

From: [Will O'Leary](#)
To: [Nadine C. Bell](#); [Keith Silliman](#); [Dave Jones](#); [Town of Fenner](#)
Cc: [James Muscato](#); [Jessica Klami](#); [Jeannine Manna](#)
Subject: RE: Oxbow Hill Solar: Mitigation Planting Setbacks
Date: Tuesday, December 5, 2023 2:08:00 PM
Attachments: [image001.png](#)
[2023-12-01 Facility Site and Landscape Mitigation Modules Setbacks.pdf](#)

Nadine,

I hope all is well with you. We updated the setback map to include the roads that you inquired about and to provide more detail in other locations, please see attached. The closest setbacks along the roads you mentioned are as follows:

- Buyea Road: 26 feet
- Bellinger Road: 27 feet
- Peterboro Road: 25 feet
- Larkin Road: 30 feet
- Nelson Road: 27 feet

On a related note, we are now planning to file our state permit application in the first quarter of 2024. We also plan to enter a bid for the project into NYSERDA's 2024 solicitation, which opens in April.

Thank you and please let us know if you have any questions or comments.

Best,

Will O'Leary

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From: Nadine C. Bell <nbell@ccf-law.com>
Sent: Monday, October 30, 2023 10:35 AM
To: Keith Silliman <keith.silliman@ccrenew.com>; Dave Jones <dave.jones4879@gmail.com>; Town of Fenner <townclerk@townoffenner.com>
Cc: James Muscato <jmuscato@youngsommer.com>; Jessica Klami <ijklami@youngsommer.com>; Will O'Leary <william.oleary@ccrenew.com>; Jeannine Manna <jmanna@edrdpc.com>
Subject: RE: Oxbow Hill Solar: Mitigation Planting Setbacks

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Good morning Keith,

Thank you for providing. A couple of follow up questions or comments,

1. when we met a serious concern of the Town with the proposed setback distances was based upon the prevalence of snow drifting in the area. The setback distances proposed for Buyea Road, Belinger Road, and Peterboro Road of just 25'-30' are likely to present a problem. The drifts and snowbanks in those areas can be immense and if the facility is to be located just 25' from the edge of pavement, the panels and fencing are likely to be impacted.
2. What are the proposed setback distances on Larkin Road and Nelson Road? Nelson Road in particular appears to be in close proximity to the proposed facility. As discussed, those roadways also realize significant wind and drifting.



Nadine C. Bell

Partner

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From: Keith Silliman <keith.silliman@ccrenew.com>

Sent: Monday, October 30, 2023 9:46 AM

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Subject: Oxbow Hill Solar: Mitigation Planting Setbacks

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Hi folks,

As promised, attached is a draft map of the Facility Site Planting Module locations with call outs illustrating the approximate setback distances from the edge of pavement to the mitigation planting modules along the portions of roadway that the Town expressed concern over at our meeting on September 26, 2023. The majority of setbacks would be greater than 50 feet. There are a few locations, including along on the west side of Buyea Road and Bellinger Road, and one location along Peterboro Road, where the setbacks would be between 25-32 feet.

Keith

Keith Silliman,
Director of Regulatory Compliance
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