October 26, 2026

**To: Barbara Roberti**

Director of Strategic Planning and Municipal Codes

20 Middlebush Road, Wappinger Falls, NY, 12590

**From: Miguel Linera**

Project Manager CTEC Solar

**Regarding:** Old Myers Solar – Old Myers NY LLC –

22 Old Myers Corners Road, Wappingers Falls, NY 12590

Dear Members of the Planning Board,

I am writing to provide context and a clear timeline regarding our appearance before the Planning Board for this project.

Old Myers NY LLC (Applicant) receive Special Use Permit for proposed 2 MA (AC) community solar project located in the Town of Wappinger, Duchess County, NY. Old Myers Solar (Project) is sited on a 13.8 acre leased portion (Project Lease Area) of a 37.08-acre parcel owned by Sean Thompson (Landowner). The construction of the Project will include an access road, solar panel installation, equipment pad, and perimeter fencing.

Below is a brief background on the permitting process to date:

- 2023: Lightstar received a Special Use Permit (SUP) for this project. The site plan submitted with that application identified two non-jurisdictional wetlands adjacent to the site. Lightstar subsequently applied for a building permit, using a site plan that showed a third non-jurisdictional wetland. A scheduled site walkthrough with the EPC and Building Inspector was canceled due to inclement weather and was not rescheduled, so the building permit card was not issued.

- June 2025: Lightstar terminated its contract with the original EPC, and CTEC Solar was engaged to bring the project to construction. Since then, we have worked with new engineers to redesign the site based on the original SUP plans and coordinated with the racking vendor.

- February 12, 2026: We applied for a building permit (see attached transmittal sheet), relying on the original Planning Board approval from 2023.

- March 19, 2026: Following their review, the Town Engineers submitted a list of questions (see attached letter from Paggi Engineers). The primary focus was a mapped wetland adjacent to the site that was not shown on the previously approved site plan.

- June 17, 2026: Our engineering team responded (see attached Hunt response) with updated site plans accurately depicting the mapped wetland and fully addressing all remaining minor questions. The non jurisdictional wetland is shown on the submitted plans, and the overall project design remains as originally approved per the SUP.

- August 4, 2026: Barbara Roberti forwarded comments from the Town Planner and Town Engineer (attached) requesting a few final items and advising us to prepare to return before the Planning Board.

In conclusion we are requesting to be placed on the agenda for the next Planning Board meeting to further discuss these updates and answer any questions.

Best regards,

Thank you

**Miguel Linera**

Gmail

Miguel Linera <miguel.linera@ctecsolar.com>

# CTEC Solar - Project #NY0006, Transmittal # 001 - Permit Plans for Old Myers

1 message

**Miguel Linera (miguel.linera@ctecsolar.com)** <notifications@cm.sage.com> Thu, Feb 12, 2026 at 5:29 PM
Reply-To: 3TYzMqwXn2b0c026xusdbDi/F2sMnz3PeA==@inbound.corecon.com
To: miguel.linera@ctecsolar.com

CTEC Solar

## Transmittal

| | |
|---|---|
| **Attention** | Susan Dao |
| **Company** | Town Of Wappinger Building Department |
| **Project** | NY0006 - Old Myers Solar |
| **Project Address** | 189 Myers Corners Road<br>Wappinger Falls<br>NY, 12590 |

| | |
|---|---|
| **Transmittal #** | 001 - Permit Plans for Old Myers |
| **Sender** | Carrier |
| **Due Date** | 13-Feb-2026 |

**Comments**

Good afternoon Susan, attached please find:

2 sets of plans, 2 sets of SWPPP binder, a thumb drive with the drawing plans and SWPPP, the application, The Owners Consent letter signed, our required insurance forms and a check for $250.oo for the building permit application.

I look forward to working with you

Miguel Linera

Please sign to acknowledge receipt:

### Transmittal Items

| Item # | Item Description | Quantity | Return Quantity | Transmitted For |
|---|---|---|---|---|
| 1 | 2 sets of Civil and Electrical plans | 2 | 0 | |
| 2 | 2 binders with project SWPPP | 2 | 0 | |
| 3 | 1 Thumb drive with project plans and SWPPP | 1 | 0 | |
| 4 | Insurance certificates | 2 | 0 | |
| 5 | Permit application | 1 | 0 | |
| 6 | Owners Consent form signed | 1 | 0 | |
| 7 | Check for $250.00 | 1 | 0 | |

### Reply Instructions

For more details and related files, please visit the following URL.

Access TeamLink Portal

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Thanks,

**Miguel Linera**
CTEC Solar
**T:** 860.580.7174
**C:** 508-560-3990
**E:** miguel.linera@ctecsolar.com

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# LAWRENCE J. PAGGI, PE, PC

**CONSULTING ENGINEERING**

43 BROAD STREET
FISHKILL, NEW YORK 12524
PHONE 845 897 2375; FAX 845 897 2239


**MEMORANDUM**

**TO:** BARBARA ROBERTI

**FROM:** CHRISTIAN PAGGI

**SUBJECT:** OLD MYERS SOLAR – BUILDING PERMIT SITE PLAN REVIEW COMMENTS

**DATE:** 3/19/2026

Barbara –

As requested, we have reviewed the above-mentioned site plan submitted by the Applicant for Building Permit review against the record site plan approved by the Planning Board in 2023. The building permit plan set reviewed by our office consists of an 18-sheet plan set entitled "Old Myers Solar Farm, Old Myers NY LLC, 2.1 MW (AC) Ground Mounted Solar Array" prepared by Hunt Engineers, Architects and Land Surveyors, dated 1/12/2026.

We offer the following comments on the plans:

1. The building permit plan set indicates a NWI Mapped Wetland area immediately northwest of the subject property which was not indicated on the approved site plan. The building permit plans show some improvements within what appears to be regulated buffer area. As proposed, it appears that additional permitting from the Town would be required. Since this particular wetland was not included as part of the original site plan review, a review by the NYSDEC under the 2025 Freshwater Wetlands Regulations may be required. The Applicant should consult with the NYSDEC to verify any additional permitting requirements. Correspondences between the Applicant and NYSDEC should be provided to the Town to document the final determination.
2. The approved plans indicated a "compacted and vegetated" internal access road. The building permit plan only shows an access along the lot frontage and along the easterly property line.
3. The approved plans indicated grading and slope stabilization in several areas that appear to be intended to accommodate the proposed solar array and to promote sheetflow of runoff in the steeper sections of the site. The building permit plan set does not show any proposed grading or slope stabilization other than in the area of the gravel access drive. Maintaining sheetflow and promoting natural infiltration of runoff are typically key components to the Stormwater Pollution Prevention Plan (SWPPP) for solar array facilities. The Applicant should clarify the intent and provide justification for any changes to demonstrate compliance with the approved SWPPP and current NYSDEC Storwmater regulations.

4. Similar to comment #3 above, the approved plans include measures for decompaction of soils to promote natural infiltration. Specifically, the plans require implementation of the NYS Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands" with regard to decompaction practices and soil restoration. These or similar requirements should be included on the building permit set.
5. A detailed site-specific erosion and sediment control plan that outlines any phasing requirements (including phasing required to remain below the 5-acre maximum disturbance threshold) shall be provided.
6. It is not clear if the building permit plans meet the intent of the approved plans relative to front yard buffer and side lot line buffer requirements for dimensioning and specific plants. The Applicant should clarify this and identify any proposed deviations from the approved plan (refer to Resolution of Approval Condition 2.f.).
7. A new SWPPP prepared by Hunt Engineers was also submitted with the building permit plan set. During the Planning Board review process, a SWPPP prepared by TRC was reviewed and ultimately found acceptable by the Planning Board's engineering consultant at the time (CPL). It is assumed, however, we have not confirmed, that an MS4 SWPPP Acceptance Form would have been signed by the Town following approval. Therefore, the submitted Hunt Engineering SWPPP should be considered an amendment of the Approved SWPPP of record (TRC). The Hunt Engineering SWPPP should reference the approved SWPPP and identify any changes/deviations from the approved SWPPP. Additionally, an engineering certification that the SWPPP amendment is consistent with the approved SWPPP should be provided to the Town. Please note that our office did not review the Hunt Engineering SWPPP since an approved SWPPP was already on file, however, we can perform a consistency review of that document if desired upon request.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

4 Commercial Street, STE 300, Rochester, NY 14614 | PH: 585-327-7950

June 17, 2026

CTEC Solar
Miguel A. Linera
Project Manager
C: 508-560-3990
E: miguel.linera@ctecsolar.com
1 Griffin Road South, Suite 200
Bloomfield, CT 06002

Town of Wappinger
20 Middlebush Rd
Wappingers Falls, NY 12590
Attn: Barbara Roberti

**Re: OLD MYERS SOLAR- BUILDING PERMIT SITE PLAN REVIEW COMMENTS**

Dear Miguel,

Please see below our responses to comments provided by Christian Paggi of Lawrence J. Paggi, PC, PC dated 3/19/26. Please note that the plans prepared by Hunt Engineers are designed to be and will be consistent with approved plans issued for site permit as approve by the MYERS CORNERS SOLAR FARM – LIGHTSTAR – RESOOLUTION FOR SITE DEVELOPMENT PAN AND SPECIAL PERMIT and the Approved Site Plan provided by TRC Dated April 2023. Any changes are to allow for mechanical and electrical equipment required to implement the agrivoltaics goals of the project and recent changes to the SPDES General Permit.

As requested, we have responded to comments on the above-mentioned site plan submitted by the Applicant for Building Permit review against the record site plan approved by the Planning Board in 2023. The building permit plan set reviewed by our office consists of an 18-sheet plan set entitled "Old Myers Solar Farm, Old Myers NY LLC, 2.1 MW (AC) Ground Mounted Solar Array" prepared by Hunt Engineers, Architects and Land Surveyors, dated 1/12/2026

We offer the following responses to comments:

1. The building permit plan set indicates a NWI Mapped Wetland area immediately northwest of the subject property which was not indicated on the approved site plan. The building permit plans show some improvements within what appears to be regulated buffer area. As proposed, it appears that additional permitting from the Town would be required. Since this particular wetland was not included as part of the original site plan review, a review by the NYSDEC under the 2025 Freshwater Wetlands Regulations may be required. The Applicant should consult with

the NYSDEC to verify any additional permitting requirements. Correspondence between the Applicant and NYSDEC should be provided to the Town to document the final determination.

*This feature was not included as part of the original site plan review as it was beyond the parcel boundary and therefore not surveyed during the original delineation. The Applicant commissioned a formal delineation of this feature in April of this year which resulted in the confirmation of a 2.46-acre palustrine-shrub-scrub wetland in the general area of the NWI-mapped feature.*

*This wetland is not jurisdictional to the New York Department of Environmental Protection (NYSDEC) as it is less than 12.4 acres and is not a previously mapped freshwater wetland. These are the two criteria stated by NYSDEC in their "Standard Operating Procedures (SOP) for Remote Jurisdictional Determinations and Classification of Freshwater Wetlands Pursuant ECL 24-0703 and 24-903" that were recently (May 11, 2026) revised in the wake of the NYS Supreme Court's Annulment of Part 664.B of the State's Freshwater Wetlands Rule. A copy of this May 11, 2026 revised SOP is provided as Attachment A to this Response. We also note that this 2.46-acre wetland is at least 50 meters (~164 feet) from other wetlands, addressing the State's 50-meter rule; i.e., that two or more freshwater wetland are considered distinct for regulatory purposes if they are more than 50-meters apart, regardless of hydrologic connectivity.*

*This wetland is presumed jurisdictional to the U.S. Army Corps of Engineers (USACE). The USACE regulates dredge/fill impacts to wetlands but does not have provisions for buffer areas beyond the delineated wetland boundary. The Applicant is proposing no impacts to the wetland-proper, and thus no federal permit will be necessary.*

*The Applicant concurs with Hunt's presumption that this wetland is jurisdictional to the Town of Wappinger Falls, and thus any proposed impacts to the 100-ft upland buffer surrounding this wetland will require a Wetland Disturbance Permit. The Applicant is proposing minimal disturbance within this buffer relating to the installation of panel racking and a perimeter fence. The Applicant notes that this portion of the wetland buffer consists of open/cleared uplands that have historically been used for agriculture, and will continue to be used for agriculture in context of the proposed agrivoltaic operations. As such, the Applicant intends to submit an application for a Town wetland permit, and we request that this disturbance (to the 100-ft upland buffer) be considered by the Town as a Mixed Use Solar & Agricultural Project in their review and approval of a wetland disturbance permit.*

2. The approved plans indicated a "compacted and vegetated" internal access road. The building permit plan only shows an access along the lot frontage and along the easterly property line.

*The "compacted and vegetated" path is shown on the IFBP plans and indicated as note 7 on Sheet C2.0. Area at the interior of the solar field has been used to maximize the agriculturally productive meadow.*

3. The approved plans indicated grading and slope stabilization in several areas that appear to be intended to accommodate the proposed solar array and to promote sheet flow of runoff in the steeper sections of the site. The building permit plan set does not show any proposed grading or slope stabilization other than in the area of the gravel access drive. Maintaining sheet flow and promoting natural infiltration of runoff are typically key components to the Stormwater Pollution Prevention Plan (SWPPP) for solar array facilities. The Applicant should clarify the intent and provide justification for any changes to demonstrate compliance with the approved SWPPP and current NYSDEC Stormwater regulations.

***The revised IFBP plans have included grading in accordance with racking needs and maintaining sheet flow promoting natural infiltration of runoff.***

4. Similar to comment #3 above, the approved plans include measures for decompaction of soils to promote natural infiltration. Specifically, the plans require implementation of the NYS Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands" with regard to decompaction practices and soil restoration, These or similar requirements should be included on the building permit set.

***Decompaction measures are included in the IFBP plans on sheet C3.0 and as this will be used for agriculture ongoing aeration and shallow tilling is included in the agricultural plan.***

5. A detailed site-specific erosion and sediment control plan that outlines any phasing requirements (including phasing required to remain below the 5-acre maximum disturbance threshold) shall be provided.

***As planned the project will disturb more than 5-acres at one time. A detailed construction sequence is included in the IFBP plans on Sheet C0.1 which includes temporary stabilization measures during construction to minimize the amount of area that is disturbed at one time.***

6. It is not clear if the building permit plans meet the intent of the approved plans relative to front yard buffer and side lot line buffer requirements for dimensioning and specific plants. The Applicant should clarify this and identify any proposed deviations from the approved plan (refer to Resolution of Approval Condition 2.f.).

***An enlargement of the area adjacent to the ROW has been added to the IFBP plans to clarify the limits of the plantings and buffer area. The IFBP plans match the approved plans.***

7. A new SWPPP prepared by HUNT Engineers was also submitted with the building permit plan set. During the Planning Board review process, a SWPPP prepared by TRC was reviewed and ultimately found acceptable by the Planning Board's engineering consultant at the time (CPL). It

is assumed, however, we have not confirmed, that an MS4 SWPPP Acceptance Form would have been signed by the Town following approval. Therefore, the submitted Hunt Engineering SWPPP should be considered an amendment of the Approved SWPPP of record (TRC). The HUNT Engineering SWPPP should reference the approved SWPPP and identify any changes/deviations from the approved SWPPP. Additionally, an engineering certification that the SWPPP amendment is consistent with the approved SWPPP should be provided to the Town. Please note that our office did not review the Hunt Engineering SWPPP since an approved SWPPP was already on file, however, we can perform a consistency review of that document if desired upon request.

***The original SWPPP was prepared prior to the issuance of the new GP 25-001. The HUNT SWPPP conforms to the new design standards. An eNOI was never submitted for this project. If an MS4 acceptance form was completed, it would be void at this point and a new MS4 acceptance form should be signed in accordance with the HUNT SWPPP.***

We are pleased to provide any substantive changes required to ensure this IFBP plan is fully consistent with the SUP Approved plans and if there are any further comments or questions we will be happy to address the directly.

Sincerely,
HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECT

Jacob Deyo



Project Manager

c: Daniel Yanosh P.E.

On Tue, Aug 4, 2026 at 10:40 AM Barbara Roberti <BRoberti@townofwappingerny.gov> wrote:
Good morning Miguel,

I have received comments from both the Town Engineer and the Town Planner regarding your project. Both consultants agree that this project needs to come back to our planning board for further review. Here are the comments:

**Malcolm Simpson:** Based on my review, I continue to recommend that this project be brought back in front of the planning board due to the changes from the previously approved site plan. These changes appear to include, but may not be limited to:

- Need for Town Wetland permitting for disturbance within the Town regulated wetland buffer, which was not previously included (see attached applicant response #1).
- Changes to internal road layout
- Changes to grading and drainage
- Racking height/dimensions do not appear to be indicated on the plans.
- The SWPPP has been modified due to the changes. The current SWPPP requires review/approval.

Christian Paggi: As requested, we have reviewed the letter from Hunt Engineers, dated June 17, 2026, which included responses to our 3/19/26 comment memo. Based on my review, I continue to recommend that this project be brought back in front of the planning board due to the changes from the previously approved site plan. These changes appear to include, but may not be limited to:

- The current plan requires Town Wetland permitting for disturbance within Town regulated wetland buffer area that was not anticipated as part of the previously approved site plan.
- The current plan includes changes to internal road layout.
- The current plan includes changes to grading and erosion and sediment control measures.
- A new Stormwater Pollution Prevention Plan (SWPPP) has been submitted which includes changes from the previously reviewed and approved SWPPP. The current SWPPP requires review/approval.

Please note that our office will await direction from your department or the Planning Board prior to commencing a review of the revised SWPPP.

Based on both comments, I recommend you prepare to submit to come back to the Planning Board.

Sincerely,
Barbara

*Barbara Roberti*
*Director of Strategic Planning and Municipal Codes*
*NYS Code Enforcement Officer*
*20 Middlebush Road*
*Wappinger Falls, NY 12590*
*845-297-1373 Ext: 2*
*broberti@townofwappingerny.gov*

BEWARE OF WIRE FRAUD AND IDENTITY THEFT

Please be advised that if you receive any electronic communication requesting the transfer of funds and/or non-public personal information you must contact the town. Even though the request may appear to be otherwise it may be part of a scheme to defraud you by stealing funds from you or using your identity to commit a crime.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

4 Commercial Street, STE 300, Rochester, NY 14614 | PH: 585-327-7950

September 4, 2026

Barbara Roberti
Director of Strategic Planning and Municipal Codes
NYS Code Enforcement Officer
20 Middlebush Road
Wappinger Falls, NY 12590
845-297-1373 Ext: 2
broberti@townofwappingerny.gov

**Re: Old Myers Solar - Use Permit - 189 Myers Corners Rd.**
**CTEC Solar/ Lightstar**
**HUNT #: 3643.003**

Dear Barbara,

Per your request on August 4, 2026 we provide the following information for planning board review and request to be added to the agenda at the Town of Wappinger's next planning board meeting dated October 5th 2026.

Included in this submission are:

- Civil Site Plans260904 - OLD MEYERS - SITE CIVIL -SUP
- Stormwater Pollution Prevention Plan - 260115 Old Myers Solar SWPPP
- Wetland Review Memo for offsite Wetlands - Lightstar_Wetland Memo_FINAL
- Old Meyers Wetland Building Permit Application

I have also included in this letter general responses feedback from your Town Engineer and Town Planner below.

***Malcolm Simpson:*** *Based on my review, I continue to recommend that this project be brought back in front of the planning board due to the changes from the previously approved site plan. These changes appear to include, but may not be limited to:*

- *Need for Town Wetland permitting for disturbance within the Town regulated wetland buffer, which was not previously included (see attached applicant response #1).* **Please see included Old Meyers Wetland Building Permit Application**

- *Changes to internal road layout:* **Location of 12' Wide Vegetated Path moved to better facilitate site maintenance and allow access to northern section of property by farmer without entering into the agrovoltaic facility.**
- *Changes to grading and drainage:* **The amount of grading on site has been minimized to the extent required by racking manufacturer and the site drainage pattern has been maintained unaffected from pre development to post construction per SWPPP Plans included.**
- *Racking height/dimensions do not appear to be indicated on the plans:* **Racking Hight and dimensions included on Sheet C5.1**
- *The SWPPP has been modified due to the changes. The current SWPPP requires review/approval.* **The SWPPP has been revised to meet with requirements of NYSDEC SPDES General Permit for Construction (GP-0-25-001)**

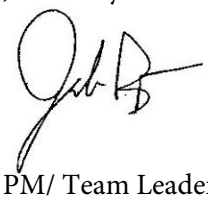
***Christian Paggi:*** *As requested, we have reviewed the letter from Hunt Engineers, dated June 17, 2026, which included responses to our 3/19/26 comment memo. Based on my review, I continue to recommend that this project be brought back in front of the planning board due to the changes from the previously approved site plan. These changes appear to include, but may not be limited to:*

- *The current plan requires Town Wetland permitting for disturbance within Town regulated:* **Please see included Old Meyers Wetland Building Permit Application**
- *wetland buffer area that was not anticipated as part of the previously approved site plan:* **Additional Offsite Wetlands included on Plans create buffer area on project site.**
- *The current plan includes changes to internal road layout.* **Location of 12' Wide Vegetated Path moved to better facilitate site maintenance and allow access to northern section of property by farmer without entering the agrovoltaic facility.**
- *The current plan includes changes to grading and erosion and sediment control measures.* **Erosion & Sediment Controls have been updated in accordance with GP-0-25-001 and meet with best practices.**
- *A new Stormwater Pollution Prevention Plan (SWPPP) has been submitted which includes*: **The SWPPP has been revised to meet with requirements of NYSDEC SPDES General Permit for Construction (GP-0-25-001)**
- *changes from the previously reviewed and approved SWPPP. The current SWPPP requires review/approval.* **Stormwater Pollution Prevention Plan - 260115 Old Myers Solar SWPPP has been included for review.**

Based on these comments we have prepared the included submission and intent to come back to the Planning Board at your next meeting available October 5th planning board meeting.

Sincerely,
HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECT

Jacob Deyo



PM/ Team Leader

enc.

- Civil Site Plans260904 - OLD MEYERS - SITE CIVIL -SUP
- Stormwater Pollution Prevention Plan - 260115 Old Myers Solar SWPPP
- Wetland Review Memo for offsite Wetlands - Lightstar_Wetland Memo_FINAL
- Old Meyers Wetland Building Permit Application

c:
Dan Yanosh P.E.
John Cappello jcc@jglaw.law
Luke Reynolds Luke.Reynolds@lightstar.com
Miguel Linera <miguel.linera@ctecsolar.com>