

**EXHIBIT "A"**

**TOWN OF DUANESBURG PLANNING BOARD  
RESOLUTION APPROVING SPECIAL USE PERMIT, SUBDIVISION AND SITE PLAN  
FOR THE EDEN RENEWABLES OAK HILL SOLAR ENERGY PROJECTS – 1206 OAK HILL ROAD**

RECEIVED

SEP 20 2019

TOWN OF DUANESBURG  
TOWN CLERK

Date: September 19, 2019

**WHEREAS**, on or about May 7, 2018, Eden Renewables ("Eden Renewables" or the "Applicant") applied to the Duanesburg Planning Board ("Planning Board") for a Special Use Permit and Site Plan Review pursuant to the Town of Duanesburg Local Law No. 1-2016, for the 5-MW Oak Hill Solar Energy Projects 1 and 2 (collectively, the "Project") to be located at 1206 Oak Hill Road in the Town of Duanesburg, Schenectady County, New York on the lands owned by Richard Murray (SBL# 74.00-2-5) ("Property"); and

**WHEREAS**, on or about May 17, 2018, the Applicant appeared before the Planning Board in furtherance of the proposed Project and the Planning Board requested that the Applicant meet with the Town Planner/Code Enforcement Officer to discuss the proposed application; and

**WHEREAS**, on or about July 18, 2018, the Applicant appeared before the Planning Board and requested a lot line adjustment and minor subdivision in order to install two 5-MW solar fields on each created parcel, in addition to the Special Use Permit sought pursuant to the Town of Duanesburg Local Law No. 1-2016; and

**WHEREAS**, on or about July 18, 2018, the Planning Board adopted a resolution pursuant to the State Environmental Quality Review Act [ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively referred to as "SEQRA"] in which it assumed the role of SEQRA Lead Agency, declared the proposed action as a Type 1 action and conducted a coordinated review;

**WHEREAS**, on or about August 16, 2018, the Planning Board adopted a resolution appointing Doug Cole of Prime AE Group of NY as the Town Designated Engineer to assist in its review of the application from Eden Renewables; and

**WHEREAS**, on or about September 11, 2018, the Town's Designated Engineer provided written comments on the application; and

**WHEREAS**, on or about March 11, 2019, the Applicant submitted revised site plans, minor subdivision and lot line adjustment plans, revised applications, a revised Full Environmental Assessment Form ("Full EAF"), and a decommissioning plan, accompanied by a letter addressing comments from the Town's Designated Engineer; and

**WHEREAS**, on or about March 21, 2019, the Applicant appeared before the Planning Board in furtherance of the site plan review process, and the Planning Board requested receipt of additional information and other actions from the Applicant; and

**WHEREAS**, on or about June 6, 2019, the Applicant submitted additional information to the Planning Board and addressed the outstanding actions identified by the Planning Board; and

**WHEREAS**, on or about June 20, 2019, the Planning Board reviewed the materials submitted by the Applicant, issued a negative declaration of environmental significance for this Type 1 action, after reviewing Part 1 of the EAF and completing Parts 2 and 3 of the EAF, and scheduled the Public Hearing for July 18, 2019; and

**WHEREAS**, on or about July 11, 2019, acting on a referral of the application from the Planning Board pursuant to GML § 239-m, County Planning recommended approval of the Project;

**WHEREAS**, on July 18 and August 16, 2019, the Planning Board held two well-attended public hearings on the applications and heard comments for and against the Project;

**WHEREAS**, the Planning Board directed the applicant to respond in writing to the public comments and the applicant submitted two sets of responses after each public hearing;

**WHEREAS**, the Planning Board directed the Town Designated Engineer, Mr. Cole of Prime AE to review the responses to the public comments and the additional information submitted by the Applicant, all as set forth in Mr. Cole's letter of September 10, 2019 providing comments on the Applicant's materials and recommending that the Town should condition any approval on the Applicant obtaining a permit from the US Army Corps of Engineers, if one is required by the agency, advising that the supplementary Visual Impact Assessment demonstrates that the existing Biggs and Otis and any other nearby residences will be adequately screened by existing vegetation, distance and topography such that the solar array will not be visible; and finding that the revised Decommissioning Plan is reasonable for the proposed system; and

**WHEREAS**, the Planning Board has carefully considered the documentation in the record including the supplemental information provided by the Applicant, the comments by involved and interested agencies, the recommendation of County Planning and the comments, both oral and written, by the members of the public;

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board as follows:

1. That the applications for Minor Subdivision, Site Plan Review and Special Use Permit submitted by the Applicant for the Project were determined to be complete under the Town of Duanesburg Solar Law, the Duanesburg Zoning Law, and the Town of Duanesburg Subdivision Regulations; and
2. That having received and reviewed the application materials submitted by the Applicant, including but not limited to, site plans, subdivision plans, lot line adjustment plans, decommissioning plans, a Full Environmental Assessment Form, statements of proposed construction impacts and ongoing operation and maintenance, and having completed Parts 2 and 3 of the Full EAF, hereby determines that the Project will not have a significant adverse impact on the environment (as duly noted in the Full EAF) and, therefore, hereby confirms and issues a Negative Declaration as set forth in the EAF Part 3 and its attached reasons supporting the determination read into the record and incorporated herein based on the following findings:
  - a. The Project will not have any significant impacts on federal wetlands or waterbodies as determined by the full wetland delineation conducted on the Project site, that any necessary approvals would be covered by the ACOE nationwide permit program, and that there are no impacts on State wetlands or streams;
  - b. The Project will not create any permanent impacts from odors, noise or traffic nor to groundwater and surface waters, there will only be insignificant and temporary impacts during construction;

- c. The Project avoids and/or minimizes impacts on plants and animals, due to the very limited vegetative clearing that will result from the Project, once construction is complete vegetation will cover the ground under the panels and the property will continue to be used for limited agricultural purposes, such as sheep grazing and bee keeping;
  - d. The Project will not create any impacts to historical or cultural resources as shown in the Letter of No Effect from the New York State Office of Parks, Recreation, and Historic Preservation dated June 4, 2019;
  - e. The Project will minimize any visual impacts due to the existing topography, the retention of existing vegetation as shown on the final site plans and will not create any impacts from glare as demonstrated by the Applicant;
  - f. The Planning Board hereby requires that the Project provide evergreen landscaping plan showing the establishment of a substantial evergreen buffer on the Applicant's property within 10 feet of the property boundary currently containing houses within approximately 600 feet of the project site boundary for a length of approximately 1600 feet at the back of the parcel with 2 staggered rows of trees planted 20 feet on center with the trees having the height at the time of planting of 6 to 7 feet and with the trees being species spruce and fir evergreens. The applicant shall also provide a maintenance and replacement agreement for the evergreen buffer to be planted;
  - g. The Project does not impact any Critical Environmental Areas and is not located in a flood zone;
  - h. The Project will have a positive economic benefit as it will result in revenue to the Town pursuant to a Payment-In-Lieu-Of-Taxes ("PILOT") Agreement and it will result in jobs during the construction and operation of the facility;
  - i. The Project will provide renewable energy in the production of electricity and will contribute to the State's goal of replacing fossil fuel generated electricity with renewable sources of electricity;
  - j. The Project will also not change the community character as it has been sited to not be visible to the maximum extent possible to surrounding homes and roadways, and an evergreen landscaped buffer will be created on the property containing the project as set forth above;
  - k. The Project is also a use of land that will be discontinued in the future and as such a decommissioning plan is in place to return the property to its current condition; and
  - l. The Applicant has indicated that it intends to continue to have the property in agricultural uses, such as sheep grazing and beekeeping, which also makes it consistent with the community which contains agricultural uses.
3. That Planning Board's findings set forth below demonstrate the proposed construction of the Project, a Solar Energy System (Major), at the Property satisfies the requirements of the Town of Duanesburg Solar Law:
- a. The Project is in the R-2 Zoning District and as such is a permitted use subject to Special Use Permit and Site Plan approval by the Planning Board;
  - b. The projects are located on parcels in excess of 97.24 and 87.18 acres and when constructed will have a lot coverage of 45.71 and 45.63 acres, respectively, thereby satisfying the lot coverage limitation of 60%;
  - c. The Project provides the required 100' setback between its components and the boundary of the Property, provides the required minimum of 25' buffer of vegetation to screen views of the Project and, in fact, that the Project exceeds this standard to address the concerns of adjoining property owners;
  - d. A fence meeting or exceeding the applicable requirements of the Zoning Law has been proposed;
  - e. The Project preserves existing on site vegetation to the maximum extent practicable and does not propose to clear cut all trees in a single contiguous area exceeding 20,000 square feet on the property;
  - f. The Town of Duanesburg Planning Board reviewed the plans showing brush hogging and tree clearing that had been undertaken by the property owner and determined such tree clearing did not exceed the above requirement;

- g. The SEQRA regulations require that a project sponsor may not commence any physical alteration related to an action until the provisions of SEQR have been complied with and the Planning Board specifically finds that the property owner brush hogging the property and taking down some limited trees for agriculture and silviculture purposes was consistent with the past uses of the property and not directly related to the development of the solar farm;
  - h. The Project is not located within an active farm field but is vacant hay field periodically cut by the property owner and historically used for more intensive agricultural purposes;
  - i. Native grasses and vegetation will be maintained below the arrays;
  - j. The site plans demonstrate that the Project:
    - i. Provides through its siting and through the implementation of an evergreen landscaping plan to be approved by the Town of Duaneburg, a project design that minimize visual impacts from public roads and existing residential dwellings on contiguous parcels to the satisfaction of the Planning Board;
    - ii. layout ensures that the solar panels will not reflect solar radiation or glare onto adjacent buildings, properties and roadways and that the solar panels include a non-glare coating and are designed to absorb the maximum amount of solar rays such that the panels will not misdirect or reflect solar rays onto neighboring properties or public roads in excess of that which already exists;
    - iii. existing vegetation on the site is preserved to the maximum extent practicable;
    - iv. all transmission/interconnection lines on the Property shall be underground and within necessary easements and in compliance with applicable electrical and town codes excepting aboveground lines as required by National Grid;
    - v. no artificial lighting is proposed;
    - vi. that any signage will be in accordance with applicable town requirements and the manufacturers and/or installers identification and appropriate warning signage shall be posted;
    - vii. the average height of the solar panels are 8' feet above grade – below the 20' height limitation;
    - viii. all disturbed areas shall be restored in accordance with the zoning law's requirements.
4. That the decommissioning plan is approved and the Planning Board requires that financial security be provided at least 30 days prior to the commencement of construction to the Town Clerk by the Applicant in the form of a bond or letter of credit in the amount \$422,762.00 (\$211,381.00 per project) with the form of financial security acceptable to the Town's attorney, with such funds to be used for decommissioning of the Project in the event that the Project is not decommissioned by the Project owner or the landowner; and
  5. That this project approval is conditioned upon the Applicant obtaining any other State or federal approvals required for the project including but not limited to any such permits required by the NYSDEC, the USACOE and the NYSDOT; and
  6. That this resolution and negative declaration shall be filed in the office of the Town Clerk and shall take effect immediately and that the notice of negative declaration be published in the ENB, that the negative declaration be provided to all involved agencies and that it be filed as required by SEQRA.

<u>Roll Call Vote:</u>	<u>Yes</u>	<u>No</u>	<u>Abstain/Absent</u>
Phillip Sexton	✓		
Jeffrey Schmitt	✓		
Elizabeth Novak	✓		
Martin Williams	✓		
Thomas Rulison	✓		

Michael Harris  
Joshua Houghton



**EXHIBIT "B"**

Phillip Sexton, Planning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG  
SCHENECTADY COUNTY

Jeffrey Schmitt, Vice Chairperson  
Elizabeth Novak, Board Member  
Martin Williams, Board Member  
Thomas Rulison, Board Member  
Michael Harris, Board Member  
Joshua Houghton, Board Member

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Town of Duanesburg  
Planning Board Minutes  
October 17<sup>th</sup>, 2019  
**Final Copy**

**MEMBERS PRESENT:** Phillip Sexton Chairman, Jeffery Schmitt Vice Chairman, Elizabeth Novak, Martin Williams, Thomas Rulison and Michael Harris. Also, in attending Dale Warner Town Planner, and Melissa Deffer Clerk.

**INTRODUCTION:** Chairman Phillip Sexton opened the meeting at 7:00pm. Phillip welcomed everyone to tonight's Planning Board meeting.

**PLEDGE OF ALLEGIANCE:**

**OPEN FORUM: Chairman Sexton opened the forum at 7:01**

Bruce O'Day of 5394 Western Turnpike wanted to state on the record that he is supporting the Andrew Lucks application.

Lynn Bruning located at 13388 Duanesburg Rd wanted to know what the status of the Comprehensive Plan?

Chairmen Sexton explained to Lynn that they have been working on the Plan for just over a year now and how in the near future he will be asking the public for comments.

**Harris/Rulison** made the motion to close the open forum at 7:07.

Harris yes, Rulison yes, Williams yes, Novak yes, Schmitt yes, Sexton yes. **Approved.**

**SKETCH PLAN REVIEW:**

**PUBLIC HEARINGS:**

**#19-13 Lucks Andrew:** SBL#66.00-3-4.1, (H) located at 5456 Western Turnpike is seeking a Special Use Permit for a retail business under the Town of Duanesburg Zoning Ordinance

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

Over➔



adopted 6/11/15 under section 9.4.(15). Andrew Lucks gave his presentation to the board. Andrew is looking to relocate his business Outlander Survival from 6721 Duanesburg Rd to 5456 Western Turnpike. They will be in the same zone as they are in now. Andrew explained to the public how he will upgrade the building with security Systems and bars on all doors and windows (as a smash and grab is one of their main concerns), fix the parking lot and eventually reface the building. All lights on the building will be down cast with some solar lights around the driveway. Andrew is leasing for now from Bruce O'Day who will be going to have the property subdivided. Once the property is subdivided Andrew will be purchasing.

Cheryl Schrade 1619 Eaton Corners Rd asked Andrew if they will be test firing guns on the property. Andrew explained to Mrs. Schrade that with his business they do not test fire any weapons.

**Harris/Rulison** made a motion to close the Public Hearing for the **#19-13 Lucks Andrew** application at 7:09.

Harris yes, Rulison yes, Williams yes, Novak yes, Schmitt yes, Sexton yes. **Approved.**

**Novak/Sexton** made a motion to approve the **#19-13 Lucks, Andrew** application for a Special Use Permit for a retail business under the Town of Duanesburg Zoning Ordinance adopted 6/11/15 under section 9.4.(15) contingent on down cast lighting.

Novak yes, Sexton yes, Harris yes, Rulison yes, Williams yes, Novak yes, Schmitt yes. **Approved.**

**New Business:**

**#19-14 Perog, Steven and Cheryl:** SBL#43.00-2-28, (R-2) located at 21 Lea Drive is seeking a Special Use Permit for a two family dwelling adding a single apartment over an existing garage under the Town of Duanesburg Zoning Ordinance adopted 6/11/15 under section 15.4(I); section 8.4(8); section 13.2.1; section 3.5.60. Steven gave some of his presentation to the board. Due to not enough information the board decided to table it until the November 21<sup>st</sup> meeting.

**Sexton/Harris** made a motion to table the **#19-14 Perog, Steven and Cheryl** application to the November 21<sup>st</sup> meeting.

Sexton yes, Harris yes, Rulison yes, Williams yes, Novak yes, Schmitt yes. **Approved.**

**Old Business:**

None

**Sketch Plan Review:**

**#19-15 O'Neil, Paul/O'Neil, Gerald:** SBL#43.00-1-14.31, (R-2) located at 327 Hardin Road is seeking a minor subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. They would like to divide an existing lot of 34.30 acres into two portions lot #1 located on Hardin Road is 6.82 (+-) lot #2 located on State Highway 30 is 27.475 acres. Shannon O'Neil gave her presentation on behalf of her father Paul O'Neil.

**Sexton/Williams** made a motion to exempt the minor subdivision application from further planning Board review and refer to the Code Enforcement Officer to complete administratively as the proposed action neither creates nor increases any significant planning issues with respect to the existing or potential future use of any involved parcels. Sexton yes, Williams yes, Rulison yes, Harris yes, Schmitt yes, Novak yes. **Approved.**

**OTHER:**

**#19-12 Murray, Richard/Eden Renewables:** SBL# 74.00-2-5, (R-2) located 1206 Oak Hill Rd Under Local Law # 1-2016 of the Town of Duanesburg Zoning Ordinance Resolution revision.

**Sexton/Rulison** made a motion to amend the resolution approving the project to show the correct amount of lot coverage as shown on the site plans which were approved for the solar project for the **#19-12 Murray, Richard/Eden Renewables** application. Bullet 3B will now show that Lot 1 contains 70.378 acres with 32.8 acres of coverage which is 46 percent and that Lot 2 contains 70.353 acres with 33.0 acres of coverage which is 47 percent.

Sexton yes, Rulison yes, Williams yes, Novak yes, Schmitt yes, Harris yes. **Approved.**

**MINUTES APPROVAL:**

**Novak/Harris** made the motion to approve the September 19<sup>th</sup>, 2019 Planning Board minutes with minor corrections.

Novak yes, Harris yes, Sexton yes, Schmitt yes, Williams yes, Rulison yes. **APPROVED.**

**Sexton/Harris** made a motion to go into **executive session to discuss the enforcement action with the CEO associated with #19-14 Perog, Steven and Cheryl** application. Sexton yes, Harris yes, Rulison yes, Williams yes, Novak yes, Schmitt yes. **Approved.**

**Sexton/Harris** made a motion to come out of **executive session.**

Sexton yes, Harris yes, Rulison yes, Schmitt yes, Williams yes, Novak yes. **Approved. NO ACTION WAS TAKEN BY THE BOARD DURING OR AFTER the EXECUTIVE Session.**

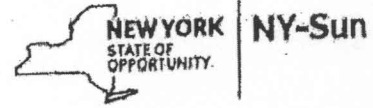
**ADJOURNMENT:**

**Harris/Novak** made the motion **to adjourn at 7:50pm.**

Harris yes, Novak yes, Schmitt yes, Sexton yes, Rulison yes, Houghton yes, Williams yes. **APPROVED.**

**EXHIBIT "C"**

**CONFIRMATION OF LOCAL LAND USE APPROVAL**  
 Planning and Zoning Form



Applicant Information			
Company Name:	Oak Hill Solar 1, LLC		
Contact Name:	Stephanie Puliafico	Title:	Project Administrator
Email Address:	stephanie.puliafico@edenrenewables.com	Telephone Number:	518-326-0259

Project Information	
Project Name:	Oak Hill Solar 1
Project Address:	13590 Duaneburg Road Delanson, NY 12053
Solar Project Size (AC/DC):	5mW/7.5mW
Energy Storage Size AC: (if applicable)	

Municipality Information			
Municipality Name:	Town of Duaneburg		
Contact Name:	Dale Warner	Title:	Town Planner
Email Address:	dale@duaneburg.net	Telephone Number:	518-895-2040

Required Solar Land Use Approvals			
Land Use Approval and Date Approved (check all that apply):			
<input checked="" type="checkbox"/>	Special Use Permit	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	Site Plan Review	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	SEQR Negative Declaration (if municipality is lead agency)	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	Other (list type): <u>Minor subdivision</u>	Date Approved:	<u>9/19/2019</u>
<input type="checkbox"/>	No Land Use or Zoning Approval is required for this project		
Required Energy Storage Land Use Approval(s) (if applicable)			
List type of approval required: <u>Building and electrical permits</u>		Date Approved:	<u>9/19/2019</u>

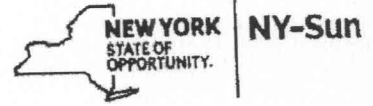
*file stamped subdivision bylaw within 45 days of approval*  
 NYSERDA respectfully requests that the municipality sign a copy of this form acknowledging and confirming the above is accurate and correct, and that this project has received all required local land use approvals for the solar PV project. If Energy Storage is part of the project, the Contractor is responsible for providing to NYSERDA, a copy of the meeting minutes confirming the Energy Storage system was presented to or approved by the municipality. NYSERDA may contact the municipality to confirm approvals if needed.

**ACKNOWLEDGED & CONFIRMED BY MUNICIPALITY**

Dale Warner  
 Signature  
 Dale Warner  
 Print Name

9/23/19  
 Date  
 Town Planner  
 Title

**CONFIRMATION OF LOCAL LAND USE APPROVAL**  
 Planning and Zoning Form



Applicant Information			
Company Name:	Oak Hill Solar 2		
Contact Name:	Stephanie Puliafico	Title:	Project Administrator
Email Address:	stephanie.puliafico@edenrenewables	Telephone Number:	518-326-0259

Project Information	
Project Name:	Oak Hill Solar 2
Project Address:	13686 Duanesburg Road Delanson, NY 12053
Solar Project Size (AC/DC):	5mW AC/7.5mW DC
Energy Storage Size AC: (if applicable)	

Municipality Information			
Municipality Name:	Town of Duanesburg		
Contact Name:	Dale Warner	Title:	Town Planner
Email Address:	dale@duanesburg.net	Telephone Number:	518-895-2040

Required Solar Land Use Approvals			
Land Use Approval and Date Approved (check all that apply):			
<input checked="" type="checkbox"/>	Special Use Permit	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	Site Plan Review	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	SEQR Negative Declaration (if municipality is lead agency)	Date Approved:	9/19/2019
<input checked="" type="checkbox"/>	Other (list type): <u>Minor Subdivision</u>	Date Approved:	<u>9/19/2019</u>
<input type="checkbox"/>	No Land Use or Zoning Approval is required for this project		
Required Energy Storage Land Use Approval(s) (if applicable)			
List type of approval required: <u>Building + Electrical Permits</u>		Date Approved:	<u>9/19/2019</u>
<u>Site stamped Subdivision bylaw within 45 days of approval</u>			

NYSERDA respectfully requests that the municipality sign a copy of this form acknowledging and confirming the above is accurate and correct, and that this project has received all required local land use approvals for the solar PV project. If Energy Storage is part of the project, the Contractor is responsible for providing to NYSERDA, a copy of the meeting minutes confirming the Energy Storage system was presented to or approved by the municipality. NYSERDA may contact the municipality to confirm approvals if needed.

**ACKNOWLEDGED & CONFIRMED BY MUNICIPALITY**

Dale Warner  
 Signature  
 Dale Warner  
 Print Name

9/26/19  
 Date  
 Town Planner  
 Title

EXHIBIT "D"



NYSERDA

PRESENTATION TO PLANNING/ZONING BOARD FOR ENERGY STORAGE
Planning and Zoning Form

The New York State Energy Research and Development Authority (NYSERDA) developed the first comprehensive set of guidelines for reviewing and evaluating battery energy storage systems. The Battery Energy Storage System Guidebook helps municipalities develop a battery energy storage system permitting and inspection processes to ensure efficiency, transparency, and safety in their communities.

NYSERDA offers continuing free technical assistance to local governments to help implement the best practices outlined in the Battery Energy Storage System Guidebook. Municipalities interested in free technical assistance may reach out to the NYSERDA Clean Energy Siting Team at cleanenergyhelp@nyserda.ny.gov.

NYSERDA respectfully requests that the municipality sign a copy of this form acknowledging receipt of the below information as part of the Applicant's presentation to the Planning/Zoning Board.

Applicant Information
Company Name: Oak Hill Solar 1, LLC
Contact Name: Stephanie Pufalico
Email Address: Stephanie.pufalico@edenrenewables.com
Title: Projects Administrator
Telephone Number: 518-926-0268
Project Information
Project Name: Oak Hill Solar 1
Project Address: 13590 Duaneburg Road Delanson, NY 12063
Energy Storage Size, MW (AC): 5MW AC
Energy Storage Technology Type: DC Coupled Lithium Ion
Solar Project Size, MW (DC) (if applicable): 7.5MW DC
Municipality Information
Municipality Name: Town of Duaneburg
Contact Name: Dale Warner
Email Address: dale@duaneburg.net
Title: Town Planner
Telephone Number: 518-895-2040

ACKNOWLEDGED & CONFIRMED BY MUNICIPALITY Planning/Zoning Board Member

Signature (handwritten Dale Warner)

Date: 10-4-19

Print Name: Dale Warner

Title: Town Planner



**NYSERDA**

# PRESENTATION TO PLANNING/ZONING BOARD FOR ENERGY STORAGE

Planning and Zoning Form

The New York State Energy Research and Development Authority (NYSERDA) developed the first comprehensive set of guidelines for reviewing and evaluating battery energy storage systems. The Battery Energy Storage System Guidebook helps municipalities develop a battery energy storage system permitting and inspection processes to ensure efficiency, transparency, and safety in their communities. Municipalities can download the New York Battery Energy Storage System Guidebook at <https://www.nyserdera.ny.gov/All-Programs/Programs/Clean-Energy-Siting/Battery-Energy-Storage-Guidebook>.

NYSERDA offers continuing free technical assistance to local governments to help implement the best practices outlined in the Battery Energy Storage System Guidebook. Municipalities interested in free technical assistance may reach out to the NYSERDA Clean Energy Siting Team at [cleanenergyhelp@nyserdera.ny.gov](mailto:cleanenergyhelp@nyserdera.ny.gov).

NYSERDA respectfully requests that the municipality sign a copy of this form acknowledging receipt of the below information as part of the Applicant's presentation to the Planning/Zoning Board.

Applicant Information			
Company Name:	Oak Hill Solar 2, LLC		
Contact Name:	Stephanie Pulafico	Title:	Projects Administrator
Email Address:	Stephanie.pulafico@edenrenewables.com	Telephone Number:	618-326-0259
Project Information			
Project Name:	Oak Hill Solar 2		
Project Address:	13686 Duaneburg Road Delanson, NY 12053		
Energy Storage Size, MW (AC):	5MW AC		
Energy Storage Technology Type:	DC Coupled Lithium Ion		
Solar Project Size, MW (DC) (if applicable):	7.5MW DC		
Municipality Information			
Municipality Name:	Town of Duaneburg		
Contact Name:	Dale Warner	Title:	Town Planner
Email Address:	dale@duaneburg.net	Telephone Number:	618-695-9242

**ACKNOWLEDGED & CONFIRMED BY MUNICIPALITY Planning/Zoning Board Member**

Dale Warner  
Signature

10.4.19  
Date

Dale Warner  
Print Name

Town Planner  
Title



**EXHIBIT "E"**



# NYSERDA

**ANDREW M. CUOMO**  
Governor

**RICHARD L. KAUFFMAN**  
Chair

**ALICIA BARTON**  
President and CEO

October 31, 2019

Oak Hill Solar 1, LLC  
333 Broadway  
Troy, NY, 12088

Customer/Payee: Oak Hill Solar 1, LLC  
Contractor: Eden Renewables, LLC

NYSERDA is pleased to inform you that we have approved project application 191916, contract 145809 for incentives under the NY-Sun Program.

Your award in the amount of \$1,498,728.00 is contingent upon the installation and grid interconnection of a 7,493.64 kW solar electric system for: Oak Hill Solar 1, LLC at 13590 Duanesburg Rd, Delanson, NY 12053 as outlined in the project application.

Your solar electric system must be completed within 30 months of the Program approval date.

NYSERDA will require a satisfactory field inspection of the completed project. Contractor and or builders are required to take construction photos for each project.

Refer to the Program Manual for all Program rules and requirements.

Thank you for your participation in the NY-Sun Initiative, and for your commitment to the promotion of renewable energy in New York State.

Signature: **Alicia Barton**  
Digitally signed by Alicia Barton  
Date: 2019.10.31 15:09:23 -0400  
NYSERDA Authorized Signatory

**New York State Energy Research and Development Authority**

**Albany**  
17 Columbia Circle, Albany, NY 12203-6299  
(P) 1-866-NYSERDA | (F) 518-862-1091  
nysesda.ny.gov | info@nysesda.ny.gov

**Buffalo**  
726 Exchange Street  
Suite 821  
Buffalo, NY  
14203-1484  
(P) 716-842-1522  
(F) 716-842-0156

**New York City**  
135 Broadway  
19th Floor  
New York, NY  
10038-7842  
(P) 212-671-5342  
(F) 516-862-1091

**West Valley Site  
Management Program**  
9030-B Route 279  
West Valley, NY  
14171-9500  
(P) 716-942-9960  
(F) 716-942-9961



# NYSERDA

**ANDREW M. CUOMO**  
Governor

**RICHARD L. KAUFFMAN**  
Chair

**ALICIA BARTON**  
President and CEO

October 31, 2019

Oak Hill Solar 2, LLC  
333 Broadway  
Troy, NY, 12088

Customer/Payee: Oak Hill Solar 2, LLC  
Contractor: Eden Renewables, LLC

NYSERDA is pleased to inform you that we have approved project application 181604, contract 145808 for incentives under the NY-Sun Program.

Your award in the amount of \$1,498,728.00 is contingent upon the installation and grid interconnection of a 7,493.64 kW solar electric system for: Oak Hill Solar 2, LLC at 13686 Duanesburg Rd., Delanson, NY 12053 as outlined in the project application.

Your solar electric system must be completed within 30 months of the Program approval date.

NYSERDA will require a satisfactory field inspection of the completed project. Contractor and or builders are required to take construction photos for each project.

Refer to the Program Manual for all Program rules and requirements.

Thank you for your participation in the NY-Sun Initiative, and for your commitment to the promotion of renewable energy in New York State.

Digitally signed by Alicia Barton  
Date: 2019.10.31 15:10:06 -04'00'  
**Alicia Barton**  
Signature: \_\_\_\_\_  
NYSERDA Authorized Signatory

**New York State Energy Research and Development Authority**

**Albany**  
17 Columbia Circle, Albany, NY 12203-6399  
(P) 1-800-NYSERDA | (F) 518-862-1091  
nysesda.ny.gov | info@nysesda.ny.gov

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726 Exchange Street  
Suite 621  
Buffalo, NY  
14203-1464  
(P) 716-842-4522  
(F) 716-842-0158

**New York City**  
1000 Broadway  
16th Floor  
New York, NY  
10018-3842  
(P) 212-671-5342  
(F) 518-862-1091

**West Valley Site Management Program**  
9030-B Road 215  
West Valley, NY  
14171-9500  
(P) 716-942-9960  
(F) 716-942-9961

**EXHIBIT "F"**



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## Oak Hill Solar 1, LLC - 13590 Duaneburg Rd - PV Systems

### Project Information

Project Name	Oak Hill Solar 1, LLC - 13590 Duaneburg Rd - PV Systems	Record Type	NY Sun - Commercial/Industrial
Application Number	0000191916	Status	Approved
Solicitation	NYSERDA - Commercial and Industrial - 2	Commercial Solar Application Track	
Total System Size	7,493.640	Program Incentive Block	Rest of State Commercial/Industrial 13-1
Total NYSERDA Incentive Amount (d)	\$1,498,728.00	Current Block Rate	0.20
Battery Storage Integration?	<input type="checkbox"/>	Strategic Location?	<input type="checkbox"/>
PBI Rate	0.042600	Energy Efficiency Integration?	<input type="checkbox"/>
Payment Assignment	<input checked="" type="checkbox"/>	Total Cost Before NYSERDA Incentive	\$8,421,446.00
Private Investment Amount		Energy Storage System Cost	\$0.00
		Brownfield Amount	
		Landfill Amount	
		Community Adder Amount	\$0.00
		Energy Storage Incentive Amount	\$0.00

### Project Review

Application Under Review	<input type="checkbox"/>	Waiting for External Response	<input type="checkbox"/>
CESIR	Yes	Coastal Zone	No
CESIR ID #	NY-165990	SEQRA Lead Identified	<input type="checkbox"/>
Coastal Form Sent	<input type="checkbox"/>	Project Selected for QA Inspection	<input type="checkbox"/>
Storage CESIR Required	<input type="checkbox"/>		
Storage CESIR Completion Date			

### Invoicing

Invoice Approval Date

### Project Timeline

Project Approval Date	11/1/2019	Expected Original Days to Complete	912
Total Days Since	52	Extension Days	

Approval

Completion Deadline Date 5/1/2022

Completion Deadline Date Override

Utility Interconnect Date

Date of 25% Interconnection Payment 5/9/2019

75% Interconnection Payment Due Date 10/26/2019

CESIR Milestone

CESIR Milestone Submitted

CESIR Milestone Original Due Date 4/29/2020

CESIR Milestone Extension Days

CESIR Milestone Reporting Due Date 4/29/2020

Reason for CESIR Extension

CESIR Milestone Completion Date 12/12/2019

Status Dates

Unsubmitted Date 6/21/2019 12:14 PM

Current Application Status Date 11/1/2019

Submitted Date 9/27/2019 9:11 AM

Completed Date

Application Pending Approval Date 10/22/2019

Application Received Date 10/8/2019 6:09 AM

Document Approval / Rejection

[Edit](#) [Request for Information](#)

Document Name	Uploaded Doc	Approve / Reject	Document History
Coast Zone Determination	<a href="#">Coastal Assessment-Oak Hill 1.png</a>	Approve	<a href="#">Attachment History</a>
Executed Interconnection Agreement	<a href="#">20191206 Oak Hill 1 ISA.pdf</a>	Approve	<a href="#">Attachment History</a>
One-Line or Three-Line Wiring Diagram	<a href="#">Copy of Eden OH1 E-102-3LD.pdf</a>	Approve	<a href="#">Attachment History</a>
Planning / Zoning Board Approval	<a href="#">Town of Duanesburg Authorization.pdf</a>	Approve	<a href="#">Attachment History</a>
Proof of 75% Interconnection Upgrade Payment	<a href="#">75% CIAC payment for Oak Hill 1 &amp; 2.pdf</a>	Approve	<a href="#">Attachment History</a>
SEQRA	<a href="#">1-3 EAF.pdf</a>	Approve	<a href="#">Attachment History</a>
Signed Application	<a href="#">Signed Application -Oak Hill Solar 1, LLC.pdf</a>	Approve	<a href="#">Attachment History</a>
Site Map (including mounting details stamped by Professional Engineer or Registered Architect, <small>-----</small> )	<a href="#">Copy of Eden OH1 E-110-SITE.pdf</a>	Approve	<a href="#">Attachment History</a>

**Cancellation Fields**

<b>Cancellation Reason</b>	<b>Internal Comments</b>
Request for Cancellation <input type="checkbox"/>	Cancel Type

**Change Modification**

Change Modification Requested <input type="checkbox"/>
--

**Project Summary**

Net Metering Crediting Method	Community Solar Project <input type="checkbox"/>
Budget Type	Purchase Type Purchase
	Expected Interconnection Date 4/30/2020

**Financial Security Tracking**

Application Security Status	Extension Security Status
Application Security Received Date	Extension Security Received Date
Application Security Received Amount	Extension Security Received Amount
App Security	Ext Security

Retained/Returned Date  
App Security Retained/Returned Amount

Retained/Returned Date  
Ext Security Retained/Returned Amount

**Project Component Summary**

Expansion of Completed System	No	Expansion size	
Labor	\$2,141,292.00	Land Use	Agricultural
Battery Costs		Historical Annual Energy Consumption	0.00
Inspection Costs	\$50,000.00	Estimated Annual Energy Production (kWh)	10,503,085.82
Permitting Fees	\$123,000.00	Annual Electrical Offset	0.00
Balance of System Cost	\$749,364.00	Total Annual Energy Costs	
Array Costs	\$4,907,790.00	Cost per Watt	\$1.12
Inverter Costs	\$450,000.00	Agriculture District	No
		<b>Total Number Acres</b>	<b>46.00</b>
		NYS DAM NOI Sent	<input type="checkbox"/>

**Contractor Information**

Primary Contractor Account Name	Eden Renewables, LLC	Primary Contractor First Name	Stephanie
Primary Contractor Email	stephanie.puliafico@edenrenewables.com	Primary Contractor Last Name	Puliafico

**Legacy Information**

Legacy Application #		Migration ID	
Legacy Program		Legacy Incentive Amount	
Legacy Payment Assignment	<input type="checkbox"/>	Previous Contractor Name	

**Approval Notes**

Approved as Noted

**System Information**

Created By	Stephanie Puliafico, 6/21/2019 12:14 PM	Last Modified By	Alison Neligan, 12/12/2019 4:41 PM
Owner	Stephanie Puliafico		

**Temporary Section**

Number of Members		Non-Residential: Number of Members	
Distribution Percentage (%)		Non-Residential: Distribution Percentage	

**Inspection Information**





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**Oak Hill Solar 2, LLC - 13686 Duanesburg Rd - PV Systems**

**Project Information**

Project Name	Oak Hill Solar 2, LLC - 13686 Duanesburg Rd - PV Systems	Record Type	NY Sun - Commercial/Industrial
Application Number	0000181604	Status	Approved
Solicitation	NYSERDA - Commercial and Industrial - 2	Commercial Solar Application Track	
Total System Size	7,493.640	Program Incentive Block	Rest of State Commercial/Industrial 13-1
Total NYSERDA Incentive Amount (d)	\$1,498,728.00	Current Block Rate	0.20
Battery Storage Integration?	<input type="checkbox"/>	Strategic Location?	<input type="checkbox"/>
PBI Rate	0.042600	Energy Efficiency Integration?	<input type="checkbox"/>
Payment Assignment	<input checked="" type="checkbox"/>	Total Cost Before NYSERDA Incentive	\$8,359,077.00
Private Investment Amount		Energy Storage System Cost	\$0.00
		Brownfield Amount	
		Landfill Amount	
		Community Adder Amount	\$0.00
		Energy Storage Incentive Amount	\$0.00

**Project Review**

Application Under Review	<input type="checkbox"/>	Waiting for External Response	<input type="checkbox"/>
CESIR	Yes	Coastal Zone	No
CESIR ID #	166610	SEQRA Lead Identified	<input type="checkbox"/>
Coastal Form Sent	<input type="checkbox"/>	Project Selected for QA Inspection	<input type="checkbox"/>
Storage CESIR Required	<input type="checkbox"/>		
Storage CESIR Completion Date			

**Invoicing**

Invoice Approval Date

**Project Timeline**

Project Approval Date	11/1/2019	Expected Original Days to Complete	912
Total Days Since Approval	52	Extension Days	
		Completion Deadline Date	5/1/2022
		Completion Deadline Date Override	
Utility Interconnect Date			
Date of 25% Interconnection Payment	5/9/2019		
75% Interconnection Payment Due Date	10/26/2019		

**CESIR Milestone**

CESIR Milestone Submitted	<input type="checkbox"/>	CESIR Milestone Original Due Date	4/29/2020
CESIR Milestone Extension Days		CESIR Milestone Reporting Due Date	4/29/2020
Reason for CESIR Extension		CESIR Milestone Completion Date	12/12/2019

**Status Dates**

Unsubmitted Date	4/3/2019 3:06 PM	Current Application Status Date	11/1/2019
Submitted Date	9/27/2019 10:03 AM	Completed Date	
Application Pending Approval Date	10/22/2019		
Application Received Date	10/8/2019 6:09 AM		

**Document Approval / Rejection**

[Edit](#) [Request for Information](#)

Document Name	Uploaded Doc	Approve / Reject	Document History	Notes
Coast Zone Determination	<a href="#">Coastal Assessment-Oak Hill 2.png</a>	Approve	<a href="#">Attachment History</a>	
Executed Interconnection Agreement	<a href="#">20191206_Oak Hill 2 ISA.pdf</a>	Approve	<a href="#">Attachment History</a>	
One-Line or Three-Line Wiring Diagram	<a href="#">Copy of Eden_OH2_E-101-SLD.pdf</a>	Approve	<a href="#">Attachment History</a>	
Planning / Zoning Board Approval	<a href="#">Town Land Use Authorization.pdf</a>	Approve	<a href="#">Attachment History</a>	
Proof of 75% Interconnection Upgrade Payment	<a href="#">75% CIAC payment for Oak Hill 1 &amp; 2.pdf</a>	Approve	<a href="#">Attachment History</a>	
SEQRA	<a href="#">1-3 EAF.pdf</a>	Approve	<a href="#">Attachment History</a>	
Signed Application	<a href="#">Signed Application - NY-Sun - Commercial &amp; Industrial - Oak Hill Solar 2, LLC copy.pdf</a>	Approve	<a href="#">Attachment History</a>	
Site Map (including mounting details stamped by Professional Engineer/Registered Architect)	<a href="#">Copy of Eden_OH2_E-110-SITE.pdf</a>	Approve	<a href="#">Attachment History</a>	

**Cancellation Fields**

Cancellation Reason  
Request for Cancellation

Internal Comments  
Cancel Type

**Change Modification**

Change Modification Requested

**Project Summary**

Net Metering Crediting Method  
Budget Type

Community Solar Project   
Purchase Type Purchase  
Expected Interconnection Date 4/30/2020

**Financial Security Tracking**

Application Security Status  
Application Security Received Date  
Application Security Received Amount  
App Security Retained/Returned Date  
App Security Retained/Returned Amount

Extension Security Status  
Extension Security Received Date  
Extension Security Received Amount  
Ext Security Retained/Returned Date  
Ext Security Retained/Returned Amount

**Project Component Summary**

Expansion of Completed System No  
Labor \$2,115,292.00  
Battery Costs  
Inspection Costs \$50,000.00  
Permitting Fees \$100,000.00  
Balance of System Cost \$749,364.00  
Array Costs \$4,894,803.00  
Inverter Costs \$449,618.00

Expansion size  
Land Use Agricultural  
Historical Annual Energy Consumption 0.00  
Estimated Annual Energy Production (kWh) 10,503,085.82  
Annual Electrical Offset 0.00  
Total Annual Energy Costs  
Cost per Watt \$1.12  
Agriculture District No  
Total Number Acres 49.00  
NYS DAM NOI Sent

**Contractor Information**

Primary Contractor Account Name Eden Renewables, LLC  
Primary Contractor Email stephanie.puliafico@edenrenewables.com

Primary Contractor First Name Stephanie  
Primary Contractor Last Name Puliafico

**Legacy Information**

Legacy Application #  
Legacy Program

Migration ID  
Legacy Incentive Amount

**EXHIBIT "G"**



# NYSERDA

**ANDREW M. CUOMO**  
Governor

**RICHARD L. KAUFFMAN**  
Chair

**ALICIA BARTON**  
President and CEO

October 28, 2019

Stephanie Puliafico  
Eden Renewables, LLC  
333 Broadway  
Suite 460  
Troy, NY 12180  
Email: [stephanie.puliafico@edenrenewables.com](mailto:stephanie.puliafico@edenrenewables.com)  
Subject: Contract #145716

Dear Stephanie Puliafico,

NYSERDA is pleased to inform you that we have approved your Project Application #214683 Contract #145716 for incentives under the Retail Energy Storage Incentive Program. Your award in the amount of \$2,358,000 is contingent upon the installation and grid interconnection of a 5,000 kW/11,790 kWh (useable installed energy capacity measured in AC) energy storage system at 13590 Duanesburg Rd, Delanson, NY 12053, as outlined in the Project Application. This approval is subject to the terms and conditions set forth in the Project Application, Retail Energy Storage Incentive Program Manual, and Participation Agreement.

Please note that this letter does not commit NYSERDA to pay any potential incentive or cost incurred. You may now begin submitting the required deliverables to earn the milestone payment. Payment by NYSERDA is contingent upon approval of the required deliverables.

The energy storage project must be completed within 730 calendar days of the Program approval date. NYSERDA may require a satisfactory photo or field inspection of the completed project prior to the milestone payment.

Refer to the Program Manual for all Program rules and requirements. The Contractor is responsible for ensuring compliance of the system with all applicable laws, regulations, rules and standards. The system must meet the requirements set forth in the Battery Energy Storage Guidebook published by NYSERDA, which is based on the 2021 International Fire Code, even if these requirements are greater than those required by the local authority having jurisdiction.

Thank you for your participation in the Retail Energy Storage Incentive Program, and for your commitment to the promotion of clean energy in New York State.

Sincerely,

**Alicia Barton**

Digitally signed by Alicia Barton  
Date: 2019.11.22 10:20:52  
-05'00'

Signature:

NYSERDA Authorized Signatory

**New York State Energy Research and Development Authority**

**Albany**  
17 Columbus Circle, Albany, NY 12203-6299  
(P) 1-866-NYSERDA | (F) 518-863-1331  
[nyserdanyc.gov](http://nyserdanyc.gov) | [info@nyserdanyc.gov](mailto:info@nyserdanyc.gov)

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726 Exchange Street  
Suite 821  
Buffalo, NY  
14203-3484  
(P) 716-842-4522  
(F) 716-842-0156

**New York City**  
1259 Broadway  
19th Floor  
New York, NY  
10019-7842  
(P) 212-571-5342  
(F) 518-863-1066

**West Valley Site  
Management Program**  
9030 E. Route 219  
West Valley, NY  
11771-9500  
(P) 716-642-9500  
(F) 716-642-9501



**ANDREW M. CUOMO**  
Governor

# NYSERDA

**RICHARD L. KAUFFMAN**  
Chair

**ALICIA BARTON**  
President and CEO

October 28, 2019

Stephanie Puliafico  
Eden Renewables, LLC  
333 Broadway  
Suite 460  
Troy, NY 12180  
Email: stephanie.puliafico@edenrenewables.com  
Subject: Contract #145721

Dear Stephanie Puliafico,

NYSERDA is pleased to inform you that we have approved your Project Application #214694 Contract #145721 for incentives under the Retail Energy Storage Incentive Program. Your award in the amount of \$2,358,000.00 is contingent upon the installation and grid interconnection of a 5,000.00 kW/11,790.00 kWh (useable installed energy capacity measured in AC) energy storage system at 13686 Duanesburg Road, Delanson, NY 12053, as outlined in the Project Application. This approval is subject to the terms and conditions set forth in the Project Application, Retail Energy Storage Incentive Program Manual, and Participation Agreement.

Please note that this letter does not commit NYSERDA to pay any potential incentive or cost incurred. You may now begin submitting the required deliverables to earn the milestone payment. Payment by NYSERDA is contingent upon approval of the required deliverables.

The energy storage project must be completed within 730 calendar days of the Program approval date. NYSERDA may require a satisfactory photo or field inspection of the completed project prior to the milestone payment.

Refer to the Program Manual for all Program rules and requirements. The Contractor is responsible for ensuring compliance of the system with all applicable laws, regulations, rules and standards. The system must meet the requirements set forth in the Battery Energy Storage Guidebook published by NYSERDA, which is based on the 2021 International Fire Code, even if these requirements are greater than those required by the local authority having jurisdiction.

Thank you for your participation in the Retail Energy Storage Incentive Program, and for your commitment to the promotion of clean energy in New York State.

Sincerely,

Signature: \_\_\_\_\_

**Alicia Barton**

Digitally signed by Alicia Barton  
Date: 2019.11.22 10:19:32  
-05'00'

NYSERDA Authorized Signatory

**New York State Energy Research and Development Authority**

**Albany**  
17 Columbia Circle, Albany, NY 12203-6399  
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**New York City**  
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(F) 516-642-1080

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(F) 716-842-8861