SHEET No.	1 OF 3
SCALE:	1" = 80'	DWG. NO.	P-1
DATE:	JULY 3, 2018		


FOX ROAD
YELLOW MILLS ROAD
12.47 KV 3PH OVERHEAD:
COMPANY: RGE
SUBSTATION: 0168
OF PHASES: 3
CIRCUIT NAME: 5190
PROPOSED CONNECTION POINT
N/F
JAMES J. & NANCY A. FALANGA
FOX ROAD
T.A. 010.00-01-70.0
395 ELLSWORTH ROAD
PALMYRA, NY 14522
S 89°36'58" E
2485.44'
2452.12'
STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED DURING SITE CONSTRUCTION.
PR. UTILITY POLE MOUNTED WITH THE REQUIRED EQUIPMENT. (SEE DETAIL)
UTILITY AC DISCONNECT SWITCH MUST BE LOCATED WITHIN 10 FEET OF UTILITY METER.
SITE BENCHMARK:
SOUTH BONNETT
BOLT OF HYDRANT
ELEV. = 556.60
EX. HYDRANT
CENTER OF R.O.W.
CENTER OF PAVEMENT
EDGE OF PAVEMENT
N/F
JAMES F. &
LINDSEY M. REDMOND
4500 FOX ROAD
T.A. 010.00-01-32
175 BURNHAM HEIGHTS
PALMYRA, NY 14522
AERIAL DISTRIBUTION LINE
PR. 40 L.F. OF 4" PSICPP @0.25% UNDERDRAIN
PR. 95 L.F. OF 6" PSICPP @0.25% W.INV: 551.1'
PROPOSED BIO-RETENTION AREAS TO TREAT ACCESS ROAD RUNOFF
PR. 40 L.F. OF 6" PSICPP @0.25%. N.INV:552.25
APPROXIMATE LOCATION OF THE TOP OF THE ENBANKMENT
PR. 20 L.F. OF 6" PSICPP @0.25%
AERIAL DISTRIBUTION LINES
EXISTING 60' SETBACK
PROPOSED 12' WIDE STONE FACILITY ACCESS ROAD INSTALLED BETWEEN THE ROADWAY AND THE FENCE.
CONNECTION CABLE SECTION:
3-1/C # 2/0 AWG WITH 100% CONCENTRIC NEUTRAL 15kV
LENGTH #1: 685'±
LENGTH #2: 1,040'±
LENGTH #3: 1,340'±
PROPOSED TEMPORARY CONSTRUCTION PARKING AREA.
PROPOSED TEMPORARY FACILITIES FOR CONSTRUCTION. (SEE PROJECT SUMMARY)
PROPOSED 12' WIDE TEMPORARY STONE CONSTRUCTION ACCESS ROAD WITHIN FENCE.
PROPOSED TEMPORARY TOPSOIL STOCKPILE LOCATION DURING CONSTRUCTION
PROPOSED SILT FENCE AROUND TOPSOIL STOCKPILE
FEDERAL WETLANDS PUBH
POND
WETLAND #2 DELINEATED FEDERAL WETLANDS. SEE NOTE.
SCALE: 1"=60'
PROPOSED 8' TALL DEER FENCE
APPROXIMATE LOCATION OF THE TOP OF THE ENBANKMENT
100-FOOT BUFFER FROM MAPPED STATE WETLANDS.
100-FOOT BUFFER FROM DELINEATED STATE WETLANDS.
WIRE FENCE
PV PLANT #1
PV PLANT #2
PV PLANT #3
PROPOSED PROPERTY LINE
UNDERGROUND TRANSMISSION LINES WHERE FEASIBLE.
PROJECT #1 2.338 MW AC CONVERTER PAD CUSTOMER TRANSFORMER 2.5 MVA
DEVELOPER TO COORDINATE WITH LANDOWNER TO TRANSITION PROPOSED FENCING INTO EXISTING FENCING TO ACCOMODATE CATTLE GRAZING
PROJECT #2 2.338 MW AC CONVERTER PAD CUSTOMER TRANSFORMER 2.5 MVA
PROPOSED MATERIAL DROP OFF, STORAGE AND WASTE LOCATION.
AREA OF SEASONAL INUNDATION
MATERIAL DROP OFF
STORAGE
WASTE
PROJECT #3 2.338 MW AC CONVERTER PAD CUSTOMER TRANSFORMER 2.5 MVA
STATE WETLANDS MC-12
WETLAND #1 DELINEATED STATE WETLANDS. SEE NOTE.
PROPOSED 8' TALL DEER FENCE INSTALLED ALONG 100' BUFFER
APPROXIMATE LOCATION OF THE SEPTIC SYSTEM
UTILITY POLE AND ELECTRIC METER
UTILITY POLE UTILITY BOX
N/F
GORDON &
ELINORE M. WILSON
FOX ROAD
T.A. 010.00-01-33.10
427 STATE ROAD 21
PALMYRA, NY 14522
SITE BENCHMARK:
SOUTH BONNETT
BOLT OF HYDRANT
ELEV. = 567.53
EXISTING 60' SETBACK
S 00°04'26" E
2293.49'
2260.45'
STOP SIGN
STOP AHEAD SIGN
STREET SIGN

PROJECT INFORMATION:

PV PLANT	1	2	3	
NUMBER OF RACKS	250	250	250	
SOLAR PANELS PER RACK	28	28	28	TOTALS
NUMBER OF SOLAR PANELS	7,000	7,000	7,000	21,000
AREA OF S.E.S. EQUIPMENT	3.142 AC	3.142 AC	3.142 AC	9.426 AC
AREA OF TEMP. DRIVE	0.228 AC	0.185 AC	0.034 AC	0.447 AC
AREA OF PERMANENT DRIVE	0.006 AC	0.065 AC	0.020 AC	0.091 AC
AREA OF TEMP. FACILITIES	0.000 AC	0.007 AC	0.007 AC	0.014 AC
LOT AREA	13.500 AC	13.600 AC	12.875 AC	37.498 AC
PERCENT COVERAGE	25%	25%	25%	25%

THE SOLAR PANELS ARE ATTACHED TO RACKS, EACH RACK IS 45.4' LONG BY 12.0' WIDE AND HAS 28 SOLAR PANELS. THERE WILL BE AT LEAST 19.0' BETWEEN EACH ROW OF RACKS.

WETLAND DELINEATION:

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3. THE MAPPED BOUNDRY OF THE FEDERAL WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAPPER.

MATCH LINE: SHEET S-2

MAPS OF REFERENCE:

1. MAP SHOWINGS LANDS OF THE MERKLEY ESTATE BY MICHAEL JOY, LS DATED: JULY 1989 AND FILED IN THE ONTARIO COUNTY CLERK'S OFFICE AS MAP NUMBER 17479.

NOTICE OF PROJECT NEAR FARM OPERATIONS

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SITE DEVELOPMENT STATISTICS

ZONING: A-80 AGRICULTURE DISTRICT
TAX ACCOUNT No.: 010.000-01-037.131
CURRENT ADDRESS: 466 YELLOW MILLS ROAD
PARCEL AREA: 135.4± ACRES (TO R.O.W.)

LANDOWNER OWNER:
RODGER & CAROL SMITH
4790 FOX ROAD
PALMYRA, NY 14522

DEVELOPER:
DELAWARE RIVER SOLAR, LLC
CONTACT: PETER DOLGOS
33 IRVING PLACE
NEW YORK NY 10003
(646) 998-6495

A-80 AGRICULTURE DISTRICT SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 20'
REAR: 20'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.

TOWN CODE 165-65.3.6: LARGE SCALE GROUND MOUNTED SOLAR SYSTEMS SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 140'
REAR: 140'
AGRICULTURE: 40'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.
LOT COVERAGE: 25%

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	–	–	–

CERTIFICATION:

WE, SCHULTZ ASSOCIATES, ENGINEERS AND LAND SURVEYORS P.C. HEREBY CERTIFY THIS MAP WAS COMPLETED ON JULY 3, 2018 FROM AN INSTRUMENT SURVEY COMPLETED MAY 23, 2018 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ANY ALTERATIONS ARE A VIOLATION OF ARTICLE 145 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

KRIS E. SCHULTZ, L.S. NO. 49982
DARRYL K. MOSER, L.S. NO. 49146
ROBERT B. HATCH, L.S. NO. 50631

A MAP SHOWING
DELAWARE RIVER SOLAR, LLC
SOLAR ENERGY FACILITY
~ YELLOW MILLS ROAD ~
SITUATE IN :
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON, COUNTY OF ONTARIO, STATE OF NEW YORK

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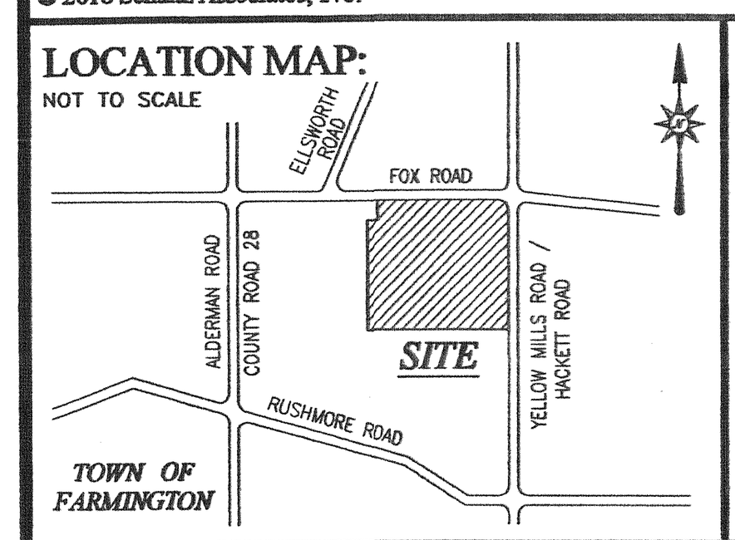
SPENCERPORT, NEW YORK 14559
585-349-3750
www.SchultzAssociatesPC.com

PRELIMINARY SITE PLAN

DRAWN BY:	DSM	PROJECT NO.	18.023
CHECKED BY:	KES	SHEET No.	2 OF 3
SCALE:	1" = 60'	DWG. NO.	S-1
DATE:	JULY 3, 2018		

LOCATION MAP:
NOT TO SCALE



LEGEND:

MATCH LINE: SHEET S-1

CONSTRUCTION NOTES:

1. THIS PROJECT WILL FALL UNDER THE TOWN OF FARMINGTON TOWN CODE SECTION 165-65.3 SOLAR PHOTOVOLTAIC (PV) SYSTEMS.
2. LARGE SCALE GROUND MOUNTED SOLAR PV SYSTEMS REQUIRE SITE PLAN APPROVAL A SPECIAL USE PERMIT.
3. SOLAR PV SYSTEMS ARE SUBJECT TO THE MINIMUM YARD AND SETBACK REQUIREMENTS FOR THE ZONING DISTRICT THAT THEY ARE LOCATED WITHIN.
4. SOLAR PV SYSTEMS LOCATED WITHIN A RESIDENTIAL DISTRICT SHALL BE SET BACK AN ADDITIONAL 120 FEET FROM THE MINIMUM YARD SETBACK ALONG ALL PROPERTY LINES WHICH ABUT A LOT OR PARCEL OF LAND LOCATED IN THE A-80 AGRICULTURAL DISTRICT OR OTHER RESIDENTIAL DISTRICT UNLESS THE LAND IS BEING ACTIVELY FARMED, IN THIS INSTANCE THE SETBACK WILL BE 40 FEET.
5. SYSTEMS LOCATED UPON FARMLAND CLASSIFIED AS CLASS 1 THROUGH 4 SHALL BE ALLOWED ONCE IT CAN BE DETERMINED BY THE PLANNING BOARD THAT THERE IS NO FEASIBLE ALTERNATIVE.
6. DEPENDING ON THE SIZE OF THE PROJECT THE PROJECT SPONSOR IS TO HIRE AN ENVIRONMENTAL MONITOR (EM) TO OVERSEE THE CONSTRUCTION, RESTORATION AND FOLLOW-UP MONITORING IN AGRICULTURAL FIELDS.
7. FENCING AND WILDLIFE PASSING SYSTEM ASSOCIATED WITH ROTATIONAL GRAZING AND REDUCTION IN FARMLAND VIABILITY ARE TO BE ASSESSED AND MITIGATED TO THE GREATEST EXTENT POSSIBLE.
8. THERE SHALL BE NO CUT AND FILL SO AS TO REDUCE THE RISK OF CREATING DRAINAGE PROBLEMS BY LOCATING ACCESS ROADS ALONG CONTOURS TO THE GREATEST EXTENT POSSIBLE. THE SURFACE OF THE ACCESS ROAD SHALL BE LEVEL WITH THE ADJACENT FIELD SURFACE.
9. ALL TOPSOIL WITHIN AREAS TO BE USED FOR VEHICLE AND EQUIPMENT TRAFFIC, PARKING AND EQUIPMENT LAYDOWN SHALL BE STRIPPED.
10. NO VEHICLES AND EQUIPMENT ARE TO BE ALLOWED OUTSIDE THE WORK AREA WITHOUT PRIOR APPROVAL FROM THE LANDOWNER AND THE EM. THE WORK AREA SHALL BE DEFINED BY THE MINIMUM AREA OF DISTURBANCE POSSIBLE WITHIN THE PROPOSED PROPERTY LINES.
11. WHEN OPEN TRENCH IS REQUIRED FOR CABLE INSTALLATION, TOPSOIL STRIPPING FROM THE ENTIRE WORK AREA MAY BE NECESSARY. AS A RESULT, ADDITIONAL WORKSPACE MAY BE REQUIRED.
12. ALL TOPSOIL STRIPPED FROM WORK AREAS IS TO BE STOCKPILED SEPARATELY FROM EXCAVATED MATERIALS.
13. A MAXIMUM OF 50 FEET OF TEMPORARY WORKSPACE IS TO BE PROVIDED ALONG OPEN CUT ELECTRIC CABLE TRENCHS FOR PROPER TOPSOIL SEGREGATION. ALL TOPSOIL SHALL BE STOCKPILED IMMEDIATELY ADJACENT TO THE AREA WHERE IS WAS STRIPPED AND SHALL BE USED FOR RESTORARION OF THE AREA.
14. ELECTRIC INTERCONNECT CABLES AND TRANSMISSION LINES INSTALLED ABOVE GROUND SHAL BE LOCATED OUTSIDE FIELD BOUNDARIES.
15. ALL BURIED CABLES IN CROPLAND, HAYLAND AND IMPROVED PASTURE SHALL HAVE A MINIMUM DEPTH OF 48-INCHES OF COVER. AT NO TIME SHALL THE DEPTH OF COVER BE LESS THAN 24-INCHES.
16. IN PASTURE AREAS, IT IS NECESSARY TO CONTRUCT TEMPORARY OR PERMANENT FENCES AROUND THE WORK AREAS TO PREVENT LIVESTOCK ACCESS.
17. EXCESS CONCRETE USED IN THE CONSTRUCTION OF THE SITE SHALL NOT BE BURIED OR LEFT ON THE SURFACE IN ACTIVE AGRICULTURAL AREAS.

AREAS TEMPORARILY DISTURBED BY CONSTRUCTION NOTES:

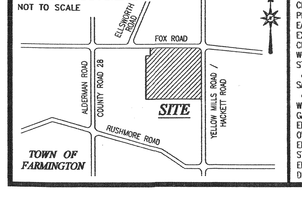
1. AGRICULTURAL AREAS DISTURBED BY CONSTRUCTION SHALL BE DECOMPACTED TO A DEPTH OF 18-INCHES WITH A DEEP RIPPER OR HEAVY DUTY CHISEL PLOW. IN AREAS WHERE TOPSOIL WAS STRIPPED, SOIL DECOMPACTION SHOULD BE CONDUCTED PRIOR TO TOPSOIL REPLACEMENT. REPLACE TOPSOIL TO ORIGINAL DEPTH AND RESTORE CONTOURS. REMOVE ALL ROCKS 4-INCHES OR GREATER FROM THE SURFACE. SUBSOIL DECOMPACTION AND TOPSOIL REPLACEMENT SHALL BE AVOIDED AFTER OCTOBER 1 OF EACH YEAR.
2. REGRADE ALL ACCESS ROADS TO ALLOW FARM EQUIPEMENT CROSSING AND TO RESTORE ORIGINAL SURFACE DRAINAGE PATTERNS. ACCESS ROADS WITHIN THE PROPOSED FENCE LINE ARE TO BE TEMPORARY AND ARE TO BE REMOVED AFTER INSTALLATION IS COMPLETE.
3. SEED ALL RESTORED AGRICULTURAL AREAS WITH SEED MIX SPECIFIED BY THE LAND OWNER. THE AREA OF THE PROJECT WITHIN THE FENCELINE WILL BE SEEDED. THE VEGETATION WILL EITHER BE MOWED A FEW TIMES A YEAR OR LIVESTOCK, SUCH AS SHEEP, SHALL BE EMPLOYED TO MAINTAIN THE VEGETATION. THE PROJECT DURING OPERATION SHALL HAVE FULL VEGETATIVE COVER. THE ACCESS ROADWAY BETWEEN THE ROADWAY AND THE FENCE SHALL REMAIN AND BE REMOVED UPON DECOMMISSIONING OF THE PROJECT.
4. ALL DAMAGED SURFACE OR SUBSURFACE DRAINAGE STRUCTURES ARE TO BE REPAIRED TO PRECONSTRUCTION CONDITIONS.
5. FOLLOWING RESTORATION REMOVE ALL CONSTRUCTION DEBRIS FROM THE SITE.
6. THE PROJECT SPONSOR IS TO PROVIDE A MONITORING AND REMEDIATION PERIOD OF NO LESS THAN TWO YEARS. GENERAL CONDITIONS TO BE MONITORED INCLUDE TOPSOIL THICKNESS, RELATIVE CONTENT OF ROCK AND LARGE STONES, TRENCH SETTLING, CROP PRODUCTION, DRAINAGE AND REPAIR OF SEVERED DRAIN LINES.
7. ALL ABOVE GROUND SOLAR ARRAY STRUCTURES ARE TO BE REMOVED AND ALL AREAS PREVIOUSLY USED FOR AGRICULTURE PRODUCTION ARE TO BE RESTORED AND ACCEPTED BY THE LANDOWNER, THE SOIL AND WATER CONSERVATION DISTRICT AND THE STATE DEPARTMENT OF AGRICULTURE AND MARKETS.
8. ALL CONCRETE IS TO BE REMOVED TO A DEPTH OF 48-INCHES BELOW THE SOIL SURFACE. UNDERGROUND ELECTRIC LINES ARE TO BE ABANDONED IN PLACE. ACCESS ROADS IN AGRICULTURAL AREAS ARE TO BE REMOVED UNLESS OTHERWISE SPECIFIED BY THE LANDOWNER.

GENERAL NOTES:

1. UTILITY LINES ARE TO BE INSTALLED UNDERGROUND. AERIAL LINES WILL BE ALLOWED AS REQUIRED BY THE UTILITY PROVIDER NEAR THE CONNECTION POINTS.
2. FENCES SHALL BE NO MORE THAN 8 FEET IN HEIGHT AND INCLUDE OPEN WEAVE CHAIN-LINK FENCES OR SOLID FENCES SHALL BE PERMITTED FOR THE PURPOSE OF SCREENING.
3. FENCES INTENDED TO INCLOSE LARGE SCALE GROUND MOUNTED SOLAR PV SYSTEMS MAY HAVE BARBED WIRE CANTED OUT.
4. THE HEIGHT OF THE SOLAR PANELS AND MODULES SHALL BE LESS THAN 12 FEET.
5. THE LOT SHALL ADHERE TO THE MINIMUM LOT SIZE OF THE ZONING DISTRICT, EXCEPT FOR IN RESIDENTIAL DISTRICTS WHERE THE MINIMUM LOT SIZE SHALL BE 1 ACRE.
6. THE LOT COVERAGE SHALL ADHERE TO THE MINIMUM LOT COVERAGE OF THE ZONING DISTRICT. THE LOT COVERAGE CALCULATION SHALL INCLUDE THE AREA OF THE SOLAR PANELS.
7. THE LIMITS OF DISTURBANCE SHALL BE LIMITED TO WITHIN THE PROPOSED NEW LOT LINES AND THE ACCESS ROADWAY.

LOCATION MAP:

NOT TO SCALE



LEGEND:

CENTERLINE, PROPERTY LINE, EASEMENT LINE, EXISTING CONTOUR, CHAIN LINK FENCE, WOOD FENCE, STORM SEWER & MANHOLE, SANITARY SEWER & MANHOLE, WATER LINE, GAS LINE, ELECTRIC, OVERHEAD WIRES, EROSION CONTROL, STONE WALL, EDGE OF WOODS, DIRECTION OF FLOW, UTILITY POLE, WATER VALVE, GAS VALVE, UTILITY BOX, SURVEY MONUMENT, MAILBOX, SIGN, IRON PIPE/REBAR, TRAFFIC CTRL, MH, CLEANOUT, CATCH BASIN, FIRE HYDRANT, SIGNAL SPAN POLE, PERC HOLE, DEEP HOLE, BENCHMARK, INVERT END SECTION, SPOT ELEV. +351.00'

ABANDONMENT AND DECOMMISSIONING NOTES:

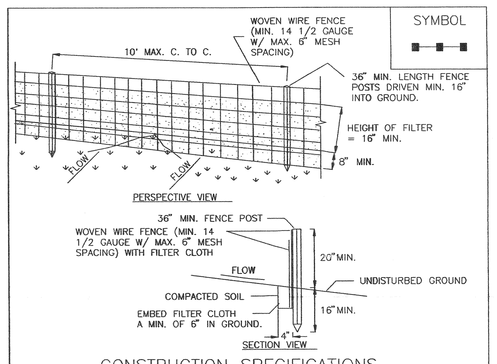
1. THE TOWN OF FARMINTON REQUIRES ABANDONED LARGE SCALE SOLAR PV SYSTEMS TO BE REMOVED PURSUANT TO A DECOMMISSIONING PLAN.
2. A SYSTEM SHALL BE DEEMED ABANDONED IF THE SYSTEM FAILS TO GENERATE AND TRANSMIT ELECTRICITY AT A RATE OF MORE THAN 10% OF ITS CAPACITY OVER A CONTINUOUS PERIOD OF 1 YEAR. IT MAY ALSO BE DEEMED ABANDONED IF INITIAL CONSTRUCTION OF THE SYSTEM HAS COMMENCED AND IS NOT COMPLETED WITHIN 18 MONTHS OF THE ISSUANCE OF THE FIRST BUILDING PERMIT FOR THE PROJECT.
3. A SYSTEM WHICH HAS BEEN ABANDONED SHALL BE DECOMMISSIONED AND REMOVED. THE OWNER AND THE LANDOWNER SHALL BE HELD RESPONSIBLE TO PHYSICALLY REMOVE ALL COMPONENTS OF THE SYSTEM WITHIN 1 YEAR OF ABANDONMENT. REMOVAL SHALL BE IN ACCORDANCE WITH THE SUBMITTED DECOMMISSIONING PLAN.
4. DECOMMISSIONING SHALL CONSTIST OF THE PHYSICAL REMOVAL OF ALL ABOVE GROUND AND BELOW GROUND EQUIPMENT, STRUCTURES AND FOUNDATIONS, INCLUDING BUT NOT LIMITED TO ALL SOLAR ARRAYS, BUILDINGS, SECURITY BARRIERS, FENCES, ELECTRIC TRANSMISSION LINES AND COMPONENTS, ROADWAYS AND OTHER PHYSICAL IMPROVEMENTS TO THE SITE.
5. DISPOSAL OF ALL SOLID AND HAZARDOUS WASTE.
6. RESTORATION OF THE GROUND SURFACE.
7. STABILIZATION AND REVEGETATION OF THE SITE WITH NATIVE SEED MIXES AND/OR PLANT SPECIES TO MINIMIZE EROSION.

SPECIAL USE PERMIT REQUIREMENTS:

1. NO SPECIAL USE PERMIT SHALL BE ISSUED UNLESS THE PLANNING BOARD FINDS THAT THE CONDITIONS HAVE BEEN MET OR WILL BE MET.
2. A LICENSED ENGINEER'S ESTIMATE OF THE ANTICIPATED OPERATIONAL LIFE OF THE SYSTEM.
3. IDENTIFICATION OF THE PARTY RESPONSIBLE FOR DECOMMISSIONING.
4. DESCRIPTION OF ANY AGREEMENT REGARDING DECOMMISSIONING BETWEEN THE RESPONSIBLE PARTY AND THE LANDOWNER.
5. A SCHEDULE SHOWING THE TIME FRAME OVER WHICH THE DECOMMISSIONING WILL OCCUR AND FOR COMPLETION OF SITE RESTORATION WORK.
6. A COST ESTIMATE PREPARED BY A LICENSED PROFESSIONAL ENGINEER ESTIMATING THE FULL COST OF DECOMMISSIONING AND REMOVAL OF THE SOLAR PV SYSTEM.
7. A FINANCIAL PLAN TO ENSURE FINANCIAL RESOURCES WILL BE AVAILABLE TO FULLY DECOMMISSION THE SITE.
8. AN ACCEPTABLE FORM OF SURETY IS TO BE APPROVED BY THE PLANNING BOARD AND ACCEPTED BY THE TOWN BOARD AND FILED WITH THE TOWN CLERK.
9. THE AMOUNT OF THE SURETY SHALL BE DETERMINED BY THE TOWN ENGINEER BASED ON A CURRENT ESTIMATE OF DECOMMISSIONING AND REMOVAL COSTS AS PROVIDED IN THE DECOMMISSIONING PLAN AND SUBSEQUENT ANNUAL REPORTS.
10. THE SYSTEM OWNER SHALL ON A YEARLY BASIS FROM THE CERTIFICATE OF COMPLIANCE ISSUED BY THE CODE ENFORCEMENT OFFICER, PROVIDE THE TOWN WITH A WRITTEN REPORT SHOWING THE RATED CAPACITY OF THE SYSTEM AND THE AMOUNT OF ELECTRICITY THE WAS GENERATED AND TRANSMITTED TO THE GRID OVER THE MOST RECENT 12 MONTH PERIOD.

STORMWATER NOTES:

1. THE PROPOSED BIO-RETENTION AREA WILL TREAT THE RUNOFF FROM THE STONE ACCESS ROAD FROM FOX ROAD TO THE FENCELINE.
2. THE SOLR PANEL RACK SYSTEM IS DESIGNED TO HAVE A MINIMAL DISTURBANCE IMPACT. THE RACKING SYSTEM IS ATTACHED TO THE GROUND WITH POSTS. THE AREA BETWEEN AND UNDERNEATH THE RACKS WILL BE FULLY VEGETATED. THERE WILL BE A DRIP LINE EVERY 3 FEET BETWEEN THE PANELS ON THE RACKS. STORMWATER RUNOFF WILL FALL TO THE GROUND BETWEEN THE PANELS AND SHEET FLOW THROUGH VEGETATION.
3. UPON COMPLETION OF THE INSTALLATION, THE PROJECT WILL HAVE A STORMWATER PROFILE OF FULL VEGETATION WITH THE EXCEPTION OF THE ENTRANCE ROAD.
4. THERE IS NO SITE GRADING PROPOSED BEYOND THE REMOVAL OF TOPSOIL FOR THE INSTALLATION OF THE ACCESS ROADS. THE TEMPORARY ACCESS ROADS WITHIN THE FENCE LINE WILL BE REMOVED UPON COMPLETION OF THE INSTALLATION PROCESS AND TOPSOIL REPLACED.
5. ALL CURRENT DRAINAGE FLOW PATTERNS WILL REMAIN THE SAME AS PRE-DEVELOPMENT CONDITIONS.



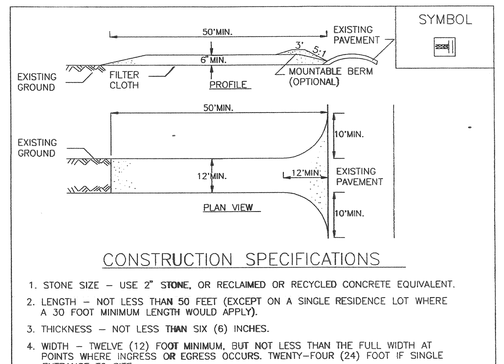
SYMBOL

CONSTRUCTION SPECIFICATIONS

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

SILT FENCE



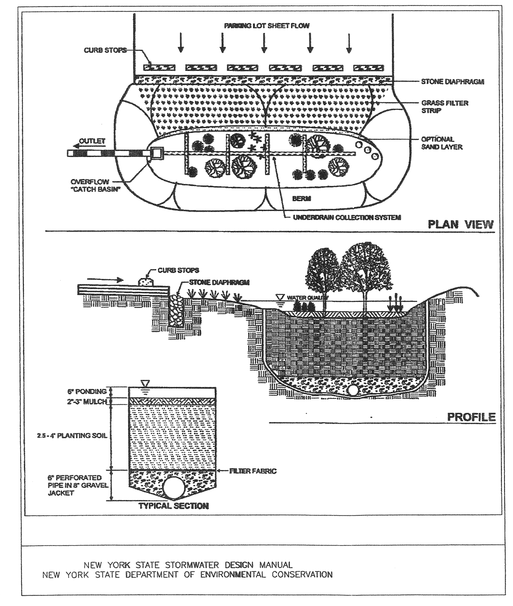
SYMBOL

CONSTRUCTION SPECIFICATIONS

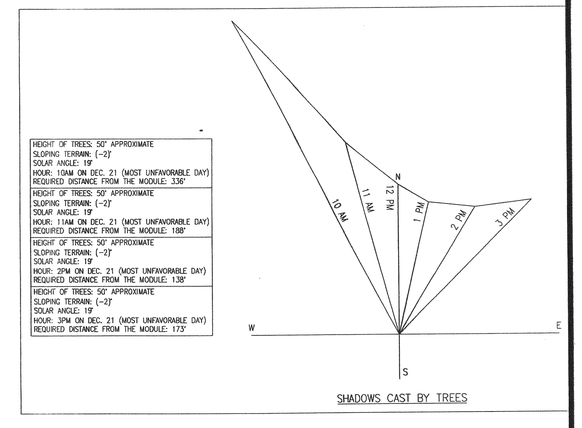
1. STONE SIZE – USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH – WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER – ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CON-STRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE – THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAYS MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

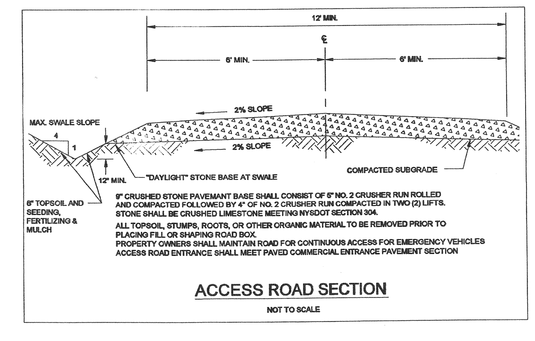
STABILIZED CONSTRUCTION ENTRANCE



NEW YORK STATE STORMWATER DESIGN MANUAL
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



SHADOWS CAST BY TREES



ACCESS ROAD SECTION

NOT TO SCALE

PROJECT INFORMATION:

PV PLANT	1	2	3	
NUMBER OF RACKS	250	250	250	
SOLAR PANELS PER RACK	28	28	28	TOTALS
NUMBER OF SOLAR PANELS	7,000	7,000	7,000	21,000
AREA OF S.E.S. EQUIPMENT	3.142 AC	3.142 AC	3.142 AC	9.426 AC
AREA OF TEMP. DRIVE	0.228 AC	0.185 AC	0.034 AC	0.447 AC
AREA OF PERMANENT DRIVE	0.006 AC	0.065 AC	0.029 AC	0.091 AC
AREA OF TEMP. FACILITIES	0.000 AC	0.007 AC	0.007 AC	0.014 AC
LOT AREA	13.500 AC	13.600 AC	12.875 AC	37.498 AC
PERCENT COVERAGE	XX%	XX%	XX%	XX%

THE SOLAR PANELS ARE ATTACHED TO RACKS, EACH RACK IS 45.4' LONG BY 12.0' WIDE AND HAS 28 SOLAR PANELS. THERE WILL BE AT LEAST 19.0' BETWEEN EACH ROW OF RACKS.

MAPS OF REFERENCE:

1. MAP SHOWINGS LANDS OF THE MERKLEY ESTATE BY MICHAEL JOY, LS DATED: JULY 1989 AND FILED IN THE ONTARIO COUNTY CLERK'S OFFICE AS MAP NUMBER 17479.

WETLAND DELINEATION:

1. PORTIONS OF THE WETLANDS DEPICTED ON THIS MAP WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES, INC. ON APRIL 30, 2018 (25 WEST FULTON STREET, GLOVERSVILLE, NY 12078).
2. THE MAPPED BOUNDRY OF THE NYDEC STATE WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER.
3. THE MAPPED BOUNDRY OF THE FEDERAL WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAPPER.

NOTICE OF PROJECT NEAR FARM OPERATIONS

IT IS THE POLICY OF THE TOWN OF FARMINGTON TO CONSERVE, PROTECT, AND ENCOURAGE THE DEVELOPMENT AND IMPROVEMENT OF AGRICULTURAL LAND FOR THE PROTECTION OF FOOD AND OTHER PRODUCTS AND ALSO FOR ITS NATURAL ECOLOGICAL VALUE. THIS NOTICE IS TO INFORM THE PROSPECTIVE GRANTEE THAT THE PROPERTY THEY ARE ABOUT TO ACQUIRE LIES PARTIALLY, WHOLLY OR WITHIN 500' OF EITHER AN AGRICULTURAL DISTRICT OR LAND FOR WHICH AN INDIVIDUAL COMMITMENT HAS BEEN RECEIVED PURSUANT TO SECTION 305 OF 306 OF THE AGRICULTURAL AND MARKET LAW OF THE STATE OF NEW YORK, AND THAT FARMING ACTIVITIES MAY OCCUR ON SUCH PROPERTY, SUCH FARMING ACTIVITIES MAY INCLUDE BUT NOT LIMITED TO ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

SITE DEVELOPMENT STATISTICS

ZONING: A-80 AGRICULTURE DISTRICT
TAX ACCOUNT No.: 010.000-01-037.131
CURRENT ADDRESS: 466 YELLOW MILLS ROAD
PARCEL AREA: 135.4± ACRES (TO R.O.W.)

LANDOWNER/ OWNER:
ROGGER & CAROL SMITH
4790 FOX ROAD
PALMYRA, NY 14522

DEVELOPER:
DELAWARE RIVER SOLAR, LLC
CONTACT: PETER DOLGOS
33 IRVING PLACE
NEW YORK NY 10003
(646) 998-6495

A-80 AGRICULTURE DISTRICT SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 20'
REAR: 20'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.

TOWN CODE 165-65.3.6: LARGE SCALE GROUND MOUNTED SOLAR SYSTEMS SETBACK REQUIREMENTS TO RESIDENTIAL USE:
FRONT: 60'
SIDE: 140'
REAR: 140'
AGRICULTURE: 40'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.
LOT COVERAGE: 25%

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	–	–	–

CERTIFICATION:

I, SCHULTZ ASSOCIATES, ENGINEERS AND LAND SURVEYORS P.C. HEREBY CERTIFY THIS MAP WAS COMPLETED ON JULY 3, 2018 FROM AN INSTRUMENT SURVEY COMPLETED MAY 23, 2018 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ANY ALTERATIONS ARE A VIOLATION OF ARTICLE 145 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

KRIS K. SCHULTZ, L.S. NO. 49982
DARRIN K. MOSER, L.S. NO. 49146
ROBERT B. HATCH, L.S. NO. 50631

STATE OF NEW YORK — KRIS K. SCHULTZ — LICENSED PROFESSIONAL ENGINEER

STATE OF NEW YORK — DARRIN K. MOSER — LICENSED LAND SURVEYOR

STATE OF NEW YORK — ROBERT B. HATCH — LICENSED LAND SURVEYOR

A MAP SHOWING

DELAWARE RIVER SOLAR, LLC SOLAR ENERGY FACILITY

~ YELLOW MILLS ROAD ~

SITUATE IN:
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON,
COUNTY OF ONTARIO, STATE OF NEW YORK

RECEIVED
JUL 17 2018
TOWN OF FARMINGTON
PLANNING BOARD

SCHULTZ ASSOCIATES
ENGINEERS & LAND SURVEYORS, P.C.
129 SOUTH UNION STREET, PO Box 89
SPENCERPORT, NEW YORK 14559
585-349-3750
www.SchultzAssociatesPC.com

PRELIMINARY SITE PLAN

DRAWN BY:	DSM	PROJECT NO.	18.023
CHECKED BY:	KES	SHEET No.	3 OF 3
SCALE:	1" = 60'	DWG. NO.	S-2
DATE:	JULY 3, 2018		

APPENDIX II

Final

DELINEATION OF WATERS OF THE UNITED STATES

INCLUDING

FRESHWATER WETLANDS

Yellow Mills Road Solar Farm

Town of Farmington
Ontario County, New York

Prepared For:

Delaware River Solar, LLC
c/o Mr. Peter Dolgos
33 Irving Place
New York, New York 10003

Prepared By:

NCES
North Country Ecological Services, Inc.

July 24, 2018

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Appendices

1.0 INTRODUCTION

At the request of Delaware River Solar, LLC (DRS), North Country Ecological Services, Inc. (NCES) completed an on-site delineation of Waters of the United States that include freshwater wetlands on a portion of a 135.36± acre property known as "Lands of Smith - Yellow Mills Road" (the "Site"). The Site is currently owned by Rodger and Carol Smith of 4790 Fox Road, Palmyra, New York 14522 (the "Owners"). the property is an active cattle farm. At this time, DRS is under contract to acquire a portion of the property from the Owners for the purposes of establishing a solar farm.

At the further request of DRS, the delineation was limited to 84.75± acres of the Site (the "Review Area"). The Review Area encompasses the lands that will be converted from agricultural use into the solar farm. The formal delineation was warranted to identify potential environmental constraints and assist in defining unrestricted land in conjunction with anticipated future development/usage of the property.

After a review of the Ontario County Soil Survey, the USGS 7.5' topographic map (Macedon Quadrangle), aerial photographs, and other technical information for the Site, NCES identified and delineated the limits of wetlands and other Waters of the United States that fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act (CWA). NCES also reviewed the property for wetlands that would be subject to regulation by the New York State Department of Environmental Conservation (DEC) pursuant to Article 24 of the Environmental Conservation Law (ECL). The formal field delineation was completed by NCES on April 30, 2018.

As a result of the delineation, a total of 6.89± acres of vegetated wetland and 1,605± linear feet of stream channels (Seasonal Relatively Permanent Waterways – RPW's) were identified. The delineated wetland boundaries were subsequently field located by NCES utilizing GPS technology and were formally mapped by the firm of Schultz Associates, of 129 South Union Strect, Spencerport, New York 14559 (Schultz).

2.0 SITE LOCATION & DESCRIPTION

The Site is located at the southwest intersection of Yellow Mills Road and Fox Road in the Town of Farmington, Ontario County, New York (Figure 1). The Review Area basically encompassed the eastern two-thirds of the property. The centralized coordinates of the Review Area are 43° 00' 59.27" N Latitude and 77° 15' 38.19" W Longitude. The general topography of the Review Area is generally flat. However, a large upland ridge exists within the southwest corner of the property. Elevations within the Review Area range from 630 feet above mean sea level (msl), found along the aforementioned upland ridge, to 543 feet above msl, located at the edge of a pond found along Fox Road, resulting in an elevation difference of 87± feet.

The Site can be characterized as an active cattle farm. The majority of the land within the Review Area exists as pasture for cattle. Other fields on the farm utilized for hay and field crops to support the cattle operation. A large upland ridge is located in the southwest corner of the Site. This upland ridge is predominantly wooded. The northwest corner of the Review Area appears to have been mined for sand & gravel. Large, deep, pits and open water ponds are present in this portion of the Site.

With the exception of the upland ridge, all other portions of the Review Area have been historically utilized for farming or mining activities. It was apparent that portions of the ridge have been logged by the Owners. A large forested wetland complex is located along the western boundary of the Review Area. This portion of the Site has probably been historically too wet to have been actively farmed. Several large barns, garages, and a single-family home are also situated on the property along Yellow Mills Road. Areas immediately surrounding the house and barns exists as mowed lawn.

Based upon the definitions presented in the *Ecological Communities of New York State* (Edinger, 2014) and the *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin, 1979), the following ecological communities have been identified within the Review Area:

Base Map: USGS Macedon 7.5' Quadrangle, Ontario County, N.Y. Scale: 1" = 2000'

NCES
Northern Ecological Services, Inc.

FIGURE 1- SITE LOCATION MAP

- Pastureland (Edinger)
- Cropland - field crops (Edinger)
- Successional northern hardwood forest (Edinger)
- Quarry pond (Edinger)
- Red maple hardwood swamp (Edinger)**
- Palustrine forested wetland (Cowardin)**
- Palustrine emergent wetland (Cowardin)

** The Red maple hardwood swamp community identified by Edinger is the same as the Palustrine forested community described by Cowardin.

Land use surrounding the Site include single-family residential homes, active agriculture, and undeveloped forested land. The parcel is bordered to the north by Fox Road, on the east Yellow Mills Road Road, and to the south and west by undeveloped woodlands. Active agricultural fields are located to the north and east of the Site, on opposites sides of the road that border the property. Photographs of the Review Area that were taken by NCES to show the condition of the property at the time of the delineation are contained in Appendix A.

3.0 DELINEATION METHODOLOGY

Wetland boundaries were delineated using the three-parameter methodology as outlined in the *Corps of Engineers Wetland Delineation Manual*, 1987 (1987 manual). The 1987 manual was used in accordance with the Corps of Engineers Appropriation Bill and the Johnson Amendment of August 17, 1991, which states that until revisions to the January 1989 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands* (1989 manual) are finalized, the Corps of Engineers will apply the 1987 manual to identify and delineate wetlands potentially subject to regulation under Section 404 of the CWA. In order for an area to be classified as a wetland, it must exhibit the following characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology.

NCES also used information presented within the *Regional supplement to the Corps of Engineers Wetland Delineation Manual – Northcentral and Northeast Region* (January 2012) as further guidance for assessing and defining wetland boundaries. According to the 1987 Manual and Interim Regional Supplement, in order for an area to be classified as a wetland, it must exhibit hydrophytic vegetation; hydric soils; and wetland hydrology.

The routine on-site determination method was used to determine the wetland boundaries on the Site. Vegetative, soils, and hydrologic data were examined and collected along the upland/wetland transitions. Vegetation was sampled using the quadrant sampling procedure. Transects were established perpendicular to the wetland boundaries in order to document the vegetation, soils, and hydrology of the on-site wetlands and uplands.
The USACE has also issued the *National List of Plant Species That Occur in Wetlands*, which lists species of vascular plants that are likely to occur in a wetland. The list separates the plants into five categories that determine the "wetland indicator status." A species indicator status is based upon its frequency of occurrence in wetlands:

- *Obligate wetland* plants (OBL) occur almost always (estimated probability >99%) in wetlands under natural conditions;
- *facultative wetland* plants (FACW) usually occur in wetlands (estimated probability 67-99%), but are occasionally found in upland;
- *facultative* plants (FAC) are equally likely to occur in wetlands or uplands (estimated probability 34-66%);
- *facultative upland* plants (FACU) are those species that normally occur in uplands but occasionally occur in wetlands (estimated probability 67-99%); and,
- *upland* (UPL) species occur almost always in uplands (estimated probability >99%) under natural conditions (Federal Interagency Committee for Wetland Delineation, 1989).

Dominant plant species were determined for each vegetative stratum by estimating aerial cover. Dominant plant species are defined as those species in each stratum that, when ranked in decreasing order of abundance and when cumulatively totaled, exceed 50% of the total dominance measure for each stratum, plus any additional species that comprise 20% or more of the total dominance measure.

Soils were analyzed to depths below the A-horizon. Samples were taken in conjunction with the procedures outlined within the Regional Supplement. Soil samples were checked to determine Munsell Soil Color Chart designation and hydric soils were identified by color. Indicators of hydrology were noted on the field data sheets. Vegetation, soils, and hydrology were analyzed to determine the wetland boundary.

Perennial and Intermittent streams were identified by the formation of banks, apparent streambeds, and high water marks where extended hydrologic input has formed deep channels in the soils and formed hydric soils. Copies of the field data sheets used to document the vegetation, soils, and hydrology are contained in Appendix B.

4.0 EXISTING CONDITIONS

4.1 Soils

According to the USDA Natural Resources Conservation Service Web Soil Survey 3.2 for Ontario County, New York (the "Soil Survey"), a total of ten (10) different soil series were identified within the boundaries of the Site. The soil types identified include: Fine-loamy, mixed, active Typic Argiaquolls (19A); Canandaigua mucky silt loam, with 0-3% slopes (44A); Ontario fine sandy loam, with 8-35% slopes (112C & 112E); Ontario loam, with 3-25% slopes (116B, 116C & 116D); Palmyra cobbly loam, with 0-3% slopes (122A and 122B); Palmyra gravelly loam, with 3-15% slopes (126B and 126C); Phelps gravelly silt loam, with 0-3% slopes (210A); Kendaia loam, with 0-3% slopes (304A); and, Pits, gravel and sand (PG), (Figure 2).

USDA **Natural Resources Conservation Service**
Web Soil Survey
National Cooperative Soil Survey

Soils Legend

19A	– Fine-loamy, mixed, active Typic Argiaquolls	122A	– Palmyra cobbly loam, 0-3% slopes
44A	– Canandaigua mucky silt loam, 0-3% slopes	122B	– Palmyra cobbly loam, 3-8% slopes
112C	– Ontario fine sandy loam, 8-25% slopes	126B	– Palmyra gravelly loam, 3-8% slopes
112E	– Ontario fine sandy loam, 25-35% slopes	126C	– Palmyra gravelly loam, 8-15% slopes
116B	– Ontario loam, 3-8% slopes	210A	– Phelps gravelly silt loam, 0-3% slopes
116C	– Ontario loam, 8-15% slopes	304A	– Kendaia loam, 0-3% slopes
116D	– Ontario loam, 15-25% slopes	PG	– Pits, gravel and sand

Base Map: Web Soil Survey 3.2 – Ontario County Soil Survey, N.Y.

Scale: As Noted

NCES
North Country Ecological Services, Inc.

FIGURE 2 - SOIL SURVEY

4.2 Vegetation

During the review, NCES identified six (6) different ecological communities within the boundaries of the Review Area. These ecological communities include: Pastureland, Cropland - field crops, Successional northern hardwood forest, Quarry pond, Palustrine forested wetland, and Palustrine emergent wetland. Each of these vegetative communities, with the exception of the Quarry pond, possess different and distinct species of vegetation that assist in defining them. The Quarry pond community was simply an open body of water that did not possess any significant vegetation within it. The dominant species of vegetation observed in each ecological community are listed below:

Some of the dominant species of vegetation observed within the Pastureland and Cropland - field crops ecological communities included; but are not limited to: alfalfa (*Medicago sativa*), timothy (*Phleum pratense*), orchard grass (*Dactylis glomerata*), reed canary grass (*Phalaris arundinacea*), wild carrot (*Daucus carota*), birdsfoot trefoil (*Lotus corniculatus*), red clover (*Trifolium pratense*), common plantain (*Plantago major*), English plantain (*Plantago lanceolata*), wild madder (*Galium mollugo*), Canada goldenrod (*Solidago canadensis*), spotted knapweed (*Centaurea maculosa*), dandelion (*Taraxacum officinale*), common milkweed (*Asclepias syraca*), common mugwort (*Artemisia vulgaris*), ragweed (*Ambrosia artemisifolia*), daisy (*Chrysanthemum leucanthemum*), wild madder (*Galium mollugo*), and cow vetch (*Vicia cracca*).

Some of the dominant species of vegetation observed within the Successional northern hardwood forest ecological community included; but are not limited to: red oak (*Quercus rubra*), shagbark hickory (*Carya ovata*), white ash (*Fraxinus americana*), (*Fagus grandifolia*), sugar maple (*Acer saccharum*), red maple (*Acer rubrum*), quaking aspen (*Populus tremuloides*), honeysuckle (*Lonicera tatarica*), buckthorn (*Rhamnus cathartica*), poison ivy (*Toxicodendron radicans*), garlic mustard (*Alliaria officinalis*), and common blue violet (*Viola sororia*).

Some of the dominant species of vegetation observed within the Palustrine forested wetlands included, but are not limited to, red maple, green ash (*Fraxinus pennsylvanicum*), American elm (*Ulmus americana*), pussy willow (*Salix discolor*), witch hazel (*Hamamelis virginiana*), tussock sedge (*Carex stricta*), skunk cabbage (*Symplocarpus foetidus*), fowl manna grass (*Glyceria striata*), jewelweed (*Impatiens capensis*), cinnamon fern (*Osmunda cinnamomea*), royal fern (*Osmunda regalis*), and sensitive fern (*Onoclea sensibilis*).

Some of the dominant species of vegetation observed within the Palustrine emergent wetlands included; but are not limited to: purple loosestrife (*Lythrum salicaria*), reed canary grass (*Phalaris arundinacea*), moneywort (*Lysimachia nummularia*), soft rush (*Juncus effusus*) slender goldenrod (*Solidago tenuifolia*), sensitive fern, late goldenrod (*Solidago gigantea*), fox sedge (*Carex vulpinoidea*), dark green bulrush (*Scirpus atrovirens*), and jewelweed.

4.3 Hydrology

The main sources of hydrology that influence the wetlands identified on the Site appear to originate from ground water discharge, surface water runoff, and direct precipitation. The stream that bisects the field dissipates into natural sand and gravel in the center of the field. There is no physical outlet to this watercourse as the water simply dissipates into the ground.

The forested wetland located along the western boundary of the Review Area receives runoff from the adjacent upland ridge as well as retains surface water. Ground water seeps were noted along the toe-of-slope of the ridge and wetland boundary. This wetland naturally drains to the northwest and is hydrologically contiguous with a larger wetland complex found to the west of the Site. This off-site wetland physically abuts a perennial stream channel that flows to the north and into other wetlands that are located to the north of Fox Road. The open water ponds and adjacent wetland communities are primarily ground water induced, as surrounding lands were mined for sand and gravel and the land

was excavated to the groundwater elevation. These ponded areas fluctuate in depth as the ground water table rises and lowers in conjunction with the natural hydrologic cycle. These ponds, hydrologically connect with the off-site wetlands that drain into the aforementioned perennial stream channel found to the northwest of the Site.

The un-named stream continues to the north and eventually converges with Ganargua Creek. This stream is a third-order perennial tributary that flows east and into the Erie Canal. The Erie Canal is classified as a Traditional Navigable Waterway (TNW).

As previously stated, the drainage that extends into the center of the property is reliant upon direct precipitation and surface water runoff for hydrologic input. The linear drainage extends flows to the center of the property. Natural flow is northward from the southern property boundary to the center of the Site. Once in the center of the Site, the drainage dissipates into the soil. No surface connection between this drainage and the open water ponds found to the north were observed.

5.0 WETLAND FINDINGS

During the delineation, three (3) individual wetland areas were identified on the Site. The wetlands have been designated by NCES as Wetland Areas 1, 2, and 3. The location and configuration of these wetlands is shown on the drawing prepared by Shultz Associates that is titled "Existing Conditions - Delaware River Solar, LLC - Yellow Mills Road" dated May 30, 2108 and last revised June 28, 2018. A copy of this wetland delineation map is contained in Appendix C.

6.0 JURISDICTIONAL DETERMINATION

In light of the Supreme Court rulings regarding the potential restriction of authority of the USACE to assert jurisdiction over isolated, non-adjacent, non-navigable waters of the United States based on the Solid Waste Agency of Northern Cook County vs. United

States (SWANCC) and Rapanos vs. USACE (Rapanos), it is required that environmental consultants identify, describe, and segregate each wetland area into jurisdictional and non-jurisdictional categories. This is required to assist the USACE in determining which wetlands are jurisdictional. Consultants must also provide project specific information relative to "post Rapanos" guidelines. A copy of the supplemental information is contained in Appendix D.

According to the Supreme Court, if a wetland can be deemed "isolated," "non-adjacent," and/or "non-navigable" and it is not physically hydrologically connected with a tributary system of a Traditional Navigable Waterway (TNW), the USACE does not have authority to assert jurisdiction over these wetland areas without a "Significant Nexus" review to determine the significance of the wetland in relation to adjacent jurisdictional waters. If it is subsequently determined during a joint review between the USACE and the Environmental Protection Agency (EPA) that no significant nexus exists, and if the wetlands are not regulated by any other governmental agency, such as the DEC or the United States Fish and Wildlife Service (USFWS), then these wetlands are not regulated.

6.1 Army Corps of Engineers Jurisdictional Wetlands

The observations made by NCES during the wetland delineation process revealed that a direct hydrological connection with a tributary system of a navigable waterway was identified between some of the wetlands and off-site waters of the United States. Therefore, the wetlands identified in Table 1 fall under the regulatory jurisdiction of the USACE pursuant to Section 404 of the Clean Water Act.

TABLE 1
USACE Jurisdictional Wetlands

Area	Size	Stream Length	Vegetative Cover Types
1	1.52± Acres	0± linear feet	Palustrine Emergent and Forested
2	4.26± Acres	0± linear feet	Open Water Pond
Totals	**5.78± Acres**	**± linear feet**	

6.2 Potential Non - Jurisdictional Wetlands

Based on the observations made by NCES during the delineation process, one of the wetlands identified has the potential to be deemed "isolated" and thus "non-jurisdictional" as it does not possess a physical, surface connection with any other wetlands identified; it is not adjacent to, nor does it abut a wetland that is physically connected with off-site waters. Consequently, the wetland identified in Table 2 my not fall under the regulatory jurisdiction of the USACE.

TABLE 2
Potential Non- Jurisdictional Wetlands

Area	Size	Stream Length	Vegetative Cover Types
3	1.11± Acres	1,605± linear feet	Linear Palustrine Emergent

6.3 DEC Regulated Wetlands

Based on the review of the Article 24 Freshwater Wetland mapping that was obtained from the DEC's Environmental Resource Mapper (ERM), a portion of a currently mapped Article 24 regulated wetlands is found within the boundaries of the Site (Figure 3). Specifically, portions of Freshwater Wetland (FWW) MC-12 are contained within the property boundaries. Portions of the 100 foot Adjacent Area (buffer zone) of Freshwater Wetland MC-12 are also contained within the boundaries of the Review Area as well.

The DEC mapped wetland correlates with Wetland Area 1 as identified and delineated by NCES. The extent of the DEC regulated areas are shown on the delineation map contained in Appendix C and are outlined in Table 3 below:

TABLE 3
DEC Regulated Areas

Area	Size	Stream Length	Vegetative Cover Types
FWW MC-12	1.52± Acres	0± linear feet	Palustrine Emergent and Forested
100' A.A.	2.49± Acres	0± linear feet	Active Pasture
Totals	**4.01± Acres**	**0± linear feet**	

NEW YORK STATE - DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Map Layers & Legend

- Classified Water Bodies
- Classified Water Bodies
- State-Regulated Freshwater Wetlands
- Wetland Check-zone

Base Map: DEC Environmental Resource Mapper - Ontario County, NY

Scale: None

NCES

NORTH COUNTRY ECOLOGICAL SERVICES, INC.

FIGURE 3 - DEC Regulated Areas

Based on the review of the Article 15 Protected Stream information obtained from the ERM, no Article 15 regulated streams exist on the Site. Therefore, no Article 15 Protection of Waters Permit will be required for this project.

6.4 National Wetland Inventory (NWI) Wetland Information

As is required by the USACE Buffalo District wetland reporting guidelines, NCES reviewed the U.S. Fish and Wildlife Service (USFWS) website and reviewed the National Wetland Inventory Mapper to determine if wetlands identified by the USFWS are present on the Site. Based on the information obtained from the National Wetland Inventory Mapper, it was determined by NCES that a portion of a NWI mapped wetland is present within the boundaries of the Site (Figure 4). The mapped wetland correlates with Wetland Area 1 as delineated by NCES and the wetland designated as FWW MC-12 by the DEC. The USFWS does not regulate wetlands and the NWI maps were generated to assist in identifying aquatic resources. No further consultation with the USFWS relative to wetlands is required.

7.0 CONCLUSION

As a result of the delineation, it has been determined that there are three (3) separate vegetated wetlands that total 6.89± acres within the Review Area. Within the confines of Wetland Area 3, a total of 1,605± linear feet of stream channel (Seasonal RPW) are present. Wetland Area 3 could not be field delineated since it was located within an active cattle pasture. While onsite, NCES was advised against entering the pasture with the cattle by the Owners. The herd contained several large bulls that, according to the Owners, are highly protective and aggressive. The edge of the drainage was well defined by topography and vegetation, and the boundaries of Wetland Area 3 were established using aerial photography and detailed topographic data.

U.S. Fish and Wildlife Service

National Wetlands Inventory

1:7,284

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Base Map: USFWS NWI Wetlands Map, Ontario County, N.Y.

Scale: As Noted

NCES

North Country Ecological Services, Inc.

FIGURE 4 - NWI WETLANDS

While there are no DEC regulated streams found on the property, Wetland Area 1 is a portion of DEC regulated wetland MC-12. In addition to the wetland itself, the DEC regulates 100' from the boundary of the wetland and any disturbances to the wetland or within 100' of it, may require an Article 24 permit from the DEC. The remainder of the property is actively farmed and the fields appeared to be well drained and maintained for cattle.

8.0 REFERENCES

- Cowardin, L.M., V. Carter, F.C. Gocet and E.T. Laroe. December 1979.Classification of Wetlands and Deepwater Habitats of the United States. USFWS Office of Biological Service, FWS/IOBL-79/31.

- Edinger, Gregory. 2014. Ecological Communities of New York State. New York Natural Heritage Program. 96 pgs.

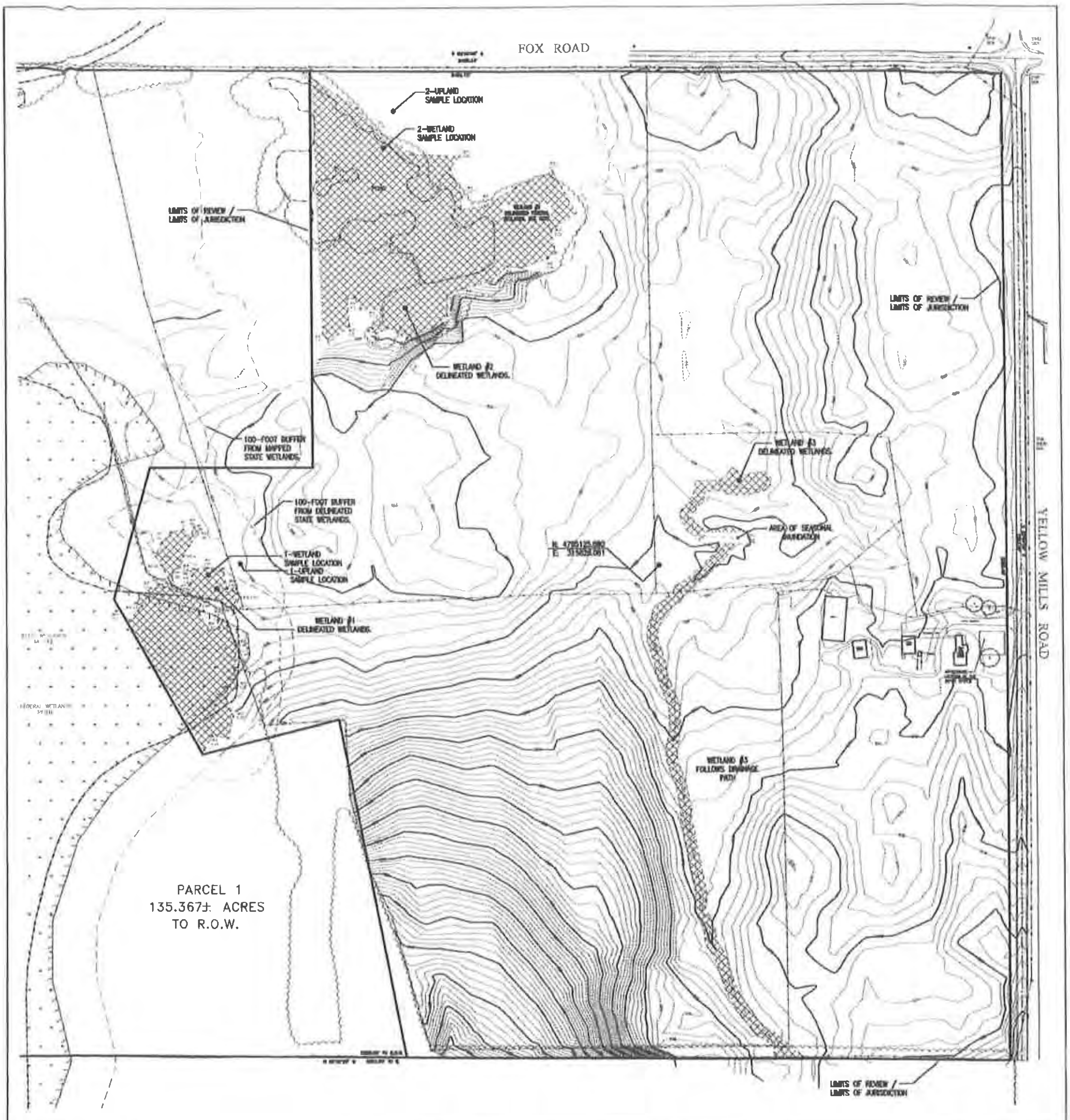
- Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, US Army Engineer Waterway Experiment Station, Vicksburg, Mississippi.

- New York State Department of Environmental Conservation. Environmental Resource Mapper. Article 24 and Article 15 Regulated Resources of Ontario County, New York. On-line Resource Guide. www.state.ny.us

- U. S. Department of Agriculture, Natural Resource Conservation Service. Web Soil Survey 3.2. Soil Survey of Ontario County, New York.

Appendix C

Wetland Delineation Map



WETLAND INFORMATION

AREA OF REVIEW / LIMITS OF JURISDICTION 84.75± ACRES

WETLAND TABLE:

AREA #1 1.52± ACRES
AREA #2 4.26± ACRES
AREA #3 1.11± ACRES / 1,605 LINEAR FEET
TOTAL 6.89± ACRES / 1,605 LINEAR FEET

LEGEND

ZONING A-80
TAX ACCOUNT No
010.000-01 037.131
CURRENT ADDRESS
466 YELLOW MILLS RD
PARCEL AREA 135.41 ACRES

A MAP SHOWING

DELAWARE RIVER SOLAR, LLC
SOLAR ENERGY FACILITY
~ YELLOW MILLS ROAD ~

SITUATE IN:
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON,
COUNTY OF ONTARIO, STATE OF NEW YORK

WETLAND DELINEATION

1. PORTIONS OF THE WETLANDS DEPICTED ON THIS MAP WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES INC ON APRIL 30, 2018 (25 WEST FULTON STREET, GLOVERSVILLE, NY 12078).
2. THE MAPPED BOUNDRY OF THE NYDEC STATE WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER.
3. THE MAPPED BOUNDRY OF THE FEDERAL WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAPPER.

LOCATION MAP

LAND OWNER
RODGER & CAROL SMITH
4790 FOX ROAD
PALMYRA NY 14522

APPLICANT
DELAWARE RIVER SOLAR LLC
CONTACT PETER DOLGOS
33 IRVING PLACE
NEW YORK NY 10003
(646) 998 6495

SCHULTZ ASSOCIATES
ENGINEERS & LAND SURVEYORS P.C.
129 SOUTH UNION STREET, PO BOX 89
SPENCERPORT, NEW YORK 14559
585 349 3750

EXISTING CONDITIONS

DRAWN BY:	RHE/JES/DSM	PROJECT NO	18.023
CHECKED BY	CJA	SHEET No	1 OF 1
SCALE	1" = 100'	DWG. NO.	EX-1
DATE	MAY 30, 2018		

Appendix D

Supplemental Jurisdictional Information

Supplemental Information for Jurisdictional Determination
Yellow Mills Road Solar

USACE Application #:	*Not Yet Assigned*
Project Name:	Yellow Mills Road Solar Farm
Current Property Owners:	Rodger and Carol Smith 4790 Fox Road Palmyra, New York 14522
Project Applicant:	Delaware River Solar, LLC c/o Mr. Peter Dolgos 33 Irving Place New York, N.Y. 10003
Environmental Consultants Wetland Delineators:	North Country Ecological Services, Inc. 25 West Fulton Street Gloversville, New York 12078 (518) 725-1007
Total Property Acreage:	135.36± acres
Limits of Jurisdiction:	84.75± acres
Site Coordinates:	43° 00' 59.27" N Latitude and 77° 15' 38.19" W Longitude
Historic Land Use:	Active Agricultural
Current Land Use:	Active Agricultural
Average Annual Rainfall:	34.0 Inches
Average Annual Snowfall:	66.0 Inches
Watershed Area:	582.4± acres
Site Location Map:	See Figure 1 in the Delineation Report – The Site is located at the southwest intersection of Yellow Mills Road and Fox Road, in the Town of Farmington, Ontario County, New York.

Soil Survey Map:	See Figure 2 in the Delineation Report - According to the USDA Natural Resources Conservation Service Web Soil Survey 3.2 for Ontario County, New York (the "Soil Survey"), a total of ten (10) different soil series were identified within the boundaries of the Site. The soil types identified include: Fine-loamy, mixed, active Typic Argiaquolls (19A); Canandaigua mucky silt loam, with 0-3% slopes (44A); Ontario fine sandy loam, with 8-35% slopes (112C & 112E); Ontario loam, with 3-25% slopes (116B, 116C & 116D); Palmyra cobbly loam, with 0-3% slopes (122A and 122B); Palmyra gravelly loam, with 3-15% slopes (126B and 126C); Phelps gravelly silt loam, with 0-3% slopes (210A); Kendaia loam, with 0-3% slopes (304A); and, Pits, gravel and sand (PG).
DEC Wetlands Map:	See Figure 3 in the Delineation Report – Based on the review of the Article 24 Freshwater Wetland mapping that was obtained from the DEC's Environmental Resource Mapper (ERM), a portion of a currently mapped Article 24 regulated wetlands is found within the boundaries of the Site. Specifically, portions of Fresh Water Wetland (FWW) MC-12 are contained within the property boundaries. In addition, portions of the 100 foot Adjacent Area of Freshwater Wetland MC-12 is also contained within the boundaries of the Review Area as well. The DEC mapped wetland correlates with Wetland Area 1 as identified and delineated by NCES.
Total Aquatic Resources:	6.89± acres
Jurisdictional Areas:	Acreage / Central Coordinates Area 1 = 1.52± acres (43° 00' 56.95" N 77° 15' 50.20"W) Area 2 = 4.26± acres (43° 01' 07.46" N 77° 15' 45.81"W)
Potential Non-Jurisdictional Wetlands:	Area 3 = 1.11± acres (43° 00' 55.36" N 77° 15' 36.05"W)
Total On-Site Streams:	1,605± linear feet
Traditional Navigable Waterways:	0.0± linear feet

Perennial Relatively
Permanent Waterways: 0.0± linear feet

Seasonal Relatively
Permanent Waterways: 1,605± linear feet (within Wetland Area 3)

Non-Relatively
Permanent Waterways: 0.0± linear feet

Wetland Connectivity with RPW's and TNW's:

The main sources of hydrology that influence the wetlands identified on the Site appear to originate from ground water discharge, surface water runoff, and direct precipitation. Wetland Area 3 does not connect with other waters of the U.S. It flows to a natural sand and gravel deposit and the water dissipates into the ground.

The forested wetland located along the western boundary of the Review Area receives runoff from the adjacent upland ridge and from ground water seeps were noted along the toe-of-slope of the ridge. This wetland naturally drains to the northwest and is hydrologically contiguous with a larger wetland complex found to the west of the Site. This off-site wetland physically abuts a perennial stream channel that flows to the north and into other wetlands that are located to the north of Fox Road.

The open water ponds and adjacent wetland communities are primarily ground water induced as they were mined for sand and gravel and the land was excavated to the groundwater elevation. These ponded areas fluctuate in depth as the ground water table rises and lowers in conjunction with the natural hydrologic cycle. These ponds, hydrologically connect with the off-site wetlands.

The un-named stream continues to the north and eventually converges with Ganargua Creek. This stream is a third-order perennial tributary that flows east and into the Erie Canal. The Erie Canal is classified as a Traditional Navigable Waterway (TNW).

The drainage that extends through the center of the property is reliant upon direct precipitation and surface water for hydrologic input. The linear wetland extends north to south into the center of the property. Natural flow is northward from the southern property boundary to the center of the Site. Once in the center of the Site, the drainage dissipates into the soil. No surface connection between this drainage and the open water ponds found to the north were observed.

Potential Pollutants:

During the field review NCES did not identify any contaminants or visible point sources of pollution on the property.

Habitat For Species:

During the site assessments, NCES documented only a few wildlife species on the Site. The species observed are extremely common and included white-tailed deer, raccoon, wild turkey, woodchuck, coyote, cottontail rabbit, chipmunk, and various early successional field associated birds. During the delineation, no endangered, threatened or rare species of flora or fauna were observed by NCES.

APPENDIX III

PHOTO 1 View southwest toward the proposed area of development from Yellow Mills Rd

PHOTO 2 View south toward Wetland #2

PHOTO 3 View north toward culvert outfall and associated hydrologic connection across Fox Rd

PHOTO 4 View southwest toward wetlands (outside project area) located west of Wetland #2

PHOTO 5 View west toward culvert outfall from wetlands on north side of Fox Rd