



DEPARTMENT OF CODE ENFORCEMENT

118 Broadway, P.O. Box 345, Fort Edward, N.Y. 12828
Phone (518) 502-4146 Fax (518) 684-2242
code@villageoffortedward.com

July 18, 2023

To: Aaron Ovios
11 MacDonough St.
Plattsburgh, NY 12901

Location State Route 197
Tax Map No. 171.11-1-3.3
Zone R1, Residential

RE: Proposed Solar Farm

This letter is this office's zoning determination relative to the above referenced project. The property is located in the **above referenced** zoning district in the Village of Fort Edward Zoning Law found at Chapter 350 of the Code of the Village of Fort Edward. In reviewing the proposed project under Chapter 350, I find the following:

The proposed is in violation of the following section of village code:

The project is not a permitted use in the zone in which it is located:
The property is zoned R1, Residential, which is reserved for Single Family Homes. Therefore, a Use Variance is needed to construct a Solar Farm..

The project does not meet the area/density requirements required by the Village of Fort Edward Zoning Law as follows:
 does not meet the setback requirements of _____ feet;

Does not meet the area/density requirements as follows: _____

Other: _____

The project requires site plan review from the zoning board:

The division of the parcel requires subdivision review from the zoning board.

The project requires a special use permit from the zoning board.


Please note that if you disagree with this zoning determination as to allowed uses and/or density requirements, you have the right to appeal this determination to the Zoning Board of Appeals within 60 days of the date of this determination. In the event of an area and/or use denial, you also have the right to appeal to the Zoning Board of Appeals for a variance as applicable. These options have legal implications and we cannot provide you legal advice.

Thank you.

David J. Armando
Code Enforcement Officer

green space buffer, maximum lot coverage by buildings, maximum height of buildings and size or height of signs.

- B. In making its determination the Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community. In making such determination the Board shall also consider:
- (1) Whether an undesirable change in the character of the neighborhood will be produced or a detriment to nearby properties will be created by the granting of the area variance.
 - (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
 - (3) Whether the requested variance is substantial.
 - (4) Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood.
 - (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the Board of Appeals but shall not necessarily preclude the granting of the area variance.
- C. The ZBA shall only grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.



§350-7-4. Requirements for use variances.

- A. A use variance may be granted to allow land to be used for a purpose which is otherwise not permitted by this chapter.
- B. No such use variance shall be granted by the Board of Appeals without a showing by the applicant that the zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Board of Appeals all of the following:
- (1) That for each and every permitted use or special permitted use within the zone where the property is located the applicant cannot realize a reasonable return, provided that lack of return is substantial and is established by competent financial evidence.
 - (2) That the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
 - (3) That the requested use variance, if granted, will not alter the essential character of the neighborhood.
 - (4) That the alleged hardship has not been self-created.

- C. The ZBA shall only grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

§350-7-5. Approval of variances with conditions.

In the granting of variances the Board of Appeals shall have the authority to impose such reasonable conditions as are related to the use of the property and/or the period of time the variance shall be in effect. Such conditions shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

§350-7-6. Appeals.

Any appeal from a decision of the Code Enforcement Officer shall be made within 60 days after the Code Enforcement Officer makes and files said decision.

§350-7-7. Stay upon appeal.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Code Enforcement Officer certifies to the Board of Appeals that, by reason in the facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings may not be stayed otherwise than by restraining order which may be granted by the Board of Appeals or by a court of record.

§350-7-8. Procedural steps.

Applications to the Board of Appeals shall be processed in the following steps. The Board of Appeals shall comply with all of the requirements of §§ 7-712-a and 7-712-b of the Village Law.

A. Review.

- (1) The Board of Appeals shall undertake a preliminary review of an application at its first regularly scheduled monthly meeting after the application is submitted. At the preliminary review the Board shall determine whether the application is complete. If the application is deemed to be incomplete, then the applicant shall be notified, in writing, of what further information is required. If the application is considered to be complete, then the Board shall proceed to schedule a public hearing.
- (2) The Board of Appeals shall follow the application requirements of the New York State Environmental Quality Review Act (SEQRA).
- (3) The Board shall schedule a public hearing within 62 days of receipt of a complete application and shall provide notice of such hearing by publication in a newspaper of general circulation in the Village at least five days prior to the date thereof.

June 11, 2023

Dave Armando
Code Enforcement Officer
Village of Fort Edward
P.O. Box 345
118 Broadway
Fort Edward, New York 12828

SITE PLAN
REV.

**Re: Solar Power Network Site Plan 2023
Proposed Solar Farm
NYS Route 197, (V) Fort Edward**

Dear Mr. Cole:

Solar Power Network, LLC proposes developing a Community Solar Farm on a portion of Tax Map Parcel 171.11-1-3.3 located on Argyle Street (NYS – 197), approximately 1,600 feet from the intersection of Baldwin Avenue in the Village of Fort Edward, NY. The parcel is owned by Rourke Enterprises, Inc consisting mainly of sparse trees in the north to wooded areas in the south. Solar Power Network has entered into a purchase agreement to buy the property in question and develop and own the proposed solar farm.

A search of the New York State Department of Environmental Conservation database has revealed historical or archeological sensitive areas on or around the Project Site; we will provide a more detailed response from the NYS Office of Parks, Recreation & Historic Places under separate cover. Our search also identified state and federal wetlands on the property; currently, no improvements are proposed within these areas. Lastly, our investigation revealed that an active remediation site for hazardous waste is located within 500 feet of the project site.

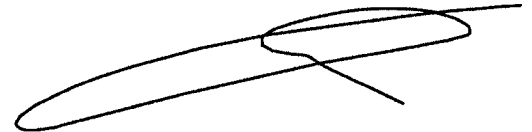
The proposed solar farm will generate up to 4.11 megawatts of power fed back into the local NYSEG grid. Panels will be supported by a light steel frame with steel pile anchors; This type of installation results in little to no site disturbance. Each panel will be interconnected within each row and tied together via an underground service. The solar facility will connect directly to the existing NYSEG transmission lines along Banker Road.

A 15 ft wide gravel access road is proposed off of NYS 197. It will run parallel to the neighboring property boundary common with Tax Map Parcel: 171.11-1-3.1 to the proposed equipment rack and transformers

servicing the solar farm. No permanent office or habitable structure will be constructed; only temporary construction trailers and a staging yard will be utilized and removed after construction is complete. The project does not require any water or sanitary sewer service.

We ask that the project be placed on the next regular meeting agenda of the Planning Board for Sketch Plan consideration. To further assist in your review of this project, we have enclosed eight copies of the Sketch Plan, Short Form EAF, Site Plan Application, Affidavits, and application fees.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a long horizontal stroke with a loop at the end and a short vertical stroke extending downwards from the loop.

Aaron J. Ovios, P.E.

Robert M. Sutherland P.C.

VILLAGE OF FORT EDWARD

SITE PLAN REVIEW APPLICATION

Under the Village of Fort Edward Site Plan Review Law and the Village Law of the State of New York, the following roughly outlines the site plan review process.

Phase I. Sketch Plan Review

The Sketch Plan Review phase provides an applicant the opportunity to come before the Planning board with a somewhat informal depiction of his or her proposed project to determine the requirements of the Town's Site Plan Review Law, the State Environmental Quality Review Act (SEQRA), wetland issues, and other applicable jurisdictional requirements. **A favorable determination by the Planning board at this phase does not constitute an approval of the site plan.** At this stage, the applicant is simply given the opportunity to determine whether or not he or she should proceed with formal surveying requirements and obtaining other approvals.

Phase II. Site Plan Review

In the Site Plan Review phase, the Planning Board will review the application under the Village of Fort Edward Site Plan Review Law and SEQRA and issue a decision under both concerning the application. This phase may consist of numerous meetings while the applicant addresses questions from the Planning Board or its consultants, and as public comments are received. During this phase, the application may also be referred to the Washington County Planning Board, if required.

SITE PLAN REVIEW APPLICATION
GENERAL INFORMATION

APPLICANT/OWNER INFORMATION (If Applicant is NOT Owner, Submit Authorization)

Applicant Name Solar Power Network LLC
Applicant Address 69 State Street (13th Floor) Albany, NY 12207

Phone Number (647)-213-1290 **Fax Number** _____

Owner Name (if not applicant) Solar Power Network LLC
Owner Address 69 State Street (13th Floor) Albany, NY 12207

Phone Number (647)-213-1290 **Fax Number** _____

APPLICANT'S REPRESENTATIVE (Submit Authorization)

Name RMS Engineering
Address 11 MacDonough St. Plattsburgh, NY 12901

Phone Number (518)-561-6145 **Fax Number** _____

PROPERTY INFORMATION

Project Location 40 NYS Route 197

Tax Map # 171.11-1-3.3

Current Lot Size 518,800 sqft (11.91-acres)

Portion of Lot Currently Developed (sq. ft) 413,820 sqft (9.5-acres)

Percentage of Lot Currently Developed
(Portion of Lot Currently Developed/Lot Size) 0 sqft (vacant land)

Portion of Lot to be Developed (sq. ft) 413,820 sqft (9.5-acres)

Total Percent of Lot to be Developed After Project
(Portion of Lot Developed + Portion of Lot to be Developed/Lot Size) 413,820 sqft (9.5-acres)

Description of Proposed Use of Property

The proposed projects consists of a single solar array on a 11.91-acre parcel on NYS Route 197 (Tax Map #: 171.11-1-3.3). The project will involve the installation of ground-mounted photo-voltaic panels as well as an access road, utility upgrades, inverters and perimeter fencing around the array. Minor tree and brush removal will be required on this site. There is a small section of marked Federal Army Corps wetlands in the northwest corner, SPN will not be installing within this area. No water or sewer service is required by the town for this installation.

SIGNATURES

The undersigned, being the owner of the property that is the subject of the foregoing application including all maps, plats, reports and other documentation supporting same, does hereby state that he/she/it has reviewed the foregoing application including all maps, reports and other documentation supporting same, and that the information provided thereon is true and accurate. The undersigned specifically understands that the Village of Fort Edward Planning Board will rely on the truth and sufficiency of the information provided and the undersigned agrees to indemnify, defend and hold the Village of Fort Edward Planning Board and the Village of Fort Edward, its agents, employees and representatives harmless from any and all claims, suits, demands, losses, judgments or orders arising out of the inaccuracy or insufficiency of any of the information supplied by the undersigned or its agents.

Owner/Applicant



2023-07-11

Date

If the Owner is not the applicant, then the following must be executed by the owner:

The undersigned is the lawful owner of the property which is the subject of the foregoing application and consents to the application and any and all conditions that might be imposed by the Village of Fort Edward Planning Board concerning said site plan review. This application may be treated as if the owner himself/herself/itself submitted same. The applicant as noted on this application has my permission to agree to any reasonable conditions and to otherwise take such actions as are necessary to obtain the approval for the proposal requested herein.

Owner/Applicant

Date

If the applicant or owner has an agent, the following must be executed:

The undersigned, being the applicant/owner of the property which is the subject of the foregoing application, does hereby authorize the following person and/or firm, to represent me with regard to the foregoing application at all meetings before the Village of Fort Edward Planning Board and further promise to the Village of Fort Edward Planning Board that said person and/or firm has the authority to make statements and representations on my behalf to the Planning Board and to agree to conditions of said Planning Board.

Designated Agent N/A

Agent's firm N/A

Address _____

Phone _____ Fax _____

Owner/Applicant

Date

STEP 1

SKETCH PLAN SUBMISSION REQUIREMENTS CHECKLIST

All information below must be provided for the Planning Board to review your application.

1. By the **first day of the month** before the next Planning Board meeting, the applicant must submit EIGHT (8) copies of a sketch plan. The sketch plan must comply with the requirements of the Village of Fort Edward Site Plan Review Law.
2. Sketch Requirements:
 - a. A statement and rough sketch map based on a tax map or other survey map showing the locations and dimensions of principal and accessory structures, parking areas, access signs, existing and proposed vegetation and other proposed features, anticipated changes in the existing topography and natural features.
 - b. Site Location map showing the parcel that is the subject of the application for site plan review and surrounding properties, subdivisions, public and private roads, streets, right-of-way, easements and other pertinent features, e.g.: Washington County highway map.
 - c. A topographic or contour map to show site topography from a United States Geological Survey (USGS) sheet or map.
 - d. A copy of the current and, if applicable, proposed deed for the property.
3. Applicant to attend Planning Board meeting to discuss the project.

STEP 2

SITE PLAN REVIEW

All information below must be provided for the Planning Board to review your application.

1. By the **first day of the month** before the next Planning Board meeting, the applicant must submit EIGHT (8) copies of this package including any maps and additional submissions, EIGHT (8) copies of the Short or Long Environmental Assessment Form (as determined at the sketch review), EIGHT (8) copies of the agricultural data sheet (if required), EIGHT (8) copies of the site plan (discussed later in this application), and a check for **\$50.00** for the site plan review application processing fee.
2. Site Plan Requirements

All of the following information MUST be supplied unless the applicant requests, and the Planning Board agrees, to waive any of the following:

- A. Site Map. Eight copies of the plat are to be filed with the Village Clerk. The size of the sheets shall be 11 inches by 17 inches or larger, including a margin for binding of two inches, outside of the border, along the left side and a margin of one inch outside of the border along the remaining sides. It is the preference that such plans be 11 inches by 17 inches, provided that if the applicant or the Planning Board determine that the project cannot be adequately reviewed due to the size of such plans, such larger plans as the applicant

or the Planning Board may request or require shall be submitted. This shall be drawn at a scale of one-inch to equal fifty (50) feet or larger and shall show existing topography at contour intervals of not more than five (5) feet. This map shall show the site area and any pertinent natural features that may affect the proposed use such as watercourses, wetlands, wooded areas, areas subject to flooding, flood zones etc.

The plat shall show:

- (i.) The title of the site plan, including name and address of applicant and person responsible for preparing such drawing.
 - (ii.) North arrow, scale and date.
 - (iii.) Boundaries of property plotted to scale.
 - (iv.) Location, size and existing use of buildings and other structures on premises.
 - (v.) Location and ownership identification of all adjacent lands including across roadways and waterways.
 - (vi.) Location, name and width of existing adjacent roads.
 - (vii.) Location, width and identification of all existing and proposed rights-of-way, easements, setbacks, reservations and areas dedicated to public use on site or on an adjoining the property.
 - (viii.) Location of steep slopes, wetlands, flood and erosion-prone areas, watercourses and natural drainage patterns.
 - (ix.) Location of significant trees, shrubs and/or edge of wooded areas.
 - (x.) Location of all structures, significant environmental features and utilities within 100 feet of the property line.
- B. Development Plan Map. This is a detailed plan for the proposed development, drawn to scale of one-inch to equal fifty (50) feet or larger and may be on one or more sheets. The site development plan illustrates the location of all existing or proposed site improvements including drains, culverts, retaining walls and fences; provides a description or shows the location of proposed buffer areas; the design of lighting facilities and signs; all automobile parking and all parking for commercial vehicles while loading and unloading; and the location and width of all driveways, exits and entrances.

In addition, the site development plan shall set forth the following:

- (i.) Grading and drainage plan, showing existing and proposed contours and watercourses if a change in topography is proposed.
- (ii.) Locations, type of construction and exterior dimensions of all buildings and other structures.
- (iii.) Identification of the amount of gross floor area (GFA) proposed for retail sales and services, offices and other commercial or industrial facilities.
- (iv.) Location, type of construction and area of all parking and truck loading areas, showing access and egress points to the site.
- (v.) Provision for pedestrian access and circulation, including public and private sidewalks, if applicable.

- (vi.) Location and intended use of outdoor storage, if any.
 - (vii.) Location and construction materials of all existing or proposed site improvements including drains, culverts, berms, retaining walls, fences, patios, paved areas and decks.
 - (viii.) Description of the method of sewage disposal and the location of such facilities.
 - (ix.) Location of waste storage containers, including proposed solid waste and hazardous waste collection, storage and staging areas.
 - (x.) Description of the method of securing water, location of such facilities and approximate quantity of water required.
 - (xi.) Location of fire lanes and other emergency zones, including the location of fire hydrants, if required.
 - (xii.) Location, design and construction materials of all energy generation and distribution facilities, including electrical, gas, hydro, solar and wind energy.
 - (xiii.) Location, size, design and type of all proposed temporary and permanent signs.
 - (xiv.) Location and development of all proposed buffer areas, including indication of existing and proposed vegetative cover.
 - (xv.) Location and design of existing and proposed outdoor lighting, including height, type, bulb type/style and hours of operation.
 - (xvi.) Proposed planting plan including screening and buffer areas with the planting and general landscaping schedule.
 - (xvii.) Record of applications and approval status of all necessary permits from federal, state, county and local offices and agencies.
 - (xviii.) Estimated project construction schedule.
 - (xix.) Other elements integral to the proposed development as may be specified by the Planning Board at the sketch plan conference, such as contour intervals or licensed survey, etc.
 - (xx.) Elevations or cross-sections of proposed buildings.
- C. Elevations and/or cross-sections, illustrating front, rear and side profiles drawn to the scale of one eighth inch equals one-foot, may be required by the Planning Board. The elevations and/or cross sections shall clearly delineate dimensions of all buildings, building materials and other permanent structures included in the proposal, including the dimensions and height of lighting facilities and signs.
- D. The Planning Board shall require, as appropriate, engineering plans prepared by a licensed professional to illustrate and describe such development aspects as: road improvements, drainage systems, grading plan, public or private utility systems, sewer and water facilities and such other supporting data as may be necessary.
- E. The Planning Board shall have the authority to require such additional information as it may deem reasonably necessary to adequately and properly review the site plan application.

- F. SEQRA Compliance. In addition to the above list, the applicant shall prepare and file with the site plan application, the New York State Environmental Assessment Form (EAF) to allow the Planning Board to determine the applicability of the State Environmental Quality Review Act. (SEQRA). The Planning Board shall determine compliance and comply with SEQRA prior to site plan approval.
- G. Verification of Ownership. If the person filing the site plan application is the owner of the property on which the land use activity is proposed, a notarized statement to that effect shall be filed, giving the name(s) of the owner(s) of the property.
- H. *Designated Agent. For non-owner applicants, a notarized written permission of the owner(s) that references the proposed land use shall be filed with the Planning Board.*

The Planning Board may engage its own consultants in the review of a site plan application and ask the applicant(s) to pay its reasonable and actual costs of doing so. Such costs shall not exceed three thousand five hundred (\$3,500.00) dollars without notification to the applicant.

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

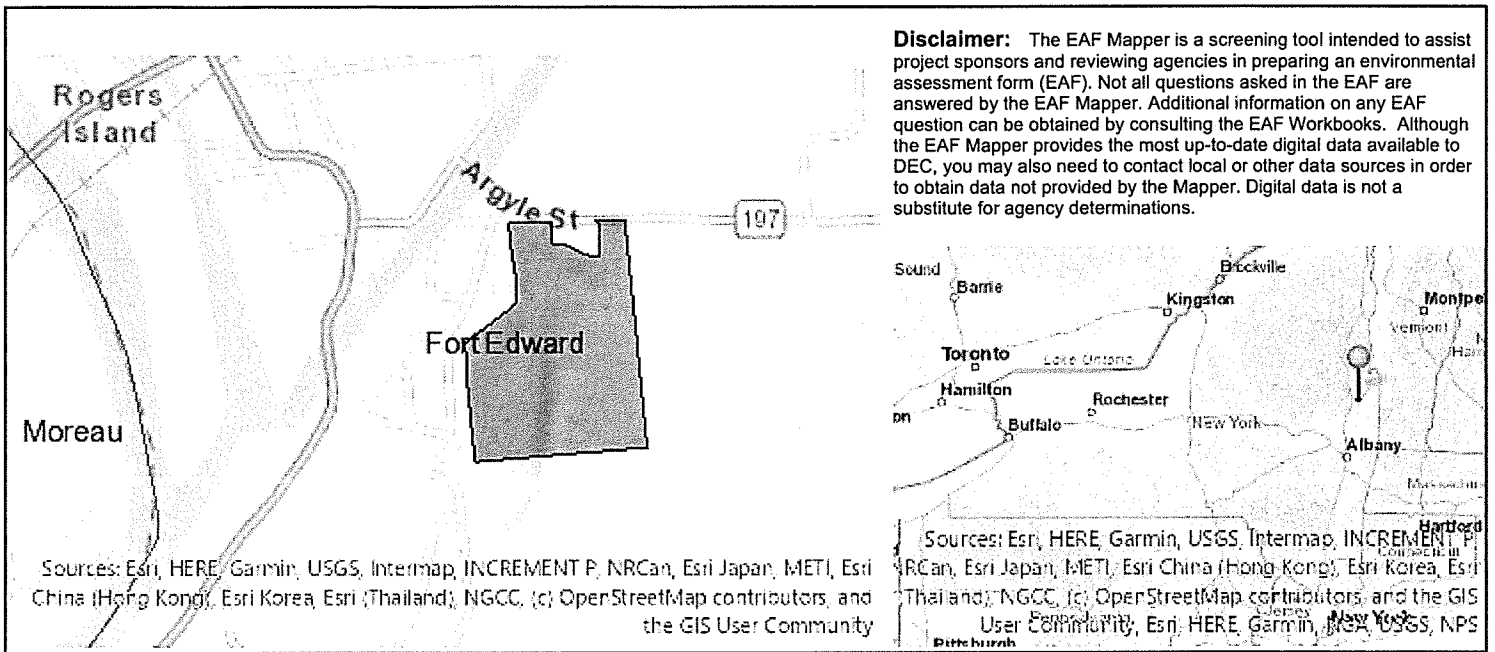
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 40 NYS Route 197 Solar Project			
Project Location (describe, and attach a location map): 40 NYS Route 197 Village of Fort Edward, Washington County (GPS: 43.261097, -73.573075)			
Brief Description of Proposed Action: The proposed projects consists of a single solar array on a 11.91-acre parcel on NYS Route 197 in the village of Fort Edward in Washington County, NY (Tax Map #: 171.11-1-3.3). The project will involve the installation of ground-mounted photo-voltaic panels as well as an access road, utility upgrades, inverters and perimeter fencing around the array. Minor tree and brush removal will be required on this site. There is a small section of marked Federal Army Corps wetlands in the northwest corner, SPN will not be installing within this area. No water or sewer service is required by the town for this installation.			
Name of Applicant or Sponsor: Solar Power Network LLC		Telephone: (647)-213-1290 E-Mail: jack@solarpowernetwork.ca	
Address: 69 State St. (13th Floor)			
City/PO: Albany		State: New York	Zip Code: 12207
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Village of Fort Edward NY special use permit issuance and County PILOT fee approval.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		11.91 acres	
b. Total acreage to be physically disturbed?		9.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		11.91 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Short-eared Owl and Northern Harrier	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site Code: 558011 - PCB Contaminated Dredge Material from the Hudson River when the Niagara Mohawk Dam was removed. The site did not qualify for addition to the Registry of Inactive Hazardous Disposal Sites.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Solar Power Network LLC - Jack Goodman</u> Date: <u>2023-07-11</u>		
Signature: <u></u> Title: <u>Project Manager, Distributed Energy Ops</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Short-eared Owl, Northern Harrier
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

APPENDIX J
New York State Standard Site Control Certification Form

UTILITY COMPANY NAME] NYSEG
 [UTILITY DEPT. NAME AND CONTACT NAME]
 [UTILITY STREET ADDRESS]
 [CITY/TOWN, New York [ZIP CODE]

Re:	DEVELOPER	[name] Solar Power Network LLC
		[contact information] 416-904-5857
	PROJECT	[utility ID number] 18993
	PROPERTY	[street address] 40 NYS Route 197
		[municipality/county] Washington
[city/town and zip code] Fort Edward/ 12828		

Rourke Enterprises Inc (the "Property Owner") is the owner of the above-referenced property (the "Property").

Solar Power Network LLC (the "Developer") is the developer of the project identified above.

The Property Owner and the Developer have entered into an agreement authorizing the Developer to use the Property for the purpose of constructing and operating a distributed generation facility. The type of agreement that is in place is indicated below by a check mark.

<input type="checkbox"/>	Signed option agreement to lease or purchase the Property
<input type="checkbox"/>	Executed lease agreement for the Property
<input checked="" type="checkbox"/>	Executed agreement to purchase the Property
<input type="checkbox"/>	License or other agreement granting exclusive right to use the Property for purposes of constructing and operating the distributed generation facility

Property Owner and Developer entered into the agreement on or about _____
 (MM/DD/YYYY)

Term of Agreement (including options to extend) _____
 (MM/DD/YYYY)

Property Owner

By: DocuSigned by:
Rourke Enterprises Inc

Printed Name: Rourke Enterprises Inc

Developer

By: Authentication:
Peter Goodman 06/19/23

Printed Name: Peter Goodman