

TO PLANNING BOARD  
FROM CONCERNED CITIZENS

12-14-19

- It is our position that the August 7<sup>th</sup> Neg Dec should be rescinded and a pos dec should be issued. Per SEQRA's regulations, "a lead agency **must** rescind a negative declaration when (i) substantive changes are proposed for the project; or (ii) new information is discovered." 6 N.Y.C.R.R. § 617.7(f).
- On November 20<sup>th</sup>, 2019 we submitted a letter to the Planning Board summarizing potentially significant environmental impacts which require further review. We also submitted a letter from our engineer which reviews and comments on the Developer's Stormwater Pollution Prevention Plan. We reviewed DRS' latest submissions, and we believe that the following potentially significant environmental impacts are still at issue.
- It is likely that one or more moderate to large impacts may occur because the Proposed Project will disturb a significant portion of land. The physical disturbance caused by the proposed Project has increased from 1.1 acres to 2.6 acres. This significant— the area to be disturbed by the project has more than doubled in size. Pre- and post-construction activities associated with earthwork, installation of the solar pv systems (including arrays and associated infrastructure), and project maintenance will disturb project land and may have the potential for significant impacts to land on the project site.
- The new area covered by Developer's revised site plans which extend the solar arrays to the south and east was not reviewed as part of Foundation Design's initial geotechnical study. This study noted shallow perched water conditions at 7 borings, and 3 of these borings (P-8, P-15, and P-22) are located in close proximity to areas where the project has been expanded. The Project site's soils are dense, rocky, and moisture sensitive, and it is unclear what soil conditions exist in the new project area without performing further testing.
- It is unclear if impacts to sight line distances stemming from revisions to the site plan (moving solar pv systems and landscaping closer to Yellow Mills Road) have been evaluated. This is a major concern as the Project is located next to the Yellow Mills Road and Fox Road intersection. Further, potential traffic impacts during construction have not been evaluated.
- One or more moderate to large impacts to surface water and groundwater may occur because the Project site sits on top of an aquifer and contains two federally regulated and two state regulated wetlands, which are hydrologically connected to off-site wetlands and a stream. Pre- and post-construction activities associated with earthwork, installation of the solar pv systems (including arrays and associated infrastructure), and project maintenance may increase stormwater flows and sedimentation on the Project Site, impacting the quality of nearby waterbodies on and off the Project Site.
- Our engineer's letter reviewing and commenting on the developer's SWPPP disagrees with Bergman's conclusion that there will be essentially no change to the rate and volume stormwater runoff leaving the project site when comparing conditions before and after the construction. The densely massed configuration of the solar arrays will likely increase stormwater runoff. Soil compaction resulting from construction and maintenance activities will decrease water absorption and increase stormwater runoff on the Project Site. The fact that the Project will utilize best management practices does not negate the need for comprehensive review during the SEQRA process to determine the Project's potential impacts to surface water bodies on and off site. The placement of the arrays does not appear to follow the existing contours of the site, and very minimal permanent erosion and stabilization measures have been proposed.

Rec'd From James Falanga -- Planning Board Dec. 4, 2019 (JR)