



12 July 2023

Subject: Route 67 Solar

Dear Members of the Town Board,

Presented in the attached documents is a proposal to develop a 10 MWdc solar project on a 127-acre parcel located on Route 67 just west of Manny Corners Road. The site contains an existing 2 MWac solar PV project and a second 2 MWac second solar PV site that was permitted but not constructed. A National Grid (NG) high tension transmission line also traverses the site.

The remaining undeveloped portions of the parcel contain both the R-1 and R-2 districts - which makes the parcel undevelopable as the site infrastructure and access needed to support any of the permitted uses cannot be constructed. Given the proximity to the adjacent NG utility corridor and the Borrego solar project the site is well suited to the proposed commercial solar installation.

This proposal seeks to develop the solar project using the Town Code's Planned Unit Development (PUD) guidelines. The PUD process will allow the Town to conduct a very detailed and transparent review that will identify and address all concerns brought forth by both Boards as well as the public through the required public hearings.

Additionally, with a PUD, the applicant could offer a public benefit to the Town of Amsterdam (in addition to the renewable energy project itself) as part of the PUD project mitigation.

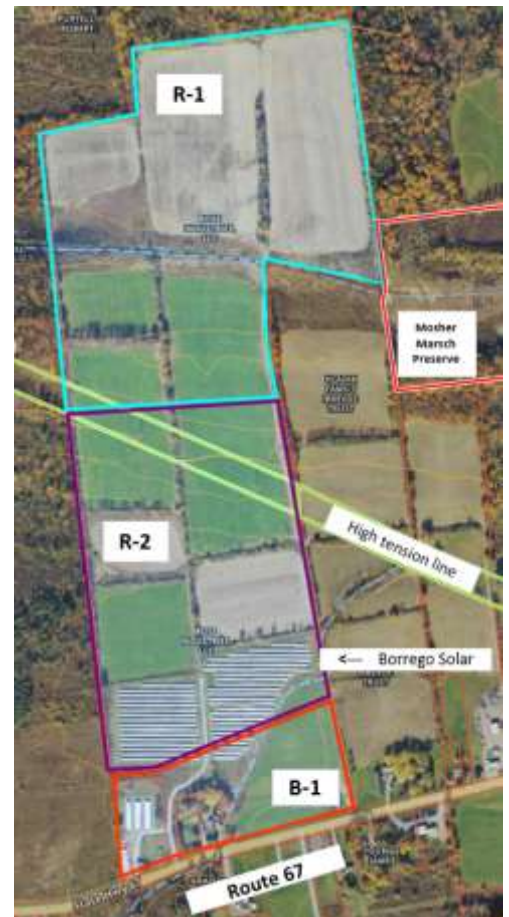
The project would benefit the Town in the following ways:

- The Town would receive a Public Benefit Fee with which it could fund other public work projects or initiatives.
- The Project would convey a conservation easement and public access right for a portion of the site that is adjacent to the Mosher Marsh Preserve.
- Additional tax revenue generated from the solar improvements on a land-locked site that is otherwise undevelopable.
- The Project would add landscaping to rectify the lack of screening of the Borrego project from the Route 67 corridor.

We would welcome an opportunity to further discuss our proposal at the **Town Board's earliest convenience.**

Sincerely,

Paul Kruger
Paul Kruger, Director of Development



ASD Route 67 Solar

PROJECT NARRATIVE

June 29, 2023

INTRODUCTION

The attached plan represents a conceptual site plan for the ASD Route 67 Solar project. The plan illustrates the general intent of the site development concept and the configuration for major elements of the proposed design program. The applicant is proposing a 10.67-MW DC solar farm facility. The project will be comprised of two separate interconnects each consisting of approximately 5 megawatts.

The project site is identified by the Town of Amsterdam Tax Map ID numbers 40.-1-23.11, 40.-1-23.12 and 40.-1-23.13. The parcels are 102.5-acres, 12.3-acres and 11.6-acres, respectively. Parcel 40.-1-23.11 (Parcel 1) is bisected by property owned by Niagara Mohawk (power transmission lines). Parcels 40.-1-23.12 (Parcel 2) and 40.-1-23.13 (Parcel 3) are landlocked parcels created for the solar projects. Parcel 2 has been developed with a solar array (developed by Borrego) while Parcel 3 remains vacant.

The applicant planning this new development is ASD Route 67 Solar I, LLC, 02 McCrea Hill Road, Ballston, New York.

SITE LOCATION, LAND USE & ZONING

The parcels extend across multiple zoning districts. The frontage of the property is located within the B-1 (Business) zone extending into the R-2 (Residential) zone in the center portion of the property and R-1 (Residential) in the northern portion of the property.

The Town of Amsterdam recently revised the Town Code to only allow utility scale solar development in the M-1 (Manufacturing / Mixed Use), B-1 (Business) and B-2 (Restricted Business) zones. Utility Scale Solar Energy Systems are permitted only upon issuance of a special use permit and site plan approval. Therefore, utility scale solar installation is no longer permitted for Parcel 3 and the remainder of parcel 1 except for the portion of Parcel 1 along the frontage of Route 67.

The properties are currently vacant and are comprised of open field and wooded areas.

GENERAL DESIGN CONCEPT & SITE LAYOUT

To further develop Parcel 1 and Parcel 3 (landlocked) with solar development, a Planned Unit Development is proposed to the Town of Amsterdam to allow for the continued utility scale solar development on the already impacted properties. Parcel 3 was previously approved for solar development; however, the project was not constructed and reportedly the approval has lapsed. The PUD process will allow Town to conduct a very detailed review of the project by both the Town Board and Planning Board. The review process by both boards provides for an open and transparent review and can identify and address all concerns brought forth by both Boards as well as the public through public hearings. Additionally, with a PUD, the applicant could offer a public benefit to the Town of Amsterdam (in addition to the renewable energy project itself) as part of the PUD process and project mitigation.

The proposed project includes the construction of an approximate 10.67 MW-DC solar array. The proposed solar array will consist of single axis tracker solar panel system and associated limited use access roads and array equipment. The solar panels will be placed throughout the parcel to place the solar array in locations that best fit the existing property and topography.

Access to the solar facility will be provided by improving the existing access road into the facility and extension of the road toward the north. The limited use access road will extend into the property toward the solar array. A chain linked fence is proposed to surround each section of the solar facility. Sliding gates are proposed near the location where the access roadways meet the solar arrays. A Knox box will be located at each gate which will allow emergency services to access the facility should the need arise.

The visibility of the array is not anticipated to have a negative impact on adjacent properties as the solar array is set back from Route 67 behind the existing solar farm.

A Basic Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the project in accordance with the latest guidance from the NYSDEC regarding solar installations as the project progresses. The proposed project will be designed to have no impact on ground or surface water quality or quantity.

PLANNED UNIT DEVELOPMENT (PUD)

Due to the location of the parcels and unique circumstances of this property / project, development of this property is most suited for continued solar development and not for residential development as per the Town zoning. The parcel is bisected by electrical transmission lines or located adjacent to electrical utility lines and is located near an electrical substation and behind (north of) the existing Borrego Solar facility. This is an optimal location to site an additional power generating facility immediately adjacent to an existing power distribution system. Siting a renewable energy source immediately adjacent to an existing power distribution system is an optimal scenario that will have a positive impact on the power grid and state and federal renewable energy goals. Further, the proposed use is therefore consistent with the use on the adjoining properties.

The objectives stated in Section 14. PUD – Planned Unit Development of the Town Code are as follows:

- A. Innovation in land use variety and design, in the layout and types of new structures and in their integration with existing structures;
- B. Increased efficiency in the use of land, energy, community services, transportation and utility networks;
- C. Preservation of natural resources, trees, natural topographic and ecological features;
- D. More usable open space and recreation opportunities;
- E. Provisions of a variety of housing opportunities and improved residential environments and/or enhanced business and employment opportunities.
- F. A development pattern in harmony with the existing community and the goals and objectives of the comprehensive plan.

Proposing a PUD for the remaining property for Parcels 1 & 3 meets the objectives outlined above. Expansion of a new solar farm (in an area previously approved for a solar farm) and its integration with the adjacent existing solar farm and electrical transmission lines is sensible and will be seamless. The projects' synergy with each other and proximity to the transmission lines and power substation will provide increased efficiency with the existing utility network. The NYSDEC has indicated that solar arrays do not have an adverse impact on the physical or environmental conditions. The land upon which the solar array will be developed will be preserved for future development, conservation, or farmland. Solar projects are required to have a decommissioning plan for the future removal of the solar array and all equipment at the end of the life cycle of the project. Thus, the land can be returned back to the original conditions that were present prior to the development of the solar farm or developed into a different use. The potential northward expansion of the solar facility will be in harmony with the existing

community as it will be an expansion of what is already there and in a direction that will not adversely affect neighboring properties.

Revising the Town Code to limit solar development to only the B-1, B-2 and M1 zoning districts severely limits any potential future development of utility scale solar in the Town of Amsterdam by design. As such, proposing a PUD to allow for expanded development of solar on property or areas already influenced and impacted by an existing solar development makes good planning sense. By expanding solar development on a site where solar already exists will limit future solar development in the surrounding area where it is permitted by zoning. Parcel 1 has significant road frontage along Route 67 which is zoned as B-1. The solar development could be expanded along this area as it is permitted by code. However, this is an open, flatter area along Route 67 and the solar array would be very visible right along the main thoroughfare which is not desirable. Expanding the solar development on the property already impacted by solar development will allow for proper road frontage type businesses to develop along Route 67 in the B-1 zoning district instead of solar panels.

Expansion of the existing solar development on a portion of Parcel 1 and Parcel 3 will max out the remaining capacity at the nearby electrical substation and thus will limit any potential future solar development in this area until such time as the substation is upgraded. The substation capacity will be the limiting factor and thus will not allow for any potential future solar projects in this area of town aside from whether the Town zoning will allow for it.

PUD Public Benefit

Developing the remaining property as a PUD will allow the Town Board and Town Planning Board the ability identify any issues related to the project as well as identify potential solutions and public benefits afforded to the community as a result of the project. Examples of public benefits include but are not limited to:

- As part of the PUD, the developer can proposed a detailed landscaping and / or landscaping and berming plan for the area of the property south of the existing Borego Solar Farm. The plan would develop visual screening for the existing solar array that currently is not visually shielded from Route 67. This could potentially include tree and shrub planting and / or earth berming that will improve the existing viewshed of the property from Route 67.
- A financial donation to the Town to be utilized for a nearby Town designated project, Town building or road improvement, utility improvement or equipment or land purchase identified as beneficial to the Town of Amsterdam.
- Donation of a portion of the project site to the Town of Amsterdam for preservation or parkland.

Suitability for Residential Development

The remaining north / central portion of Parcel 1 and Parcel 3 are not desirable nor financially feasible for single family residential development. Municipal water and sanitary sewer are not available in the immediate area and individual water wells and septic systems would need to be constructed. The R-1 zoning district specifies a minimum lot size of 65,000sf (1.50-ac) and a minimum width of 200'. The R-2 zoning district specifies a minimum lot size of 3-acres and a minimum width of 200'.

A long road or shared driveway would need to be constructed / extended approximately 1,250' to just reach the northern side of the existing solar array. Extending a town road to the north / central portion of Parcel 1 and Parcel 3 would not be financially feasible due to the ever-rising costs associated with road construction. Estimates for road construction range from \$700 (without water and sewer) to \$1,000 per foot depending on what is required for earth work, utility extensions and road construction materials (gravel, stone, asphalt, etc). An estimated cost to extend a town road to just the beginning of Parcel 3 would be between \$875,000 and \$1,250,000. That does not include further extending the road to service potential future homes. The potential lots would all have to have

a minimum of 200' of frontage along the town road with the additional lot cost ranging from \$75,000 to \$100,000 per lot (lots on either side of the road, 200' x \$750 per foot = \$150,000; \$150,000 / 2 lots per 200' of road = \$75,000 per lot). Therefore, due to the road construction costs alone, single family residential development is not financially feasible.

Extending a long, shared driveway to a distance in excess of 1,250' is not desirable as the maintenance would be difficult and costly. A long, shared driveway is also not desirable for emergency services to have to negotiate should the need arise.

Individual water wells and septic systems would be required for residential lots. According to the USDA Web Soil Survey, the on-site soils consist of silt loams and silty clay loam. The soil survey indicates that the soils are somewhat limited to very limited for use as septic system absorption areas. Please see the attached soil survey map. On-site test pits would need to be excavated and evaluated to determine what type of septic system would be required for individual homes. However, based upon the soil survey, raised fill systems or "Amsterdam" Fill systems would need to be constructed to service the homes. Depending on the size of the required system, these systems can range in cost from approximately \$20,000 to \$40,000 to construct.

A single-family residential development with an existing solar farm on one side and electrical transmission lines on the other side or traversing the property is not desirable to home builders / developers. When looked at the properties a whole, the existing solar array, transmission lines, exceedingly long driveway and individual water wells and septic systems, the property is not desirable for single family residential development.

SUMMARY

It is our opinion that this property is an optimal location to site an additional power generating facility and that being immediately adjacent to an existing power distribution system. Siting a renewable energy source immediately adjacent to an existing power distribution system is an optimal scenario that will have a positive impact on the power grid and state and federal renewable energy goals. The proposed Planned Unit Development District will allow for the project to be considered by both the Town Board and the Town Planning Board. The review process by both boards provides for an open and transparent review and can identify and address all concerns brought forth by both Boards as well as the public. The applicant is committed to working with the Town of Amsterdam to achieve a successful project that is an asset to the Town.