



July 10, 2026

Nathaniel Rogers

Planning Director
Town of Lansing
29 Auburn Road
Lansing, NY 14568

Regarding: Jerry Smith Road Battery Energy Storage System (BESS)
339 Jerry Smith Road -Tax Map Parcel: 16-1-10.1
Preliminary/Final site Plan and Special Use Permit Review
MRB Group Project No. 1207.25000.000 PH 012 Comments &
T.G. Miller, P.C. Comments

Dear Mr. Rogers:

In response to the MRB Group Comment letter dated June 22, 2026, and T.G. Miller, P.C. comment letter dated June 19, 2026, please find the following requested information compiled to address the comments provided.

MRB Group Comment Letter Dated June 22, 2026

SEQR Comments

1. Per the NY State Environmental Quality Review Act (SEQR), the proposed project is an Unlisted Action and will entail a coordinated review with involved and interested agencies.

Response: Noted

2. The applicant submitted both a Full Environmental Assessment Form (FEAF) and a Short Environmental Assessment Form (SEAF) with the application. We note that the submitted FEAF is substantially incomplete, with numerous sections left unanswered or inadequately addressed. Given the scope and scale of the proposed project, a complete FEAF will be required as part of the next submission to facilitate a thorough SEQR review.

Response: The completed FEAF is included in the 7/10/26 Town submission.

3. The EAF Mapper Summary Report identified the presence of Federal Wetlands and Informational Freshwater Wetlands on or near the project site. Based on the materials submitted, it does not appear that the proposed development area will directly impact these resources. However, the Existing Conditions Plan should clearly delineate and label all jurisdictional wetlands, wetland buffers (if applicable), and other significant natural features to verify that impacts are avoided and to facilitate agency review.

Response: The Existing Conditions plan outlines all significant natural features.

4. The applicant should coordinate with the New York State Historic Preservation Office (SHPO) to determine whether any historic or cultural resources may be affected by the proposed development. Copies of all correspondence, determinations, and related documentation from SHPO should be provided to the Town and MRB Group for review and inclusion in the project file.

Response: Documents from SHPO are included in 7/10/26 Town submission.

Special Use Permit Comments

5. Pursuant to Town Code Section 270-35(T)(1)(d), the Site Plans shall identify the location and nature of all proposed utility easements and associated infrastructure. If this information cannot be adequately depicted on the Site Plans, a separate Utility Plan should be provided showing the location, dimensions, and details of all proposed utility installations and easements.

Response: Final utility easement boundaries will be established once a final site layout is achieved. C-300 has been updated to show a “blow-up” of the utility infrastructure proposed.

6. Pursuant to Town Code Section 270-35(T)(1)(e), the Existing Conditions and Site Plans shall identify and depict all areas of potential environmental sensitivity located on or adjacent to the project site. Such features include, but are not limited to, unique natural areas, slopes exceeding 10%, floodplains, historic resources, airports, government-owned lands, conservation easements, trails, parkland, prime agricultural soils, and jurisdictional wetland delineations. The applicant should revise the Site Plans accordingly to demonstrate compliance with this requirement.

Response: The Existing Conditions plan shows potentially environmentally sensitive locations around the site.

7. Pursuant to Town Code Section 270-35(T)(1)(f), the Site Plan shall include specification sheets and construction details for all proposed BESS components. We acknowledge that the applicant has submitted separate specification sheets for the proposed Tesla Megapack battery system. However, the Site Plan should be revised to incorporate applicable component details and references necessary to clearly identify and document the proposed BESS infrastructure with the plan set.

Response: Sheet C-602 has been included in the Plan Set to show specifications of signage and some of the proposed electrical equipment. Note: Some of the specific equipment has not been determined by applicant. When selected, said equipment specifications will be added to the Plan Set.

8. Pursuant to Town Code Section 270-35(T)(2)(c), the applicant shall demonstrate that the

proposed BESS facility complies with all applicable federal and state laws, regulations and agency requirements. Supporting documentation shall be provided for review.

Response: Comment noted. The Applicant will provide the Town copies of agency correspondence. Please specify what additional documentation is to be provided to demonstrate compliance.

9. Pursuant to Town Code Section 270-35(T)(5), the Site Plan shall include all required signage. The Site Plan should be revised to identify the location and provide details of all proposed signage.

Response: Signage details have been included on Sheet C-602.

10. Pursuant to Town Code Section 270-35(T)(4), all on-site utility lines shall be placed underground to the extent feasible, except for the main service connection and approved interconnection facilities. The Site Plan depicts six (6) utility poles at the point of interconnection, with the remaining lines proposed to be trenched to the transformer pad; however, this configuration should be re-evaluated, as the proposed trench within the vegetated swale may create maintenance conflicts and should be addressed or revised accordingly.

Response: The proposed utility connection with the equipment poles is a requirement from the utility. In order for the Applicant to request an alternative configuration a letter from the Town stating it will not allow the traditional six (6) utility pole configuration and that the Town is requesting pad mounted equipment.

11. Pursuant to Town Code Section 270-35(U)(1)(a), the Decommissioning Plan shall identify the conditions that will trigger decommissioning of the facility, including at a minimum, facility abandonment, cessation of operations for six (6) consecutive months (or 12 months within any 18-month period), violation of site plan approval conditions, or the expiration, revocation, or violation of required permits.

Response: Decommissioning plan has been updated to include this information.

12. Pursuant to Town Code Section 270-35(U)(1)(h) the applicant shall provide a PE-prepared decommissioning cost estimate including a 125% base cost escalated at 3% annually over the project life, excluding salvage value. The decommissioning bond shall remain in effect for the life of the project plus (6) months for decommissioning and site stabilization, with a corresponding note added to the Decommissioning Plan and Cost Estimate.

Response: PE prepared cost estimate has been provided in the Decommissioning Plan.

13. The Decommissioning Plan shall be revised to include a list of stakeholders, including the Town, emergency response agencies, the property owner, and any other applicable

parties. The Plan shall also specify stakeholders will be provided with copies of any revised Decommissioning Plan. All revised documents shall be stamped and signed by a licensed professional engineer.

Response: The Decommissioning plan has been revised accordingly.

14. The Decommissioning Plan should describe site restoration steps that adhere to and reference the New York State Agricultural and Markets Guidelines for Solar Energy projects- Construction Mitigation for Agricultural Lands. The Plan should enumerate these practices in the Plan and by reference to the current versions of the Guidelines.

Response: Noted.

15. The subject parcel is located within a New York State Certified Agricultural District(Tompkins County Agricultural District #1). Pursuant to New York State General Municipal Law Section 239- l and 239-m, the application shall be referred to the Tompkins County Planning Board for review and recommendation.

Response: Noted.

16. The applicant has submitted an Operations and Maintenance manual (version 2.1) prepared by Tesla. It is recommended that the Manual be revised to include a list of stakeholders, including the Town of Lansing and local fire departments. The provision of emergency response training for local first responders specific to the proposed BESS facility should also be considered in the project development.

Response: The Operations and Maintenance Manual has been revised accordingly.

SITE PLAN COMMENTS

17. Signature lines for the Planning Board Chairperson, Code Enforcement Officer, Highway Superintendent and Town Engineer are to be added to all Site plan sheets, with the exception of the Existing Conditions and Construction detail sheets.

Response: The Site Plans have been updated to include signature lines.

18. The Site Statistics table (Sheet C - 300) shall be expanded to include all relevant site dimensions, including the proposed maximum structure height. Additionally, the limits of disturbance are inconsistent between the site plan (1.19 +/- acres) and the Site Statistics table (1.67 +/- acres) and should be reconciled and updated accordingly.

Response: Limits of disturbance have been revised to 1.76 AC.

19. The submitted plans indicate installation of a 10-foot fixed knot farm fence; However, no landscaping or buffering is proposed. To demonstrate adequate screening, the applicant shall provide a viewshed/ line of sight analysis with scaled, color visual

simulations showing existing conditions, post-construction conditions, and projected vegetation maturity at 5 and 10 years. While figure 2 (Visual Profile Plan) has been provided, additional visual renderings as described above are recommended to better evaluate proposed screening.

Response: Applicant will discuss the scope and necessity of any additional visual renderings at the next Planning Board meeting.

20. Please clarify the difference between the 10-foot fixed knot farm fence and the acoustically treated fence. A detail shall be provided for further review of the Planning Board.

Response: Specifications for the acoustical fence have been included on Sheet C-602.

21. The site plan includes a turning/ maneuverability diagram for site access. The Town Fire Marshall and Building Official shall review site access and emergency response provisions as depicted in the Site Plan, Operations and Maintenance plan, and related materials to ensure compliance with the New York State Uniform Fire Prevention and Building code. The applicant shall also coordinate with the Tompkins County department of Emergency Response and the Town of Lansing Fire department and obtain all required approvals.

Response: Coordination is on-going with all departments.

22. A gravel access cross-section was provided and should be reviewed to demonstrate that said road can support a minimum 75,000-pound emergency apparatus vehicle. In addition, engineering calculations shall be provided to confirm that the proposed 12-inch culvert beneath the access road is adequately sized and meets minimum design requirements.

Response: The access road is a standard design used for solar and battery sites and the cross-section will be confirmed by a geotechnical engineer before construction. The 12-inch culvert has been sized accordingly, and calculations are included in the HydroCAD Model report.

T.G. Miller, PC Comment letter dated June 19, 2026

SWPPP

1. Provide infiltration testing in accordance with Appendix D of the Stormwater Management Design Manual (SMDM) to ensure the site meets the minimum infiltration rate for an infiltration practice period alternatively, provide a series of stormwater practices that meets the criteria of the SMDM and does not require infiltration.

Response: Infiltration testing is currently being scheduled.

2. It appears the crane pad encroaches within the footprint of the infiltration practice. The

infiltration practice must be protected during construction in order to preserve existing infiltration rates.

Response: The infiltration basin and crane pad have both been moved to no longer interfere with each other.

3. Please provide the stage storage design calculations for the infiltration bioretention practice. What is the pretreatment device selected for this practice? Demonstrate that it meets the requirements of the SMDM with calculations, details, and/ or additional narrative in the SWPPPP.

Response: The bioretention area has been revised to an infiltration basin. Storage elevations can be reviewed in the HydroCAD Report or on C-601.

4. When the pre- development land use is agriculture, the curve number for the pre-developed condition shall be taken as "meadow" not "row crops" (SMDM Section 4-6).

Response: The HydroCAD Model has been revised accordingly.

5. The Pre-Development Drainage Map must be updated to clearly show land cover and HSG boundaries. Consider adding tags or additional hatching with a legend to describe each line type and hatch shown on the figure.

Response: The Pre- and Post-development Drainage Maps have been revised accordingly.

6. The Post-Development drainage map must be updated to include the proposed contours. Please revise the figure to clearly show land cover and HSG boundaries. Consider adding tags or additional hatching with a legend to describe each area shown on the figure.

Response: The Post-development Drainage Map has been revised accordingly.

7. A note must be added to the SWPPP stating that it is the owner/operator's responsibility to keep the SWPPP current so that, at all times, it accurately documents the erosion and sediment control practices that are being used or will be used during construction, and all SMPs that will be constructed on the site. This includes preparing an as-built drawing that documents the final construction conditions.(CGP Part III.A.3.).

Response: Note has been added in Section 1 of the SWPPP.

8. Please replace the references to the 2015 NYSDEC Stormwater Management Design Manual with the current 2024 NYSDEC Stormwater Management Design Manual.

Response: All references have been replaced with the 2024 NYSDEC Stormwater Management Design Manual.

9. Proposed grading indicates that a high point is created between the two SW concrete equipment pads. The boundary for watershed 100 on the post development Drainage Map

does not correctly follow this condition. Grading must be adjusted to ensure runoff from these impervious pads reaches the stormwater management practice. Adjust the watershed boundary as needed.

Response: Spot grades have been included on Sheet C-500 to show pad elevations of the area mentioned.

10. Provide a detail for the grass filter strip and its pretreatment device.

Response: A Vegetated Filter Strip Detail has been added to Sheet C-601

11. The project appears to be removing a tree. Please verify the project is not subject to any federal permits that may place limits on when the tree removal can occur due to the Endangered Long Eared Bat.

Response: Project will clear trees within the specified Bat Tree Clearing Window.

12. Please verify that no additional permits are required from DEC (ex: wetlands, multi-sector)

Response: No wetland permits are required.

13. Please include the following documents in the subsequent submission:

a. Drawings stamped by a NYS Licensed Engineer

Response: All sheets have been stamped by a NYS Licensed Engineer.

b. The current Construction General Permit (GP 0-25-001)

Response: GP-0-25-001 has been included in the SWPPP document.

c. Reference and/or include the source of precipitation data used for hydrologic modeling.

Response: Data was sourced from Northeast Regional Climate Center (NRCC)
https://precip.eas.cornell.edu/#/data_and_products

d. Draft NOI

Response: A Draft NOI has been included in the SWPPP.

e. MS4 Acceptance Form

Response: A MS4 Acceptance Form has been included in the SWPPP.

f. SWPPP Preparer Certification Form

Response: A SWPPP Preparer Certification Form has been included in the SWPPP.

g. Owner/Operator Certification Form

Response: An Owner/Operator Certification Form has been included in the SWPPP.

h. Draft Stormwater Operation Management, and Reporting Agreement (SOMRA)

Response: A Draft Stormwater Maintenance Agreement has been included in the submission.

Preliminary Drawings

1. The 1086' contour appears to dead-end at the turn around. Please verify design intent and correct grading as needed.

Response: The 1086' contour has been revised to show a highpoint at the end of the access road.

I can be reached at 518-371-7621 if you have any questions or need additional information.

Sincerely,



Benjamin Willson
Project Engineer
Environmental Design Partnership