

March 27, 2023

Bruce Flower
Chairman
Town of Wappinger Planning Board
20 Middlebush Road
Wappingers Falls, NY 12590

RE: Response to Dutchess County Department of Planning and Development Comments on the Myers Corners Solar Farm – Lightstar – Special Use Permit and Site Plan

Mr. Chairman:

The Applicant for Old Myers Solar (Project) received a letter containing review comments from the Dutchess County Department of Planning and Development (County) regarding the Old Myers Solar Special Use Permit and Site Plan Application documents. The letter of comments, dated March 3, 2023, was sent by Eoin Wrafter and Tara Grogran to the Town of Wappinger Planning Board and is provided as Attachment A to this Response. Following are the Applicant's responses to the County's comments. For clarity, the County's comments are copied in ***Bold Italics***, with the Applicant's responses appearing in plain text.

Comments

- ***The application discusses which crops are proposed for the site, but the site plans do not include any information about the proposed agricultural component of the project, such as where the crops will be planted, whether there will be a public component that could require parking (such as pick-your-own), or other considerations. This raises concerns about the ability to access and tend to the plantings and the solar panels without inflicting damage to either. The board could request such details to ensure that the uses are congruous, and that the agricultural use will be successful enough to support the preservation and improvement of the prime agricultural soils available on this site. We also note that there should be a conversation between the landowner, developer, and town assessor regarding the project's impact on the agricultural value assessment of the property.***

The Applicant confirms that there is not a public component to this Project (e.g., "pick-your-own"). Instead, the Project will operate as a conventional farm. Specific crops may rotate with growing conditions and market trends, but the intended crops for this Project are lavender, blueberries, strawberries, and tomatoes that will be supplied to local grocers and restaurants and/or sold at local farmers markets.

- ***We understand that Dutchess County DPW may be requesting additional paving of the proposed access beyond standard specifications in order to limit tracking of mud and debris onto the County highway. The applicant should coordinate with County DPW to ensure that the site access drive meets these standards.***

The Applicant will continue coordination with the Dutchess County DPW as the project progresses. A paved apron has been added to the proposed access road as requested, see detail 4 on sheet C-400.

- ***The project area intrudes on the 100ft buffer of a delineated wetland, and significant tree clearing is proposed within the buffer. The applicant could consider other panel arrangements that avoid the wetland buffer.***

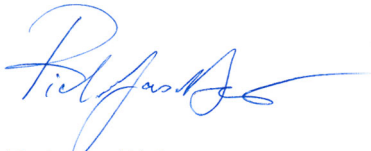
The Applicant affirms that co-utilization of agriculture and solar arrays are proposed within the Town's wetland buffer and the Applicant intends to submit a Town Wetland Disturbance Permit application for authorization of tree clearing and facility construction within that buffer, noting that no impacts to the wetland-proper are proposed. Also, the Applicant considered various panel arrangements in context of other necessary constraints (e.g., municipal and utility setbacks) and concluded that this design was necessary to achieve the generation required to make the project viable, within a Project Area that is generally limited in space for a dual-use agrivoltaic system

- ***Although a landscaping plan was provided, the visual impact of the project is not clear. The board could ensure that the proposed screening from the road is sufficient.***

The Applicant has incorporated visual screening to satisfy Town requirements and will continue to cooperate with the Town to meet their standard.

Thank you for your consideration of this Response.

Sincerely,



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cc: Bea Ogunti (Town of Wappinger), Sam Bailly (Lightstar), Ben Aparo (Lightstar), Tom Daniels, P.E. (TRC), John Capello (J&G)