



**Mill Point**  
SOLAR I PROJECT

**ConnectGen Montgomery County LLC**

Mill Point Solar I Project

Matter No. 23-00034

**§ 900-2.4 Exhibit 3**

**Location of Facility and Surrounding Land Use**

**Revised August 2024**

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## Glossary Terms

- Applicant:** ConnectGen Montgomery County LLC (ConnectGen), a direct subsidiary of ConnectGen LLC, is the entity seeking a siting permit for the Facility from the Office of Renewable Energy Siting (ORES) under Section 94-c of the New York State (NYS) Executive Law.
- Facility:** The proposed components to be constructed for the generation, collection and distribution of energy for the Project will include: photovoltaic (PV) solar modules and their rack/support systems; direct current (DC) and communications cables connecting the panels to inverters; the inverters, with their support platforms, control electronics, and step-up transformers; buried alternate current (AC) medium voltage collector circuits; fencing and gates around each array of modules; access roads; temporary laydown/construction support areas; a medium voltage-to-transmission voltage substation with associated equipment and fenced areas; a new 3-breaker ring bus point of interconnection switchyard (POI switchyard); two adjacent approximately 305 foot-long 345 kV transmission line segments to interconnect the new POI switchyard to the existing National Grid Marcy – New Scotland 345-kilovolt transmission line; and an operations and maintenance (O&M) building with parking/storage areas as well as any other improvements subject to ORES jurisdiction.
- Facility Site:** The tax parcels proposed to host the Facility, which collectively totals 2,665.59 acres.
- Point of Interconnection (POI) or POI Switchyard:** A new 3-breaker ring bus point of interconnection switchyard will be constructed adjacent to the existing National Grid Marcy – New Scotland 345-kilovolt transmission line; the substation will tie into the new POI switchyard via an overhead span and deliver power produced from the Facility onto the electric grid through two overhead spans tapping the National Grid-owned Marcy – New Scotland 345-kV transmission line. The POI switchyard is located off Ingersoll Road in the northeastern portion of the Facility Site.

**Limits of Disturbance (LOD):**

The proposed limits of clearing and disturbance for construction of all Facility components and ancillary features are mapped as the LOD. The LOD encompasses the outer bounds of where construction may occur for the Facility, including all areas of clearing, grading, and temporary or permanent ground disturbance. This boundary includes the footprint of all major Facility components, defined work corridors, security fencing, and proposed planting modules, and incorporates areas utilized by construction vehicles and/or personnel to construct the Facility.

**Project or Mill Point Solar I**

Collectively refers to permitting, construction, and operation of the Facility, as well as proposed environmental protection measures and other efforts proposed by the Applicant.

**Study Area:**

In accordance with the Section 94-c Regulations, the Study Area for the Facility includes a radius of five miles around the Facility Site boundary, unless otherwise noted for a specific resource study or Exhibit. The 5-mile Study Area encompasses 96,784.84 acres, inclusive of the 2,665.59-acre Facility Site.

## Acronym List

AC	Alternating current
BMP	Best management practices
CR	County Route
DC	Direct current
FEMA	Federal Emergency Management Agency
GHG	Greenhouse gases
HCA	Host Community Agreement
HDD	Horizontal directional drilling
kV	Kilovolt
LOD	Limits of disturbance
LOS	Level of Service
LWRP	Local Waterfront Revitalization Program
MW	Megawatt
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources and Conservation Service
NRHP	National Register of Historic Places
NYCRR	New York Codes, Rules and Regulations
NYS	New York State
NYSAGM	New York State Department of Agriculture and Markets
NYSDEC	New York State Department of Conservation
NYSDOT	New York State Department of Transportation
NYSERDA	New York State Energy Research and Development Authority
NYSORPTS	New York State Office of Real Property Tax Services
O&M	Operations and Maintenance
OPRHP	Office of Parks, Recreation, and Historic Preservation
ORES	Office of Renewable Energy Siting
PILOT	Payment in Lieu of Taxes
POI	Point of Interconnection
POI switchyard	Point of Interconnection switchyard
PV	Photovoltaic
ROW	Right-of-way
RPTSA	Montgomery County Real Property Tax Service Agency
SWPPP	Stormwater Pollution Prevention Plan
USDOT	United States Department of Transportation
USGS	United States Geological Survey
VIA	Visual Impact Analysis
VSA	Visual Study Area

## **EXHIBIT 3            Location of Facility and Surrounding Land Use**

### **3(a) Topographic Maps**

Revised Figure 3-1 depicts the Facility Site boundaries overlaid onto the Randall and the Tribes Hill quadrangles of the United States Geological Survey (USGS) topographic mapping at a 1:36,000 scale. The following sections discuss the map in further detail. The Randall and Tribes Hill quadrangles are both dated (USGS 1980).

#### ***(1) Location of Project Components, Electric Transmission Facility, and Ancillary Features***

The Facility Site is located in the Town of Glen in Montgomery County, New York. It is approximately 2,665.59 acres in size. Facility components include photovoltaic (PV) solar modules and their rack/support systems; direct current (DC) and communications cables connecting the panels to inverters; the inverters, with their support platforms, control electronics, and step-up transformers; buried alternating current (AC) medium voltage collector circuits; fencing and gates around each array of modules; access roads; temporary laydown/construction support areas; medium voltage-to-transmission voltage substation with associated equipment and fenced areas; a new Point of Interconnection (POI) switchyard; a short length of high voltage electric transmission line to connect to the existing National Grid Marcy – New Scotland 345 kilovolt (kV) transmission line; and an operations & maintenance (O&M) building with parking/storage areas as well as any other improvements subject to Office of Renewable Energy Siting (ORES) jurisdiction. The locations of these features can be seen on Revised Figure 3-1.

#### ***(2) Proposed Interconnection Locations***

The Facility will interconnect to the New York State (NYS) electric grid via the proposed substation and the POI switchyard which will be located in the northeastern portion of the Facility Site on Parcel ID: 52.-2-17.111 and Parcel ID: 68.-1-9.111. The Facility will tie into the Marcy – New Scotland 345 kV Transmission Line via an approximately 1,300 foot, overhead, generation tie which will run from the substation to the POI switchyard. Then two parallel, 305-foot-long transmission lines will interconnect the POI switchyard to the existing Marcy – New Scotland 345 kV Transmission Line (see Revised Figure 3-1). There are no stormwater drainage lines proposed for the construction or operation of the Facility.

### **(3) Construction Clearing and Disturbance**

The proposed limits of disturbance (LOD) for Mill Point Solar I is 1,270.41 acres. All Facility components and ancillary features, ground disturbance, and vegetative clearing will be contained within this boundary, which is shown on Revised Figure 3-1, Revised Figure 3-7, and sheets MPS-C-101-01 through MPS-C-101-46 of Appendix 5-1. Further information on vegetative clearing is included within Revised Exhibit 11 (Terrestrial Ecology).

### **3(b) Proposed Facility Location Relations Maps**

Revised Figure 3-1 depicts the location of Facility components and ancillary features, all of which are located within the Facility Site. In addition, Figure 3-2 depicts nearby municipal boundaries at a scale of 1:96,000. The Facility Site is located within the Town of Glen and the Fonda-Fultonville Central School District.

### **3(c) Description of the Proposed Facility Location Relations**

The Facility Site and all ancillary features are located entirely within the Town of Glen in Montgomery County. The nearest village, Fultonville, is located approximately 750 feet northeast of the Facility Site. The nearest city, Johnstown, is located approximately 2.7 miles north of the Facility Site. The proposed Facility has been sited wholly outside of the Hamlet of Glen, in accordance with the Town's 2022 Solar Law, as illustrated on Figure 4-1 of Exhibit 4 (Town of Glen 2022). (Several Facility Site parcels overlap with the Hamlet of Glen (Town of Glen Hamlet District), but no Facility components have been sited in the Hamlet of Glen.) The location of the Facility in relation to the school district boundaries is illustrated on Figure 3-2. There are no proposed ancillary features located outside of the Facility Site.

### **3(d) Existing Land Use**

Figure 3-3 depicts all current land uses within the 2,665.59-acre Facility Site and 96,784.84-acre Study Area. This map was developed with data from the New York State Office of Information Technology Services GIS Program Office and Montgomery County Real Property Tax Service Agency (RPTSA) (RPTSA 2023) and classification codes of the New York State Office of Real Property Tax Services (NYSORPTS) (New York State Department of Taxation and Finance 2022). The classification codes describe the primary use of each parcel throughout NYS and are described below as they pertain to the Facility. They are separated into the following categories: agricultural; residential; vacant land; commercial; recreation & entertainment; community services;



industrial; public services; and wild, forested, conservation lands, and public parks. The categories mapped within the Facility Site and Study Area are depicted on Figure 3-3.

**Table 3-1. Land Use Classifications Mapped within the Facility Site and Study Area**

<b>Land Use Classification and Code</b>	<b>Mapped amount within the LOD (acres)</b>	<b>Mapped amount within the Fenced Area (acres)</b>	<b>Amount Mapped within Facility Site (acres)</b>	<b>Amount Mapped within Study Area (acres)</b>
Agricultural (Code 100)	1,233.75 (97.11%)	1,099.76 (97.84%)	2,552.39 (95.75%)	43,595.69 (45.04%)
Residential (Code 200)	3.99 (0.31%)	1.24 (0.11%)	49.75 (1.87%)	21,094.71 (21.80%)
Vacant Land (Code 300)	27.05 (2.13%)	23.07 (2.05%)	63.44 (2.38%)	14,080.60 (14.55%)
Commercial (Code 400)	0.00 (0%)	0.00 (0%)	0.00 (0%)	1,686.56 (1.74%)
Recreation & Entertainment (Code 500)	0.00 (0%)	0.00 (0%)	0.00 (0%)	458.04 (0.47%)
Community Services (Code 600)	0.00 (0%)	0.00 (0%)	0.00 (0%)	1,591.84 (1.64%)
Industrial (Code 700)	0.00 (0%)	0.00 (0%)	0.00 (0%)	601.47 (0.62%)
Public Services (Code 800)	0.00 (0%)	0.00 (0%)	0.00 (0%)	2,427.30 (2.51%)
Wild, Forested, Conservation Lands, and Public Parks (Code 900)	0.00 (0%)	0.00 (0%)	0.00 (0%)	6,922.38 (7.15%)
Roads/Non-Parcel Areas <sup>1</sup>	5.62 (0.44%)	0.00 (0%)	0.00 (0%)	4,326.25 (4.47%)
<b>Total</b>	<b>1,270.41</b>	<b>1,124.06</b>	<b>2,665.59</b>	<b>96,784.84</b>

<sup>1</sup>The Roads/Non-Parcel areas did not fall into the 9 categories as defined by NYSORPTS. The Applicant included this row to get the total acreages for the Facility Site and Study Area to equal out correctly.

**Agricultural (Code 100)**

Agricultural lands are designated by the NYS Department of Taxation and Finance as “property used for the production of crops or livestock.” There are 43,595.69 acres within the Study Area and 2,552.39 acres (95.75 percent) within the Facility Site classified as Agricultural land. The Agricultural land within the Facility Site is classified as Codes 105 (productive agricultural vacant land), 110 (livestock and products), 112 (dairy products), and 120 (field crops).

In addition, the New York State Department of Agriculture and Markets (NYSAGM) further classifies lands that are certified as Agricultural Districts pursuant to the New York Agricultural Districts Law (article 25-AA of the Agriculture and Markets Law). The majority of the Facility Site is located within designated Agricultural District 3 within Montgomery County (MONT003). However, this will amount to 1.43 percent of agricultural district land within Montgomery County. For more information on agricultural district land, please see Revised Exhibit 15, Section 15(a)(1). For an assessment on impacts to agricultural lands, see Revised Exhibit 15, Section 15(a)(7) of this Application.

#### Residential (Code 200)

Residential lands are designated by the NYS Department of Taxation and Finance as “property used for human habitation.” There are 21,094.71 acres within the Study Area and 49.75 acres (1.87 percent) within the Facility Site classified as Residential land. The Residential land within the Facility Site is classified as Codes 210 (one family year-round residence), 241 (primary residence, also used in agricultural production), 242 (recreational use), 260 (seasonal residences), and 280 (residential).

#### Vacant Land (Code 300)

Vacant lands are designated by the NYS Department of Taxation and Finance as “property that is not in use, is in temporary use, or lacks permanent improvement.” There are 14,080.60 acres within the Study Area and 63.44 acres (2.38 percent) within the Facility Site classified as Vacant land. The Vacant land within the Facility Site is classified as Codes 312 (residential land including small improvements not used for living accommodations), 314 (rural vacant lots of ten acres or less), 322 (residential vacant land over ten acres), 323 (other rural vacant lands), and 340 (vacant land located in industrial areas).

#### Commercial (Code 400)

Commercial lands are designated by the NYS Department of Taxation and Finance as “property used for the sale of goods and/or services.” There are 1,686.56 acres within the Study Area and zero acres within the Facility Site classified as Commercial land. There are no commercial land codes within the Facility Site.

### Recreation & Entertainment (Code 500)

Recreation and Entertainment lands are designated by the NYS Department of Taxation and Finance as “property used by groups for recreation, amusement, or entertainment.” There are 458.04 acres within the Study Area and zero acres within the Facility Site classified as Recreation and Entertainment land. There are no Recreation and Entertainment land codes within the Facility Site.

### Community Services (Code 600)

Community Services lands are designated by the NYS Department of Taxation and Finance as “property used for the wellbeing of the community.” There are 1,591.84 acres within the Study Area and zero acres within the Facility Site classified as Community Services land. There are no Community Services land codes within the Facility Site.

### Industrial (Code 700)

Industrial lands are designated by the NYS Department of Taxation and Finance as “property used for the production and fabrication of durable and nondurable man-made goods.” There are 601.47 acres within the Study Area and zero acres within the Facility Site classified as Industrial land. There are no Industrial land codes within the Facility Site.

### Public Services (Code 800)

Public Services lands are designated by the NYS Department of Taxation and Finance as “property used to provide services to the general public.” The Public Services land within the Study Area is classified as Code 882 (electric transmission improvements). There are 2,427.30 acres within the Study Area and zero acres within the Facility Site classified as Public Services land, which is associated with the Niagara Mohawk transmission line.

### Wild, Forested, Conservation Lands, and Public Parks (Code 900)

Wild, Forested, Conservation Lands, and Public Parks are designated by the NYS Department of Taxation and Finance as “reforested lands, preserves, and private hunting and fishing clubs.” There are 6,922.38 acres within the Study Area and zero acres within the Facility Site classified as Wild, Forested, Conservation Lands, and Public Parks. There are no Wild, Forested, Conservation Lands, and Public Parks land codes within the Facility Site.

Wildlife Management Areas, parks, and other conservation lands within the Study Area are discussed within Section 3(k) below. The Facility is not anticipated to impact these resources.

### Roads and Non-Parcel Areas

There are 4,326.25 acres of roads/non-parcel areas within the Study Area and zero acres within the Facility Site.

### **3(e) Existing Utility Facilities Map and Consultations**

Figure 3-3 depicts existing overhead and underground utility facilities within the vicinity of the Study Area. There is one natural gas line and two electric lines located approximately 0.6 mile south of the Facility Site, and one cellular tower located approximately 5 miles north of the Facility Site. This is further discussed within Section 3(k) below.

The Facility will connect to the existing Marcy – New Scotland 345 kV Transmission Line that traverses the Facility Site, which is owned by National Grid. The Applicant has initiated consultation with National Grid to inform them of the proposed Project and to confirm that there will be no impacts to the transmission line associated with the Facility. Dig Safe New York will be consulted prior to any excavation to identify precise locations of underground utilities. If underground facilities are identified by Dig Safe New York, the Applicant will work with owners of the underground utilities to ensure safe construction practices. Therefore, no impacts to existing utilities are expected as a result of construction or operation of the Facility.

### **3(f) Tax Parcel Map**

Figure 3-4 depicts all properties that are proposed to contain any Facility component or ancillary feature, and any properties within 1,000 feet thereof. Within the Figure, the depiction of each parcel contains the current land use, tax parcel number and owner, and any known proposed land use plans. This information was obtained from Montgomery County and observations during onsite studies (Montgomery County GIS 2018).

On March 9, 2023 the Applicant sent out a Proposed Land Use Consultation Letter to each municipality within the Study Area to request information on any proposed land uses within the Study Area limits. Responses were received from the Town of Glen, Town of Amsterdam, and the Town of Charleston. Responses indicated that there are no proposed land uses within 1,000 feet of the Facility Site.

### 3(g) Existing and Proposed Zoning Districts

Revised Figure 3-5 depicts existing and proposed zoning districts that are publicly available within the Study Area. Zoning jurisdiction is at the town level. The Study Area includes the Towns of Glen, Amsterdam, Mohawk, Palatine, Root, Charleston, Florida, Perth, Johnstown, the City of Johnstown, as well as Villages of Fonda, Fultonville, and Fort Johnson. Table 3-2 shows the acreages of the Facility Site and Study Area that are in each municipality.

**Table 3-2. Facility Site and Study Area Acreage within each Municipality**

Municipality	Facility Site Acreage within the Municipality	Facility Site Percentage within the Municipality	Study Area Acreage within the Municipality
Town of Amsterdam	0	0	2,969.50
Town of Charleston	0	0	11,669.00
Town of Florida	0	0	12,661.90
Town of Glen	2,665.57	10.54	25,292.20
Town of Johnstown	0	0	7,588.92
Town of Mohawk	0	0	22,574.70
Town of Palatine	0	0	3,784.92
Town of Perth	0	0	383.00
Town of Root	0	0	7,600.37
City of Johnstown	0	0	2,260.46
Village of Fonda	0	0	393.81
Village of Fultonville	0	0	364.03
Village of Fort Johnson	0	0	283.98

Permitted and prohibited land uses of each zoning district within the Study Area municipalities are detailed below.

#### Town of Glen

The Town of Glen adopted a zoning law in 2004, known as “The Code of the Town of Glen”, and adopted a Land Use Management Ordinance in 2006, adding Chapter 87 to the Code of the Town of Glen. The Town of Glen then updated the Land Use Management Ordinance in 2024 (Local Law 1 of 2024, Land Use Management Local Law). The Land Use Management Local Law

establishes that the Town is divided into four zoning districts, which include Rural Residential, Hamlet, Commercial, and Industrial Districts. The Code of the Town of Glen mentions three overlay districts, the Personal Wireless Service Facilities Overlay District, the Adult-oriented businesses Overlay District, and the Historic District Overlay. The Town of Glen 2022 Solar Law permits Large-scale (utility) solar energy systems in the Rural Residential, Industrial, and Commercial Districts, as a special permitted use (Town of Glen 2022). Utility-scale solar is not permitted in the Hamlet District. The entirety of Facility Site is located in the Rural Residential District with three Facility Site parcels being zoned both Hamlet and Rural Residential, but Facility components are only located on the section of the parcels zoned Rural Residential. Facility components on these three parcels are sited entirely outside of the Hamlet District. All Town of Glen zoning districts are present within the Study Area. The principal Permitted uses of each zoning district are permitted as of right. All special Permitted uses require both special permit review and site plan review. Uses not listed for a specific zoning district are prohibited from that district and would therefore require a use variance.

#### *Rural Residential District*

Principal Permitted uses within the Rural Residential District include one-family dwellings; two-family dwellings; farms and accessory buildings and uses; mobile homes (including double wide) nurseries; community parks or playgrounds; accessory uses and buildings; home occupations; windmill and wind turbines (accessory use only), restaurant, bakery, garage (public and non-public), historic building sites, small scale solar energy systems (accessory use), and organic fertilizer manufacturing (composting, accessory use only).

Permitted uses by special permit include multiple-family dwellings (including townhouses); cluster housing; bed-and-breakfast establishments; boarding or rooming houses; churches, parish houses, convents; public parochial schools or colleges; nursing or convalescent homes or homes for the aged; adult residential centers; daycares; laundrettes; retail stores; golf courses, country clubs, or other sporting facilities; fish and game clubs; commercial recreation; public buildings; animal/veterinary hospitals; kennels (five or more animals); boarding stables; funeral homes; crematoriums; firehouses/emergency services; self-storage; radio, TV transmitter or receiving towers with or without buildings; car washes; public or private utility facilities with or without buildings; large scale solar energy systems; personal wireless service facilities (cell towers); farm products plants; topsoil operations; earth, sand, gravel or mineral excavation; gas and oil extraction; agricultural lime manufacturing; rock quarry operations; advertising signs;

airports/heliports; motorized sports facilities; bio-fuel production and storage; hotel; gaming facility; sawmill; and picnic grove.

Prohibited uses within the Residential District include battery energy storage systems for commercial use; windmill/wind turbine in excess of 75 feet from tip of blade in vertical position; and industrial wind turbines.

#### *Hamlet District*

Principal Permitted uses within the Hamlet District include one-family dwellings; two-family dwellings; community parks or playgrounds; farms and accessory uses or buildings (to include hobby farms); fire stations; municipal buildings; historic buildings or sites; accessory uses or buildings; home occupation; and small-scale solar energy systems (accessory use).

Permitted uses by special permit include churches, parish houses, convents; public or parochial schools or colleges; schools and colleges; hotels; gasoline stations; multifamily dwellings (including townhouses); bed-and-breakfast establishments; retail stores; personal service shops; banks; custom workshops; museums; laundrettes; restaurants; general stores; professional offices, studios; antique stores; mobile homes (including double wide); and bakery.

Prohibited uses within the Hamlet District include battery energy storage systems for commercial use; windmill/wind turbine in excess of 75 feet from tip of blade in vertical position; industrial wind turbines; and large-scale solar energy systems.

#### *Commercial District*

Principal Permitted uses within the Commercial District include bed-and-breakfast establishments; personal service shops; retail stores; museums; custom workshops; radio, television or household appliance sales or services; funeral homes; antique shops; animal/veterinary hospitals; feed, lumber, seed or fertilizer buildings; car washes; fire stations or municipal buildings; cabinet, electrical, heating, plumbing or air conditioner shops; mobile homes as part of a farm operation; community parks or playgrounds; retail bakeries; historic buildings or sites; laundry or dry-cleaning plants; farms and accessory uses or buildings (to include hobby farms); one-family dwellings; accessory uses or buildings; home occupations; light industrial manufacturing, fabrication or assembly facility; garage (public and nonpublic); restaurants; two-family dwellings; and small scale solar energy systems (accessory use).

Permitted uses by special permit include gasoline stations; professional offices, studios; banks; public utility facilities; large scale solar energy systems; hotels; public garages; restaurants; fuel sales and storage; automobiles, boats, farm implements, tools or mobile home sales or rentals; indoor storage of non-liquid, non-gaseous fuel; bowling allies; multifamily dwellings; two-family dwellings; adult-oriented businesses; taverns; windmills or wind turbines; biofuel production and/or storage; leather mill; and marinas.

Prohibited uses within the Commercial District include battery energy storage systems for commercial use; windmill/wind turbine in excess of 75 feet from tip of blade in vertical position; and industrial wind turbines.

### *Industrial District*

Principal Permitted uses within the Industrial District include wholesale storage or warehouses; light industrial manufacturing, fabrication or assembly facility; manufacturing or assembly of electronic devices or instruments; printing or publishing plants; tool, die, pattern or machine shops; small scale solar energy system distribution centers; research and development centers; transportation services, including automobile and truck rentals and public garages; professional offices; accessory use or buildings associated with approved primary use and farms and accessory uses or buildings.

Permitted uses by special permit include manufacture or processing of dairy or other food products; communication towers; vehicle wash; animal/veterinary hospital, commercial kennel; public building/firehouse/emergency services; commercial laundry facility; retail store to retail establishment which does not sell gasoline or diesel fuel; sawmill/wood product processing; crematorium; and large scale solar energy systems.

Prohibited uses within the Industrial District include battery energy storage systems for commercial use; windmill/wind turbine in excess of 75 feet from tip of blade in vertical position; industrial wind turbines; slaughterhouse; manufacture or storage of explosives and fireworks; manufacture or storage of hazardous or toxic materials; temporary/long-term storage intended for landfill materials; and auto wrecking yards or scrap metal storage.

### *Personal Wireless Service Facilities Overlay District*

Personal Wireless Service Facilities are defined as a facility for the provision of personal wireless services. A personal wireless service facility includes, but is not limited to, an antenna equipment



mounting structure and accessory buildings and equipment. Through consultation with the Town of Glen, the Applicant understands that the Town of Glen has not created an overlay zone for personal wireless service facilities (Appendix 3-6).

#### *Adult-Oriented Businesses Overlay District*

Adult-oriented businesses applies to the following types of establishments and others that exclude or restrict minors by reason of age: adult bookstore or video store; adult entertainment cabaret; adult motel; adult theater; massage establishment; and peep show. For specific definitions on each establishment listed, please see the Town of Glen Town Code (2004) Section 87-7, which is appended to this Application as Appendix 24-1. Through consultation with the Town of Glen, the Applicant understands that the Town of Glen has not created an overlay zone for adult-oriented businesses (Appendix 3-6).

#### *Historic District Overlay Districts*

Within the Historic District Overlay, no building or premises shall be used, and no building shall be erected or altered except for that are permitted within the Hamlet District detailed above. Through consultation with the Town of Glen, the Applicant understands that the Town of Glen's Historic District Overlay District is overlaid with the existing Hamlet District bounds, see Revised Figure 3-5 and Appendix 3-6.

#### Glen Solar Law (2022)

In addition to The Code of the Town of Glen, the Town passed a solar law known as "Glen Solar Law" which was made effective in October of 2022 and is available in Revised Exhibit 24, Appendix 24-3 of this Application (Town of Glen 2022). The law establishes height restrictions, setbacks, lot coverage restrictions, and decommissioning requirements for utility-scale solar collector systems. It establishes a maximum height of 20 feet for all solar collectors and associated structures, excluding overhead transmission and substation components. The setbacks that would be applicable to the Facility include:

##### Rural Residential District

- 500' from front, rear, and site lots.

However, fencing, access roads, and landscaping may occur within these setbacks. The maximum lot coverage is 20 percent. The Glen Solar Law goes on to discuss general provisions applicable to utility-scale solar collector systems. An analysis on the applicability of the Town code

and Glen Solar Law to the Facility is included within Exhibit 24. According to the Glen Solar Law, the Facility is permissible in the Rural Residential, Commercial, and Industrial districts as a special permitted use.

#### Town of Amsterdam

According to the Town of Amsterdam Zoning Law, the Town is divided into ten zoning districts, which include the Agriculture, Business, Restricted Business. Manufacturing/Mixed Use, Residential, Residential, Mobile Home Residential, Planned Unit Development, Historic Overlay District, and Personal Wireless Service Facilities Overlay Districts.

No Facility components are proposed within the Town of Amsterdam and no direct impacts to the Town of Amsterdam, or any zoning district, are anticipated.

#### Town of Mohawk

According to the Town of Mohawk Zoning Law #1, established 2016, the Town is divided into nine zoning districts, which include the Agricultural, Residential, Residential, Natural Products, Retail Business, Manufacturing, Business Offices, Mobile Home Residential, and Neighborhood Business Districts. According to the Zoning Law, there are no overlay districts or floating zones in the Town of Mohawk.

No Facility components are proposed within the Town of Mohawk and no direct impacts to the Town of Mohawk, or any zoning district, are anticipated.

#### Town of Palatine

According to the Town of Palatine Zoning Law, the Town is divided into four zoning districts, which include the Agricultural, Commercial, Residential, and Planned Development Districts.

No Facility components are proposed within the Town of Palatine and no direct impacts to the Town of Palatine, or any zoning district, are anticipated.

#### Town of Root

At the time of filing this application, the Town of Root does not have a proposed or adopted zoning code or map.

No Facility components are proposed within the Town of Root and no direct impacts to the Town of Root, or any zoning district, are anticipated.

### Town of Charleston

At the time of filing this application, the Town of Charleston does not have a proposed or adopted zoning code or map.

No Facility components are proposed within the Town of Root and no direct impacts to the Town of Root, or any zoning district, are anticipated.

### Town of Florida

According to the Town of Florida Zoning Ordinance, established May 2016 and updated July 2019, the Town is divided into eight zoning districts, which include Residential, Mobile Home Residential, Agricultural, Commercial-1, Commercial-2, Industrial Business Park, Natural Products, and Historic Districts. The Town of Florida Zoning Ordinance also established an adult oriented business overlay district, but that is not applicable to the Facility. No other overlay districts or floating zones exist within the Town of Florida.

No Facility components are proposed within the Town of Florida and no direct impacts to the Town of Florida, or any zoning district, are anticipated.

### Town of Perth

According to the Town of Perth, NY Fulton County Zoning Law, the Town is divided into four zoning districts, which include the Agricultural Residential, Commercial-Residential, Public Institutional, and Business Technology Zone Districts. Uses not specifically listed on the Town's Allowable Uses Table are prohibited. The Town of Perth Zoning Law established an adult business overlay zone; however, it is not applicable to the Facility. No other overlay districts or floating zones exist within the Town of Perth.

No Facility components are proposed within the Town of Perth and no direct impacts to the Town of Perth, or any zoning district, are anticipated.

### Town of Johnstown

According to the Code of the Town of Johnstown, the Town is divided into seven zoning districts, which includes the Residence Districts, Commercial Districts, as well as the Residence-Agriculture and Manufacturing Districts. The Code does not establish any overlay districts or floating zones within the Town.

No Facility components are proposed within the Town of Johnstown and no direct impacts to the Town of Johnstown, or any zoning district, are anticipated.

#### City of Johnstown

According to the City of Johnstown Zoning Ordinance (City of Johnstown 2011), the City is divided into 12 zoning districts, which include the One & Two Family Dwellings, Multi-Family, Residential-Professional, Manufactured Home, Commercial, Industrial, Public, and Rail Trail Districts.

No Facility components are proposed within the City of Johnstown and no direct impacts to the City of Johnstown, or any zoning district, are anticipated.

#### Village of Fonda

According to the Village of Fonda Electronic Code, the Village is not divided into zoning districts. No Facility components are proposed within the Village of Fonda and no direct impacts to the Village of Fonda are anticipated.

#### Village of Fultonville

According to the Code of the Village of Fultonville, the Village is divided into six zoning districts, which include the Residential, Residential, Mobile Home, Retail Commercial, General Commercial, and Manufacturing Districts. The Code of the Village of Fultonville does not establish any overlay districts or floating zones within the Town.

No Facility components are proposed within the Village of Fultonville and no direct impacts to the Village of Fultonville, or any zoning district, are anticipated.

#### Village of Fort Johnson

At the time of filing this application, the Village of Fort Johnson does not have a proposed or adopted zoning code or map.

No Facility components are proposed within the Village of Fort Johnson and no direct impacts to the Village of Fort Johnson are anticipated.

### **3(h) Adopted Comprehensive Plans**

Comprehensive Plans applicable to the Facility Site are discussed herein. These include the Town of Glen Comprehensive Plan, adopted July 2000, Agricultural and Farmland Protection Plan for Montgomery County, adopted October 2017, the Montgomery County Hazard Mitigation Plan, updated June 2016, and the Mohawk Valley Regional Sustainability Plan. These are included as Appendices 3-1, 3-2, 3-3, and 3-4, respectively.

#### **Town of Glen Comprehensive Plan**

The Town of Glen Comprehensive Plan is included as Appendix 3-1 (Town of Glen 2000). The ten goals of the Plan are as follows:

- Preserve and enhance the Town's farming operations and agricultural lands;
- Preserve the natural environment;
- Employ viable Town initiatives to foster economic development;
- Enhance and encourage preservation of the Town's historic character;
- Promote local and regional tourism;
- Preserve the Town's rural character and open spaces;
- Maintain and enhance the aesthetics of the Town;
- Enhance the recreational and cultural opportunities in the Town;
- Cooperate with the Town's adjacent municipalities and Montgomery County; and
- Continue an open dialogue on the future of the Town of Glen.

The Facility is consistent with and/or will contribute and promote the following goals of the Town of Glen Comprehensive Plan.

**Preserve and enhance the Town's farming operations and agricultural lands.** Land participating in the Mill Point Solar I Project is held for potential re-use in agriculture post decommissioning, and therefore the Facility preserves the Town's agricultural lands. In addition, participating landowners involved in the agricultural industry will receive a consistent stream of supplemental revenue from the Facility that can protect against fluctuating commodity prices and help maintain, preserve, or expand family farms, preserving the Town's farming operations. The Facility generates new, weather and price resistant revenue to support their ongoing farming operations, keeping generational farms operational and providing security for future farming generations. Post decommissioning, as Facility land opens back up for agricultural use, the increase in farmland may require additional workforce to manage an expansion in operations.

**Preserve the natural environment.** Since the installation and operation of solar is minimally invasive, the land hosting the Facility will be protected from any other type of development or intensive land use activity during the operating life of the Facility, preserving the natural environment. During construction, the Stormwater Pollution Prevention Plan (SWPPP) (Revised Exhibit 13, Revised Appendix 13-3) utilizes best management practices (BMPs) for construction of the Facility. Prior to the commencement of construction activities, temporary erosion and sediment controls shall be installed to prevent erosion of the soils and prevent water quality degradation to wetlands and waterbodies. Erosion and sediment controls will be used to limit, control, and mitigate construction-related impacts. Stormwater management and pollution controls will include practices that involve runoff control, soil stabilization, and sediment control to preserve local surface water and groundwater resources and adjacent land uses such as agricultural production.

During decommissioning, the land will be restored to pre-existing conditions, see Revised Exhibit 23, Sections 23(a)(2) and 23(a)(3). Proposed tree clearing to construct the Facility is limited and replanted groundcover will include native vegetation (see Revised Exhibit 23, Sections 23(a)(2), 23(a)(3), and 23(b)), which will preserve and enhance soil health. Existing vegetation will be preserved to the maximum extent practicable to serve as a vegetative screen around the Facility perimeter. In addition, the Facility is designed to preserve natural water features to the maximum extent possible.

**Employ viable Town initiatives to foster economic development.** Renewable energy pumps billions of dollars into the country's economy every year (American Clean Power 2023), benefiting rural areas where the majority of utility-scale renewable energy projects are located. The Facility will contribute significantly to the economic development of local host communities. Through Payment In Lieu Of Taxes (PILOT) (described in detail in Revised Exhibit 18), the Applicant will contribute significant funding to taxing jurisdictions associated with lands where the Facility is proposed. Additionally, the Facility will boost the local economy by providing approximately 218 full-time jobs during construction and 3-4 full-time jobs for operation and maintenance for the operational life of the Facility, which will result in an increase in spending at local establishments (i.e., hotels, grocery stores, restaurants, etc.). The Facility installation therefore fosters economic development.

**Enhance and encourage preservation of the Town’s historic character.** Although the Facility will introduce new visible elements (e.g., solar panels) into the existing landscape, the visual impact of the Facility will be negligible per the results of the Historic Architecture Survey and New York State Office of Parks, Recreation, and Historic Preservation’s (OPRHP) review, which concluded on July 14, 2023 (Revised Appendix 9-2) that “OPRHP has no above ground concerns, as the solar array visibility from the Glen Historic District will be limited.” The Facility will have no adverse impacts as Project design has minimized potential adverse impacts on historic character to the maximum extent practicable by siting collection lines underground, selecting panels and a racking system that will minimize the amount of land required to achieve 250 megawatts (MW) of energy production, selectively placing panels and avoiding particular areas of high visibility, preserving existing vegetation, and installing supplemental vegetation where the Facility abuts public and private receptors. In addition, the Applicant has not sited any Facility components within the Hamlet of Glen and Glen Historic District. For example, the Applicant has land control of Parcel ID 84.-1-8.11, which is adjacent to the Glen Village Cemetery, and elected not to site Facility components on this parcel to minimize Facility impacts within the Glen Historic District and the Glen Village Cemetery. Vegetative landscaping is proposed along the Facility boundary abutting public and private receptors. Depending on receptors and area sensitivity, select areas will receive more robust and elaborate screening. By installing landscaping to develop a visual screening buffer, the Applicant has minimized potential visual impacts to the Town’s historic character. The landscaping plan for the Facility is presented in Revised Exhibit 5, Revised Appendix 5-2.

**Preserve the Town’s rural character and open spaces.** The development of the Facility will aid in the preservation of the Town’s rural character by preventing urban development or other types of heavy-industrial use while the Facility is in operation. Post-decommissioning, the land will be available to return to agricultural use, which will further maintain the rural character of the Town. The New York State Open Space Conservation Plan defines open space as land that is not intensively developed for residential, commercial, industrial or institutional use, and can be publicly or privately owned (NYSDEC 2016). The minimally invasive nature of solar installation and operation, utilization of extensive native ground cover and perimeter landscaping, and preservation of natural water features and existing forested areas within the Facility Site are consistent with the Town’s goal preserving open spaces.

**Cooperate with the Town’s adjacent municipalities and Montgomery County.** The Applicant will continue to cooperate with the Town’s adjacent municipalities and Montgomery County by

coordinating directly with the local emergency services, municipalities, libraries, and school districts.

**Continue an open dialogue on the future of the Town of Glen.** The Applicant will continue to foster open dialogue with the Town of Glen regarding the proposed Facility. The Applicant welcomes and promotes communication with stakeholders, community members, local businesses, participating landowners, agencies, and town officials. Project representatives consistently attend town meetings to field questions, provide Project updates, and stay apprised of local events (see Exhibit 2, Appendix 2-3 for the Project Coordination Log).

In accordance with 19 New York Codes, Rules and Regulations (NYCRR) Section 900-10.2(e)(7), the Applicant will prepare a Complaint Management Plan for the Facility that will include guidance on registering a complaint, contact information, public notification procedures, complaint resolution procedures, and guidelines for tracking complaints. Landowners may express their concerns via email, phone call, or the contact form on the project website (<https://www.millpointsolari.com/contact/>) and the Applicant will work to address landowner concerns in timely manner, in accordance with the Complaint Management Plan.

The Facility will not negatively affect the remaining goals within this Plan.

### **Agricultural and Farmland Protection Plan for Montgomery County**

The Agricultural and Farmland Protection Plan for Montgomery County is included as Appendix 3-2 (Montgomery County 2017). The four goals of the Plan are as follows:

- Promote economically viable agriculture;
- Encourage farmland protection;
- Increase agricultural economic development; and
- Expand agricultural awareness.

The Facility is consistent with and/or will contribute and promote the following goals of the Agricultural and Farmland Protection Plan for Montgomery County.

**Encourage farmland protection.** As previously stated, land hosting the Facility is held in perpetuity for re-use in agriculture post decommissioning. Therefore, the Facility encourages farmland protection. In addition, participating landowners involved in the agricultural industry receive a consistent stream of supplemental revenue from the Facility that can protect against fluctuating commodity prices and help maintain, preserve, or expand family farms. Furthermore,



the Applicant and three participating landowners have agreed upon landowner-imposed development restrictions so the landowner can continue agricultural production within the Facility Site boundary (but outside of the LOD) during operation of the Facility. The locations in which agricultural production will remain are illustrated on Revised Figure 15-4 of Revised Exhibit 15.

**Increase agricultural economic development.** With the additional revenue stream, participating landowners involved in agriculture are able to supplement, enhance, or expand active farming operations.

**Promote economically viable agriculture and expand agricultural awareness.** The Facility will not significantly negatively affect the County's ability to promote economically viable agriculture, increase agricultural economic development, and expand agricultural awareness. The Applicant conducted an Agricultural Use Landowner Survey with participating landowners to identify if agricultural production will continue after the Facility is developed. Of the responses, four landowners identified that they intend to continue agricultural production outside of the Facility Site fence line. Further discussion on agricultural resources within the Facility Site and the Study Area is detailed in Revised Exhibit 15 of this Application.

The Facility will not negatively affect the remaining goals within this Plan.

### **Montgomery County Hazard Mitigation Plan**

The Montgomery County Hazard Mitigation Plan<sup>1</sup> is included as Appendix 3-3 (Montgomery County 2016). The Facility will not contribute to hazard risks within Montgomery County, and the Applicant has prepared a Safety Response Plan (Revised Exhibit 6, Revised Appendix 6-2) to ensure the safety and security of the local community. The Applicant met with in person, and over the phone with local emergency responders including the Montgomery County Sheriff and Montgomery County Emergency Management Department, on October 25, 2023. During this consultation meeting, the Applicant reviewed the draft Site Security Plan and draft Safety Response Plan, discussed concept of mutual aid and surrounding agency response, and also the emergency response role of the Emergency Management Department. Based on feedback and advice in the consultation meeting and from review of the draft Site Security Plan and draft Safety

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<sup>1</sup> To the Applicant's knowledge, Montgomery County is undergoing an update to the Montgomery County Hazard Mitigation Plan.

Response Plan, the Applicant incorporated edits into the Site Security Plan and Safety Response Plan (Revised Exhibit 6, Appendix 6-1 and Revised Appendix 6-2, respectively).

### **Mohawk Valley Regional Sustainability Plan**

The Mohawk Valley Regional Sustainability Plan is included as Appendix 3-4 (Mohawk Valley Municipalities, n.d.). The 30 goals of the Plan are as follows:

- Economic Development
  - Enhance regional concentrations to retain and create business in key growth sectors;
  - Align the region's workforce with the appropriate education and training to increase the supply of skilled workers;
  - Create innovation enabling infrastructure that will drive entrepreneurialism;
  - Restore infrastructure and increase spatial efficiencies that will revitalize existing urban and town centers;
  - Strengthen government and civic effectiveness to produce a more vibrant economy; and
  - Promote unique regional assets through a unified identity and campaign.
- Transportation
  - Align transportation and land use planning and investment;
  - Improve efficiency in maintenance of transportation infrastructure;
  - Improve and connect regional multiuse trails;
  - Increase public transportation ridership; and
  - Promote transportation alternatives.
- Land Use and Livable Communities
  - Redevelop main streets, waterfronts, and brownfields;
  - Provide technical assistance and collaboration opportunities;
  - Identify, preserve, and protect lands suitable for viable agriculture; and
  - Invest in existing infrastructure and housing stock.
- Water Management
  - Conserve water and related energy consumption;
  - Maintain water quality;
  - Improve existing infrastructure; and
  - Establish watershed planning.

- **Materials Management**
  - Reduce solid waste generation;
  - Increase the regional market for recycled goods;
  - Reduce energy costs associated with materials and solid waste management; and
  - Expand effective existing projects and promote new regional strategies.
- **Energy**
  - Reduce consumption of electricity and heat generated by fossil fuels;
  - Increase energy efficiency;
  - Increase renewable local energy generation and use for electricity and heat; and
  - Evaluate life cycle impacts of energy generation and use.
- **Agriculture and Forestry**
  - Promote education;
  - Enhance efficiencies; and
  - Promote sustainable agricultural and forestry economic development for individuals, families, and the region to help sustain the current workforce and encourage others to join the workforce.

The Facility is consistent with and/or will contribute and promote the following goals of the Mohawk Valley Regional Sustainability Plan.

**Economic Development.** Renewable energy pumps billions of dollars into the country's economy every year, benefiting rural areas where the majority of utility-scale renewable energy projects are located. The Facility installation therefore enhances the region's ability to retain and create business in key growth sectors. Furthermore, portions of the workforce will be sought from the local labor pool and will be supplied with training to support the construction and operation of the Facility. As discussed in Revised Exhibit 18, Section 18(b) (Construction Payroll and Expenditures), the Applicant anticipates signing a Memorandum of Understanding with a local labor union and plans to use as much in-state labor as possible. The Facility therefore promotes the goal of aligning the region's workforce with the appropriate education and training to increase the supply of skilled workers. The Facility will also create innovation enabling infrastructure that will drive entrepreneurialism. As renewable energy is still a growing sector, the installation of a local solar energy plant offers the surrounding community access to an emerging industry sector. The Facility also encourages the promotion of unique regional assets through a unified identity and campaign.

**Land Use and Livable Communities.** The Facility is consistent with the goal of identifying, preserving, and protecting lands suitable for viable agriculture. The agricultural land hosting the Facility will be protected from any other type of development or intense land use activity during the operating life of the Facility. Ground cover will include native vegetation which will preserve and enhance soil health during this recovery period, increasing the productivity and value of the land for future agricultural use. The Facility will also aid in maintaining the rural character of the region by preventing urban development while the Facility is in operation. Post-decommissioning, the land will be available for return to agriculture use. Moreover, participating landowners involved in the agricultural industry receive a consistent stream of supplemental revenue from the Facility that can protect against fluctuating commodity prices and help maintain, preserve, or expand family farms.

**Water Management.** The construction and operation of a solar energy facility is not water intensive. During construction, water is used for dust control, to establish vegetation, and to wash panels before initial powering. During operation, water may be used occasionally for vegetation management projects and for panel washing. As compared to the previous agricultural land use and seasonal irrigation requirements, the Facility supports the conservation of water. Moreover, in accordance with the SWPPP (Revised Exhibit 13, Revised Appendix 13-3), water quality will be maintained during construction yet enhanced during the operations phase due to the filtering effects of the installed vegetative ground cover. As compared to agricultural land use, solar increases water quality by eliminating exposed soil and agriculture related chemical applications, reducing runoff and erosion.

**Materials Management.** The operation of a solar facility does not result in significant solid waste generation. Therefore, the addition of the Facility to the region will not increase the amount of generated solid waste, supporting the Region's goals of reducing solid waste generation and reducing energy costs associated with solid waste management. At the end of the Facility's life, components will be recycled to the maximum extent practicable upon decommissioning, increasing the regional market for recycled goods. During the operational life of the Facility, individual components may require occasional replacement. Replaced components will be recycled if available, also contributing to the amount of recycled goods.

**Energy.** The Facility contributes most directly to the goal of reducing consumption of electricity and heat generated by fossil fuels and increasing renewable local energy generation and use for electricity and heat. The Facility will generate energy directly from the sun, providing emissions-free renewable energy to consumers. This reduces the need for additional fossil fuel generation

to meet energy demands. Also, as traditional fossil fuel power plants are decommissioned, they can be replaced by renewable facilities, increasing the quantity of available renewable energy which can be used for electricity and heat.

**Agriculture and Forestry.** As land is held in perpetuity for re-use in agriculture or forestry post decommissioning, the Facility promotes sustainable agricultural and forestry economic development for individuals, families, and the region. As previously mentioned, participating landowners involved in the agricultural industry receive a consistent stream of supplemental revenue from the Facility that can protect against fluctuating commodity prices and help maintain, preserve, or expand family farms. The Facility generates new, weather and price resistant revenue to support their ongoing farming operations, keeping generational farms operational and providing security for future farming generations. Post decommissioning, as Facility land opens back up for agricultural use, the increase in farmland may require additional workforce to manage an expansion in operations.

The Facility will not negatively affect the remaining goals within this Plan.

The following sections may apply to the Facility:

- Section 1.1 Cleaner, Greener Communities Program – This section describes this program that was created in 2011 and is administered by New York State Energy Research and Development Authority (NYSERDA). It provides funds for communities to create or enhance comprehensive sustainability plans (how the Mohawk Valley Regional Sustainability Plan came to be) and to execute projects to support those plans that will reduce greenhouse gases (GHG), adopt clean technologies, use renewable energy, etc.
- Section 1.2 Mohawk Valley Region – This section states that Montgomery County is part of this region that was established in 2011. It describes the geography, population, economy, energy usage, GHG emissions, and general character of the Mohawk Valley Region.
- Section 2.6 Energy – This section states that a goal of the Plan is to increase renewable local energy generation and use for electricity and heat, because without significant changes, GHG emissions will increase by 8% between 1990 and 2030 in NYS. The Mohawk Valley region produces 14% of the power consumed within the region and imports the remainder through the transmission grid.

- Section 2.7 Agriculture and Forestry – This section states that 87% of the Mohawk Valley land area is comprised of agriculture and forests. While New York’s forests continue to grow, the average farm operator income in the Mohawk Valley is insufficient to support a household.
- Section 3.2.7 Install and increase availability of local renewable energy at the residential, commercial, institutional, and municipal levels – This section promotes the evaluation, development, and installation of renewable energy projects of all types and sizes. It states that “property owners in rural townships would like to participate in grid-tied renewable energy, such as wind or PV, to increase the region’s generation and use of renewable energy... By replacing electricity from the grid with renewable energy, each project would reduce indirect GHG emissions that result from electricity generation from fossil fuels.” The Plan states that they would like to “pursue solar PV projects, such as a utility-scale solar PV system... under the auspices of... a Public Service Commission-sanctioned rural electric cooperative.”

### **3(i) Publicly Known Proposed Land Uses**

The Applicant mailed Proposed Land Use consultation letters to the municipalities within the Facility’s five-mile Study Area on March 9, 2023 to inquire if the municipality can share any publicly known proposed land uses within their jurisdiction, per Section 900-2.4(i) of the 94-c regulations. A copy of the consultation letter is available in Appendix 3-5. The Applicant received one written response via email for the Town of Amsterdam and two verbal responses via phone calls from the Town of Glen and the Town of Charleston. None of these municipalities identified proposed land uses within the Study Area.

As of the time of this submission, the Applicant did not receive any additional responses that identified publicly proposed land uses within the Study Area from the municipalities that were consulted with.

Based on the Applicant’s review of publicly available minutes from local meetings (i.e., planning board meetings, town board meetings, etc.), the following proposed land uses are within the five-mile Study Area:

#### **Town of Glen**

- 2621 State Highway 5S Solar Project: (New Leaf Energy): one 5 MW community solar farm proposed by New Leaf Energy.

- Mill Point Solar II Project (ConnectGen Montgomery County LLC): a 100 MW, utility solar energy facility proposed by ConnectGen Montgomery County LLC.

ConnectGen Montgomery County LLC is working on the early-stage development of a separate project referred to as the Mill Point Solar II Project, an up to 100 MW AC PV solar facility that would also be located in the Town of Glen, Montgomery County, New York. Revised Figure 3-5 shows the general location of the Mill Point Solar II Facility in relation to the Mill Point Solar I Project with as much detail as is currently available for Mill Point Solar II Project. At the time of filing the 94-c permit application for the Mill Point Solar I Project, ConnectGen Montgomery County LLC does not have a final boundary for the Mill Point Solar II Project and has not committed to the location of any facilities for Mill Point Solar II Project.

Revised Figure 3-5 depicts all publicly known proposed land uses within the Study Area.

### **3(j) Maps of Designated Areas**

Within the Study Area, there are designated agricultural districts; one designated inland waterway within the Study Area, the Mohawk River; and one local waterfront revitalization program (LWRP), the City of Amsterdam LWRP. All are illustrated on Figure 3-6.

There are no NYS-designated coastal areas, coastal erosion hazard areas, flood-prone areas, or critical environmental areas within the Study Area, and therefore, those resources are not depicted on Figure 3-6. As discussed within Section 3(o) below, the Facility is not proposed within or in direct proximity to a NYS-designated coastal area or designated inland waterway.

Based on a review of New York State Department of Environmental Conservation (NYSDEC) groundwater management zones, there is a principal aquifer that lies within the northern portion of the Facility and stretches along the Mohawk River and Schoharie Creek within the Study Area (Revised Exhibit 13, Figure 13-1). According to the NYSDEC, principal aquifers are defined as “Aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time” (NYSDEC 2023f). There are no primary aquifers within the Facility Site or Study Area, which the NYSDEC defines as “highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems” (NYSDEC 2023f).

The majority of the Facility Site is located within designated Agricultural District 3 within Montgomery County (MONT003).

Based on review of the Federal Emergency Management Agency (FEMA) Flood Mapper, no areas of flood hazard are mapped within the Facility Site. However, there are some within the Study Area associated with the Mohawk River (FEMA 2022).

### **3(k) Maps of Recreational and Other Sensitive Land Uses**

Figure 3-6 depicts recreational and other sensitive land uses that may be affected by the sight or sound of the construction or operation of the Facility. Each is discussed in detail below.

#### Wild, Scenic and Recreational River Corridors

According to the NYSDEC Wild, Scenic and Recreational Rivers website, there are no wild, scenic, or recreational Rivers within the Facility Site or Study Area.

#### Open Spaces

The New York State Open Space Conservation Plan defines open space as land which is not intensively developed for residential, commercial, industrial or institutional use, and can be publicly or privately owned (NYSDEC 2016). The definition of open space depends on its surroundings, but generally includes agricultural and forest land, undeveloped coastal and estuarine lands, undeveloped scenic lands, public parks, and preserves. There are no open spaces within the Facility Site, open spaces within the Study Area include four state forests (Yatesville Falls, Rural Grove, Charleston, and Lost Valley).

#### Known Archaeological, Geologic, Historical or Scenic Areas

Thirty-seven (37) previously recorded archaeological sites are located within a one-mile radius of the Facility Site, three (3) of which are within the Facility Site. An analysis of cultural resources within the Facility Site and surroundings is included with Revised Exhibit 9.

The Facility Site is located within the vicinity of one Unique Geological Feature, as identified by NYSDEC (NYSDEC n.d.). This Unique Geological Feature, named “Ingersoll Road (Route 117) – Auriesville,” is a roadside feature with the following description: “Auriesville Exposure; Diamicts, gravel & sand” and is located in the northeast portion of Parcel ID 52.-2-17.111. There are no Facility components proposed at this Unique Geological Feature. For more information on Unique Geological Features within the vicinity of the Facility Site, see Exhibit 10 Section 10(a)(8) and 10(a)(9).



According to the NYS Department of State, the Facility Site and Study Area do not contain any Scenic Areas of Statewide Significance (New York State Department of State 2022).

The Glen Historic District is located adjacent to the southern border of the Facility Site at the intersection of Route 30 and County Road 110. It was listed by the National Register of Historic Places (NRHP) in 2001 and is characterized as a rural crossroads hamlet with 52 buildings and two historic sites. Most of the buildings are 1.5- or 2-story timber framed and have gable roofs. The most distinguished buildings include a Second Empire style brick residence constructed in 1878, two Federal style residences, and a mid-19<sup>th</sup> century general store (Montgomery County Tourism 2022). To avoid impacts to the Glen Historic District, the Applicant sited the Facility outside of the Glen Historic District boundary and consulted with the OPRHP.

In a letter dated November 23, 2022 (Revised Appendix 9-2), the OPRHP identified potential impacts to the Glen Historic District based on the Historic Architectural Report that was submitted to OPRHP on October 24, 2022. To complete their review, OPRHP requested landscaping information proposed in the vicinity of the Glen Historic District. TRC provided OPRHP with the additional information requested on June 16, 2023 (Revised Exhibit 9, Appendix 9-5). OPRHP responded to the information request on July 14, 2023 (Revised Exhibit 9, Revised Appendix 9-2) indicating that “OPRHP has no above ground concerns, as the solar array visibility from the Glen Historic District will be limited.”

The following Historical Landmarks are located within the Study Area:

- First Baptist Church
- Montgomery History and Archives Office
- Little Red Schoolhouse
- Saint Kateri National Shrine and Historic Site/Caughnawaga Indian Village Site
- Old Fort Johnson
- Schoharie Crossing State Historic Site
- Our Lady of Martyrs Shrine
- Fulton County Historian’s Office
- Johnstown Historical Society and Museum
- Johnson Hall State Historic Site
- Johnstown Public Library
- Johnstown’s Historic Quadrangle

- Drumm House
- Knox Mansion
- Montgomery County Farm
- Old Courthouse Complex
- Walter Butler Homestead
- Fulton County Jail
- Benjamin Chamberlain House
- Johnson Hall State Historic Site

The Applicant conducted an Architectural History Review for the Facility and a comprehensive list of all historic landmarks within the Study Area is available in Revised Exhibit 9, Section 9(c) and Appendix 9-3.

The Mohawk River lies approximately 0.3 miles north of the Facility Site at the closest point. This portion of the river is considered part of the Erie Canal. The locks within the Study Area include one located approximately 2.1 miles northwest of the Facility Site and one located approximately 2.1 miles northeast of the Facility Site.

### Parks

According to NYSDEC's DECinfo Locator, there are no public parks located within the Facility Site. Within the Study Area, the Schoharie Crossing Park is located approximately 1.5 miles northeast of the Facility. State Forests within the Study Area are discussed within the NYSDEC Lands section below.

### Forest Preserve Lands

According to NYSDEC's DECinfo Locator, there are no forest preserve lands located within the Facility Site. See NYSDEC Lands section below for a list of State Forests within the Study Area.

### Scenic Vistas Specifically Identified in The Adirondack Park State Land Master Plan

This section is not applicable to the Facility because the Facility Site and Study Area are not within the Adirondack Park boundary, and therefore are outside of its jurisdiction.

### NYS Parks

According to NYSDEC's DECinfo Locator, there are no NYS Parks within the Facility Site or Study Area. See NYSDEC Lands section below for a list of State Forests within the Study Area.

### NYSDEC Lands

According to NYSDEC's DECinfo Locator, there are no Wildlife Management Areas or NYSDEC-designated Conservation Easements within the Town of Glen or within the Study Area. There are no NYSDEC lands mapped within the Facility Site, but there are multiple NYSDEC lands mapped within the Study Area, all of which are state forests, including the Yatesville Falls State Forest, which is approximately 3.4 miles southwest of the Facility Site, the Rural Grove State Forest, which is approximately 2.5 mile south of the Facility Site, Charleston State Forest, which is approximately 2.9 miles southeast of the Facility Site, and the Lost Valley State Forest, which is approximately 4.7 miles southeast of the Facility Site. There are no NYSDEC-mapped critical environmental areas present within the Facility Site or Study Area. The closest is the Aquifer Area Overlay Zone, located approximately 11.6 miles east of the Facility Site.

### Conservation Easement Lands

According to the National Conservation Easement Database, there are ten Natural Resources Conservation Service (NRCS) designated Conservation Easements located within the 5-mile Study Area (National Conservation Easement Database 2022). Two of which are located within one mile of the Facility Site and both are within the Wetlands Reserve Program.

The remaining eight conservation easements within the Study Area are within the NRCS Wetlands Reserve Program and are all located more than one-mile away from the Facility Site.

### Federal Or State Designated Scenic Byways

According to the United States Department of Transportation (USDOT) Federal Highway Administration, there are a few federally designated scenic byways within NYS, but none are within the Facility Site or Study Area (USDOT 2022).

According to the New York State Department of Transportation (NYSDOT), there are no state-designated scenic byways within the Facility Site (NYSDOT 2022). However, there are two located within the Study Area, the Revolutionary Trail and the Adirondack Trail. The Revolutionary Trail runs east-west along Route 5, from the State Capital in Albany to the Shores of Lake Ontario. It runs north of the Mohawk River, approximately 0.3 miles north of the Facility Site at the closest point. The Adirondack Trail runs north-south through the Adirondack Park, from Malone to Fonda. The endpoint in Fonda is at the intersection of Broadway and Main Street West, which is approximately 0.7 miles north of the Facility Site.

### County Designated Scenic Byways

Montgomery County Legislature adopted a Local Law designating scenic byways in Montgomery County in 2021 (Local Law 3 of 2021). This law identified 51 County Designated Scenic Byways, five of which are located throughout the Facility Site: Logtown Road (County Route (CR) 110, Auriesville Road (CR 122), Van Epps Road (CR 116), Fisher Road (CR 118), and Ingersoll Road (CR 117)) (Montgomery County 2021). To protect the visual aesthetics of these County Designated Scenic Byways from impacts by the Facility, the Applicant has developed a Landscaping Plan (Revised Exhibit 5, Revised Appendix 5-2) to minimize the visual impact of the Facility.

### Designated Trails

According to NYSDEC's DECinfo Locator, there are no NYSDEC-designated trails mapped within the Facility Site. However, there are multiple mapped within the Study Area, including the Yatesville Falls Access Road located approximately 1.6 miles west of the Facility Site, the Rural Grove Access Road snowmobile trail located approximately 2.6 mile south of the Facility Site, the snowmobile trail within the Charleston State Forest located approximately 4.8 miles southeast of the Facility Site, and the Lost Valley Access Trails and Haul Road located approximately 4.7 miles southeast of the Facility Site.

The Erie Canal Bike Trail is located just south of Interstate 90, and approximately 100 feet north of the Facility Site boundary. The trail runs 350 miles east-west from Buffalo to Albany. It comprises approximately half of the Empire State Trail (Bike Erie Canal 2022).

### Designated Wilderness/Nature Preserves

Critical environmental areas, Wildlife Management Areas, conservation easements, parks, forested lands, designated trails, and NYSDEC lands are discussed above.

### Public-Access Fishing Areas

According to NYSDEC's DECinfo Locator, there are no public-access fishing areas mapped within the Facility Site. However, the Mohawk River/Barge Canal Boat Launch Site is located approximately 1.9 miles northeast of the Facility Site on the northern side of the Mohawk River. There is another boat launch by the same name on the southern side of the Mohawk River, located approximately 4.6 miles northeast of the Facility Site. The Schoharie Creek Boat Launch Site is located approximately 1.8 miles northeast of the Facility Site off of the Schoharie Creek. The Cayadutta Creek Stocked Trout Stream Reach is located approximately 3.1 miles north of the

Facility Site. The Cayadutta Creek Stocked-Extended Trout Stream Reach is located approximately 3.8 miles north of the Facility Site.

#### Major Communication and Utility Uses and Infrastructure

Utility facilities are depicted on Figure 3-3. According to the Rextag Infrastructure database, there are two parallel overhead AC bulk power 345 kV transmission lines owned by the Niagara Mohawk Power Corporation that cuts through the northern portion of the Facility Site, running northwest-southeast; the Facility will be tapping into the National Grid Marcy – New Scotland 345 kV transmission line.

Within the Study Area, there are two parallel overhead AC bulk power 230 kV transmission lines owned by National Grid located approximately 2.5 miles south of the Facility Site, running east-west.

According to the National Pipeline Mapping System, there are no major pipelines within the Facility Site. There is an active natural gas transmission pipeline located approximately 2.5 miles south of the Facility Site, running east-west, sharing a right-of-way (ROW) with the overhead lines discussed above. It is operated by Eastern Gas Transmission and Storage, Inc.

#### Institutional, Community and Municipal Uses and Facilities

The Glenridge Motorsports Park is in the northwestern portion of the Facility Site. It is a quarter mile dirt track with the following race types on Sunday evenings: crate modifieds, limited sportsman, pro-stocks, street stocks, slingshots, and mini stocks (Kenny Wallace Dirt Racing Experience 2020). Participating landowners in the Project lease a portion of one of their participating parcels to the owners of the Glenridge Motorsports Park. These participating landowners are seeking a land use change from the motorsports park to a solar facility.

According to the New York State Thruway Authority, the Mohawk Valley Welcome Center is located off of Interstate 90, 2.1 miles west of the Facility Site. It showcases the history of the Mohawk Valley and directs visitors to popular tourism destinations.

There are no churches, emergency service facilities, hospitals, daycares, senior care facilities, cemeteries, schools, community buildings or municipal buildings located within the Facility Site. However, there are multiple located within the Study Area, including the following:

- Glen Reformed Church
- Kingdom Hall of Jehovah's Witnesses
- Rene Goupil Memorial Chapel
- Holy Mountain Buddha Land
- Martyrs Shrine Visitor Center
- Saints of Auriesville Museum
- Coliseum Church
- Huang Da Xian Buddhist Temple
- Tekakwitha Friary and Saint Kateri National Shrine and Historic Site
- Fonda Reformed Church
- St. Cecilia Church
- Saving Grace Baptist Church
- Johnstown Church of Christ
- Believers Fellowship Center
- First Baptist Church
- Holy Trinity
- Grace Lutheran Church
- First Presbyterian Church
- St. John's Episcopal Church
- New Covenant Community Church
- Life Christian Center
- Saint Anthony's Church
- Glen Volunteer Fire Department
- Montgomery County Fire Training Center
- Montgomery Emergency Management Office
- Sammonsville Volunteer Fire Department
- Town of Mohawk Fire Department
- Johnstown Fire Department
- Johnstown Area Volunteer Ambulance Service
- Nassau Lake West Ambulance Service
- 1<sup>st</sup> On Scene Fire & Emergency Services Fire Station
- LifeNet of New York – AirMethods Glen Base
- State Police Department
- Johnstown Police Department
- Fulton County Sheriff's Department
- Montgomery County Jail and Prison/Correctional Facility
- Montgomery County Sheriff's Office
- Wells Nursing Home and Pineview Commons (an assisted living facility)
- Healthlink/Vitality Plus Services Senior Citizen Center
- Sunflower Safari Childcare
- Ladybug Daycare LLC
- Kiddie Cove Daycare
- Gove Cemetery
- Jesuit Cemetery
- Fultonville Cemetery and Natural Burial Ground
- Caughnawaga Cemetery
- Johnstown Cemetery
- Saint Anthony's Cemetery
- Mount Carmel Cemetery
- Pine Grove Cemetery
- Kline Cemetery
- Saint Joseph's Cemetery
- Evergreen Cemetery
- Johnstown Colonial Cemetery

The Glen Village Cemetery is located south of the Facility Site on Logtown Road. The Applicant has land control of Parcel ID 84.-1-8.11, which is adjacent to the Glen Village Cemetery. After receiving feedback from the local community on the proximity of this parcel to the Glen Village Cemetery, the Applicant removed this parcel from the Facility Site in order to minimize Facility impacts within the Glen Historic District and the Glen Village Cemetery.

The Fonda-Fultonville Central School is located approximately 1.1 miles north of the Facility Site, north of the Mohawk River. The Facility Site is also located approximately 3.7 miles south of the Boces Special Education School, 4.3 miles south of the Johnstown Senior High School and the Warren Street School, 4.9 miles southwest of Fulton Montgomery Community College.

Additional municipal facilities within the Study Area include the Glen Conservancy Concert Hall, which is approximately 750 feet south of the Facility Site, the Fulmont Community Action Agency/Food Distribution Center located approximately 0.75 mile northeast of the Facility Site, the Fonda Food Pantry located approximately 0.7 mile north of the Facility Site, the Johnstown Churches Council Food Pantry located approximately 4.2 miles north of the Facility Site, and the Fonda Speedway located approximately 0.9 mile northwest of the Facility Site, north of the Mohawk River.

### **3(l) Compatibility with Land Uses**

No substantial, permanent changes in land use are anticipated because of Facility construction and operation. Land uses near the Facility Site that are likely to be of particular concern are residential, agricultural, historical, and economic. Impacts are not expected outside of the Facility Site, aside from minor traffic, noise, and visual impacts that have been mitigated to the extent practicable. No changes in land use are predicted outside of the Facility Site. As described within Sections 3(g) and 3(i), the Facility is compatible with existing, proposed, and allowed land uses within the five-mile Study Area. In addition, the Facility is compatible with local and regional land use plans, as described within Section 3(h).

Residential houses are located throughout and surrounding the Facility Site. The largest concentration of residential houses is located within the northern portion of the Facility Site, along Mary's Lane. Residents are anticipated to experience minor traffic, noise, and visual impacts, which have been minimized and mitigated to the maximum extent practicable. The majority of traffic impacts would be limited to the construction phase and contained mainly to morning and evening hours. Potential noise generated by the solar array would be present during daylight

hours since the Facility does not operate at night. Although the Facility will be visible at select locations, the preservation of existing perimeter vegetation along with supplemental, detailed landscaping installation will serve to mitigate potential adverse effects generated by the Facility. In addition, the electrical collection lines have been sited underground and certain PV clusters were removed or relocated, avoiding potential impact to neighboring receptors. Studies were conducted to identify potential noise, traffic, and visual effects produced by the Facility, during both construction and operation. Potential impacts from Facility-generated noise, traffic, and visual impacts with current and planned uses were analyzed and have been minimized to the extent practicable.

### ***Noise Analysis***

The Applicant conducted a noise and vibrational study for the Facility. Results indicated that noise from the operation of the Facility will exceed the design goals listed within the regulations of Section 94-c if the Project is unmitigated. Therefore, the Applicant is proposing to implement sound walls near the Facility components where the noise level exceeds the Section 94-c regulations limits. With the implementation of mitigation, the Facility will comply with the Section 94-c regulation limits. For further information on the noise study for the Facility is included in Exhibit 7 in the Application.

### ***Traffic Analysis***

The Applicant conducted a traffic study for the Facility. It is expected that all roadways will operate at level of service (LOS) C or better within the vicinity of the Facility Site during the peak hour during the peak construction period. Additional construction related vehicles traveling the roadways will have little impact on the roadways due to the minimal existing demand. Future traffic analysis for the operating condition was not performed since that period is expected to have significantly fewer daily trips than the construction period. The construction period represents the absolute worst case in terms of total traffic volumes. Given that the construction period is not expected to create traffic impacts, with LOS C or better at each segment analyzed, future operations will function with equal or less traffic impacts than the construction period. Further information on the traffic study for the Facility is included in Revised Exhibit 16 of the Application.



## ***Visual Analysis***

Visually sensitive resources within the visual study area (VSA) that were identified by stakeholders responding to community outreach were included in the analysis described in Revised Exhibit 8 (Visual Impacts) and the Visual Impact Analysis (VIA; Revised Appendix 8-1). Several viewpoints identified through outreach efforts were along state and county designated scenic byways, historical sites, and along commonly traveled roadways. Viewshed results of the proposed solar arrays and associated infrastructure conclude that 18.92 percent of the VSA was predicted as visible, therefore, 81.08 percent of the solar arrays will be screened by existing vegetation, topography, and existing development. The Facility Site is located on a portion of participating landowner parcels where visibility is also counted within the VSA, this accounts for 6.69 percent of the total 18.92 percent of potential visibility, therefore, 12.23 percent of predicted solar panel visibility occurs on non-participating landowner properties. However, proposed landscaping within a 5-year timeframe is anticipated to moderately discount the overall percentage of predicted visibility as plantings mature to equivalent heights of the solar arrays, consequentially, in time the Facility will become less discernible. Overall, results indicate the Facility is not anticipated to have a significant visual impact on land uses of particular concern to the community. See Revised Exhibit 8 for more information.

### **3(m) Qualitative Assessment of Project Compatibility with Existing, Potential, and Proposed Above-ground Facilities**

The aboveground 345 kV generation tie line and interconnections associated with the Facility Site are compatible with the existing, potential, and proposed land uses within the Study Area. All 34.5 kV collection lines will be installed underground, via direct burial/open trench and horizontal directional drilling (HDD). There is one above-ground generation tie line that will be less than 1,300 feet long, connecting the proposed Facility substation to the proposed POI switchyard. Then, two adjacent approximately 305 foot-long 345 kV transmission line segments will run overhead to connect the new POI switchyard to the existing National Grid Marcy – New Scotland 345 kV transmission line owned by National Grid.

The proposed substation will be located on agricultural land. At decommissioning, the substation will be disassembled, and only underground concrete pier foundations will remain. All above ground equipment will be removed and areas without concrete pier foundations will be restored and returned to preconstruction conditions. This will allow for continued agricultural use or allow

for the land to be utilized for other permitted land uses if desired by the landowner. Therefore, the Facility will only result in minor permanent impacts at the substation location.

### **3(n) Qualitative Assessment of Project Compatibility with Existing, Potential, and Proposed Underground Facilities**

The collection lines that will run from the inverters to the collection substation will be installed underground. There will only be temporary impacts to land use as part of the installation of the collection lines (Revised Exhibit 5, Revised Appendix 5-1, Sheet MPS-E-602-01). Design Drawings detail underground collection line installation methods. After installation, there will be no impacts to land use. Collection lines that will be installed in agricultural fields will comply with the NYSAGM Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands (2019). Furthermore, all underground collection lines will be within the Facility Site boundary. Therefore, the Facility will be compatible with existing and potential land uses within the Study Area by not encroaching on the land uses associated with adjacent and surrounding parcels.

More information regarding the Facility compliance with NYSAGM is detailed in the Mill Point Solar I Agricultural Plan, which is included in Revised Exhibit 15, Revised Appendix 15-3 of this Application.

### **3(o) Conformance with Coastal Zone Management**

The Facility is not proposed within or in direct proximity to a NYS-designated coastal area or designated inland waterway. Although the Mohawk River is classified as a designated inland waterway, the Facility is located approximately 750 feet south of the Mohawk River at its closest point. Schoharie Creek is also classified as a designated inland waterway but is located approximately 1.5 miles east of the Facility. Therefore, an analysis of conformance with relevant provisions of the New York State Coastal Management Program Policies and proposed or adopted LWRP Plans is not included within this Application.

In addition, the Facility is not located within any areas mapped by the National Oceanographic and Atmospheric Administration (NOAA).

### **3(p) Aerial Photographs of All Properties**

Revised Figure 3-7 depicts all properties within the Study Area overlaid on aerial imagery, including the surrounding area, at a scale of 1:24,000.

### **3(q) Aerial Photograph Overlays**

Revised Figure 3-7 depicts the Facility components overlaid on aerial imagery, at a scale of 1:24,000.

### **3(r) Current Land Use**

The aerial imagery used on Revised Figure 3-7 reflects the current uses of the land. As indicated on the figure, the source used for this figure is the ESRI World Imagery Base Map dated 03/30/2022. The Applicant is not aware of any material changes in land use that have occurred since the aerial imagery was taken in 2022 with the exception of a solar facility on Van Epps Road being fully constructed now, whereas in the imagery it appears to be under construction.

### **3(s) Community Character of the Study Area**

The Facility is located near the center of NYS, within the Mohawk Valley in Montgomery County. The Applicant has reviewed zoning ordinances and comprehensive plans, and has worked with the landowners, stakeholders, the Town of Glen, and Montgomery County to identify resources integral to the community character and to balance those with the goals of the State and the Project. While the Study Area is comprised of residential, commercial, and agricultural land uses, the following land use types have been designated as particularly important to the local community: residential, agricultural, historical, and economic.

For the purposes of this Exhibit, community character includes defining features and interactions of the natural, built, and social environment, and how those features are used and appreciated in the community.

- **Natural Environment.** As detailed within Sections 3(d) and 3(k) above, the Study Area is comprised mostly of residential, agricultural, and commercial land uses, and is rural in nature. The Mohawk River lies approximately 750 feet north of the Facility Site. It flows to the south and is the largest tributary to the Hudson River. Schoharie Creek lies approximately 1.5 miles east of the Facility Site and is one of the major tributaries to the Mohawk River. The predominant land use type in this region of the Mohawk River Basin is agriculture. Other land uses such as residential, commercial, and industrial are limited to population centers along the mainstem of the Mohawk River and Barge Canal (NYSDEC 2022). Parks and nature preserves within the Study Area include the Schoharie Crossing Park, Rural Grove State Forest, Yatesville Falls State Forest, Charleston State

Forest, and the Lost Valley State Forest. All are greater than half a mile from the Facility Site, as discussed within Section 3(k) above.

- **Social Environment.** The Facility is sited outside of developed areas such as the Villages of Fultonville and Fonda. However, they both fall within the 5-mile Study Area. As discussed within Section 3(k) above, there are no churches, emergency service facilities, hospitals, daycares, senior care facilities, cemeteries, schools, community buildings, municipal buildings, concert halls, or food pantries located within the Facility Site. However, there are multiple located within the Study Area, primarily to the north within the Villages of Fonda and Fultonville, and the City of Johnstown. The Fonda Speedway is located approximately 0.8 miles northeast of the Facility Site, but the Glenridge Motorsports Park is located within the northwestern portion of the Facility Site and will be demolished as part of Facility construction. Revised Exhibit 18 discusses the socioeconomic relationship between the Facility and the surrounding community. There is a local Amish community, who through coordination, identified that they worship at one another's homes. However, no Amish families are participating in the Project and therefore there are none within the Facility Site.
- **Built Environment.** Built resources within the Facility Site include houses, barns, the Glenridge Motorsports Park and associated buildings, farm buildings, orchard buildings, and public utilities. Built resources within the Study Area include houses, barns, the Fonda Speedway/Fairgrounds and associated buildings, farm buildings, municipal buildings, shops, restaurants, business, churches, factories, and utilities (transmission lines, pipelines, substations, etc.). Refer to Section 3(k) above for further detail. Interstate-90 lies approximately 250 feet north of the Facility Site. It is the longest interstate in the country, extending from Seattle, Washington to Boston, Massachusetts. It overlays the New York Thruway, which is NYS's major toll highway, and the longest toll highway in the United States (East Coast Roads 2022).

The Study Area consists of 96,784.84 acres, and the Facility Site within consists of 2,665.59 acres. Further, the Facility LOD is proposed to be 1,270.41 acres. Current land uses will be able to continue unabated beyond the Facility Site. Therefore, the Facility is likely to have minimal impacts to the land uses within the community. As previously discussed in Section 3(k) above, the Glenridge Motorsports Park land use will be converted to solar panels for the Facility. Impacts resulting from the Facility are most likely to occur during construction, such as vehicle traffic,

noise, and dust. However, minor impacts from traffic, noise, and visual impacts will carry throughout the operation of the Facility.

The Facility will introduce new visible elements (e.g., solar panels) into the existing landscape, which could be considered a change in community character for the primarily rural residential areas that surround the Facility Site. However, the visibility and visual impact of the solar panels will be highly variable based on distance, number of panels in the view, weather conditions, sun angle, extent of visual screening from topography and vegetation, scenic quality, viewer sensitivity and/or existing land uses. Project design has minimized potential adverse impacts on community character to the extent practicable by siting collection lines underground, selecting panels and a racking system that will minimize the amount of land required to achieve 250 MW of energy production, selectively placing panels and avoiding particular areas of high visibility, preserving existing vegetation, and installing supplemental vegetation where the Facility abuts public and private receptors.

As mentioned above, vegetative landscaping is proposed along the Facility boundary abutting public and private receptors. Select areas will receive more robust and elaborate screening. The purpose of landscaping is to develop a visual screening buffer to reduce potential visual impacts to the community character. The landscaping plan for the Facility is presented in Revised Exhibit 5, Revised Appendix 5-2.

After the useful life of the Facility, the land on which it is sited will be restored to pre-existing conditions and will be available once again for agricultural purposes. Revised Exhibit 23 outlines Decommissioning and Site Restoration Plans.

### **3(t) Historic Contamination in the Study Area**

The Mill Point Solar I Project is not a repurposed site. Therefore, this Section of the Section 94-c regulations is not applicable to the Facility.

### **3(u) Oil, Gas, and Mining in the Study Area**

According to the NYSDEC Mines and Wells Mapper, there are no known oil, gas, or mining solution wells within 500 feet of the Facility LOD (NYSDEC 2023e). In addition, the Facility is located within NYSDEC Region 4. Therefore, this Section of the Section 94-c regulations is not applicable to the Facility.

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