



October 01, 2026

Mr. Josh Westfall

Town of Moreau
Building, Planning and Development Director
352 Reynolds Road
Moreau, NY 12828-9261

Re: Top Hat Solar- Electric Drive, Moreau, NY Planning Board Site Plan Application, MJ Engineering comments. Tax Parcel IDs 50.-4-16, 50.-4-22, 50.-4-14, 50.-4-23, 50.-4-13, 50.-4-25, 50.-4-12, 50.-4-11 and 50.-4-96.1

Dear Mr. Westfall:

In response to the MJ Engineering comment letter provided by Mr. Westfall via email dated September 18, 2026, please find below our responses and the requested information addressing the comments provided.

EMERGENCY RESPONSE AND COMMUNICATION PLAN

1. The ERP shall include a site-specific emergency access plan demonstrating that fire apparatus, EMS and other emergency response vehicles can safely access all critical infrastructure.

Response: A site-specific emergency access plan demonstrating emergency vehicle access and turning movements throughout the site has been included in the ERP.

2. The ERP does not clearly explain how the facility will be monitored during operation. The applicant shall confirm whether the site will be monitored 24 hours per day and how equipment problems or issues are detected.

Response: From the Nexamp Operations Center (NOC,) our entire fleet of assets are carefully monitored in real time 24/7/365. The NOC can remotely review alarms and operating trends, perform remote troubleshooting, including authorized resets, power cycles, or control adjustments. If necessary, Nexamp has field-response capability through Nexamp Asset Management, Environmental Health and Safety, National Grid and qualified contractors. With our remote monitoring capabilities, the safe operation of the project is not dependent on someone being physically present to control the system.

3. The ERP shall identify the location of the monitoring personnel and provide information regarding the availability and proximity of personnel capable of responding to the site in the event of an emergency.

Response: The ERP has been revised to identify the location and availability of monitoring and emergency response personnel. As described on Pages 5 of the ERP, Nexamp's operation center is located in Lowrance, Massachusetts and is staffed 24/7/365. In the event of an emergency, first responders will be dispatched by the staff on duty. If the nature of

the event requires on-site response, chapter 12.07 of New York State fire code requires a qualified representative to be on site within 4 hours of notification. To meet this code requirement, the project company will contract with a local vendor to act on its behalf in an emergency. That contract will be provided to the Town prior to building permit issuance.

4. The ERP shall include a Physical Security section that addresses potential security - related incidents including unauthorized access, vandalism, theft, and other suspicious activities. This can include security measures that will be implemented at the facility, such as fences/gates, no trespassing signage, cameras, intrusion detection systems, etc.

Response: The ERP has been revised to include a Physical Security section on Page 8 addressing potential security related incidents, including unauthorized access, vandalism, theft and other suspicious activities. Security measures include an 8-foot-high perimeter fence with secured gates, heavy duty locking mechanisms, keyed site access with Knox boxes for emergency responders, high voltage warning signage, and emergency contact signage at the facility entrance.

5. The submitted O and M plan references appendices containing site access and stormwater inspection information; however, these appendices were not included in the report. The plan shall be revised to include all referenced attachments.

Response: Appendix A of the revised O&M Plan includes the applicable stormwater management practice inspection checklists. The previously referenced site access appendix has been removed, as the site plans adequately identifies the site access.

SITE PLAN REVIEW

6. As part of the proposed land swap where Top Hat Energy will acquire the existing Town-owned right-of-way, the applicant shall propose a permanent access easement for the existing trail. The easement shall be adequately buffered from the solar array and shall not interfere with the solar facility operations and maintenance.

Response: C-300 identifies the preliminary limits of the proposed trail easement (approximately 20' wide) to be granted to the Town of Moreau by Top Hat Energy, LLC. The easement shown is for planning purposes only. The final location and limits of the easement will be coordinated with and approved by the Town of Moreau.

STORMWATER MANAGEMENT

7. The HydroCAD model indicates an exfiltration rate of 10in/hr for the proposed infiltration basin. The applicant shall provide infiltration test results in accordance with Appendix D of the NYS Stormwater Design manual to verify the infiltration rate utilized in the model.

Response: Two infiltration tests were performed within the proposed stormwater management area in accordance with Appendix D of the NYS Stormwater Management Design Manual. The stabilized infiltration rates were measured at 286 and 171 inches per hour. To provide a conservative design, an infiltration rate of 10 inches per hour was used in the HydroCAD model and basin design calculations. The infiltration test and test pit results are included in Section 6 of the SWPPP.

DECOMMISSIONING PLAN

8. The decommissioning cost estimate appears to be based on generalized NYSERDA cost factor and comparable project rather than a project-specific estimate prepared by a qualified professional engineer. The applicant shall provide a detailed estimate of decommissioning costs based on the proposed facility layout, equipment, access roads, fencing, electrical infrastructure and site restoration requirements. Applicant shall resubmit Decommissioning Plan that includes project specific estimate when available.

Response: The Decommissioning Plan has been revised to include a detailed project specific cost estimate prepared by a qualified professional engineer. The estimate accounts for the proposed facility layout, equipment, access roads, fencing, electrical infrastructure, and site restoration requirements.

If you have any questions or require additional information, please don't hesitate to contact me.

Regards,
Environmental Design Partnership,



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