

Late Breaking Memos



TOWN OF NEW CASTLE

Greeley Avenue, Chappaqua, New York 10514 • Ph. (914) 238-4724 • Fax (914) 238-5177

Development Department

MEMORANDUM

Director of Planning
Sabrina D. Charney Hull, AICP

TO: New Castle Town Board

Town Engineer
Robert J. Cioli, P.E.

FROM: Sabrina D. Charney Hull, AICP, Director of Planning
Robert Cioli, P.E., Town Engineer

Building Inspector
Tom DePole III

NOV 14 2022

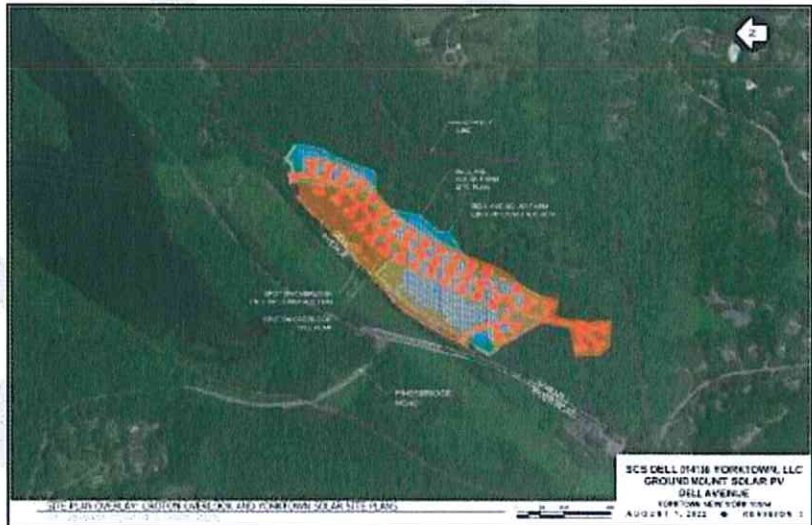
Dennis Corelli, PWS, Environmental Coordinator
Kellan D. Cantrell, Assistant Planner

Environmental Coordinator
Dennis Corelli, PWS

DATE: November 14, 2022

SUBJECT: UPDATED Town of Yorktown-Dell Avenue Solar Project

We have received a [new submission](#) from the Town of Yorktown in regards to the Dell Avenue Solar Farm project, which will be before the Yorktown Planning Board for a public hearing November 14, 2022. Town professional staff have reviewed this submission and would like to update the Town Board on the status of this project. For your convenience the previous memorandum regarding this project, dated August 1, 2022, is also attached. The Applicant, Solsystems, has submitted a visual analysis that failed to consider any properties in the Town of New Castle, see comment 5 in the attached memorandum. In particular, the Random Farms neighborhood, which is roughly 300ft from the closest proposed solar array, was not considered in the submitted visual analysis. The Development Department has requested the Yorktown Town Engineer's office provide comments to the Town of New Castle Town Engineer for review regarding the Stormwater Pollution Prevention Plan ("SWPPP").



Town staff will continue to review this project as information becomes available and is forwarded to the Town of New Castle.

Cc: Jill Simon Shapiro, Town Administrator
Edward Philips, Esq., Town Board Counsel
Tiffany White, Assistant to the Town Administrator
Christina Papes, Town Clerk
Random Farms Homeowner's Association
John A. Tegeger, R.A., Director of Planning, Town of Yorktown Planning Department
Robyn A. Steinberg, AICP, CPESC, Town of Yorktown Planning Department



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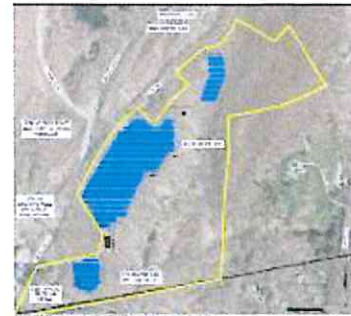
TO: New Castle Town Board

FROM: Sabrina D. Charney Hull, AICP, Director of Planning
Robert Cioli, P.E., Town Engineer
Dennis Corelli, PWS, Environmental Coordinator
Tom DePole, Building Inspector

DATE: August 1, 2022

SUBJECT: Town of Yorktown-Dell Avenue Solar Project

In May 2021 the New Castle Town Board received and commented on information from the Town of Yorktown Planning Board regarding installation of a 3,625KWac fixed tilt ground mount solar array plus a 3.743MW/~15MWh (4hr) battery energy storage system (Tier 2) at a property known as Dell Avenue within the Town of Yorktown, adjacent to the northern boundary of the Town of New Castle and south of the New Croton Reservoir. The Town of Yorktown has classified this project as a Type I Action in accordance with the New York State Environmental Quality Review Act (SEQRA), which will require the development of an Environmental Impact Statement (EIS). Most recently we received revised application information and reviewed the information in relation to impacts on the Town of New Castle.



For the Town Boards information, the project is proposed on a 62.3 Acre property located between Dell Avenue and Hog Hill Road in Yorktown which is to the east and just north of the Saw Mill River Road (Route 100) and Pines Bridge Road (Route 133) intersection. In New Castle, the closest land development would be the Random Farms Conservation Subdivision. As per the submitted information, the project proposes to disturb 14.1 acres of forest land mainly in the portion of the property alongside Dell Avenue. The figure to the right demonstrates the proposed solar array in blue. Per the submitted information, the project site contains wetlands and is home to the bald eagle.

Our office has reviewed the following information and below you will find comments based on our review:

1. Tree Clearing-The applicant has provided information and it was reviewed by the Environmental Coordinator. There are no anticipated impacts to the Town of New Castle.
2. Site Grading- The Town Engineer has reviewed this information and there is no impact to the Town of New Castle.
3. Stormwater Pollution Prevention Plan ("SWPPP") - The Town Engineer has reviewed the latest revised site plan and existing topography relative to the Town of New Castle and has preliminarily found that the stormwater impacts to the Town from the proposed development would be minor in nature. However, prior to a final determination is made by the Town Engineer, the Town Engineer would like to review the submitted Stormwater Pollution Prevention Plan ("SWPPP") as required by the Town of Yorktown Town Code and the NYC DEP for the SWPPP under Subsection 18-39 (Stormwater Pollution Prevention Plans and Impervious Surfaces) of the New York City Rules and Regulations.
4. Fire and Safety protocols regarding the Tier 2 Battery Energy Storage System- The Building Inspector has spoken with a representative of the Millwood Fire Department who assured him that they are aware

of the project and have been in conversation with the Yorktown Fire Department in response to mutual aid.

5. Viewshed impacts, particularly as it may relate to the Random Farms properties- Information was contained on the site plan in regards to a viewshed analysis. No properties in New Castle were included in this analysis and it appears, based on measurement, that several homes in the Random Farms Subdivision will have views of the solar array through the forested wetland. This wetland contains open areas whereby site lines directly onto the facility can be articulated. The Applicant should address this and provide screening to ensure that these homeowners are screened from the facility. The Applicant and/or the Town of Yorktown should reach out to the Random Farms Homeowners Association, who are copied below.

Town staff will continue to review this project as information becomes available and is forwarded to the Town of New Castle.

Cc: Jill Simon Shapiro, Town Administrator
Edward Philips, Esq., Town Board Counsel
Tiffany White, Assistant to the Town Administrator
Christina Papes, Town Clerk
Random Farms Homeowner's Association
Robyn A. Steinberg, AICP, CPESC, Town of Yorktown Planning Department



Town of Yorktown www.yorktownny.org

RECEIVED
PLANNING DEPARTMENT

NOV 14 2022

TOWN OF YORKTOWN

Building Department

Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598
Tel. (914) 962-5722 ext.254 Fax (914) 962-1731

MEMORANDUM

Edward Kolisz, Assistant Building Inspector

Telephone (914) 962 5722 ext. 254

Email: ekolisz@yorktownny.org

Office hours: Weekdays 9:00-10:00 a.m., 3:30-5:00 p.m.

TO: Planning Board, Town of Yorktown
From: Edward Kolisz, Assistant Building & Fire Inspector
Re: Dorchester Glen Subdivision
Date: November 14, 2022

I have reviewed the current plan for the Dorchester Glen Subdivision. At this time I have the following comments. Please contact me with any questions.

- The fire department would like to see the circle free of any plantings in the middle. A decorative center hardscape with a mountable curb would be fine.
- As per past practice, two feet on both sides of the driveways should be compacted to avoid vehicles sinking in the grass.

NOV 14 2022

TOWN OF YORKTOWN

Chairman
Matthew Talbert
Vice Chairman
Patrick J. Cumiskey

Memorandum

TO: Yorktown Planning Board

FROM: Yorktown Parks & Recreation Commission

DATE: Monday, November 14, 2022

SUBJECT: Dorchester Glen Subdivision

Thank you for including the Yorktown Parks & Recreation Commission (YPRC) on your ongoing discussions related to the possible inclusion of open space and a portion of a new trail for recreational purposes in lieu of the previously approved Recreational Fee associated with the Dorchester Glen Subdivision. The YPRC respectfully requests that the Planning Board stay the course with the inclusion of the Recreation Fee as opposed to accepting the land dedication for recreational purposes for the following reasons:

First and foremost, the current inventory of parkland throughout the Town of Yorktown is more extensive than the limited resources of the Parks Department, even with regular assistance from the Highway Department, can currently maintain. Adding more of a burden to these strained resources is not something that should be entertained at this time. In many cases our current park assets are in a significant state of disrepair due to the lack of available maintenance and repair resources, and the additional Recreational Fees going to the Trust and Agency account are the sole means for which the YPRC can effectuate repairs and/or upgrades.

Secondly, based on the conversations had during the site visit conducted on Sunday, November 13, 2022, it was made clear that the utility of the proposed trail is contingent upon a number of factors that neither the Planning Board nor the YPRC can control. For example, the applicant recognized that the adjacent properties, owned by others, would need to both decide to propose their own subdivision, as well as agree to donate some of their land as part of the recreational obligation to continue this trail. There is no guarantee in that happening, or time frame in which it could happen. That would equate to the Dorchester Glen proposal being a "trail to nowhere" for an undetermined amount of time since the access would be extremely limited and the bordering property restrictions. In addition to this, based on the YPRC experience with introducing a trail on existing parkland at Tall Timbers in Mohegan Lake, where there was very strong and loud opposition to the new trail development from several members of the local community, there exists a very real potential that the adjacent community may not want and oppose such a trail adjacent to their homes. Without having such input from the adjacent homeowners at this time, there exists the potential that no recreational purpose could ever become of this land dedication.

Lastly, there is another avenue with which the Town of Yorktown can obtain Open Space property now or in the future, specifically the annual tax levy of \$30 per parcel and the Open Space Trust account. Should the adjacent property owners eventually decide to subdivide their properties, and the adjacent community welcome such a trail being constructed, the Town could use these funds to then purchase the proposed land dedication from the applicant as it was evident from the site visit that this property is not viable for future development and will remain with the applicant if the Recreation Fee is decided upon by the Planning Board.

In summary, the YPRC has been struggling of late with the need to “triage” the plethora of issues we have with some of our park assets, and at our monthly meetings we remind the public that we are charged with utilizing our resources to do the “greater good” for the whole of the Yorktown’s citizens. Any little bit of Trust and Agency funds collected only helps us towards that goal, which is why we have asked the Planning Board to restrict the acceptance of future land dedication as to not create a further burden on our limited resources and/or create more liabilities for the Town of Yorktown. For the reasons stated above, we ask that Planning Board not accept this land dedication and instead require the payment of the Recreational Fee for this subdivision.

The PRC looks forward to continuing to work collaboratively together with the Planning Board towards all citizens’ continued enjoyment of Yorktown’s incredible Parks and Recreation resources.

Respectfully,

Matthew Talbert

Matthew Talbert
Chairman

Patrick J. Cumiskey

Patrick J. Cumiskey
Vice Chairman