

Town of Malone
Regular Board Meeting
September 27, 2023

A Regular Meeting of the Town Board of the Town of Malone, County of Franklin and State of New York was held at the Town offices, 27 Airport Road, Malone, New York on the 27th day of September, 2023 at 6:00 p.m.

PRESENT:

Deputy Supervisor Terrence Maguire
Councilor Paul Walbridge
Councilor Jody Johnston

ABSENT:

Supervisor Andrea Stewart
Councilor Brian Taylor

RECORDING SECRETARY: Denise Hudson, Bookkeeper/Budget Officer

ALSO PRESENT:

Deputy Highway Superintendent John Manley
Code Officer Michael McMahon
Bruce Burditt, Airport Manager
June Fisher, Town of Malone Justice
Patrick Sherwin, Malone, New York
Alicia Stoklosa, Hodgson Russ LLP
Dryden Lafebre, Cipriani Energy Group
Thomas McGuigan, Cipriani Energy Group
Jodi Hunt, Cipriani Energy Group
Michael Quinn, Cipriani Energy Group
Justin Bennett, Malone, New York
Jorja Bennett, Malone, New York
Rabeca Bennett, Malone, New York

CALL TO ORDER: Deputy Supervisor Maguire called the meeting to order at 6:00 p.m., with a pledge to the flag.

Councilor Jody Johnston called for a Moment of Silence in remembrance of Jodi Andrews, the wife of our Highway Superintendent Mike Andrews, who suffered a horrible medical instance last week and passed away this past Sunday.

Deputy Supervisor Maguire stated the Public Hearing for the Tax Cap is set for 6:15 p.m., we will move forward with our Agenda until that time.

MINUTES:

Approval of September 13, 2023 regular meeting

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#260 – 2023) to accept the Minutes of September 13, 2023, and to place in file.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye

Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

REPORTS:

Motion – Councilor Walbridge

Second – Deputy Supervisor Maguire

Resolved (#261 - 2023) to accept the following report for review and filing as written and placed in the file: NYS Comptroller, Justice Court Fund – August 2023.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye

Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

SUPERVISOR REPORTS:

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#262 – 2023)

WHEREAS, Habitat for Humanity is in the process of constructing a home for a deserving Veteran on a parcel of land on Pershing Avenue in Malone, just outside the Village limits in the Town of Malone, and

WHEREAS, Habitat for Humanity has requested a connection to the Village of Malone water system versus drilling a well, and

WHEREAS, Malone Village Board minutes from a work session held on September 6, 2023 indicate that the cost for this line, a 4” water line to the property, would be \$3,250 and that the Village has expressed a willingness to facilitate this process.

NOW, THEREFORE, BE IT

RESOLVED: That the Town Board of the Town of Malone hereby consents to the extension of the village water line into a non-Town Water District area, for this project that will benefit a deserving Veteran.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

Motion – Councilor Johnston

Second – Councilor Walbridge

Resolved (#263 – 2023) to give permission to Deputy Supervisor to sign MCF Physical for Neil Beaney, III and add to the Franklin County Self-Insurance Plan.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

Justice June Fisher is asking for a resolution from the Board to apply for a JCAP grant in the amount of \$16,284.26. She presented the Board with information on the proposed submittal of the Court for the 2023-2024 JCAP grant application cycle and asked for the Boards authorization. Items the Court will be requesting include, but are not limited to, carpet for the Court offices, security cameras, fireproof safe, Lectern for Courtroom, AED, and Seal for Lectern.

Deputy Supervisor Maguire stated it was a great idea. We always seem to have one justice step up and do these grants, and since you have been here it has been you. It is money that is there and if we don't put in for it, we are not going to get it and you have made a lot of nice improvements. Councilor Walbridge stated that the early bird gets the worm, and it is good to be out there looking and we certainly appreciate your efforts. This place has really been upgraded and it would be nice to see it continue.

Motion – Deputy Supervisor Maguire

Second – Councilor Johnston

Resolved (#264 – 2023)

WHEREAS, the State of New York Unified Court System is soliciting applications from local governments under the Justice Court Assistance Program to assist local Justice Departments with needed equipment, automation, furniture, supplies and training.

WHEREAS, the funding available under the State of New York Unified Court System would facilitate local efforts in upgrading the Town's Justice Departments.

RESOLVED, that the Town of Malone authorizes the Malone Town Court to apply for a Justice Court Assistance Program (JCAP) in the 2023-2024 grant cycle in the amount of \$16,284.26.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

BOARD MEMBER/COMMITTEE ITEMS:

Councilor Johnston indicated the decommissioning of the ballfield in anxious anticipation of the next season and wanted to again thank the community for their involvement in what turned out to be an extremely good year for the Border Hounds. It is a good reflection of what the community can do when we get everyone pulling in the same direction. Kudos to the Town and the Border Hounds, who not mysteriously won 16 games at the end of the year and the league championship. It is an outlet for the people in the Village and Town and surrounding areas to watch a ball game and forget with is going around them and enjoy what is in front of him. Thank you to the Board and Community. Alex, thank the Community and the newspaper for covering the events.

Deputy Supervisor Maguire stated he had something in his mind, and it far surpassed what was on his mind and everyone deserves a thank you, Councilor Johnston included.

SUPERINTENDENT OF HIGHWAY REPORTS:

Deputy Superintendent Manley stated the work on paving the highway department parking lot has been completed and the department is in good shape. There are small items that need to be completed, but the sand and salt are in. Deputy Supervisor Maguire asked how the work on Johnson Road is coming along and Mr. Manley stated it is coming along nicely and they expect to put some gravel down in the next couple three weeks. We also have a few culverts to put down.

CORRESPONDENCE:

From Justice Fisher: A request to declare court items surplus for auction.

Motion – Deputy Supervisor Maguire

Second – Councilor Johnston

Resolved (#265 - 2023) to declare list of items as provided by Justice Fisher surplus for sale in auction.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

From Charter Communications: Notification of expanded carriage.

From Friends of the North Country: NYS Offices of Community Renewal 2021 Housing Rehabilitation Grant (689HR305-21) update.

From Heath & O'Toole: Proposal to continue as attorney for General Land Use and Zoning Matters.

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#266 - 2023) to continue legal services with Heath & O'Toole pertaining to General Land Use and Zoning Matters and permission for Deputy Supervisor to sign proposal.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

NEW BUSINESS:

Motion – Councilor Johnston

Second – Councilor Walbridge

Resolved (#267- 2023) to grant permission to Budget Officer to make the following journal entry as per Comptroller Notice for August 2023 from A690 Clearinghouse \$4,598.00 to A980 Revenues \$4,598.00 (Court Fines & Fees).

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

**Motion – Councilor Johnston
Second – Councilor Walbridge**

Resolved (#268 - 2023) to grant permission for Deputy Supervisor to sign 2023-2024 Agreement between Joint Rec Commission, Town of Malone, Village of Malone and Malone Minor Hockey as presented.

Councilor Walbridge stated as long as the changes discussed were in, and the financials, which are due by October 1st, come in there is no problem releasing money. We have to honor the taxpayers; that is what we were elected for, and we are going to oversee things. Financials are due October 1st.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

The Public Hearing was opened at 6:15 p.m., with Budget Officer Hudson reading the Public Notice. Deputy Supervisor Maguire opened the floor for comments.

Resident Pat Sherwin discussed what the increase in assessment from last year to this year was. Deputy Supervisor stated that we do not know that as the budget will not be presented until next Monday. Then we pare it down from there. The reason we are going to go over the tax cap is because our ambulance district being approximately \$300,000.00. In order to go over we have to go through these steps.

Mr. Sherwin stated from last year to this year the budget went up, “pert near \$1 Million”. Mr. Sherwin was informed the tax levy went up a little over a \$100,000 from 2022 to 2023.

Mr. Sherwin stated that the increase in taxable assessment is about \$7,700,000.00. That is gravy train money for you because nobody is going to know that you are going to have that much extra money unless they look into it. He is puzzled because the increase is 3 to 3.5% increase in assessment, and you are going to ask to go over a 2% tax cap. If you go over that, you don’t even know how much or if you want to go over.

Councilor Walbridge stated that we have to go through the process to put out to the public we may have to override the tax cap. We are trying to prepare ourselves and the public if we have to override the tax cap. I have been on the board 16 years, and we have never had to override the tax cap. This is the first time; we are treading in waters we haven’t really been, and we want to make the taxpayer aware that we may have to go over because of the ambulance district. As I said at least meeting, when Malone Callfiremen and Malone EMS come and pick you up off the floor like they did me, you are very happy to pay for an ambulance district. We want the taxpayers to realize we are doing it for you people and ourselves, that we have public safety and safety for our citizens in mind. The Town and Village have signed on. The state doesn’t care that we are being good citizens, being good council people and a great community offering ambulance service, they are going to make us override the tax cap.

Councilor Johnston stated that there are timeframes that all this has to be in place for that to be able to happen if it should happen. If it did happen, we would be negligent in not putting this forward to have in place and not be able to fulfill our budget requirements as they fall. This is preemptive. If we don’t need it, we will tell you we don’t need it. According to the budget requirements we will have it ready should we need it. Nobody is sitting up here going oh my god look at the gravy train. Everything is more expensive, so when we buy materials and we buy gas and we buy all that stuff, the same thing you are paying extra for so are we. It is incumbent upon us to save the taxpayer money as best we can. We are not trying to spend your money any differently than anything else. We are going to protect your money. We have to pay taxes too. We are stewards of the taxpayer money and there is nobody sitting here going to tell you we are going to try and spend frivolously. The highway superintendent has saved us so much money to pare down his budget, so we don’t have to have that expense. We have done everything we can think of for the last year to prepare for something that we didn’t

Town of Malone
Regular Board Meeting
September 27, 2023

have a whole lot of control over, and we are going to try to save taxpayer money to the penny.

Sitting on a board that is trying to be proactive to bring in new businesses and trying to keep our kids local so they can help with the tax base and expand the tax base as best we can, we are doing the very opposite of trying to expand the tax base where we can reduce everyone's taxes, not look for extra money to spend. We are not minimizing your concerns, Pat, but know that we are diligent and when we sit down and go over these budgets, there are numerous sessions to how we can come up with 3, 4 and \$5,000 to make a difference to reduce it to get it where it is manageable and show the tax payers we are spending it wisely and put money where we can extend things out and save money through budgetary items. This takes days and hours. I think it is important everyone here understands this budget, sometimes it is pennies we are talking about because we are trying to stay at certain percentages everyone can swallow. The time we spend trying to save other people's money far outweighs how to spend it.

Mr. Sherwin doesn't doubt what the Board Members have said. He stated there is \$265 million dollars in taxable taxes in the Town of Malone, he stated he has the figures from the County. He understands every penny counts. Mr. Sherwin asked when the budget comes out and was advised it is due September 30th. Further, he was puzzled about blacktopping the highway garage when we would be driving dozers and excavators over with tracks. Deputy Superintendent Manley stated that we use tires and rubber mats.

Deputy Supervisor Maguire stated we are keeping the hearing on the tax cap. To stay at our tax cap, we are at a little over \$100,000. If you look at that and the fact our new ambulance district is going to cost us approximately \$300,000.00 common sense would dictate, we are probably having to go over the tax cap. What the percentage is, we have no idea. Once we get the preliminary budget, we start paring it down and picking away at it. We go line by line, department by department. We get it down as low as we can. We take it very seriously. This is something we have to do because chances are good, we have to go over. We have been saying this all year. It will be a separate item on your tax bill so you will know exactly what you are paying for the fire district and what you are paying for the ambulance district.

Councillor Walbridge applauded Mr. Sherwin for coming to pose the question.

Councillor Johnston stated the press is here and the newspaper will answer the questions that you asked, we answered, and people will understand that didn't want to come, or couldn't come to get those answers.

Deputy Supervisor Maguire stated we will keep the public hearing open in case anyone else comes and wants to speak.

OLD BUSINESS:

Bare Hill Solar Project

Alicia Stoklosa, land use counsel for Cipriani Energy. Over the last two weeks we have taken the Town's consultants' questions and comments on draft scoping statement and incorporated those. The revised scoping document was sent to the town attorney on Monday. They came back with a couple more comments this morning and we were able to turn it around and get your final revised copy. If you have any questions, and if not, we are hoping to get approval on scope and move process forward.

On September 3, 2021, the Yellow 17, LLC completed Part I of the SEQRA Full Environmental Assessment Form ("EAF") regarding the proposed community solar farm to be located at 176 Bare Hill Road. On May 11, 2022, the Board adopted a Resolution, which classified the proposed community farm as a Type I Action under SEQRA. We held a public hearing on June 22, 2022 and July 13, 2022 and also solicited public comment from interested agencies. We made a Positive Declaration of Environmental Significance on November 16, 2022, requiring preparation of a DEIS. On June 26, 2023 the Applicant filed an Environmental Impact Statement Scoping Document for the

Town of Malone
Regular Board Meeting
September 27, 2023

Malone Solar Project. We held a public hearing on the draft scoping document on September 13, 2023.

Motion – Deputy Supervisor Maguire

Second – Councilor Walbridge

Resolved (#269 – 2023) to open the deliberations at this time.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

Deputy Supervisor Maguire stated he would like to open this up to discussion among the board, further stating before the September 13 public hearing the Town responded to the draft scoping documents with comments and at that meeting the Applicant agreed to make those changes. Since that meeting, they have revised the scoping document to reflect our comments. Let's discuss some of those changes. We asked the Applicant to explain the Cirpriani/Nautilus connection in the document, was that done?

Councilor Walbridge stated the Applicant added in a section describing that relationship.

Deputy Supervisor Maguire stated the Town asked the Applicant to add the tax ID and address of the project. Was that done?

Councilor Johnston stated the Tax ID and address have been added to the scoping document.

Deputy Supervisor Maguire stated because the Town is concerned with glare impacts, we asked the Applicant to include more information about the solar panels and the anti-glare technology used and life of the project. Was that added?

Councilor Walbridge stated yes, the Applicant added this information and included an updated glare impact analysis.

Deputy Supervisor Maguire stated the Town wanted the Applicant to include a discussion about the Climate Leadership and Community Protection Act, was that included?

Councilor Johnston stated yes, the Applicant added this section and discussed how this project would help with New York State's renewable energy goals.

Deputy Supervisor Maguire stated the Town wanted to make sure mitigation and alternative sites will be sufficiently addressed. Did the Applicant add specific mitigation strategies and alternative project site information?

Councilor Walbridge stated yes, both of those sections were revised to make sure that specific information regarding mitigation methods and alternatives are included in the DEIS.

Deputy Supervisor Maguire stated the Town wanted to ensure cumulative impacts were going to be thoroughly discussed and asked the applicant to define what "vicinity" was in relation to cumulative impacts. Did they define it?

Councilor Johnston stated yes, the Applicant agreed to discuss the impacts of the proposed action in relation to other existing renewable energy projects within 5 miles of the Project.

Deputy Supervisor Maguire stated the Town recommended a new site plan and a map showing neighboring parcels. Did they include these maps?

Councilor Walbridge stated the Applicant revised its site plan to make it much easier to read and did add a map showing neighboring parcels.

Deputy Supervisor Maguire Stated that the above addressed the Town's comments and that it received two written public comments and an in-person comment. Were those comments addressed?

Councilor Johnston stated yes. One of the public comments had to do with glare impacts. Glare impacts are included in the scoping document as well as an updated glare impact analysis. The scoping document ensures glare impacts will be part of the DEIS.

Councilor Walbridge stated the other public comments were about the project generally. General information about the project is included in the scoping document.

There being no further discussion necessary, Deputy Supervisor asked if there was a consensus as to adopting the final Environmental Impact Statement Scoping Document

Motion – Councilor Walbridge
Second – Councilor Johnston
Resolved (#270 – 2023)

**ADOPTING FINAL WRITTEN ENVIRONMENTAL IMPACT STATEMENT
SCOPING DOCUMENT FOR THE PROPOSED COMMUNITY SOLAR FARM
TO BE LOCATED AT 176 BARE HILL ROAD**

WHEREAS, on or about September 3, 2021, Yellow 17, LLC filed an application for a Zoning Permit for the “Malone Solar Project” to be located at 176 Bare Hill Road in the Town of Malone (the “Proposed Action”), and

WHEREAS, as part of its application for a Zoning Permit, the Applicant submitted a Full Environmental Assessment Form dated August 26, 2021, and

WHEREAS, on or about February 11, 2022, Yellow 17, LLC filed a response to a deficiency letter for the Proposed Action with supplemental materials in support of its application, and

WHEREAS, on or about October 12, 2022, Yellow 17, LLC filed supplemental materials in support of its application, and

WHEREAS, the Town Board adopted a Resolution on May 11, 2022, which classified the project as a Type I Action under the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Town Board assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1), and

WHEREAS, the Town Board conducted public hearings on the proposed project on June 22, 2022, and July 13, 2022, and

WHEREAS, on November 16, 2022, the Town Board made a Positive Declaration of Environmental Significance, requiring preparation of a DEIS, and

WHEREAS, on or about June 26, 2023, the Applicant filed a draft Environmental Impact Statement Scoping Document for the Malone Solar Project, and

WHEREAS, the Town Board held a public hearing on the scoping document on September 13, 2023 to provide an opportunity for the public to identify specific issues and environmental impacts that should be addressed in a Draft Environmental Impact Statement, and

Town of Malone
Regular Board Meeting
September 27, 2023

NOW THEREFORE, the Town Board resolves to adopt the Environmental Impact Statement Scoping Document dated September 2023 including any comments from involved or interested agencies and the public as the final Environmental Impact Statement Scoping Document.

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution and the attached final scoping document in the minutes of this meeting.

AND THEREFORE, the Town Clerk is hereby directed to distribute a copy of the final scoping document to the project sponsor, involved agencies, interested agencies, and members of the public who commented on the draft scope.

AND THEREFORE, the Town Clerk is hereby directed to notice the draft and final scope in the environmental notice bulletin.

**CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent**

EXECUTIVE SESSION:

At 6:40 p.m.

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#271 - 2023) that the Town Board enters into Executive Session pertaining to discuss employment history of, and matters leading to, the employment, discipline, suspension, dismissal, or removal of a particular person, with Board Members, Budget Officer and Justice Fisher.

**CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent**

At 6:55 p.m.

The executive session ended with no action taken.

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#272 – 2023) to return to regular session.

**CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent**

Deputy Supervisor Maguire stated a Special Meeting will be scheduled for Monday, October 2nd at 10:00 a.m. for presentation of the 2024 Tentative Budget.

Environmental Impact Scoping Document
for the
Malone Solar Project
Proposed in
Franklin County, New York

September 2023

PREPARED FOR

Project Owner:



NautilusSolar

Nautilus Solar Energy, LLC

396 Springfield Ave, 2nd Floor

Summit, New Jersey 07901

PREPARED BY

Project Consulting Engineer:



TETRA TECH

Tetra Tech, Inc.

3136 South Winton Road, Suite 303

Rochester, New York 14623

Project Developer:



CIPRIANI ENERGY GROUP

Cipriani Energy Group Corp

125 Wolf Rd, Suite 312

Colonie, New York 12205



TETRA TECH

TABLE OF CONTENTS

1. INTRODUCTION.....1

2. PROJECT DESCRIPTION.....3

2.1. DESCRIPTION OF THE APPLICANT, OWNERSHIP RIGHTS AND INTERESTS3

2.2. PROJECT SITE.....3

2.3. PROPOSED ACTION4

2.4. CONSISTENCY WITH NEW YORK STATE ENERGY PLANNING POLICIES.....4

3. SCOPE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT 6

3.1. COVER SHEET AND EXECUTIVE SUMMARY6

3.2. DEIS INTRODUCTION6

3.3. EXISTING CONDITIONS OF THE PROJECT SITE7

3.4. ASSESSMENT OF SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS7

3.4.1. Glare Impacts to Adjoining and Nearby Properties8

3.5. OTHER PROJECT IMPACTS – Energy/Utility Facilities9

3.6. SOCIOECONOMIC CONDITIONS9

3.7. PROPOSED OR EXISTING MITIGATION MEASURES9

3.7.1. AR Coating9

3.8. PROJECT ALTERNATIVES.....10

3.8.1. No Action Alternative10

3.8.2. Project Site Design/Layout Considerations.....10

3.8.3. Discussion of Alternative Sites.....11

3.9. CUMULATIVE IMPACTS11

4. SUMMARY AND CONCLUSIONS12

5. REFERENCES.....13

LIST OF ATTACHMENTS

Attachment A – SEQR Positive Declaration

Attachment B – Memorandum of Lease

Attachment C – Site Location Map

Attachment D – Glint and Glare Analysis & FAA Determination of “No Hazard”

Attachment E – Solar Panel Specification Sheet and Anti-Reflection Glass Declaration

ACRONYMS/ABBREVIATIONS

Acronym/Abbreviation	Definition
AC	alternating current
CES	Clean Energy Standards
DEIS	Draft Environmental Impact Statement
FAA	Federal Aviation Administration
Project	Malone Solar Project, a 2-MW AC PV solar energy generation facility
kV	kilovolt
MW	megawatt
NYCRR	New York Codes, Rules, and Regulations
NYS	New York State
NYSDEC	New York State Department of Environmental Conservation
PD	planned development
PV	photovoltaic
SEQR	State Environmental Quality Review
USACE	United States Army Corps of Engineers

1. INTRODUCTION

Yellow 17 LLC, (the Applicant), a wholly owned subsidiary of Nautilus Solar (Nautilus), has been working to secure discretionary permits by Cipriani Energy Group for the proposed Malone Solar Project (the Malone Solar Project or the Project), a 2-megawatt (MW) alternating current (AC) electric generating facility. As part of the discretionary permitting process a Full Environmental Assessment Form (FEAF) was completed and submitted to the Town Board for review. After this submission, the Town Board assumed lead agency status and began the New York State Environmental Quality (SEQR) Review process. The Town Board conducted public hearings as required under New York State Town Law and heard concerns from local community members about the perceived environmental impacts of the project. In response to the concerns raised, the following documentation was submitted at the request of the Town Board:

- Viewshed impact analysis
- Detailed glare analysis
- Manufacturer’s specifications for the solar panels
- Stormwater Pollution Prevention Plan
- Acoustical analysis
- Memo outlining the methodology underlying the response to noise concerns
- Memo outlining the methodology underlying the decommissioning estimate

After a review of the provided materials and Parts I and II of the FEAF, a “Positive Declaration of Significant Adverse Impact” pursuant to SEQR was determined. More specifically, the Town Board stated in Part II of the FEAF, Section 15d that “*The proposed action may result in light shining onto adjoining properties..*” and a “*Moderate to large impact may occur.*” The Town Board found that the project would not have a significant adverse impact on any of the other categories outlined in Part 2 of the FEAF, and no moderate to large impacts related to these other categories were identified on the FEAF Part III.

The Town of Malone posted the SEQR Determination on the New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin (ENB) on November 30, 2022. The SEQR Positive Declaration and associated documentation is included as *Attachment A*.

Pursuant to 6 NYCRR 617.9, the Applicant intends to submit a Draft Environmental Impact Statement (DEIS) that will discuss the potential adverse environmental impacts identified by the Planning Board during the November 2022 meeting and identify resources that are unlikely to be impacted by the Project. The area of concern raised by the Town is related to possible glare impacts to adjoining and nearby properties from constructed solar panels.

Tetra Tech completed a Glint and Glare Analysis dated May 2, 2023, using the ForgeSolar Glare Hazards Analysis Tool (SGHAT) developed by Sandia National Laboratories. ForgeSolar is used globally by industry, academia, and military to evaluate photovoltaic (PV) glare and satisfies FAA, United States Department of Energy, National Nuclear Security Administration (NNSA), and other regulatory requirements including ocular impact and luminance. The tool provides a quantified assessment of when and where glare will occur, as well as information about potential ocular impacts. The SGHAT was utilized to evaluate the potential for glint and glare when driving along 1) proximal segments of Bare Hill Road, Brand Road, Shears Road, Route 37, and a road that runs through the Bare Hill Correctional Facility; and 2) 17 nearby locations selected to represent observer views at neighboring properties.

No glint or glare was predicted in the analyses for nearby points of observation or vehicle routes.

The DEIS will be prepared based on the outline provided in this Draft Scoping Document. This Scoping Document has been prepared, filed, distributed, and published as prescribed in NYCRR Section 617.12.

2. PROJECT DESCRIPTION

2.1. DESCRIPTION OF THE APPLICANT, OWNERSHIP RIGHTS AND INTERESTS

Yellow 17 LLC, is a limited liability company located at 125 Wolf Rd, Suite 312, Colonie, New York 12205-1221, that will develop, own, operate, and maintain a solar-powered wholesale generating facility in Franklin County, New York at tax parcel 84.-1-73.100. Yellow 17 LLC's parent company, Nautilus Solar, is headquartered in Summit, New Jersey, and is a leading community solar company, providing clean energy to residential and commercial customers in local communities. Founded in 2006 by Co-Founders Jim Rice and Laura Stern, Nautilus Solar's team members have developed and/or operate solar farms in 10 different states.

Nautilus has successfully developed over 800 MW of renewable power plants throughout North America and continues to develop community solar projects throughout the country. Through its Community Solar initiative, Nautilus is committed to making solar energy available to a broader marketplace, including low to middle income (LMI) households and unrated businesses that wish to reduce their carbon footprint and utility bills.

Nautilus has worked closely with the landowners of the parcels that comprise the Malone Solar Project's Project Area. A Land Lease Option and Lease Agreement was entered into between Yellow 17 LLC, and the landowners in August 2020. The Memorandum of Lease is provided as *Attachment B*.

2.2. PROJECT SITE

The land that is being evaluated for potential solar development is located in Franklin County, New York and is identified in the Site Location Maps in *Attachment C*. The Project is located about 2.25 miles northwest of the Town of Malone and is sited on an approximately 50.42-acre parcel with a Project Area of approximately 9.725 acres. According to the Town's Zoning Map, the parcel holding the project is zoned as a "Planned Development" (PD) district. The Project site consists of wooded land and is bounded by wooded land to the north; wooded land followed by Little Salmon River to the east; wooded land followed by Brand Road and G & E Extinguishers LLC to the south; and wooded land followed by New Energy and Bare Hill Road to the west. Neighboring parcels and existing vegetation are also shown in *Attachment C*.

2.3. PROPOSED ACTION

The Applicant proposes to build ground-mounted solar arrays with the capacity to generate a total of 2 MW AC. It is anticipated that the PV panels will be similar to those installed on over one million homes in the United States. The PV panels for the proposed Project will be ground-mounted on a low-profile single-axis tracking system that will have a small post footprint, typically consisting of small I-beam posts driven into the ground. The Project facilities will consist of the following components:

- A solar field of PV panels producing direct current (DC) electricity mounted on single-axis tracking structures that will follow the sun throughout the day;
- PV panels will be high-efficiency, bi-facial, and include a manufacturer-applied anti-reflective coating (AR Coating¹). The panels have a 30-year warranty for power output. Panel specification sheet and anti-reflection glass declaration included as *Attachment E*.
- Inverters placed throughout the Project Area to convert DC electricity to AC electricity;
- A medium voltage cable collection system that will aggregate the AC output from the inverters;
- A point of interconnection where the Project's electrical output will be connected to the National Grid Substation via a 13.2 kV direct feeder line;
- Internal infrastructure including access roads and fencing; and
- Temporary laydown areas for equipment staging during construction.

Public roads will be used for construction access and general access during Project operation. It is not anticipated that improvements to public road intersections or the addition of turnarounds will be required.

Solar energy facilities have no direct air or wastewater emissions, are very quiet, and generate no vibration. The PV panels proposed to be used for the Project will not exceed a height of 8.75 feet. Setbacks, fencing, and landscape buffering allow solar energy projects to have minimal, ground-level visual impacts on the community and natural setting of the area.

2.4. CONSISTENCY WITH NEW YORK STATE ENERGY PLANNING POLICIES

This section discusses the Facility's consistency with New York State (NYS) energy policies, including Climate Leadership and Community Protection Act (CLCPA) targets, long-range energy planning objectives, and strategies contained in the most recent State Energy Plan (SEP).

In June 2019, the NYS legislature passed the CLCPA – ambitious climate protection legislation designed to combat climate change and set NYS on a path to reach 100% zero-emission electricity generation by 2040 (NYS Climate Action Council 2021) and 85% reduction in greenhouse gas (GHG) emissions by 2050. With the passage of the CLCPA, the NYS legislature made clear that NYS' energy policy is focused on

¹ Further information on AR Coatings is provided in Section 3.7

increased renewable energy generation in NYS with the elimination of all fossil fuel-fired power plants in NYS by 2040. The CLCPA requires that all NYS agencies consider whether their decisions regarding permits, licenses and other approvals are inconsistent with or interfere with achieving the CLCPA's statewide GHG limits and, if so, identify alternatives or GHG mitigation to be required. Achieving these aggressive renewable energy generation goals will require the development of thousands of MW of new utility-scale wind and solar generation.

On April 8, 2020, the SEP was amended by the NYS Energy Planning Board (NYSEPB) to incorporate the CLCPA goals and now incorporates the CLCPA targets including:

- 85% reduction in GHG emissions by 2050
- 40% reduction in GHG emissions by 2030
- 100% carbon free electricity by 2040
- 70% electricity generation from renewable energy resources by 2030

The proposed Facility aligns with the NYS SEP and is consistent with the SEP's guiding principles of encouraging private sector investments and enabling market transformation. The Facility will serve a key role in contributing to improving the reliability of NYS' electric energy system, reduce the cost of electric energy, and minimize public health and environmental impacts. Specifically, the Facility will contribute towards NYS achieving its goal of 70% electricity generated by renewable energy by 2030. It will make a contribution towards NYS reaching its goals of decarbonizing the economy and putting NYS at the forefront in addressing climate change.

For decades, NYS' energy policies have focused on the need to increase renewable energy electricity generation supplies, lower the cost of energy to consumers, increase efficiencies, drive investments in the electric system, and send market signals to support NYS efforts to boost renewable energy production. The culmination of these various policy efforts is the enactment of the CLCPA, a historic climate law that sets statewide GHG emission limits of 60% of 1990 emissions by 2030 and 15% of 1990 emissions by 2050.

3. SCOPE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

The DEIS will be prepared in accordance with the guidelines presented in 6 NYCRR 617.9(b). The DEIS will primarily address potential significant adverse environmental impacts that were identified by the Town of Malone Planning Board. Per requirements of SEQR, it will also identify and discuss associated socioeconomic impacts and energy impacts insofar as they are relevant and significant to the Project Area. The technical analysis will include a description of existing conditions, an assessment of conditions in the future without the proposed action, and an assessment of future conditions with the proposed Project.

Based on the Project's site characteristics, the nature of the proposed action, and items raised in the Town of Malone's SEQR Determination, the DEIS will not discuss in detail impacts concerning energy use, community facilities, shadows, open spaces, historical and cultural resources, water and sewer infrastructure, or solid waste generation. The minimum subject areas expected to be included in the DEIS for this Project are described below.

3.1. COVER SHEET AND EXECUTIVE SUMMARY

Pursuant to 6 NYCRR 617.9(b)(5), the DEIS will include a cover sheet, table of contents and an executive summary that will briefly describe the contents and objectives of the DEIS.

3.2. DEIS INTRODUCTION

The introduction will describe the proposed Project and provide the data from which impacts are assessed. It will begin with a brief history of the uses on the Project site; the purpose and objectives for the Project; a description of the design of the proposed solar facility; figures to depict features of the proposed development; and a discussion of the regulatory approvals required.

The role of the lead agency for SEQR will be described as well as the environmental review process and requirements necessary to develop the proposed Project. The framework for the analysis will also be described, including procedures to be followed, the "No Action" condition (which in this case would be a continuation of the existing condition), and the single analysis year for all technical areas except construction.

3.3. EXISTING CONDITIONS OF THE PROJECT SITE

The existing conditions section will present a baseline against which impacts of the proposed action can be evaluated. It will contain a narrative discussion of the following subject areas as appropriate, with reference to associated figures.

- General geologic and topographic setting of the Project site (soils, depth to bedrock, depth of water table, aquifers, etc.);
- Wetland delineations (federal and state);
- Environmental conditions of the site (contamination, dumping, etc.);
- Terrestrial and aquatic ecology, including any endangered, threatened, or special concern species;
- Surface and ground water resources;
- Mapped floodway and floodplain boundaries;
- Means of site drainage and stormwater management;
- Land uses on the Project site and in the vicinity of the Project site (including agricultural uses);
- Zoning and other land use regulations on the Project site and in the vicinity of the Project site;
- Utilities- availability and capacity;
- Air quality, noise, and lighting levels on the Project site;
- Traffic patterns and conditions in the vicinity (traffic counts, turning movements, level of service, accident data, etc.);
- Public transportation, pedestrian, and bicycle conditions on-site and in the vicinity of the Project;
- Community and emergency services for the Project site (schools, police, fire, ambulance, etc.);
- Historical, archaeological, or cultural assets on or in the vicinity of the Project site;
- Visual setting of the Project site; and,
- Neighborhood character and setting.

3.4. ASSESSMENT OF SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

This section will provide a detailed discussion of the known and anticipated potential adverse environmental impacts of the Malone Solar Project, as described in section 3.4.1. Discussion of impacts will be organized in three parts: (1) Summary of the impact and potential severity; (2) Discussion of

concerns raised as part of the SEQR Determination and in the scoping process; (3) Mitigation measures that would reduce any potential impacts, to the extent practicable.

3.4.1. Glare Impacts to Adjoining and Nearby Properties

This section will include information regarding potential adverse effects of glint and glare to adjoining and nearby properties as stated in the SEQR Positive Declaration. However, in the course of developing this Scoping Statement, Tetra Tech completed a Glint and Glare Analysis dated May 2, 2023, using the ForgeSolar SGHAT. ForgeSolar is used globally by industry, academia, and military to evaluate PV glare and satisfies FAA, United States Department of Energy, NNSA, and other regulatory requirements including ocular impact and luminance. The tool provides a quantified assessment of when and where glare will occur, as well as information about potential ocular impacts. The SGHAT was utilized to evaluate the potential for glint and glare when driving along 1) proximal segments of Bare Hill Road, Brand Road, Shears Road, Route 37, and a road that runs through the Bare Hill Correctional Facility; and 2) 17 nearby locations selected to represent observer views at neighboring properties.

No glint or glare was predicted in the analyses for nearby points of observation or vehicle routes. The Glint and Glare Analysis, including FAA determination of “No Hazard” is included as *Attachment D*).

Additional information discussed in the DEIS will include:

- Design of the solar arrays including racking and panel elevation sketches, architectural elements, construction materials, colors, signage, etc.
- Reiteration of the methodology and description of the glare analysis method used to obtain results presented in *Attachment D*
- Reiteration of the plans and descriptions of proposed structures, including flight path receptors, PV arrays, route receptors, and observation points presented in *Attachment D*
- Photographic simulations of the Project demonstrating future views of the site from representative viewpoints from key observation locations that will be selected based on feedback from the Town of Malone and/or adjacent property owners
- Location, type, and height of any site lighting
- Location and size of any utility interconnection equipment on the Project site
- Location and dimensions of parking and loading areas, including aisles and access drives and,
- Location of and details of any outdoor storage areas.

3.5. OTHER PROJECT IMPACTS – ENERGY/UTILITY FACILITIES

Pursuant to 6 NYCRR 617.9(b)(5), SEQR regulations require that if the proposed action is for development of an electric generating facility, the DEIS must include a demonstration that the Project will satisfy electric generating capacity needs or other electric systems needs in a manner reasonably consistent with the most recent state energy plan. This section will discuss how the Project will help meet energy needs in the region and advance NYS goals to implement a CES, which promotes the development of clean energy and renewable resources.

3.6. SOCIOECONOMIC CONDITIONS

The purpose of an Environmental Impact Statement is to analyze environmental impacts and to identify alternatives and mitigation measures to avoid or lessen those impacts. However, it must also include a concise description of public need and benefits of the Project, including social and economic considerations. The Malone Solar Project will not result in adverse socioeconomic impacts (e.g., population and housing, and economic activities). No population or uses would be displaced by the Project. There would be no adverse effect on the level of employment. In the DEIS there will be a screening level discussion of indirect socioeconomic impacts from the proposed Project, as per guidelines in the NYSDEC *SEQR Handbook, Fourth Edition (2020)*.

3.7. PROPOSED OR EXISTING MITIGATION MEASURES

Where significant impacts have been identified in the analyses discussed above, measures will be described to mitigate those impacts. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts. If mitigations are adequately addressed in the discussion of impacts, this section will act as a summary.

This section will describe the mitigation measures to address glint and glare as follows:

- Project siting (including setbacks)
- AR coating
- Enhanced landscaping
- Maintenance of existing visual buffers, and
- Operational planning

3.7.1. AR Coating

An AR coating is a transparent or semitransparent layer that's applied during manufacturing over the surface of a solar panel. Solar panels require sunlight to generate electricity, however, bare silicon glass is

approximately 30% reflective (meaning nearly one-third of the sunlight that strikes its surface will be reflected). AR coatings are designed to maximize the absorption of sunlight while simultaneously minimizing light reflection or glare.

Most AR coatings consist of titanium oxide (used in sunscreens, cosmetics, and food products) or silicon nitride (a high-strength ceramic used in the biomedical, electronic, and automobile industries). With their transparent or semitransparent properties, they are typically invisible to the naked eye. But the anti-reflective coatings will increase the light absorption of the solar panels on which they are applied.

AR coatings are widely used in solar panels, as well as other optical devices such as camera lenses, glasses, and screens. They can enhance the efficiency, power output, and aesthetic appearance of solar panels by allowing more light to reach the solar cells and reducing glare. Panel specification sheet and anti-reflection glass declaration included as *Attachment E*.

3.8. PROJECT ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed Project. The specific alternatives to be analyzed are typically finalized as project impacts are clarified.

3.8.1. No Action Alternative

The no action alternative would leave the parcel as wooded land. The most significant benefit of maintaining the current use of the land is that it presents no change in visual aesthetics to the surrounding area. Considering the sparse residential properties in the immediate area, that benefit would be enjoyed by relatively few residents and those traveling on Bare Hill Road and Brand Road.

- A potential drawback is that the owner may opt to sell the parcel to an industrial or commercial interest that is less environmentally friendly compared to utilizing the land for renewable energy generation. Finally, on a grander scale, the no-action alternative would deprive the community and the region of a source of clean energy and the dual benefit of both energy cost reductions and a local source of revenue.

3.8.2. Project Site Design/Layout Considerations

The design and layout of the Solar Project was produced carefully and intentionally following a significant amount of environmental, economic, and community consideration. This section of the DEIS will provide an evaluation and description of the site layout including a discussion of the constraints considered in developing the layout. Potential layout adjustments will be discussed to address adverse impacts, if any.

3.8.3. Discussion of Alternative Sites

The Applicant is not able to invest the amount of time and resources that would be needed to fully vet alternative sites and identify a similar nexus of environmental, economic and interconnection benefits. However, siting of the Solar Project was performed carefully with great due diligence. Among the many characteristics of the Project site that make it suitable for a solar energy facility, access to utility infrastructure and adequate hosting capacity are critical due to shrinking interconnection opportunities across the region and state. Other necessary considerations were to select a site that would render minimal impacts to the environment, avoid NYS certified agricultural districts, and fit in with surrounding land use patterns. As discussed throughout preceding sections, the selected Project site satisfies all of these key criteria.

3.9. CUMULATIVE IMPACTS

The impacts of the proposed action will be considered in relation to other existing renewable energy projects within 5 miles of the Project.

4. SUMMARY AND CONCLUSIONS

This Draft Scoping Document has been prepared for the Malone Solar Project, a 2 MW PV solar energy generation facility in the Town of Malone, Franklin County, New York. The Project, proposed within an area of wooded land totaling approximately 9.725 acres, will consist of solar arrays, inverters, cable collection system, interconnection point, internal infrastructure (i.e., access roads and fencing), and temporary laydown areas. This document has been prepared to facilitate an understanding of the proposed Project, continue soliciting input from the public and other stakeholders, and comply with 6 NYCRR 617.12. As noted in the SEQR Positive Declaration, the following potentially significant adverse environmental impacts have been addressed above and will be addressed in the DEIS:

- Glint and Glare impacts to adjoining and nearby properties

The Town of Malone, the Lead Agency, must provide a copy of the draft scope to the involved agencies and make it available to anyone who has written to express interest in the Project. The DEIS will be prepared utilizing the final version of this Scoping Document.

5. REFERENCES

The main body of the DEIS will provide sufficient detail about the Proposed Action and potential impacts to site resources, so that readers can understand, interpret, evaluate alternatives, and understand proposed mitigation measures. References with information supporting the research for the environmental setting and design approach will be listed along with relevant maps or figures.

The purpose of any technical studies of the site that are conducted in preparation for the release of the DEIS, as well as their findings, will be summarized in the DEIS. The appendices will contain all technical studies with information supporting the findings relayed in the DEIS. It is anticipated the following Attachments and/or Appendices may be included with the EIS:

- A log of comments made by the Town of Malone and members of the public regarding the project during the EIS process and associated responses to those comments from the Applicant;
- Glint and Glare Analysis, as provided herein;
- Equipment specifications
- Existing conditions figures; and,
- Figures to depict features of the proposed development.

Yellow 17 LLC, Malone Solar Project

Environmental Impact - Draft Scoping Document

ATTACHMENT A – SEQR POSITIVE DECLARATION



TETRA TECH

Town of Malone

27 Airport Road • Malone, New York 12953

November 22, 2022

Calista T. Montagnola
Agency Program Aide-Environmental Permits
New York State DEC
1115 State Route 86
P.O. Box 296
Ray Brook, New York 12977-0296

Dan Bagrow
NYS Parks, Recreation & Historic
Preservation
Peebles Island State Park
P.O. Box 189
Waterford, New York 12188-0189

Thomas King, Senior Counsel
NYSERDA
17 Columbia Circle
Albany, New York 12203-6399

Town of Malone Planning Board
27 Airport Road
Malone, New York 12953

Robert Costa, Assistant Manager
Madelyn Sheehan, Environmental Protection Specialist
Federal Aviation Administration
New York Airport Districts office
1 Aviation Plaza
Jamaica, New York 11434

Yellow 17 LLC
125 Wolf Road, Suite 312
Colonie, New York 12205

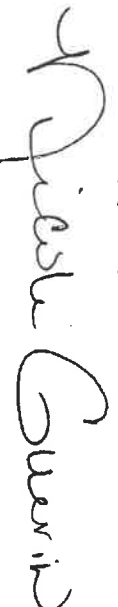
RE: 176 Bare Hill Road

Dear Sirs and Madam:

As Lead Agency, the Town of Malone entered the enclosed Resolution adopting a Positive Declaration of Environmental Significance for the Proposed Community Solar Farm to be located at 176 Bare Hill Road under SEQRA.

Should you have any questions, please do not hesitate to contact Supervisor Stewart or the undersigned.

Very truly yours,



Nicole Guerin
Town Clerk

Enclosures

SUPERVISOR
518-483-1860

TOWN CLERK
518-483-4740

ASSESSOR
518-483-2030

RECEIVER OF TAXES
518-483-4740

CODE OFFICER
518-483-0048

SUPT. OF HIGHWAYS
518-483-2431

RESOLUTION NO. 325-2022
TOWN OF MALONE TOWN BOARD RESOLUTION
ADOPTING A POSITIVE DECLARATION OF ENVIRONMENTAL
SIGNIFICANCE FOR THE PROPOSED COMMUNITY SOLAR FARM
TO BE LOCATED AT 176 BARE HILL ROAD
UNDER SEQRA

WHEREAS, on or about September 3, 2021, Yellow 17, LLC filed an application for a Zoning Permit for the “Malone Solar Project” to be located at 176 Bare Hill Road in the Town of Malone (the “Proposed Action”), and

WHEREAS, as part of its application for a Zoning Permit, the Applicant submitted a Full Environmental Assessment Form dated August 26, 2021, and

WHEREAS, on or about February 11, 2022, Yellow 17, LLC filed a response to a deficiency letter for the Proposed Action with supplemental materials in support of its application, and

WHEREAS, on or about October 12, 2022, Yellow 17, LLC filed supplemental materials in support of its application, and

WHEREAS, the Town Board adopted a Resolution on May 11, 2022, which classified the project as a Type I Action under the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Town Board assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1), and

WHEREAS, the Town Board conducted public hearings on the proposed project on June 22, 2022, and July 13, 2022, and

WHEREAS, the Town Board reviewed Part I of the FEAF prepared by the Applicant and prepared Parts 2 and 3 of the Full Environmental Assessment Form, and

WHEREAS, the Town Board has considered the content of the proposed application, Local Laws, the FEAF, communications from interested agencies, and

WHEREAS, the Town Board has considered any relevant public input, and

WHEREAS, the Town Board has thoroughly analyzed any relevant concerns discussed on the attached positive declaration of environmental significance, and has determined that significant adverse environmental impacts may result from the proposed project, and

WHEREAS, upon review of the FEAF and the relevant environmental criteria under SEQRA, the Town Board believes that the preparation of a Draft Environmental Impact Statement (“DEIS”) is warranted.

NOW THEREFORE, the Town Board of the Town of Malone finds that the proposed project may have significant adverse impacts to the environment.

AND THEREFORE, the Town Board of the Town of Malone finds that the proposed project may have significant adverse glare impacts to adjoining and nearby properties; and

AND THEREFORE, the Town Board of the Town of Malone further issues as SEQRA Lead Agency, a positive declaration of environmental significance for the Proposed Action, finding there is a potential for at least one or more significantly adverse environmental impacts that may result from the Proposed Action, and incorporating by reference into this resolution the attached Positive Declaration contained in the FEAF Part 3; and

AND THEREFORE, that the Town Board, as Lead Agency, will require the preparation of a DEIS for the review of the proposed Action; and

AND THEREFORE, the Town Board hereby adopts the attached positive declaration of environmental significance and incorporates it herein.

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution and the attached positive declaration of environmental significance in the minutes of this meeting.

AND THEREFORE, the Town Clerk is hereby directed to transmit this positive declaration and resolution to the appropriate agencies in accordance with the requirements of 6 NYCRR 617.12(b).

Motion offered by: Supervisor Andrea Stewart

Second by: Councillor Jody Johnston

CARRIED (5-0) – Supervisor Stewart – Aye Deputy Supervisor Maguire - Aye,
Councillor Johnston – Aye Councillor Taylor – Aye Councillor Walbridge - Aye

STATE OF NEW YORK
COUNTY OF FRANKLIN SS:

I, Nicole Guerin, Town Clerk of the Town of Malone, New York, do hereby certify that the foregoing resolution, #325-2022, was duly adopted at a Regular Meeting of the Malone Town Board, held on November 16, 2022; and the same is a true and complete copy of the record on file in the Office of the Town Clerk and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 22nd day of November, 2022.


Nicole Guerin



Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project: _____
 Date: _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)			
<i>If "Yes", answer questions a - i. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action may involve construction on land where depth to water table is less than 3 feet.	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may involve construction on slopes of 15% or greater.	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	<input type="checkbox"/>	<input type="checkbox"/>
d.	The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	<input type="checkbox"/>	<input type="checkbox"/>
e.	The proposed action may involve construction that continues for more than one year or in multiple phases.	<input type="checkbox"/>	<input type="checkbox"/>
f.	The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	<input type="checkbox"/>	<input type="checkbox"/>
g.	The proposed action is, or may be, located within a Coastal Erosion hazard area.	<input type="checkbox"/>	<input type="checkbox"/>
h.	Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.r)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2g, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

NO

YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____

6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1. D.2.f, D.2.h, D.2.g)

NO

YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)
If "Yes", answer questions a - j. If "No", move on to Section 8.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)
If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	<input checked="" type="checkbox"/> NO No, or small impact may occur	<input type="checkbox"/> YES Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<p>9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - E. If "No", go to Section 10.</i></p>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/> No, or small impact may occur	<input type="checkbox"/> Moderate to large impact may occur	
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/>	<input type="checkbox"/>	
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2d, E1c	<input type="checkbox"/>	<input type="checkbox"/>	
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>	
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>	
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>	

<p>10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i></p>				<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/> No, or small impact may occur	<input type="checkbox"/> Moderate to large impact may occur	
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>	

d. Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:		
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c, E.2.q.)

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c B1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

NO

YES

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

NO

YES

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

NO

YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	Projected traffic increase may exceed capacity of existing road network. D2j	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may result in the construction of paved parking area for 500 or more vehicles. D2j	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action will degrade existing transit access. D2j	<input type="checkbox"/>	<input type="checkbox"/>
d.	The proposed action will degrade existing pedestrian or bicycle accommodations. D2j	<input type="checkbox"/>	<input type="checkbox"/>
e.	The proposed action may alter the present pattern of movement of people or goods. D2j	<input type="checkbox"/>	<input type="checkbox"/>
f.	Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

NO

YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action will require a new, or an upgrade to an existing, substation. D2k	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use. D1f, D1g, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may utilize more than 2,500 MWhrs per year of electricity. D2k	<input type="checkbox"/>	<input type="checkbox"/>
d.	The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. D1g	<input type="checkbox"/>	<input type="checkbox"/>
e.	Other Impacts: _____		

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m, n, and o.)

NO

YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action may produce sound above noise levels established by local regulation. D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may result in routine odors for more than one hour per day. D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q, E.1. d, f, g, and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2, and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, B1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, B1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 B1a, B1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If Applicable]

Project:

Date:

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed community solar farm to be located at 176 Bare Hill Road may have significant adverse impacts due to possible glare impacts. During public comments the Board was provided a glare analysis demonstrating significant adverse impact. The Applicant provided a contradicting glare study that concluded there would not be glare impacts. With the contradicting analyses, the Town's experts did not come to a conclusive decision on impacts. Therefore, there may be significant adverse impacts relating to glare.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

Type 1

Unlisted

Identify portions of EAF completed for this Project:

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information public comments, proposed application and supplement documents, communications from interested parties, and expert consultant memoranda

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as Lead agency that:
Town of Malone Town Board

- A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.
- B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).


- C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Malone Solar Project (176 Bare Hill Road)

Name of Lead Agency: Town of Malone Town Board

Name of Responsible Officer in Lead Agency: Andrea Stewart

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: 

Date:

11/6/2022

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Andrea Stewart

Address: 27 Airport Road, Malone, NY 12853

Telephone Number: 518-483-4740

E-mail: supervisor@malonetown.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village or)
Other involved agencies (if any)
Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Agency Use Only [If Applicable]

Project :
Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

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Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

Type 1

Unlisted

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Part 2

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Name of Action: Malone Solar Project (176 Bare Hill Road)

Name of Lead Agency: Town of Malone Town Board

Name of Responsible Officer in Lead Agency: Andrea Stewart

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: 

Date: 11/16/2022

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Andrea Stewart

Address: 27 Alport Road, Malone, NY 12853

Telephone Number: 518-483-4740

E-mail: supervisor@malonetown.com

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Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of) Other involved agencies (if any) Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Yellow 17 LLC, Malone Solar Project

Environmental Impact - Draft Scoping Document

ATTACHMENT B – MEMORANDUM OF LEASE



TETRA TECH



FRANKLIN COUNTY – STATE OF NEW YORK
 KIP CASSAVAW, COUNTY CLERK
 P.O. BOX 70, 355 W. MAIN ST, STE 248, MALONE, NEW YORK 12953

COUNTY CLERK'S RECORDING PAGE
 THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



INSTRUMENT #: 2022-6630

Receipt#: 2022295084
 Clerk: SM
 Rec Date: 12/08/2022 03:16:24 PM
 Doc Grp: RP
 Descrip: OPTION
 Num Pgs: 12
 Rec'd Frm: BOSTON NATIONAL TITLE AGENCY, LLC

Party1: PIRIE KRISTOPHER
 YELLOW 17 LLC
 Party2: YELLOW 17 LLC
 PIRIE KRISTOPHER
 Town: MALONE

Recording:
 Cover Page 5.00
 Recording Fee 75.00
 Cultural Ed 14.25
 Records Management - Coun 1.00
 Records Management - Stat 4.75
 TP584 5.00

Sub Total: 105.00
 Transfer Tax 26.00
 Sub Total: 26.00

Total: 131.00
 **** NOTICE: THIS IS NOT A BILL ****

**** Transfer Tax ****
 Transfer Tax #: 933
 Transfer Tax
 Transfer Tax 26.00
 Total: 26.00

I hereby certify that the within and foregoing was recorded in the Franklin County Clerk's Office.

Kip Cassavaw
 County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

Notice Information may change during the verification process and may not be reflected on this page

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Cipriani Energy Group Corp
c/o Christopher Stroud
125 Wolf Road, Suite 312
Colonie, NY 12205

MEMORANDUM OF
OPTION AND LEASE AGREEMENT

THIS MEMORANDUM OF OPTION ("*Memorandum*") is made and entered into as of DECEMBER 2ND, 2022 (the "*Effective Date*"), by and between Christopher Pirie, residing at 21 Washington Street, Apartment 4, Malone, New York 12953 ("*Optionor*") and Yellow 17 LLC (as assignee of Yellow 5 LLC), a New York limited liability company, having an office at 125 Wolf Road, Suite 312, Colonie, New York 12205 ("*Optionee*").

RECITALS

A. Optionor is the owner of the property located in the County of Franklin, New York, tax parcel number 84-1-73.100 and described on Exhibit A attached hereto and made a part hereof for all purposes (the "*Landlord Property*").

B. Pursuant to the terms of that certain Land Lease Option and Lease Agreement (Solar Farm) by and between Optionor and Optionee, dated July 31, 2020 ("*Option Effective Date*"), as amended by that certain First Addendum to Land Lease Option and Lease Agreement (Solar Farm) dated July 28, 2022 (and as further amended, collectively, the "*Option Agreement*") all of which provisions are specifically made a part hereof as though fully and completely set forth herein, Optionor has granted to Optionee the option to lease a portion of the Landlord Property (the "*Leased Premises*") on the terms and conditions set forth in the Option Agreement, together with all solar rights and easements both exclusive and non-exclusive on, over, across and through the Landlord Property for the purpose of providing Optionee, it's successors and assigns, and its agents, contractors, employees and invitees, with vehicular ingress and egress to and from a public road, utilities, interconnection, and all other rights appurtenant to and from the Property, as more particularly described in the Option Agreement, required to develop, construct, own, operate, and maintain a solar generating system ("*Solar Farm*").

C. The Parties wish to enter into this Memorandum in order to put third parties on record notice of Optionee's rights with respect to the Landlord Property and the Leased Premises.

OPTION AGREEMENT

1. **Grant of Option.** Optionor has granted to Optionee, pursuant to the Option Agreement, an exclusive and irrevocable option (the "***Option***") to lease the Leased Premises, together with certain easements for access, utilities, electrical interconnection, solar rights, and other rights on, under, above, and across the Landlord Property as set forth in the Option Agreement, all on the terms and conditions set forth in the Option Agreement. Optionee shall have the exclusive right to use the Leased Premises for purposes as described in the Option Agreement. The entire Option Agreement is hereby incorporated into this Memorandum by reference. Notwithstanding anything to the contrary contained herein, the provisions of this Memorandum do not in any way alter, amend, supplement, change, or affect the terms, covenants, or conditions of the Option Agreement, all of which terms, covenants, and conditions shall remain in full force and effect. In the event of any conflict between the terms of this Memorandum and the Option Agreement, the terms of the Option Agreement shall prevail. Capitalized terms used by not defined in this Memorandum shall have the meanings given to them in the Option Agreement.

2. **Term.** The Option is for a term of twelve (12) months (the "***Initial Option Period***"). The Initial Option Period commenced on the Option Effective Date and shall expire on the date that is twelve (12) months after the Option Effective Date, unless earlier terminated as provided in the Option Agreement. Optionor may extend the Initial Option Period for four (4) six (6) month periods (each, an "***Extension Option Period***"), and together with the Initial Option Period, collectively, the "***Option Period***") upon giving written notice to Optionee before the end of the Initial Option Period or then-current Extension Option Period, as applicable.

3. **Names and Addresses of Parties.** The names and addresses of the parties to the Option Agreement are as follows:

Optionor:

Kristopher Pirie
21 Washington St, Apt. 4
Malone, NY 12953

Optionee:

Yellow 17 LLC
c/o Christopher Stroud
125 Wolf Road, Suite 312
Colonie, NY 12205

with a copy by email to:

Christopher Stroud
c.stroud@solrealgroup.com

4. Notice. This Memorandum has been executed for the purpose of submitting it to be recorded among the Land Records of Franklin County, New York, and for giving notice of the Option Agreement and in no way modifies the express provisions of the Option Agreement. This Memorandum will continue to constitute notice of the Option Agreement, even if the Option Agreement is subsequently amended.

5. Exercise of Option. Optionee may exercise the Option in the Option Agreement at any time prior to 5:00 P.M. on the last day of the Option Period by giving written notice of such exercise to Optionor in accordance with the terms of the Option Agreement.


6. Successors and Assigns. The terms of this Memorandum and the Option Agreement are covenants running with the land and inure to the benefit of, and are binding upon, the parties and their respective successors and assigns, including all subsequent owners of all or any portion of the Landlord Property. References to Optionor and Optionee include their respective successors and assigns. References to the Option Agreement includes any amendments thereto.

7. Counterparts. This Memorandum may be executed in one or more counterparts, each of which will be an original instrument, but all of which, when taken together, will constitute one and the same instrument.

[Signatures appear on following page]

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum on the dates set forth below, to be effective as of the Effective Date.

OPTIONOR:



Kristopher Pirie

OPTIONEE:
Yellow 17 LLC

By: 

Name: Christopher H. Stroud

Title: Manager

Date: 12-2-2022

ACKNOWLEDGMENT OF OPTIONOR

State of New York)

)ss.:

County of Franklin)

On the 1 day of December in the year 2023, before me, the undersigned notary public, personally appeared Kristopher Pirie, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

 Notary Public

KATHLEEN L. PAINE
Notary Public, State of New York
Qualified in Franklin County
Reg. No. 01PR6140660
My Commission Expires 01/30/20 24

ACKNOWLEDGMENT OF OPTIONEE

State of New York)

)ss.:

County of Albany)

On the 2 day of December in the year 2021, before me, the undersigned notary public, personally appeared Christopher H. Stroud, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

ERIC TULLY
NOTARY PUBLIC STATE OF NEW YORK
SARATOGA COUNTY
LIC. #01TU6345276
COMM. EXP. 07/25/2024

EXHIBIT A
DESCRIPTION OF LANDLORD PROPERTY

Optionor owns real property located at:

176 Bare Hill Rd. Malone NY 12953
In Franklin County, New York

Tax parcel number: 84.-1-73.100

More specifically described on the following page as:

ALL THAT TRACT OR PARCEL OF LAND situate in Great Lot 24, Township 6, Great Tract One, Macomb's Purchase, Town of Malone, County of Franklin and State of New York bounded and described as follows:

BEGINNING at a point in the centerline of the Bare Hill Road, said point being North 08 degrees 53 minutes 25 seconds East for a distance of 400.00 feet from the centerline intersection of the Bare Hill Road and the Cady Road and at the Southwest corner of a parcel of land conveyed to Robert R. LeClair, Sr. by deed recorded in the Franklin County Clerk's Office in Uber 745 at Page 193 and at the Northwest corner of a parcel of land conveyed to the Robber R. & Sherry L. Leclair by deed recorded in the Franklin County Clerk's Office in Uber 651 at Page 331; **THENCE** North 08 degrees 53 minutes 25 seconds East for a distance of 268.90 feet along the centerline of the Bare Hill Road to a point, said point being South 08 degrees 53 minutes 25 seconds West for a distance of 100.00 feet from a computed point at the Northwest corner of the said Robert R. LeClair, Sr. parcel; **THENCE** South 81 degrees 47 minutes 35 seconds East for a distance of 250.00 feet through the lands of the said Robert R. Leclair, Sr. to a 5/8" rebar set, passing over a 5/8" rebar set 24.75 feet from the point in the centerline of the said road; **THENCE** South 08 degrees 53 minutes 25 seconds West for a distance of 268.90 feet through the lands of the said Robert R. LeClair, Sr. to a 5/8" rebar set in the Southerly bounds of the said Robert R. Leclair, Sr. parcel and the Northerly bounds of the said Robert & Sherry Leclair parcel; **THENCE** North 81 degrees 47 minutes 35 seconds West for a distance of 250.00 feet along the Southerly bounds of the said Robert R. LeClair, Sr. parcel and the Northerly bounds of the Robert & Sherry Leclair parcel, to the point of beginning, passing over a 5/8" rebar found 24.75 feet from the point of beginning.

CONTAINING+/- 1.543 acres of land as surveyed by Chateaugay Lake Surveying, August 27, 2002.

SUBJECT TO any rights the public may have within the right-of-way of said roads.

All bearings are based on Magnetic North 1996.

BEING a portion of the premises conveyed to Robert R. LeClair, Sr. by deed recorded in the Franklin County Clerk's Office in Uber 745 at Page 193.

ALL THAT TRACT OR PARCEL OF LAND, situate and being a part of lot 24, Town of Malone, Great Tract 1, Macomb's Purchase, Township 6, County of Franklin, State of New York, described as follows: **BEGINNING** at a point in the centerline of Cady Road, in the south line of lot 24, at a distance of 68.25 chains easterly from the southwest corner of said lot 24, and at a distance of 0.25 chains S 8 degrees W from an iron pipe and stones set as a reference, running thence N 82 degrees W along the center line of Cady Road for a distance of 28.25 chains to the southwest corner of property owned by E.W. Sears and Harry Holcomb; running thence N 8 degrees E for a distance of 0.25 chains to an iron pipe and stones; thence

continuing N 8 degrees E a distance of 11.40 chains to an iron pipe and stones; running thence S 82 degrees E a distance of 20.36 chains to an iron pipe and stones; running thence S 30 degrees E a distance of 8.89 chains to an iron pipe and stones; running thence S 80- degrees E a distance of 3.29 chains to a 4" soil pipe in the easterly line of property owned by E.W. Sears and Harry Holcomb; running thence S 8 deprees W a distance of 5.66 chains to an iron pipe and stones; and thence continuing S 8 degrees W a distance of 0.25 chains to the place of beginning. The above described property contains 26 acres of land, more or less.

EXCEPTING AND RESERVING therefrom a right-of-way approximately 16 feet in width, over the existing roadway which extends in a general northeasterly direction from the Cady Road to an across the properties owned by Harry Holcomb and Esmond W. Sears along the Salmon River.

SUBJECT TO a fishing easement conveyed by Harry Holcomb and Edmond Sears to the State of New York on November 17, 2966 and recorded in Uber 434 of Deeds at Page 654.

SUBJECT TO a parking easement conveyed by Winifred V.B. Sears to the State of New York on January 12, 1966 and recorded in Uber 431 of Deeds at Page 149.

FURTHER CONVEYING ALL THAT TRACT OR PARCEL OF LAND, situate in an being a part of Lot 24, Great Tract One, Macomb's Purchase, Township 6, Town of Malone, County of Franklin, State of New York, bounded and described as follows: **BEGINNING** at a point marked by a 4-inch soil pipe set in the easterly bounds of lands conveyed by Fred Conrad, Franklin County Treasurer, to Harry Holcomb and Esmond W. Sears by deed dated March 9, 1956, and recorded March 29, 1956, 1n Book 354 of Deeds, Page 259, in the Franklin County Clerk's Office (said point being located North 8 degrees -00' East a distance of 373.56 feet, more or less from the center line of Cady Road, said last described point being located 88.25 chains, or 4,504.5 feet, easterly from the southwest corner of Lot 24); running thence from said point of beginning North 80 degrees West along lands of Winifred V. Sears a distance of 217 feet, more or less to a point marked by an iron pipe; running thence along lands of Winifred V. Sears, North 30 degrees West a distance of 454.7 feet, more or less, to a point marked by an iron pipe and stones; running thence along lands owned now or formerly by Harry W. Holcomb, North 25 degrees West a distance of 334.6 feet, more or less, to a point marked by an iron pipe; running thence further along lands of said Harry W. Holcomb, North 2 degrees West a distance of 631.6 feet, more or less, to a point marked by an iron pipe set in the southerly bounds of lands of the Village of Malone; running thence along the southerly bounds of lands of the Village of Malone, and along a wire fence line in part, South 82 degrees East, a distance of 302 feet, more or less to a point marked by an iron pipe running thence further along the easterly bounds of lands of the Village of Malone, along a wire fence line and line of blazed trees, in part, North 8 degrees East a distance of 858 feet, more or less, to a point marked by an iron pipe, running thence along a wire fence line and blazed line of trees, in part, South 82 degrees east a distance of 594 feet more or less, to a point in the center line of the Salmon River; running thence up the center line of the Salmon River; running thence up the center line of the Salmon River, a distance of 1848 feet, more or less, to a point; running thence South 8 degrees West a distance of 418 feet, more or less, along a wire fence line, in part, and along a line of blazed trees, to the point of beginning, containing 34 acres, more or less.

TOGETHER with a right of way sixteen feet in width over the lands of Winifred V.B. Sears, extending northerly from Cady Road, a distance of 400 feet, more or less, to the parcel herein conveyed. This right of way is described in the deed from Esmond W. Sears and Winifred V.B. Sears to Winifred V.B. Sears by deed recorded in the Franklin County Clerk's Office on January 24, 1964, in Book 417 of Deeds at Page 308.

SUBJECT, however, to a Public Fishing Right Easement, granted by Esmond W. Sears and Harry W. Holcomb to the State of New York, extending along the westerly bank of the Salmon River, and with a right of way for ingress and egress extending along the easterly bounds of the lands herein conveyed.

BEING part of the premises conveyed to James W. Overfield by Warranty Deed from James W. Overfield and Peggy Ann Overfield, his wife, dated May 11, 1978 and recorded in the Office of the Franklin County Clerk on November 20, 1978 in Uber 490 at Page 499.

EXCEPTING AND RESERVING, ALL THAT TRACT OR PARCEL OF LAND, situate in Lot 24, Township 6, Great Tract One, Maccomb's Purchase, Town of Malone, County of Franklin and State of New York bounded and described as follows: **BEGINNING** at a point at the intersection of the centerline of the Cady Road and the centerline of the Bare Hill Road at the Southwest corner of a parcel of land conveyed to Robert LeClair by deed recorded in the Franklin County Clerk's Office in Uber 643 at Page 120 [parcel 1]; **THENCE** North 08 degrees 53 minutes 25 seconds East for a distance of 400.00 feet along the centerline of the Cady Road to a point; **THENCE** South 81 degrees 47 minutes 35 seconds East for a distance of 330.00 feet to a 5/8" rebar set, passing over a 5/8" rebar set 24.75 feet from the centerline of said road; **THENCE** South 08 degrees 53 minutes 25 seconds West for a distance of 400.00 feet to a point in the centerline of said Cady Road, passing over a 5/8" rebar set 24.75 feet from the centerline of said road; **THENCE** North 81 degrees 47 minutes 35 seconds West for a distance of 330.00 feet along the centerline of said Cady Road to the point of beginning.

CONTAINING+/- 3.030 acres of land as surveyed by Chateaugay Lake Surveying, February 5, 1996.

BEING the same premises conveyed to Robert R. Leclair and Sherry L. Leclair, his wife, by Warranty Deed from Robert LeClair dated and recorded May 23, 1996 in the Office of the Franklin County Clerk in Uber 851 of Deeds at Page 331.

ALSO EXCEPTING ALL THAT TRACT OR PARCEL OF LAND, situate in Lot 24, Township 6, Great Tract One Maccomb's Purchase, Town of Malone, County of Franklin and State of New York bounded and described as follows: **BEGINNING** at a point in the centerline of the Cady Road, South 81 degrees 47 minutes 35 seconds East and a distance of 330.00 feet from the intersection of the centerline of the Cady Road and the centerline of the Bare Hill Road and from the Southwest corner of a parcel of land conveyed to Robert LeClair by deed recorded in the Franklin County Clerk's Office in Uber 643 at Page 120 (parcel 1); **THENCE** North 08 degrees 53 minutes 25 seconds East for a distance of 300.00 feet to a 5/8" rebar set, passing over a 5/8" rebar set 24.75 feet from the centerline of said Cady Road; **THENCE** South 81 degrees 47 minutes 35 seconds East for a distance of 150.00 feet to a 5/8" rebar set; **THENCE** South 08 degrees 53 minutes 25 seconds

West for a distance of 300.00 feet to a point in the centerline of said Cady Road, passing over a 5/8" rebar set 24.75 feet from the centerline of said road; **THENCE** North 81 degrees 47 minutes 35 seconds West for a distance of 150.00 feet along the centerline of said Cady Road to the point of beginning.

CONTAINING+/- 1.063 acres of land as surveyed by Chateaugay Lake, Surveying, February 5, 1996. All bearings are based on Magnetic North 1996.

BEING part the same premises conveyed to Charles Gardner by Warranty Deed from Robert LeClair dated and recorded June 26, 1996 in the Office of the Franklin County Clerk in Uber 654 of Deeds at Page 49.

BEING the same premises conveyed to Robert R. Leclair, Sr. by Warranty Deed from Robert LeClair March 8, 2000 and recorded March 22, 2000 in the Office of the Franklin County Clerk in Uber 745 of Deeds at Page 193.

ATTACHMENT C – SITE LOCATION MAP





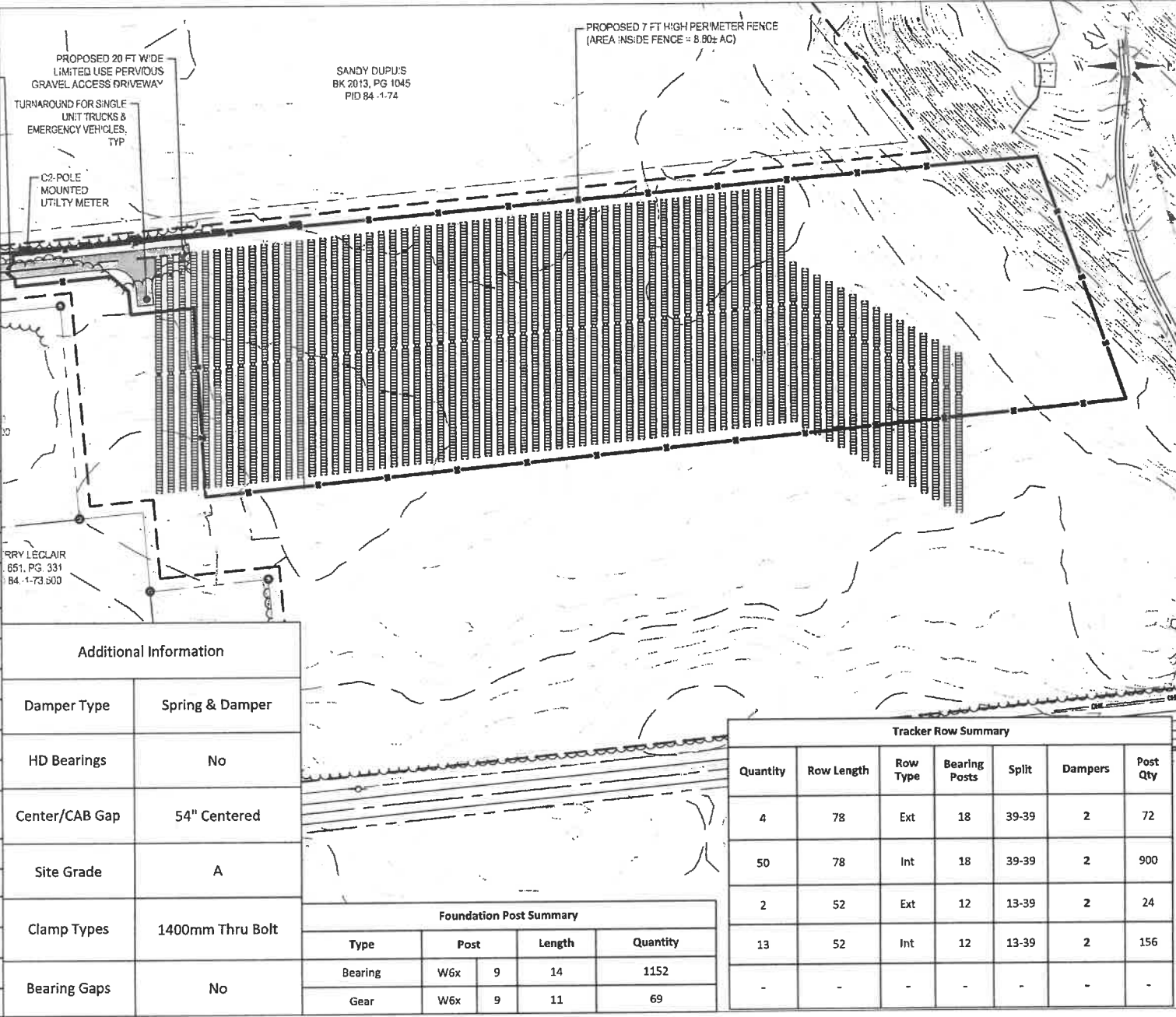
CONSTRUCTION SERVICES

305 Dela Vina Avenue
 Monterey, CA 93940
 www.rpcs.com



Project Details

Customer	SolAmerica
Project Name	Malone
Address	176 Bare Hill Rd
Coordinates	44.877423, -74.319434
City, State, Zip	Malone, NY 12953
ASCE 7-16 Wind	99
ASCE 7-16 Snow	60
Corrosion Rating	C2
Module Brand	Adani ASB-M10-144-AAA
Module Size	540
Module Qty	4,992
Size (watts DC)	2,695,680
String Size	26
String Qty	192
Driveline Angle	5°, 29°
Row Spacing	14.87'
Motor Qty	3
PRELIMINARY VISUAL AID ONLY NOT FOR CONSTRUCTION	
Date	2/9/2023
Designed By	CB
Rev. Date	N/A
Rev. #	1



Additional Information

Damper Type	Spring & Damper
HD Bearings	No
Center/CAB Gap	54" Centered
Site Grade	A
Clamp Types	1400mm Thru Bolt
Bearing Gaps	No

Foundation Post Summary

Type	Post	Length	Quantity
Bearing	W6x 9	14	1152
Gear	W6x 9	11	69

Tracker Row Summary

Quantity	Row Length	Row Type	Bearing Posts	Split	Dampers	Post Qty
4	78	Ext	18	39-39	2	72
50	78	Int	18	39-39	2	900
2	52	Ext	12	13-39	2	24
13	52	Int	12	13-39	2	156
-	-	-	-	-	-	-

C:\Users\Coie\OneDrive\Desktop\Customer\Sol America\Malone\CAD 2023\RPC5 Layout_CAD_v1.dwg



Legend

- Project Boundary
- Franklin County Parcels

*All locations are approximate

Approximate scale:



TETRA TECH

Site Location Parcel
Map

Malone Solar Project
176 Bare Hill Rd
Malone, NY 12953

Yellow 17 LLC, Malone Solar Project

Environmental Impact - Draft Scoping Document

ATTACHMENT D – GLARE ANALYSIS & FAA DETERMINATION OF “NO HAZARD”



TETRA TECH

MEMO

To: Nautilus Solar
From: Ali Flake, Tetra Tech, Inc.
Date: May 2, 2023
Subject: Glint and Glare Analysis of the Yellow 17 LLC, Bare Hill Road Solar Project in Malone, New York

At the request of Nautilus Solar (Nautilus), Tetra Tech, Inc. (Tetra Tech) conducted a glint and glare analysis of the proposed Yellow 17 LLC, Bare Hill Road Solar Project (Project) located at 176 Bare Hill Road in Malone, New York. The Project site occupies an approximately 9.725-acre portion of a larger approximately 50.42-acre parcel (the "Target Property"). The Project site consists of wooded land and is bounded by wooded land to the north; wooded land followed by Little Salmon River to the east; wooded land followed by Brand Road and G & E Extinguishers LLC to the south; and wooded land followed by New Energy and Bare Hill Road to the west.

Topography throughout the Project site varies, ranging from approximately 710 feet above mean sea level (amsl) in the southeastern portion of the Project site to approximately 660 feet amsl in the northwestern portion of the Project site. The Malone-DuFort Airport (MAL), located approximately 1.5 miles south-southwest of the Project, is the closest airport to the Project.

This memorandum provides a description of the glint and glare anticipated from use of the Project site as a solar energy generating facility. Included are the Sandia glare analysis reports (Attachment A), and the Federal Aviation Administration (FAA) Notice Criteria Tool Report (Attachment B).

GLARE ANALYSIS METHOD

With growing numbers of solar energy systems being proposed and installed throughout the United States, the potential impact of glint (a momentary flash of bright light) and glare (a continuous source of bright light) from solar photovoltaic modules has come under scrutiny by aviation authorities. The FAA issued an Interim Policy (78 FR 63276) on October 23, 2013, describing methods for obtaining FAA review and approval of proposed solar arrays on airport property. These methods involved the use of the Sandia Laboratories Solar Glare Hazard Analysis Tool (SGHAT), a modeling/compliance analysis tool now licensed for public use within the ForgeSolar GlareGauge cloud software application. The SGHAT is considered to be an industry best practice for analysis of glare related to solar energy generating facilities and is required by the FAA under 78 FR 63276 to measure ocular impacts for solar projects located on federally obligated airports and is recommended for projects located off federally obligated airports.

Sandia developed SGHAT v. 3.0, a web-based tool and methodology to evaluate potential glint/glare associated with solar energy installations. The validated tool provides a quantified assessment of when and where glare will occur, as well as information about potential ocular impacts. The calculations and methods are based on analyses, test data, a database of different photovoltaic module surfaces (e.g. anti-reflective coating, texturing), and models developed over several years at Sandia. The results are presented in a simple easy-to-interpret plot that specifies

TETRA TECH

Glint and Glare Analysis
Bare Hill Road Solar
May 2, 2023

when glare will occur throughout the year, with color indicating the potential ocular hazard (Sandia Laboratories, 2016).

Based on this background, Tetra Tech has utilized the SGHAT tool as licensed for use in ForgeSolar GlareGauge cloud software application for modeling and analysis. ForgeSolar GlareGauge with SGHAT modeling provides a quantified assessment of when and where glare will occur, as well as information about potential ocular impacts. The calculations and methods are based on analyses, test data, a database of different photovoltaic module surfaces (e.g., anti-reflective coating, texturing), and models developed over several years at Sandia National Laboratory. The results are presented in a simple easy-to-interpret plot that specifies when glare will occur throughout the year, with color indicating the potential ocular hazard.

The SGHAT was utilized to evaluate the potential for glint and glare when driving along 1) proximal segments of Bare Hill Road, Brand Road, Shears Road, Route 37 and a road that runs through the Bare Hill Correctional Facility; and 2) 17 nearby locations selected to represent observer views at neighboring properties.

The FAA Notice Criteria Tool allows the user to determine if a proposed structure would require a formal submission to the FAA under CFR Title 14 Part 77.9 (Safe, Efficient Use, and Preservation of the Navigable Airspace). This online tool was utilized to determine if the proposed Project would require formal filing to the FAA. Based on the results of the FAA Notice Criteria Tool, the Project does not exceed notice criteria; therefore, it is not required for the Project to be formally filed with the FAA Obstruction Evaluation Group. The FAA Notice Criteria Tool Report is included as Attachment B.

The panels to be used on the proposed Project are smooth glass surface material with an anti-reflection coating (ARC), which is noted in the glare analysis. Two analyses were performed to simulate single-axis tracking panels with a 52° maximum tracking angle. The analyses were conducted for a panel height of 4.5 feet above ground surface (centroid height) with applicable panel specifications. The panel orientation, location, and some specifications used in the analysis were provided by Cipriani Energy Group in the Preliminary Development Plans issued on September 4th, 2021. The analysis includes calculations to predict potential glare minutes at the following specified receptors:

- Viewing height of observer in standard first floor building at six feet above ground surface and standard commuter vehicle at five feet above ground surface (Analysis 1),
- Viewing height of observer in standard second floor building at 16 feet above ground surface, a guard tower at 30 feet above ground surface, and typical semi-tractor-trailer truck at nine feet above ground surface (Analysis 2),
- Two-mile flight path for Runway 5/23 and 14/32 at the Malone-Dufort Airport: Labeled "MAL-5," "MAL-23," "MAL-14," and "MAL-32" (Analysis 3).

The GlareGauge model does not consider obstacles (either man-made or natural) between the defined PV arrays and the receptors. ForgeSolar is updating their glare analysis tool and has provided a tool to model obstructions. The "Obstruction" component simulates obstacles and blocking geometries that may mitigate PV glare. These obstructions are modeled as multi-line paths as parallelograms with vertical sides that extend upward from ground

elevation. These obstructions are assumed to be opaque, with incoming sunlight and emanating glare reflections completely mitigated if they intersect with the obstruction face. All three analyses used this tool to model areas of dense forest and tree lines found along each side of the Project site. A total of two obstructions were used to simulate the natural vegetation buffer, using an average height of 20 feet.

GLARE ANALYSIS RESULTS

Analyses 1 – 1st Story Receptors

Analysis 1 analyzed PV Array 1 for eleven first-story receptors (OP-1 through OP-11) and five proximal route receptors along Bare Hill Road, Brand Road, Shears Road, Route 37 and a road that runs through the Bare Hill Correctional Facility from the height of a standard commuter vehicle. The SGHAT GlareGauge modeled the results for the Project. No glare was predicted.

Analyses 2 – 2nd Story Receptors

Analysis 2 analyzed PV Array 1 for 12 second-story receptors (OP-1 through OP-6 and OP-12 through OP-17) and five proximal route receptors along Bare Hill Road, Brand Road, Shears Road, Route 37 and a road that runs through the Bare Hill Correctional Facility from the height of a typical tractor trailer. OP-7 through OP-11 were not included in Analysis 2 because they are single story structures. Second-story structures in the area appear limited; therefore, OP-12 through OP-17 were included in the analysis and represent guard towers at the Bare Hill Correctional Facility. The guard towers were analyzed at 30 feet above ground surface. The SGHAT GlareGauge modeled the results for the Project. No glare was predicted.

Analysis 3 – FAA 2-Mile Flight Paths

The SGHAT GlareGauge modeled the flight path results for the Project. For the flight path analyses, a typical 30-degree maximum downward viewing angle and 50-degree maximum azimuthal viewing angle from the aircraft cockpit were included where exact values could not be confirmed based on public information. The simulation predicted 5,043 minutes of annual green glare and 184 minutes of annual yellow glare along flight path MAL-23. The green glare occurs from late-February through late-April and mid-August through mid-October for less than 70 minutes between the hours of approximately 3:45 PM and 6:15 PM. The yellow glare occurs from late-March through mid-April and late-August through mid-September for less than 70 minutes between the hours of 5:00 PM and 6:00 PM.

A summary of the inputs for the 2-mile flight paths is outlined in Table 3.

Table 3: Analysis 3 Federal Aviation Administration Input Features

Flight Path/ATCT Name	Associated Airport	True Direction (degrees)	Threshold Crossing Height (feet)	Glide Path ¹ (degrees)	Height Above Ground (feet)
MAL-23	Malone-Dufort Airport	217	50	3.0	-
MAL-5	Malone-Dufort Airport	37	50	3.15	-

MAL-32	Malone-Dufort Airport	307	50	3.0	-
MAL-14	Malone-Dufort Airport	127	50	3.0	-

1. Angle of descent along final approach flight path.

SUMMARY

The Project Site layout was modeled on SGHAT GlareGauge in order to evaluate the potential extent of any glint and glare the proposed Project may have upon nearby points of observation, vehicle routes, and airports. Three analyses were performed: the analyses represented a fixed-tilt system with 52° tilt and panel specifications of smooth glass with ARC. No glare was predicted in Analysis 1 or Analysis 2. Green glare and minimal yellow glare was predicted in Analysis 3 along flight path MAL-23. No red glare was identified. The FAA released a Final Policy (86 FR 25801) on May 11, 2021 with regards to solar facilities and glare. With this policy the FAA changed the stance on glare thresholds, allowing glare for final approach paths but not allowing glare to impact the air traffic control tower (ATCT) for Federally Obligated Airports. A review of FAA provided information for the Malone-Dufort Airport indicates that there is no ATCT for the airport. Therefore, an ATCT was not included in the analysis. Based on these standards, the Project would pass FAA regulations.

The GlareGauge model does not account for varying ambient conditions (i.e., cloudy days, precipitation), atmospheric attenuation, screening due to existing topography not located within the defined array layouts, or existing vegetation or structures (including fences or walls), nor does the tool allow proposed landscaping to be included. However, through the use of the obstruction feature, sections of existing natural screening through the existing forested areas buffering between the Project and non-participating property lines was modeled. In addition, based on the results of the FAA Notice Criteria Tool, the Project does not exceed notice criteria; therefore, it is not required for the Project to be formally filed with the FAA Obstruction Evaluation Group.

REFERENCES

- Sandia Solar Glare Hazard Analysis Tool, GlareGauge hosted by ForgeSolar. Accessed online <https://www.forgesolar.com/>.
- Interim Policy, FAA Review of Solar Energy System Projects on Federally Obligated Airports. 78 FR 63276. October 23, 2013.
- Federal Aviation Administration. CFR Title 14 Part 77.9 Notice of Proposed Construction or Alteration Requiring Notice. 2010.
- Federal Aviation Administration. Technical Guidance for Evaluating Selected Solar Technologies on Airports. 2010.

Glint and Glare Analysis
Bare Hill Road Solar
May 2, 2023

Attachment A
Glare Analysis Reports

FORGESOLAR GLARE ANALYSIS

Project: Yellow 17, LLC Malone Solar Project
 Site configuration: Analysis 1 - 1st Floor V4

Client: Nautilus

Created 28 Apr, 2023
 Updated 28 Apr, 2023
 Time-step 1 minute
 Timezone offset UTC-5
 Minimum sun altitude 0.0 deg
 DNI peaks at 1,000.0 W/m²
 Category 1 MW to 5 MW
 Site ID 89398, 15178

Ocular transmission coefficient 0.5
 Pupil diameter 0.002 m
 Eye focal length 0.017 m
 Sun subtended angle 9.3 mrad
 PV analysis methodology V2



Summary of Results

No glare predicted

PV Array	Tilt	Orient	Annual Green Glare	Annual Green Glare	Annual Yellow Glare	Energy
	°	°	min	hr	min	KWh
PV array 1	SA	SA	0	0.0	0	-
	tracking	tracking				

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare	Annual Yellow Glare
	min	hr
Bare Hill	0	0.0
Correctional Facility	0	0.0
Bare Hill Road	0	0.0
Brand Road	0	0.0
Route 37 - North	0	0.0
Route 37 - South	0	0.0
Shears Road	0	0.0
OP 1	0	0.0
OP 2	0	0.0
OP 3	0	0.0
OP 4	0	0.0
OP 5	0	0.0
OP 6	0	0.0
OP 7	0	0.0

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0

Component Data

PV Arrays

Name: PV array 1
 Axis tracking: Single-axis rotation
 Backtracking: Shade-slope
 Tracking axis orientation: 180.0°
 Max tracking angle: 52.0°
 Resting angle: 5.0°
 Ground Coverage Ratio: 0.5
 Rated power: -
 Panel material: Smooth glass with AR coating
 Reflectivity: Vary with sun
 Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.877556	-74.317932	669.10	4.50	667.60
2	44.877681	-74.314858	700.30	4.50	704.80
3	44.877404	-74.314842	709.70	4.50	714.20
4	44.877111	-74.313624	669.80	4.50	674.30
5	44.876922	-74.313619	706.70	4.50	711.20
6	44.876776	-74.314745	700.70	4.50	705.20
7	44.876590	-74.318087	699.00	4.50	703.50

Route Receptors

Name: Bare Hill Correctional Facility
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.881806	-74.322556	615.80	5.00	620.80
2	44.880209	-74.321531	645.10	5.00	650.10
3	44.878579	-74.321317	655.20	5.00	660.20
4	44.876912	-74.321121	638.70	5.00	643.70

Name: Bare Hill Road
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.875472	-74.319340	648.30	5.00	653.30
2	44.876578	-74.319442	644.30	5.00	649.30
3	44.877521	-74.319538	650.60	5.00	655.60
4	44.878635	-74.319705	663.90	5.00	668.90

Name: Brand Road
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.875161	-74.323286	664.50	5.00	669.50
2	44.875423	-74.319386	649.50	5.00	654.50
3	44.875663	-74.315782	639.90	5.00	644.90
4	44.875853	-74.312892	638.40	5.00	643.40
5	44.876091	-74.309858	633.90	5.00	638.90

Name: Route 37 - North
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.882467	-74.341449	514.40	5.00	519.40
2	44.880277	-74.341299	521.80	5.00	526.80
3	44.877449	-74.341128	551.10	5.00	556.10
4	44.874438	-74.340956	572.10	5.00	577.10

Name: Route 37 - South
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.869223	-74.329176	635.90	5.00	640.90
2	44.868569	-74.325742	666.80	5.00	671.80
3	44.867900	-74.322416	670.90	5.00	675.90
4	44.867246	-74.319820	667.80	5.00	672.80
5	44.866227	-74.317953	661.10	5.00	666.10

Name: Shears Road
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.877569	-74.301794	636.90	5.00	641.90
2	44.878907	-74.302270	689.70	5.00	674.70
3	44.880255	-74.302814	688.10	5.00	673.10
4	44.881389	-74.303316	652.00	5.00	657.00

Discrete Observation Point Receptors

Name	ID	Latitude (°)	Longitude (°)	Elevation (ft)	Height (ft)
OP 1	1	44.881545	-74.305966	652.00	6.00
OP 2	2	44.879060	-74.301877	675.00	6.00
OP 3	3	44.878947	-74.322005	647.40	6.00
OP 4	4	44.872091	-74.315611	632.60	6.00
OP 5	5	44.869046	-74.326489	665.80	6.00
OP 6	6	44.872908	-74.330228	652.80	6.00
OP 7	7	44.875483	-74.308749	631.40	6.00
OP 8	8	44.875750	-74.317814	639.80	6.00
OP 9	9	44.877103	-74.318920	653.10	6.00
OP 10	10	44.879645	-74.319013	666.70	6.00
OP 11	11	44.879011	-74.321556	655.00	6.00

Obstruction Components

Name: Obs 1

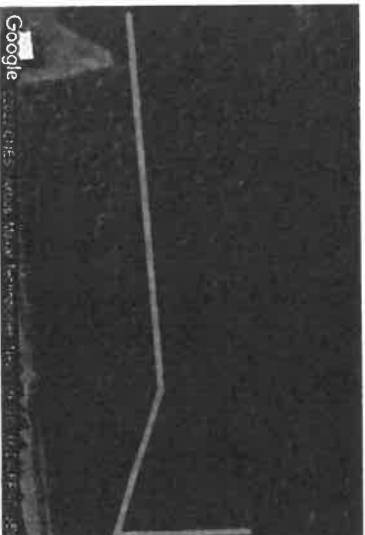
Top height: 20.0 ft



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876458	-74.318243	695.90
2	44.877646	-74.318053	670.20
3	44.877766	-74.314692	678.50
4	44.877451	-74.314705	705.20
5	44.877219	-74.313603	650.10

Name: Obs 2

Top height: 20.0 ft



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876444	-74.318089	691.50
2	44.876630	-74.314742	699.90
3	44.876339	-74.313420	707.30
4	44.877170	-74.313444	637.30

Glare Analysis Results

Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy
	°	°	min	hr	min	hr	kWh
PV array 1	SA	SA	0	0.0	0	0.0	-
	tracking	tracking					

Total glare received by each receptor may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
Bare Hill	0	0.0	0	0.0
Correctional Facility				
Bare Hill Road	0	0.0	0	0.0
Brand Road	0	0.0	0	0.0
Route 37 - North	0	0.0	0	0.0
Route 37 - South	0	0.0	0	0.0
Shears Road	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 7	0	0.0	0	0.0
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0

PV: PV array 1 **no glare found**

Receptor results ordered by category of glare

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
Bare Hill Correctional Facility	0	0.0	0	0.0
Bare Hill Road	0	0.0	0	0.0
Brand Road	0	0.0	0	0.0
Route 37 - North	0	0.0	0	0.0
Route 37 - South	0	0.0	0	0.0
Shears Road	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 7	0	0.0	0	0.0
OP 8	0	0.0	0	0.0
OP 9	0	0.0	0	0.0
OP 10	0	0.0	0	0.0
OP 11	0	0.0	0	0.0

PV array 1 and Route: Bare Hill Correctional Facility

No glare found

PV array 1 and Route: Bare Hill Road

No glare found

PV array 1 and Route: Brand Road

No glare found

PV array 1 and Route: Route 37 - North

No glare found

PV array 1 and Route: Route 37 - South

No glare found

PV array 1 and Route: Shears Road

No glare found

PV array 1 and OP 1

No glare found

PV array 1 and OP 2

No glare found

PV array 1 and OP 3

No glare found

PV array 1 and OP 4

No glare found

PV array 1 and OP 5

No glare found

PV array 1 and OP 6

No glare found

PV array 1 and OP 7

No glare found

PV array 1 and OP 8

No glare found

PV array 1 and OP 9

No glare found

PV array 1 and OP 10

No glare found

PV array 1 and OP 11

No glare found

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.

Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.

Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.

The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.

The subblended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subblended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile.

This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.

The ocular hazard predicted by the tool depends on a number of environmental, optical, and human factors, which can be uncertain. We provide input fields and typical ranges of values for these factors so that the user can vary these parameters to see if they have an impact on the results. The speed of SGHAT allows expedited sensitivity and parametric analyses.

The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subblended angle: 9.3 milliradians

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FORGESOLAR GLARE ANALYSIS

Project: Yellow 17, LLC Malone Solar Project
 Site configuration: Analysis 2 - 2nd Floor V5

Client: Nautilus

Created 28 Apr, 2023
 Updated 28 Apr, 2023
 Time-step 1 minute
 Timezone offset UTC-5
 Minimum sun altitude 0.0 deg
 DNI peaks at 1,000.0 W/m²
 Category 1 MW to 5 MW
 Site ID 89401.15178

Ocular transmission coefficient 0.5
 Pupil diameter 0.002 m
 Eye focal length 0.017 m
 Sun subtended angle 9.3 mrad
 PV analysis methodology V2



Summary of Results

No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy KWh
			min	hr	min	hr	
PV array 1	°	°	0	0.0	0	0.0	-
	SA tracking	SA tracking	0	0.0	0	0.0	-

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
Bare Hill	0	0.0	0	0.0
Correctional Facility	0	0.0	0	0.0
Bare Hill Road	0	0.0	0	0.0
Brand Road	0	0.0	0	0.0
Route 37 - North	0	0.0	0	0.0
Route 37 - South	0	0.0	0	0.0
Shears Road	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 12	0	0.0	0	0.0

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0

Component Data

PV Arrays

Name: PV array 1
 Axis tracking: Single-axis rotation
 Backtracking: Shade-slope
 Tracking axis orientation: 180.0°
 Max tracking angle: 52.0°
 Resting angle: 5.0°
 Ground Coverage Ratio: 0.5
 Rated power: -
 Panel material: Smooth glass with AR coating
 Reflectivity: Vary with sun
 Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.877549	-74.317926	682.20	4.50	686.70
2	44.877675	-74.314857	701.20	4.50	705.70
3	44.877397	-74.314841	709.70	4.50	714.20
4	44.877105	-74.313607	670.10	4.50	674.60
5	44.876527	-74.313618	706.30	4.50	710.80
6	44.876774	-74.314739	700.70	4.50	705.20
7	44.876626	-74.318076	698.20	4.50	702.70

Route Receptors

Name: Bare Hill Correctional Facility
 Path type: Two-way
 Observer view angle: 50.0°

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.881806	-74.322556	615.80	9.00	624.80
2	44.880209	-74.321531	645.10	9.00	654.10
3	44.878579	-74.321317	655.20	9.00	664.20
4	44.876912	-74.321121	638.70	9.00	647.70



Name: Bare Hill Road
 Path type: Two-way
 Observer view angle: 50.0°

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.875472	-74.319340	648.30	9.00	657.30
2	44.876578	-74.319442	644.30	9.00	653.30
3	44.877521	-74.319538	650.60	9.00	659.60
4	44.878635	-74.319705	663.90	9.00	672.90



Name: Brand Road
 Path type: Two-way
 Observer view angle: 50.0°

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.875161	-74.323286	664.50	9.00	673.50
2	44.875423	-74.319386	649.50	9.00	658.50
3	44.875663	-74.315782	639.90	9.00	648.90
4	44.875853	-74.312892	638.40	9.00	647.40
5	44.876091	-74.309858	633.90	9.00	642.90



Name: Route 37 - North
 Path type: Two-way
 Observer view angle: 50.0°

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.882467	-74.341449	514.40	9.00	523.40
2	44.880277	-74.341299	521.80	9.00	530.80
3	44.877449	-74.341128	551.10	9.00	560.10
4	44.874438	-74.340956	572.10	9.00	581.10



Name: Route 37 - South
 Path type: Two-way
 Observer view angle: 50.0°

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.869223	-74.329176	635.90	9.00	644.90
2	44.868569	-74.325742	666.80	9.00	675.80
3	44.867900	-74.322416	670.90	9.00	679.90
4	44.867246	-74.319820	667.80	9.00	676.80
5	44.866227	-74.317953	661.10	9.00	670.10



Name: Shears Road
 Path type: Two-way
 Observer view angle: 50.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.877569	-74.301794	636.90	9.00	645.90
2	44.878907	-74.302270	669.70	9.00	678.70
3	44.880255	-74.302814	668.10	9.00	677.10
4	44.881389	-74.303316	652.00	9.00	661.00

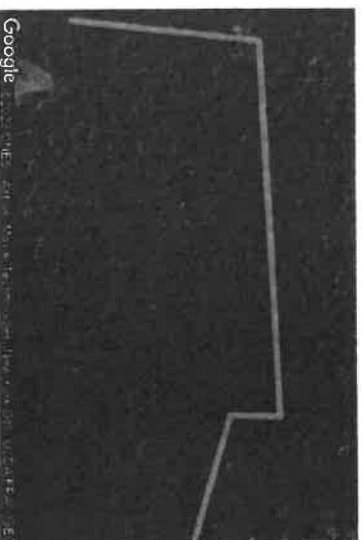
Discrete Observation Point Receptors

Name	ID	Latitude (°)	Longitude (°)	Elevation (ft)	Height (ft)
OP 1	1	44.881535	-74.305969	652.00	16.00
OP 2	2	44.879072	-74.301909	674.60	16.00
OP 3	3	44.878849	-74.321989	647.60	16.00
OP 4	4	44.872091	-74.315579	663.40	16.00
OP 5	5	44.869592	-74.328882	631.50	16.00
OP 6	6	44.872919	-74.330261	652.20	16.00
OP 12	12	44.881897	-74.323184	615.20	30.00
OP 13	13	44.876593	-74.325907	657.20	30.00
OP 14	14	44.871377	-74.316808	672.30	30.00
OP 15	15	44.888254	-74.322128	635.40	30.00
OP 16	16	44.878991	-74.323917	634.10	30.00
OP 17	17	44.879782	-74.324016	625.10	30.00

Obstruction Components

Name: Obs 1

Top height: 20.0 ft



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876458	-74.318243	695.90
2	44.877646	-74.318053	670.20
3	44.877766	-74.314692	678.50
4	44.877451	-74.314705	705.20
5	44.877219	-74.313603	650.10

Name: Obs 2

Top height: 20.0 ft



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876444	-74.318089	691.50
2	44.876630	-74.314742	699.90
3	44.876339	-74.313420	707.30
4	44.877170	-74.313444	637.30

Glare Analysis Results

Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare	Annual Yellow Glare	Energy
	°	°	min	min	kWh
PV array 1	SA	SA	0	0	-
	tracking	tracking	0.0	0.0	

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
Bare Hill	0	0.0	0	0.0
Correctional Facility				
Bare Hill Road	0	0.0	0	0.0
Brand Road	0	0.0	0	0.0
Route 37 - North	0	0.0	0	0.0
Route 37 - South	0	0.0	0	0.0
Shears Road	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 12	0	0.0	0	0.0
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0

PV: PV array 1 no glare found

Receptor results ordered by category of glare

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
Bare Hill Correctional Facility	0	0.0	0	0.0
Bare Hill Road	0	0.0	0	0.0
Brand Road	0	0.0	0	0.0
Route 37 - North	0	0.0	0	0.0
Route 37 - South	0	0.0	0	0.0
Shears Road	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0
OP 5	0	0.0	0	0.0
OP 6	0	0.0	0	0.0
OP 12	0	0.0	0	0.0
OP 13	0	0.0	0	0.0
OP 14	0	0.0	0	0.0
OP 15	0	0.0	0	0.0
OP 16	0	0.0	0	0.0
OP 17	0	0.0	0	0.0

PV array 1 and Route: Bare Hill Correctional Facility

No glare found

PV array 1 and Route: Bare Hill Road

No glare found

PV array 1 and Route: Brand Road

No glare found

PV array 1 and Route: Route 37 - North

No glare found

PV array 1 and Route: Route 37 - South

No glare found

PV array 1 and Route: Shears Road

No glare found

PV array 1 and OP 1

No glare found

PV array 1 and OP 2

No glare found

PV array 1 and OP 3

No glare found

PV array 1 and OP 4

No glare found

PV array 1 and OP 5

No glare found

PV array 1 and OP 6

No glare found

PV array 1 and OP 12

No glare found

PV array 1 and OP 13

No glare found

PV array 1 and OP 14

No glare found

PV array 1 and OP 15

No glare found

PV array 1 and OP 16

No glare found

PV array 1 and OP 17

No glare found

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.

Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.

Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.

The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile. This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.

The ocular hazard predicted by the tool depends on a number of environmental, optical, and human factors, which can be uncertain. We provide input fields and typical ranges of values for these factors so that the user can vary these parameters to see if they have an impact on the results. The speed of SGHAT allows expedited sensitivity and parametric analyses.

The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

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FORGESOLAR GLARE ANALYSIS

Project: Yellow 17, LLC Malone Solar Project
 Site configuration: Analysis 3 - FAA V4

Client: Nautilus

Created 28 Apr, 2023
 Updated 28 Apr, 2023
 Time-step 1 minute
 Timezone offset UTC-5
 Minimum sun altitude 0.0 deg
 DNI peaks at 1,000.0 W/m²
 Category 1 MW to 5 MW
 Site ID 89399.15178

Ocular transmission coefficient 0.5
 Pupil diameter 0.002 m
 Eye focal length 0.017 m
 Sun subtended angle 9.3 mrad
 PV analysis methodology V2



Summary of Results

Glare with potential for temporary after-image predicted

PV Array	Tilt	Orient	Annual Green Glare	Annual Green Glare	Annual Yellow Glare	Annual Yellow Glare	Energy
	°	°	min	hr	min	hr	kWh
PV array 1	SA	SA	5,043	84.0	184	3.1	-
	tracking	tracking					

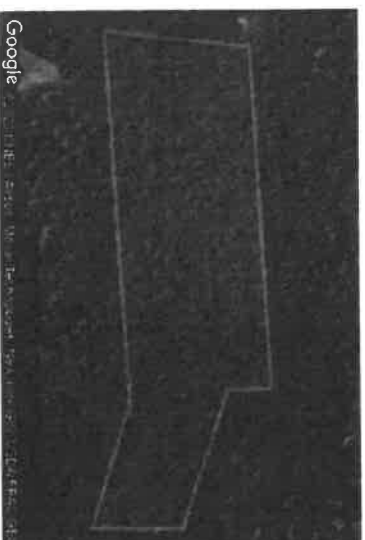
Total glare received by each receptor, may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare	Annual Yellow Glare
	min	min
MAL-14	0	0
MAL-23	5,043	184
MAL-32	0	0
MAL-5	0	0

Component Data

PV Arrays

Name: PV array 1
 Axis tracking: Single-axis rotation
 Backtracking: Shade-slope
 Tracking axis orientation: 180.0°
 Max tracking angle: 52.0°
 Resting angle: 5.0°
 Ground Coverage Ratio: 0.5
 Rated power: -
 Panel material: Smooth glass with AR coating
 Reflectivity: Vary with sun
 Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	44.877549	-74.317926	662.20	4.50	666.70
2	44.877675	-74.314857	701.20	4.50	705.70
3	44.877997	-74.314841	709.70	4.50	714.20
4	44.877105	-74.313607	670.10	4.50	674.60
5	44.876527	-74.313618	706.30	4.50	710.80
6	44.876774	-74.314739	700.70	4.50	705.20
7	44.876626	-74.318076	698.20	4.50	702.70

Flight Path Receptors

Name: MAL-14
 Description: None
 Threshold height: 50 ft
 Direction: 127.0°
 Glide slope: 3.0°
 Pilot view restricted? Yes
 Vertical view: 30.0°
 Azimuthal view: 50.0°



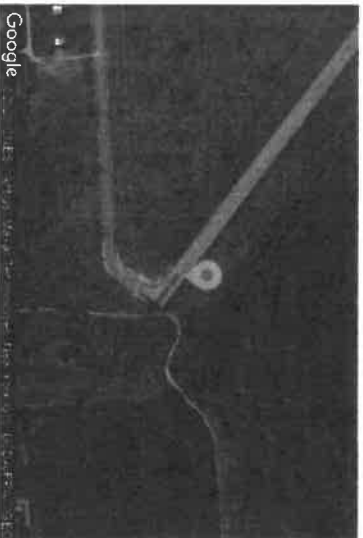
Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	44.855822	-74.330108	757.00	50.00	807.00
Two-mile	44.873222	-74.362719	496.50	864.00	1360.50

Name: MAL-23
 Description: None
 Threshold height: 50 ft
 Direction: 217.0°
 Glide slope: 3.0°
 Pilot view restricted? Yes
 Vertical view: 30.0°
 Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	44.857883	-74.327465	753.80	50.00	803.80
Two-mile	44.880974	-74.302890	666.30	691.00	1357.30

Name: MAL-32
 Description: None
 Threshold height: 50 ft
 Direction: 307.0°
 Glide slope: 3.0°
 Pilot view restricted? Yes
 Vertical view: 30.0°
 Azimuthal view: 50.0°



Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	44.851025	-74.321121	787.20	50.00	837.20
Two-mile	44.833625	-74.288513	800.20	590.40	1390.60

Name: MAL-5
 Description: None
 Threshold height: 50 ft
 Direction: 37.0°
 Glide slope: 3.15°
 Pilot view restricted? Yes
 Vertical view: 30.0°
 Azimuthal view: 50.0°



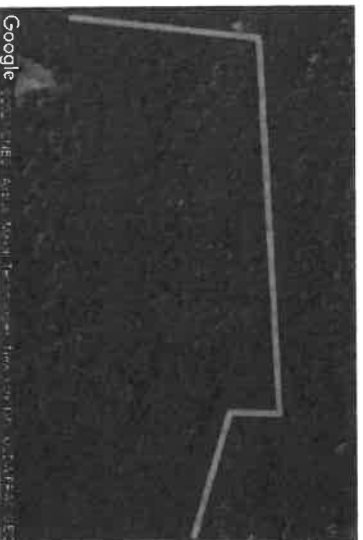
Point	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
Threshold	44.849861	-74.335929	767.80	50.00	817.80
Two-mile	44.826770	-74.360501	936.70	462.20	1398.90

Obstruction Components

Name: Obs 1

Top height: 20.0 ft

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876458	-74.318243	695.90
2	44.877646	-74.318053	670.20
3	44.877766	-74.314692	678.50
4	44.877451	-74.314705	705.20
5	44.877219	-74.313603	650.10



Name: Obs 3
Top height: 20.0 ft

Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	44.876444	-74.318089	691.50
2	44.876630	-74.314742	699.90
3	44.876339	-74.313420	707.30
4	44.877170	-74.313444	637.30



Glare Analysis Results

Summary of Results Glare with potential for temporary after-image predicted

PV Array	Tilt	Orient	Annual Green Glare	Annual Yellow Glare	Energy
	°	°	min	min	KWh
PV array 1	SA	SA	5,043	184	-
	tracking	tracking			
			84.0	3.1	

Total glare received by each receptor may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare	Annual Yellow Glare
	min	min
MAL-14	0	0
MAL-23	5,043	184
MAL-32	0	0
MAL-5	0	0

PV: PV array 1 potential temporary after-image

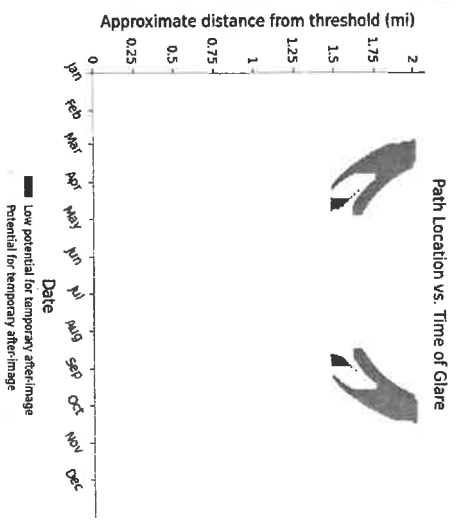
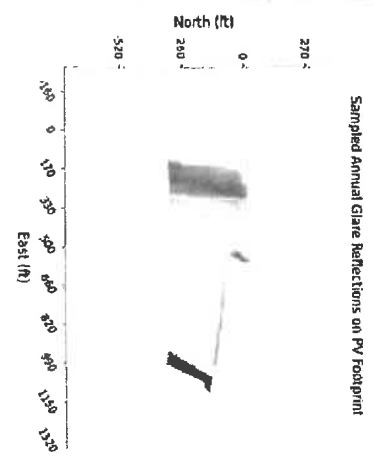
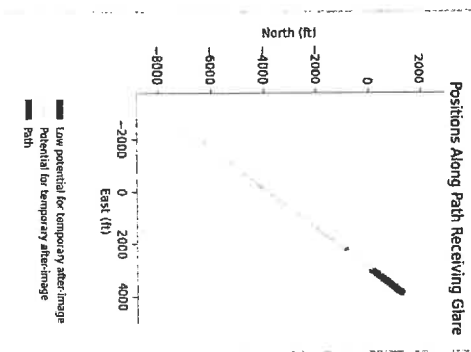
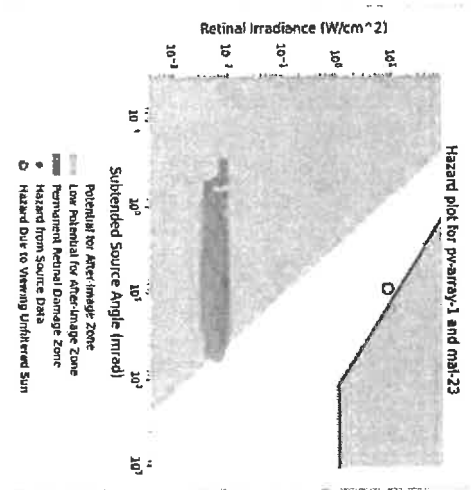
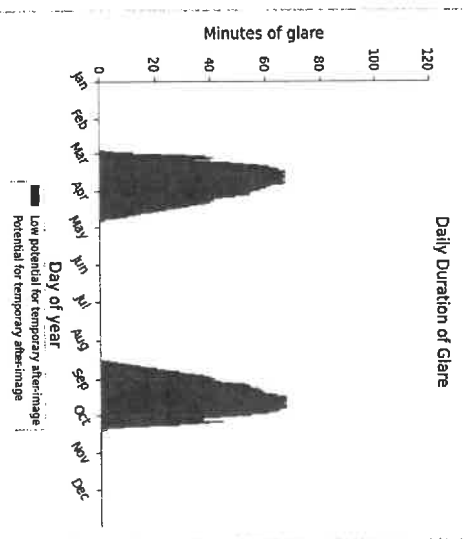
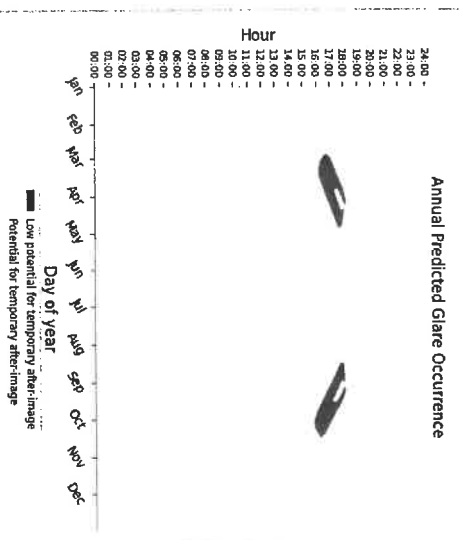
Receptor results ordered by category of glare

Receptor	Annual Green Glare	Annual Yellow Glare
	min	min
MAL-23	5,043	184
MAL-14	0	0
MAL-32	0	0
MAL-5	0	0

PV array 1 and FP: MAL-23

Yellow glare: 184 min.

Green glare: 5,043 min.



PV array 1 and FP: MAL-14
No glare found



PV array 1 and FP: MAL-32

No glare found

PV array 1 and FP: MAL-5

No glare found

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.

Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.

Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.

The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

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Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

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Glint and Glare Analysis
Bare Hill Road Solar
May 2, 2023

Attachment B
FAA Notice Criteria Tool

TETRA TECH



Federal Aviation Administration

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V 2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures very based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airports Region / District Office for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

* Structure Type: **SOLAR Solar Panel** ▼

Please select structure type and complete location point information.

Latitude: Deg M S ▼

Longitude: Deg M S ▼

Horizontal Datum: **NAD83** ▼

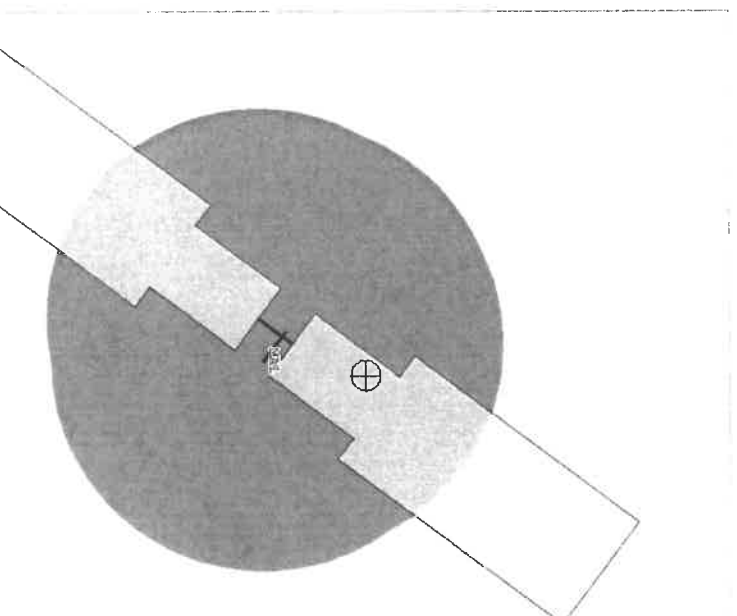
Site Elevation (SE): (nearest foot)

Structure Height: (nearest foot)

Is structure on airport: No Yes

Results

You do not exceed Notice Criteria.



3/31/23, 10:19 AM

Notice Criteria Tool



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-AEA-17714-OE

Issued Date: 12/19/2022

Christopher Stroud
Cipriani Energy Group Corp.
125 Wolf Road
Suite 312
Albany, NY 12205

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Solar Panel Solar Panel Cipriani Malone Solar Farm
Location:	Malone, NY
Latitude:	44-52-37.00N NAD 83
Longitude:	74-18-59.00W
Heights:	652 feet site elevation (SE) 10 feet above ground level (AGL) 662 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 06/19/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition, Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6068, or Dianne.Marin@FAA.GOV.
On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-AEA-17714-OE.

Signature Control No: 562601033-565294221

Dianne Marin
Technician

(DNE)

Attachment(s)
Map(s)

Verified Map for ASN 2022-AEA-17714-OE



Yellow 17 LLC, Malone Solar Project

Environmental Impact - Draft Scoping Document

ATTACHMENT E – PANEL SPECIFICATION SHEET & ANTI-REFLECTION DECLARATION

Harvest the Sunshine

DEEP BLUE 3.0

Mono

605W MBB Bifacial Mono PERC
Half-cell Double Glass Module

JAM78D30 580-605/MB Series

Introduction

Assembled with 11BB bifacial PERC/UM cells and half-cell configuration, these double glass modules have the capability of converting the incident light from the rear side together with the front side into electricity, providing higher output power, lower temperature coefficient, less shading loss, as well as enhanced tolerance for mechanical loading.



Higher output power



More reliable, more stable
power generation



Less shading effect

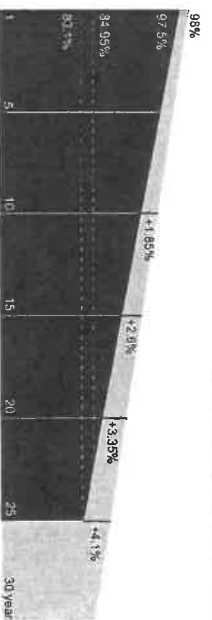


Lower temperature coefficient

Superior Warranty

- 12-year product warranty
- 30-year linear power output warranty

0.45% Annual Degradation
(over 30 years)



■ Bifacial double glass module linear power warranty

■ Standard module linear power warranty

Comprehensive Certificates

- IEC 61215, IEC 61730, UL 61215, UL 61730
- ISO 9001: 2015 Quality management systems
- ISO 14001: 2015 Environmental management systems
- ISO 45001: 2018 Occupational health and safety management systems
- IEC 62941: 2019 Terrestrial photovoltaic (PV) modules - Quality system for PV module manufacturing



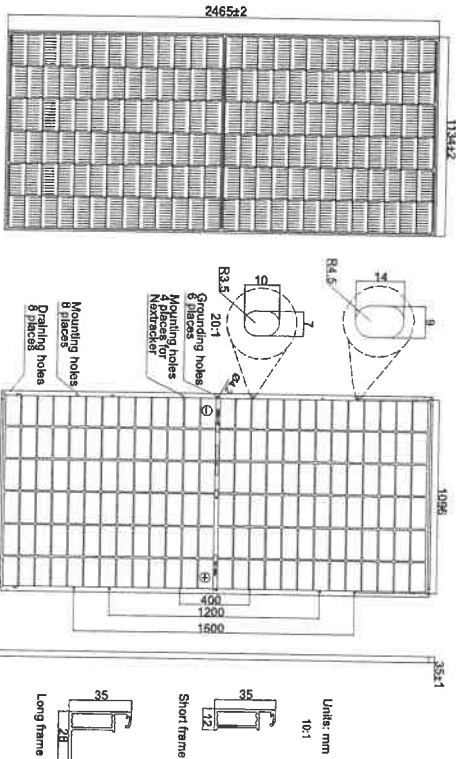
JA SOLAR

www.jasolar.com

Specifications subject to technical changes and tests.
JA Solar reserves the right of final interpretation.



MECHANICAL DIAGRAMS



Remark: customized frame color and cable length available upon request

SPECIFICATIONS

Cell	Mono
Weight	34.8kg
Dimensions	2465±2mm×1134±2mm×35±1mm
Cable Cross Section Size	4mm ² (IEC), 12 AWG(UL)
Nc. of cells	156(6×26)
Junction Box	IP68, 3 diodes
Connector	QC 4, 10-35T/QC 4, 10-3S
Cable Length (Including Connector)	Portrait:200mm(+)/300mm(-) Landscape:1500mm(+)/1500mm(-)
Front Glass/Back Glass	2.0mm/2.0mm
Packaging Configuration	31pcs/Pallet, 496pcs/40HQ Container

ELECTRICAL PARAMETERS AT STC

TYPE	JAM78D30 -580/MB	JAM78D30 -595/MB	JAM78D30 -590/MB	JAM78D30 -595/MB	JAM78D30 -600/MB	JAM78D30 -605/MB
Rated Maximum Power(P _{max}) [W]	580	585	590	595	600	605
Open Circuit Voltage(V _{oc}) [V]	53.11	53.20	53.30	53.40	53.50	53.61
Maximum Power Voltage(V _{mp}) [V]	44.35	44.56	44.80	45.05	45.30	45.53
Short Circuit Current(I _{sc}) [A]	13.84	13.88	13.93	13.98	14.03	14.08
Maximum Power Current(I _{mp}) [A]	13.08	13.13	13.17	13.21	13.25	13.29
Module Efficiency [%]	20.7	20.9	21.1	21.3	21.5	21.6
Power Tolerance	0~+5W					
Temperature Coefficient of I _{sc} (α _{Isc})	+0.045%/°C					
Temperature Coefficient of V _{oc} (β _{Voc})	-0.275%/°C					
Temperature Coefficient of P _{max} (γ _{Pmp})	-0.350%/°C					

Irradiance 1000W/m², cell temperature 25°C, AM1.5G

Remark: Electrical data in this catalog do not refer to a single module and they are not part of the offer.They only serve for comparison among different module types.

ELECTRICAL CHARACTERISTICS WITH 10% SOLAR IRRADIATION RATIO

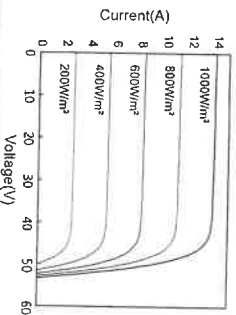
TYPE	JAM78D30 -580/MB	JAM78D30 -585/MB	JAM78D30 -590/MB	JAM78D30 -595/MB	JAM78D30 -600/MB	JAM78D30 -605/MB
Rated Max Power(P _{max}) [W]	621	626	631	637	642	647
Open Circuit Voltage(V _{oc}) [V]	53.16	53.25	53.35	53.45	53.55	53.66
Max Power Voltage(V _{mp}) [V]	44.34	44.55	44.80	45.04	45.28	45.52
Short Circuit Current(I _{sc}) [A]	14.81	14.85	14.91	14.96	15.01	15.07
Max Power Current(I _{mp}) [A]	14.00	14.05	14.09	14.13	14.18	14.22

Irradiation Ratio(rear/front)

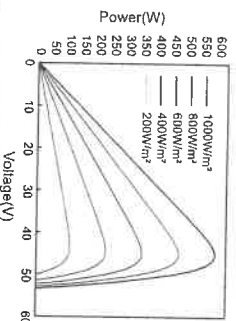
*For Nextacker installations, maximum static load please take compatibility approve letter between JA Solar and Nextacker for reference.
**Bifaciality=P_{max, rear}/Rated P_{max, front}

CHARACTERISTICS

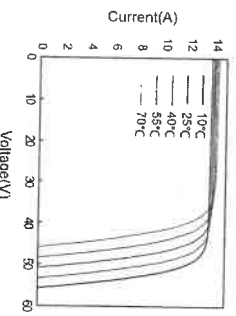
Current-Voltage Curve JAM78D30-595/MB



Power-Voltage Curve JAM78D30-595/MB



Current-Voltage Curve JAM78D30-595/MB



JA SOLAR

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Fax: +86 (21) 6095 5959

Declaration of antireflection glass

JA Solar as the PV module manufacturer hereby declares that all the JA Solar modules recently manufactured (starting from 2014) have on the front side a tempered and high-transmission glass covered by anti-reflection coating to reduce light reflection and hence absorb more solar energy and generate more electric current.

All JA Solar customers are encouraged to consult with JA Solar technical support staff with any further question they may have.

Yours faithfully,

Shanghai JA Solar PV Technology Co., Ltd.
Global Customer Service Department
March 18th, 2020

BILLS FOR AUDIT & PAYMENT:

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#273 - 2023): that the following bills, having been audited,

Batch No. 1260, 1261

Voucher Nos. 786-832

General Fund (A)	\$ 38,006.42
Part Town General Fund (B)	898.05
Highway Townwide (DA)	33,889.67
Highway Outside (DB)	15,235.58
Sewer Fund (G)	11,820.00
Trust & Agency (T)	615.70
Escrow Capital project (H2)	945.50
Sub-Total	\$101,410.92

Other Approvals

Airport Capital Project Fund (H4)	\$25,949.69
Sub-Total	\$25,949.69

GRAND TOTAL \$127,360.61

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#274 – 2023) to close Public Hearing at 6:59 p.m.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

ADJOURN:

At 7:00 p.m.

Motion – Councilor Walbridge

Second – Councilor Johnston

Resolved (#275 - 2023) there being no further business to come before

the Board that it adjourn, with the next meeting to be October 11, 2023 at 6:00 p.m.,
preceded by an IDA Meeting at 5:45 p.m.

CARRIED (3 - 0) – Supervisor Stewart – Absent Deputy Supervisor Maguire – Aye
Councilor Johnston - Aye Councilor Walbridge – Aye Councilor Taylor – Absent

RESPECTFULLY SUBMITTED,



DENICE A. HUDSON, BOOKKEEPER/BUDGET OFFICER