



December 16, 2019

VIA E-MAIL

Mr. John Felsen, Chairman
Town of Rush Planning Board
5977 East Henrietta Road
Rush, New York 14543

VIA E-MAIL

Mr. John A. Mancuso
Weaver, Mancuso, Frame PLLC
95 Allens Creek Road
Building 1, Suite 318
Rochester, NY 14618

**SUBJECT: Forefront Power, LLC - Werner Solar Facility
Response to Correspondence from Weaver, Mancuso, Frame PLLC**

Dear Mr. Felsen and Mr. Mancuso:

Forefront Power, LLC (Forefront) is seeking a Special Use Permit and Site Plan approval for the construction of the Werner Solar, 5 megawatt (MW) alternating current (AC) Photovoltaic Array (the Facility) located at 8427 West Henrietta Road, Rush, New York (hereafter referred to as the "Site"). Forefront proposes the development of approximately 22.8 acres of a larger approximately 116.48-acre parcel of private land in the Town of Rush, Monroe County into a ground-mounted photovoltaic (PV) solar energy generating facility.

Tetra Tech, on behalf of Forefront Power, is pleased to submit the following response to your comments provided in an email dated December 12, 2019.

(1) Whether the proposal meets the Town zoning and planning goals for the area in question

The proposed Site location is zoned R-30 (Residential) and consists primarily of agricultural development. The portions of the property which are not proposed for solar development are anticipated to remain in use for agricultural purposes. Permitted uses in the R-30 zone include, single family homes, farming operations, hospitals, sanitariums, gravel mining, public utilities, etc. and Tier 3 Solar Energy Systems are permitted through the issuance of a special permit and site plan approval in this district (Town of Rush Zoning Code Chapter 120-8). In addition, the installation and operation of a solar facility is consistent with the Town's vision to "...both encourage the use of renewable energy systems based on sunlight while at the same time protecting the health, safety and general welfare of the residents of the Town of Rush" (Town of Rush Zoning Code Chapter 120-74).

Tetra Tech, Inc.

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(2) The need for the proposed use in the proposed location

A critical factor for siting a solar facility is finding a transmission line with existing capacity to export the power from the Facility to the utility grid system without prohibitive cost or unacceptable environmental impacts. Forefront has been working closely with the existing utility company to establish and permit the proposed point of interconnection (POI).

Other important factors include the availability of open and appropriately oriented land, willing land lease participants, and minimization of impacts on sensitive wildlife habitat. Forefront has conducted environmental screenings that have indicated no significant wildlife habitat or other environmental or cultural resources will preclude development of the Facility.

(3) The existing character of the neighborhood in which the use would be located

The Site is located within a minimally developed rural area and is bounded by undeveloped land, farmland and residential structures to the north; West Henrietta Road, residential structures, and undeveloped land to the east; a power line right of way, farmland and undeveloped land to the south; and Interstate 390 to the west.

(4) The safeguards provided to minimize possible detrimental effects of the proposed use on adjacent property.

Through deliberate site selection, followed by careful planning and design, and by the environmentally benign nature of the technology, the Facility will have minimal impacts on the surrounding community. Solar facilities have no direct air or wastewater emissions, are very quiet, and generate no vibration. The PV panels proposed for the Facility have a low height profile and, therefore, will not disrupt horizontal viewsheds. Setbacks, fencing, and landscape buffering allow solar projects to have minimal visual impact on the community and natural setting of the area.

The Facility will use the same type of PV panels installed on over one million homes in the United States. Solar equipment is a proven, safe technology in applications such as ground-mounted installations in fields, fixed rooftop installation on homes, schools, and businesses, as well as canopy installation on carports. The PV panels for the proposed Facility will be ground-mounted on a low-profile racking system that will have a small post footprint, typically consisting of I-beam posts driven into the ground. The Facility will consist of the following components:

- A solar field of PV panels producing direct current (DC) electricity mounted on racking structures;
- Central inverter to convert DC electricity to AC electricity; and
- Internal infrastructure including an access road and security fencing.

The proposed use will not create traffic congestion in roads, streets, or alleys. Minimal traffic impacts are generally limited to the project construction period, which is estimated to last approximately 3 to 4

months. Once the Facility is operational, traffic is typically limited to less than 10 visits per year to monitor operation, provide maintenance/repair, and maintain vegetation, as necessary.

The proposed project is not expected to incur public expenses for emergency response or other community provisions. Once constructed, the Facility will operate without personnel except for Site maintenance. Operation of the Facility will not require the use of public utilities such as water or sewerage.

(5) Whether the proposal meets the intent and objectives of Section 120-74 – Solar Energy Systems

The Facility is consistent with the Town’s intent to permit solar facilities in parts of the rural and commercial areas in a way that balances the benefits of solar energy production with the need to protect the community, agricultural land, forests, waterways and other natural resources. As cited in Section 120-74 of the Town of Rush Zoning Code, “the purpose of this section is to provide for the location, regulation, and processing of applications for solar energy systems within the Town of Rush. The intent is both to encourage the use of renewable energy systems based on sunlight while at the same time protecting the health, safety and general welfare of the residents of the Town of Rush”.

(6) Whether the proposal is conceptually sound and conforms to accepted design principals.

The proposed project is intended to provide a clean source of green energy into the local electrical power grid. The Town of Rush, the State of New York, as well as the federal government have regulations and/or codes in place to ensure the security of solar facilities including the requirements for perimeter fencing and monitoring. To deter theft, a security fence has been proposed to both deter crime and protect the community. The project is set off the road, with a vegetative buffer along West Henrietta Road, and is located on private property.

According to the U.S. Department of Energy, few power-generating technologies have as little environmental impact as PV solar panels. The solar panels proposed for this project are made of crystalline silicon, typically from quartz or sand. Crystalline silicon semiconductors are also utilized in the manufacture of integrated circuits and microchips used in personal computers, cellular telephones and other modern electronics. The outer glass cover constitutes the largest share of the total mass of a finished crystalline PV module and will contain an anti-reflective coating, followed by the aluminum frame.

Additional materials proposed for the project consist of steel for the panel support (racking) system, powder-coated aluminum for the inverters, a crushed gravel access road, and a standard chain-link security fence pursuant to applicable electrical codes.

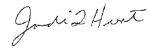
Development of the Facility will not significantly disrupt the current agricultural nature of the land as it can be readily converted back to agricultural use after the useful life of the Facility. No tree felling or significant land grading is proposed in the current Facility design. Additionally, the Facility design will meet the applicable design criteria outlined in Section 120-74 of the Town of Rush Zoning Code, 2015 International Fire Code, 2015 International Building Code and 2017 New York State Uniform Code

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Supplement.

If you have any questions or need additional information, please do not hesitate to contact me at (585) 417-4007 or via email at jodi.hunt@tetratech.com.

Sincerely,



Jodi L. Hunt
Geologist/Project Manager

cc: C. Schlesinger (Forefront Power)
K. Crane (Forefront Power)
D. Lent (Tetra Tech)