

December 6, 2021

Mr. John Tegeder
Director of Planning
Town of Yorktown
Albert A. Capellini Community and Cultural Center
1974 Commerce Street
Yorktown Heights, New York 10598

Re: Response to Outside Consultant Environmental Review Comment Letter
Con Edison Clean Energy Business, Inc.
Yorktown A Solar Project
3849 Foothill Street
Yorktown, New York

Subj: Response to Bergmann Response to Comment Letter
File: 2478.001.001

Dear Mr. Tegeder and Members of the Planning Board:

Barton & Loguidice, D.P.C. (B&L), has completed our review of Bergmann's response to our initial Environmental Review for the above referenced community solar project. B&L has received the following revised/resubmitted documents in support of Bergmann's response letter:

- The Response to Outside Consultant Environmental Review Comment Letter, Dated November 23, 2021
- The Full Environmental Assessment Form, revised November 23, 2021
- The Operational Noise Levels from the Yorktown A Solar Project, dated June 25, 2021
- The Yorktown A Solar Farm Site Plans, revised November 22, 2021
- Wetland and Aquatic Resources Delineation Report, revised November 22, 2021
- Response to Comment Concerning Noise Levels on the Wellness Trail due to the Yorktown A Solar Farm in the Town of Yorktown, NY, dated November 24, 2021
- Equipment Specification Data, undated
- Letter from the New York State Historic Preservation Office (SHPO), dated May 21, 2018
- Slope Heat Map Exhibit, dated November 22, 2021
- The Determination of No Hazard to Air Navigation from the Federal Aviation Administration (FAA), dated September 11, 2017

B&L is pleased with the resubmission materials that Bergmann has submitted in response to our initial environmental review. B&L offers the following comments to their responses for clarification and finalization:

Part 1 of the Long Form EAF

1. Item 10: In regards to section D.1.g.i., the total number of structures is listed as “0.07±”. This is unclear. Total number of structures should refer to the total number of solar mounts (i.e. a whole number). If you would like to refer to the number of structures as an area, please provide units.

Glare Analysis

1. The applicant filed with the FAA and received a Determination of No Hazard to Air Navigation on 09/11/2017. Within this letter, it states that the determination expires on 03/11/2019 unless:
 - a. The construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
 - b. Extended, revised, or terminated by the issuing office.
 - c. The construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

Please confirm that any of these requirements have been met and therefore the determination is still valid, and/or file with the FAA again for an updated determination.

Permitting Site Plans

1. Item 17: The site plans have been adjusted to provide the sight distances, however both sight distances are noted as “Sight Distance to the Right:” Please clarify that the Sight distance of 431’ should be denoted as “Sight Distance to the Left: 431’±”

Additional Information and Anticipated Permits/Coordination

1. Item 5: B&L has not received the letter from the Mohegan Volunteer Fire Department acknowledging receipt of the plans and verifying approval of proposed access for fire and emergency vehicles. Please ensure that has been completed and will be submitted along with final application.

B&L is satisfied with the revised and resubmitted documents that we have received and are in approval of this application once the above items have been addressed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

BARTON & LOGUIDICE, D.P.C.



Leigh G. Jones, PLA
Project Manager

NN/LGJ