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November 3, 2025

Town of New Haven Planning Board
c/o Cindi Giovo, Secretary
4279 State Route 104
Oswego, NY 13126
Via Email: planning@newhavenny.com

Re: *Supplemental Submission*
Fulton Community Solar Project
2824 County Route 6, Town of New Haven, Oswego County, NY
C.T. Male Project No: 24.4182

Dear Ms. Giovo:

On behalf of **NY USLE COUNTY RD 6 I LLC** (Applicant) and U.S. Light Energy, enclosed please find the following documents that represent a supplemental submission for Site Plan Approval and Special Use Permit for the Fulton Community Solar Project, which is a 3.0-megawatt AC ground-mounted solar farm proposed at 2824 County Route 6 in the Town of New Haven.

Also attached to this letter are written responses to the comment letter provided by the Town Designated Engineer, MRB Group, dated October 7, 2025. The site plans and project documents have been updated

List of Attachments	
Updated Site Plans, P.E. Stamped	Attachment 1
Updated Part I Full EAF	Attachment 2
CESIR from National Grid	Attachment 3
Noise Analysis	Attachment 4
Wetland Delineation Report	Attachment 5
Updated O&M Plan	Attachment 6
Updated Decommissioning Plan & Estimate	Attachment 7
Updated Stormwater Pollution Prevention Plan (SWPPP)	Attachment 8

We look forward to meeting with the Planning Board on November 19, 2025 to conclude the review of this project.

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Respectfully Submitted,

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Responses to MRB Group Letter (October 7, 2025)

SITE PLAN AND GENERAL COMMENTS

1. **MRB Comment:** *The date of any materials provided should be updated on the cover whenever revisions are made.*

#1 CTM Response: Comment acknowledged. Comment addressed in this submission.

2. **MRB Comment:** *Has a CESIR study been initiated with the receiving utility? If so, please provide a copy of the study to the Town and MRB. The copy may have redactions if necessary.*

#2 CTM Response: A copy of the CESIR study provided by National Grid is included in this submission.

3. **MRB Comment:** *A noise analysis of the proposed project should be provided to assist the Board in their review of potential impacts to neighboring properties.*

#3 CTM Response: An operational noise analysis has been conducted and is included in this submission. In summary, the project will not generate noise trespass beyond ambient levels. Construction noise will be temporary and limited to the duration of land clearing and array installation. In general, solar farms are not traditionally loud operations and are passive in nature.

4. **MRB Comment:** *The Town Fire Code Official and/or Code Enforcement Officer should be satisfied that emergency access is adequate and meets NYS Building Code requirements. Any areas where parking is prohibited may need to be provided with no parking signs and depicted on the plans.*

#4 CTM Response: Emergency access will be reviewed with the Town Fire Code Official and/or Code Enforcement Officer prior to building permit issuance to confirm compliance with NYS Building Code. The project provides fire access with a 20-foot-wide gravel access road with proposed slopes of less than 10%. Truck turnarounds that are at least 70 feet long are provided at two locations outside the fence line, in accordance with the NYS Building Code. A minimum 16-foot-wide access path (grass or revegetated gravel) is provided between the panels and the fence line, and a clear 10-foot-wide path is provided just outside the fence line for circulation around the array. In addition to the main vehicle gate, two additional vehicle gates are provided on opposite sides of the array (south and east) to be used for emergency or maintenance purposes. We believe fire and emergency access is adequate.

5. **MRB Comment:** *Snow storage locations should be identified on the plans.*

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#5 CTM Response: Two snow storage areas are shown on the plans. Other areas around the turnarounds could also be used at the discretion of the owner as there is adequate clear space for snow.

6. **MRB Comment:** *It is our understanding that a pervious access road is proposed. Please note that pervious access roads are not suitable for construction use, and that a different form of temporary access must be provided.*

#6 CTM Response: A temporary construction haul road will be constructed along the same alignment as the future pervious access road. Upon completion of construction, the haul road will be removed and/or decompacted, and the pervious road section will then be installed in accordance with the project plans and details. This will prevent the pervious road from being overused during construction or impacted with mud or fines. This is outlined in the Notes for Pervious Access Roads on Sheet C-502.

7. **MRB Comment:** *A detailed soil sampling program and procedure is to be provided in accordance with the NYS Dept. of Ag and Markets Guidelines for solar energy projects construction and mitigation on agricultural lands.*

#7 CTM Response: Representative soil samples will be collected along the access road alignment and areas within the array where grading and topsoil removal is proposed (slope grading, detention basins, and equipment pads). Six to eight samples will be collected. The soil sampling will be consistent with Cornell University's soil testing guidelines, and samples will be submitted to a laboratory for testing PH, percent organic material, cation exchange capacity, Phosphorus/Phosphate (P), and Potassium/Potash (K), in accordance with NYSDAM guidelines. The results are to establish a benchmark that the soil's PH, Nitrogen (N), Phosphorus/Phosphate (P), and Potassium/Potash (K) are to be measured against upon restoration. This work and additional detail of this sampling plan and procedure will be done prior to construction, after site plan approval. Note that most of the site where the array is proposed is not agricultural lands (based on soil type and use), though the parcel is in an agricultural district. This has previously been discussed with the Planning Board.

8. **MRB Comment:** *It is our understanding that a wetland delineation has been performed. Please provide a copy of the wetland delineation report to the Town and MRB Group. Coordination with US ACOE and NYSDEC is required to be completed as well. Copies of all correspondences with US ACOE and NYSDEC are to be provided to the Town and MRB Group.*

#8 CTM Response: A copy of the wetland delineation report is provided in this submission. Delineated wetland boundaries and regulatory buffers are shown in existing conditions plan. Coordination with US ACOE and NYSDEC is ongoing, and all related correspondence will be shared with the Town and MRB Group upon

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availability. We expect that the project will require the use of General Permit GP-0-25-004 from the NYSDEC for impacts to 100-foot wetland adjacent areas. We have used this general permit as design guidelines for this site plan. We do not expect a permit from the US ACOE will be required as the project does not entail the discharge of fill or dredged material to site wetlands or streams. Since this coordination is ongoing, any required permits can be provided to the Town prior to a building permit, as required.

9. **MRB Comment:** *Please provide an enlarged view of the proposed wetland crossing area.*

#9 CTM Response: Based on further review of the site conditions, the plan no longer proposes or requires culvert replacement at the existing wetland crossing area. Rather the existing gravel crossing will be topped with geotextile fabric and 10 inches of crushed stone to support the construction and operations phases of the project. This will result in no impacts to the wetland and watercourse present in this area (other than the 100-foot NYSDEC adjacent area buffer). An enlargement of this area has been provided in the site plans on C-105.

10. **MRB Comment:** *Compost filter sock should be installed along the contour and must be included within the limits of disturbance. It should be much closer to the fenceline and limits of grading, rather than directly adjacent to the wetland areas. The filter sock also helps protect vegetation from being trampled or overwhelmed by sediment. Please also utilize orange construction fencing to delineate the limits of disturbance/clearing. Also, please specify the diameter of compost filter sock to be used.*

#10 CTM Response: The compost filter sock alignment has been revised to follow the contour within the limits of disturbance and closer to the fenceline and grading limits. The diameter of the compost filter sock has been specified on the detail on C-503. Orange construction fencing is shown around protected wetlands that are proximate to the limit of clearing/limit of disturbance so the contractor will keep out of these areas. Limit of clearing demarcation can also be done by flagging trees rather than fencing.

11. **MRB Comment:** *Perimeter sediment controls need to be provided where disturbed areas are upslope of adjacent areas to be preserved, not just where there are wetlands present.*

#11 CTM Response: Perimeter sediment controls have been added in all applicable areas where disturbed ground is upslope of areas to be preserved.

12. **MRB Comment:** *What appears to be a limits of disturbance boundary or limits of clearing is not noted in the legend and does not appear to have a label identifying it. Please identify this line.*

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#12 CTM Response: The limit of disturbance line and the proposed tree line (limit of clearing) have been added to the legend.

13. **MRB Comment:** *A stabilized maintenance access drive needs to be provided between the main entrance and all proposed detention basins. The drive should be at least 12' in width. Turnarounds should also be provided for maintenance vehicles.*

#13 CTM Response: A stabilized 12-foot-wide maintenance access drive has been provided to all detention basins, including appropriate turnarounds for maintenance vehicles, as well as the one vehicle gate for the eastern basins. This maintenance access drive is routed around the perimeter of the array within the 16-foot minimum setback between the panels and the fence line. The access drive will follow the "Revegetated Gravel Road Scarification Detail for Upland Road and Work Areas" in accordance with NYSDEC guidance.

14. **MRB Comment:** *The detention basin emergency spillways would need to be armored down the full length of the slope to the receiving areas. Also, the dimensions of storm pipe riprap outlet protection should be identified on the plans, and sizing calculations should be provided.*

#14 CTM Response: The emergency spillways are shown to be armored down slope to the limit of disturbance and limit of clearing (receiving areas) as required, and riprap outlet protection dimensions and sizing calculations have been added to the plans on C-504.

15. **MRB Comment:** *A site-specific construction sequence is to be added to the plans detailing the construction process.*

#15 CTM Response: A site-specific construction sequence is included in the site plans that demonstrates a disturbance sequence of no more than five acres at a time.

16. **MRB Comment:** *All proposed steep slope areas (1:3 v:h or steeper) are required to be treated with an erosion control blanket and suitable seed mix. All such areas are to be identified on the plans and the extents of steep slope treatments delineated. Lastly, an appropriate steep slope treatment detail is to be provided.*

#16 CTM Response: This comment has been addressed in the site plans in this submission. We note that these sloped areas are associated with the constructed detention basins and not present within the array or as natural slopes.

OPERATIONS & MAINTENANCE PLAN COMMENTS

17. **MRB Comment:** *In the erosion control paragraph vegetation control within the Site Maintenance (seasonal) section, it is identified to be performed as necessary to maintain*

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navigable access. This is to be revised to indicate that all vegetated areas within the project limits are required to be maintained as vegetated for the life of the project. Any areas of erosion must be repaired, and any loss of vegetation must be remediated.

#17 CTM Response: This comment has been addressed in the revised O&M Plan.

18. **MRB Comment:** *In the Site Maintenance (seasonal) section, please include a section on inspection of stormwater management practices (the detention basins).*

#18 CTM Response: This comment has been addressed in the revised O&M Plan.

19. **MRB Comment:** *In the Access Path Maintenance section, snow removal is identified as being performed as reasonably required to maintain access. Please identify more specifically how snow accumulation may be tracked, and how determinations will be made that plowing is required.*

#19 CTM Response: This comment has been addressed in the revised O&M Plan. In most cases and under normal operating conditions, the system and site conditions are monitored remotely.

DECOMMISSIONING PLAN & ESTIMATE COMMENTS

20. **MRB Comment:** *Section i. Equipment Dismantling and Removal will be revised to explicitly identify it as a decommissioning sequence. The following items will be incorporated into the sequence description:*

- a. Removal of the access road.*
- b. Coordination with the Town prior to beginning decommissioning.*
- c. Obtaining all required permits prior to beginning decommissioning.*
- d. Installation of temporary erosion and sediment controls.*
- e. Removal of temporary erosion and sediment controls.*
- f. Removal of landscaping (if so desired by the landowner).*
- g. Removal of stormwater management practices.*
- h. Soil restoration, seeding, and mulching of disturbed soils and compacted soils.*

CTM Response #20: The above items have been incorporated into the revised Decommissioning Plan as a sequence.

Applicant note on Landscaping and Access Road: In this project, the current plan is to keep the access road and landscaping as they will provide a longer-term improvement to the property beyond the solar array. This is based on their proposed locations on the property and the fact that they don't occupy a lot of space or unnaturally segment the

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property. Removal of these features seems unnecessary. This concept is reflected in the revised cost estimate.

Applicant note on Stormwater Management Features: Gravel diaphragm level spreaders will be removed and restored as they are within the array area. Removal of the detention basins around the perimeter of the site is not proposed since their removal will cause the export of fill material from the site and more disturbance than necessary. The detention basins will also provide a longer-term improvement to the property beyond the solar array and their removal after several decades of establishment seems unnecessary. The Applicant proposes to have the maintenance responsibilities of the detention basins to revert to the landowner post-decommissioning, so that it will not fall to the Town. This is provided in the revised Decommissioning Plan. This concept is reflected in the revised cost estimate.

21. **MRB Comment:** *In Table 1, Waste Management, please identify how vegetative plantings will be disposed of if required to be removed.*

CTM Response #21: Table 1, Waste Management, has been updated to include a description of how vegetative plantings will be disposed of if removal is required. Disposal methods will be consistent with applicable local and state regulations and may include composting, chipping, or off-site disposal at an approved facility. Removal of the planted vegetation will be at the preference of the landowner, but the current plan is to leave it in place, as previously explained.

22. **MRB Comment:** *The Decommissioning Plan should clearly identify all entities and persons that must be notified that decommissioning will be occurring.*

CTM Response #22: The Decommissioning Plan has been revised to clearly identify all entities and persons that must be notified prior to the commencement of decommissioning activities. This will include, at a minimum, the Town, relevant permitting agencies, utility providers, and the landowner.

23. **MRB Comment:** *The plan should identify that in the event of a change of ownership of the solar energy facility, the change of ownership must be filed with the Town Clerk at least 10 days prior to that change occurring, and that the new owner shall provide an irrevocable letter or letters of credit in accordance with the Town's Solar Law.*

CTM Response #23: The Decommissioning Plan has been updated under Section 8 – Assignment, to include a provision stating that in the event of a change of ownership of the solar energy facility, the change must be filed with the Town Clerk at least ten (10) days prior to the transfer. The new owner will be required to provide an irrevocable

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letter or letters of credit other accepted decommissioning surety at the time in accordance with the Town's Solar Law.

24. MRB Comment: *The following comments pertain to the decommissioning estimate:*

a. The estimate should be stamped and signed by a licensed professional engineer.

CTM Response #24a: Comment addressed in the revised cost estimate.

b. Salvage value should not be accounted for in the estimate.

CTM Response #24b: Section 9 (B)(13)(d.)(ii.) of the Town Solar Law states when discussing the requirements for decommissioning surety *"The decommissioning amount shall be reduced by the amount of the estimated salvage value of the Solar Energy System."* This is why we included it as a credit on the decommissioning estimate, which is the basis for the 120% total cost bond amount. As such, we maintained the salvage value credit in the revised cost estimate.

c. Removal of the stormwater management practices needs to be added to the estimate.

CTM Response #24c: Gravel diaphragm level spreaders will be removed and restored as they are within the array area. Removal of the detention basins around the perimeter of the site is not proposed since their removal will cause the export of fill material from the site and more disturbance than necessary. The detention basins will also provide a longer-term improvement to the property beyond the solar array and their removal after several decades of establishment seems unnecessary. The Applicant proposes to have the maintenance responsibilities of the detention basins to revert to the landowner post-decommissioning, so that it will not fall to the Town. This is provided in the revised Decommissioning Plan. As such, the revised cost estimate does not include cost for removal of the detention basins.

d. The project SWPPP identifies the acreage of disturbance as being approximately 22.3 acres, whereas the estimate only accounts for soil restoration and seeding of approximately 8.8 acres. The restoration and seeding item should be for the full acreage of disturbance.

CTM Response #24d: The current limit of disturbance is 17.67 acres. Based on a review of the current decommissioning plan, we increased the soil restoration budget to 70% of the fenced area, which is where the majority of the decommissioning work will occur. This amounts to 9.37 acres of restoration with a 13.38-acre fenced area. When decommissioning occurs, the site will presumably be a meadow cover beneath the array. The entire construction limit of disturbance will not be disturbed to decommission the project. The work will occur in rows, and the racking will be pulled out of the ground and the underground electrical will be removed. The entire site will not be re-graded or disturbed to decommission the project. We believe that the soil restoration budget is adequate for this project inside and outside the fence line.

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e. Please add mulching to the soil restoration and seeding item.

CTM Response #24e: Comment addressed in the revised cost estimate.

f. The SWPPP inspections and permitting item is assigned a value of \$5,000. This seems to be very low as the project will likely be required to have bi-weekly inspections for at least a portion of the decommissioning process, and after permitting costs, it seems that there would be very little money left for inspections.

CTM Response #24f: Comment addressed in the revised cost estimate. This budget has been increased to \$18,400 to account for SWPPP preparation, permitting, and approximately 20 SWPPP inspections.

SWPPP & DRAINAGE COMMENTS

25. MRB Comment: *In the third paragraph of page 9 and in Section 4.4, the acreage of disturbance is identified as 21.69, whereas it is identified as 22.29 in the first paragraph on page 8. Please resolve this discrepancy.*

CTM Response #25: Comment addressed in the revised SWPPP provided in this submission. The limit of disturbance has been revised to be 17.67 acres and updated.

26. MRB Comment: *A draft copy of the eNOI is to be provided for review.*

CTM Response #26: Comment addressed in the revised SWPPP provided in this submission. A draft eNOI is provided in Appendix B.

27. MRB Comment: *The following comments pertain to the hydrology modeling:*

a. If the wetland areas within the modeled drainage area are typically saturated, then these areas should be modeled with a higher CN. Depending on the conditions of the wetlands, time of concentration calculations may need to end once flows enter the wetland areas, or this may need to be modeled as channel or pond flow.

b. Pond DB2.3: the outlet pipe length and slope does not match what is indicated on the plans.

CTM Response #27: Comment addressed in the revised SWPPP provided in this submission. The hydrology modeling has been revised as requested.

28. MRB Comment: *Please include the construction sequencing plan as part of the site plan set.*

CTM Response #28: Comment addressed with this submission. A site-specific construction sequence is included in the site plans and SWPPP that demonstrates a disturbance sequence of no more than five acres at a time.

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29. MRB Comment: *A stormwater maintenance agreement with the Town of New Haven will be required. A draft stormwater maintenance agreement should be submitted to the Town Attorney for review and approval. The draft copy should also be added to the project SWPPP. Once executed, a copy of the final agreement should replace the draft copy in the SWPPP.*

CTM Response #29: We take no exception to this comment. We have multiple examples from other towns in NYS. If New Haven has a standard agreement for other commercial projects in the Town, please provide for our review. If they don't, we can provide a draft. Once the site plan is approved, a draft stormwater maintenance agreement will be prepared and submitted to the Town Attorney for review and approval. The draft agreement will also be added to the project SWPPP. Once executed, the final agreement will replace the draft copy in the SWPPP.