

December 16, 2021

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PLANNING DEPARTMENT

DEC 27 2021

TOWN OF YORKTOWN

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

Re: Response to Outside Consultant Environmental Review Comment Letter  
Con Edison Clean Energy Businesses, Inc.  
Yorktown A Solar Project  
3849 Foothill Street  
Yorktown, New York  
File #: 2478.001.001

Dear Mr. Tegeder;

This letter is provided in response to a comment letter prepared by Leigh Jones, PLA from Barton & Loguidice regarding the Project dated, December 6, 2021. On behalf of Con Edison Clean Energy Businesses, Inc. (ConEd CEB), enclosed please find an updated submission for the Yorktown A Solar Project (Project) for your review which includes the following:

- Eight (8) copies of the Site Plan Set
- Eight (8) copies of the Full Environmental Assessment Form (FEAF)
- Eight (8) copies of the Letter to the Town of Yorktown Fire Inspector
- Eight (8) copies of the FAA Status email

Provided below are the comments from the letter followed by our responses in bold.

**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 unit?

**In section D.1.g.i, the total number of structures has been updated to 5,994 solar modules.**

**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.

As noted in the Barton & Loguidice letter, the Applicant filed with the FAA and received a Determination of No Hazard to Air Navigation on 9/11/2017, which would have expired on 3/11/2019 (Favorable Determinations are valid for 18 months) unless extended. At the Applicant's request, the FAA did extend the Favorable Determination through 4/27/2020, but the FAA can only grant a one-time extension, so the Favorable Determination expired on that date. As this project has been in the local permitting process for a number of years, the Applicant chose not to file for a new Determination from the FAA until the project was close to approval. Based upon the Barton & Loguidice letter, the Applicant did file with the FAA again on 12/8/2021, but, as is its practice, the FAA has advised to allow "a minimum of 45 days" to complete its review. See email from FAA attached. As the FAA has previously issued a Favorable Determination in connection with this project and none of the circumstances have changed since that Determination, it is reasonable to presume that another Favorable Determination will be issued upon completion of the FAA review. Accordingly, we respectfully suggest that, if a new Favorable Determination is not issued from the FAA by the date of the approval of this project, in its Resolution of approval for this project, the Planning Board include a Condition that, prior to being issued a Building Permit for this project, the Applicant shall provide evidence of an updated and currently valid Determination of No Hazard to Air Navigation from the FAA.

#### 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'±"

The Site Plans have been updated accordingly.

#### 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.

We apologize for the delay with regard to this item. While the Fire Department submitted a Memo with its comments to the Planning Board on 10/29/2021, we were not aware of it as the Planning Board did not provide a copy to us for response until 12/3/2021. In collaboration with David Raines, Manager of Environmental Health and Safety at Con Edison Clean Energy Businesses, we responded to Fire Inspector Kolisz's Memo on 12/15/2021, addressing each of the three matters set forth therein. A copy of our response is attached in this submission.



We believe that the responses provided above adequately addresses the comments from the letter. Should you have any questions or require additional information, do not hesitate to contact me at (518) 556-3631 or by email at [eredding@bergmannpc.com](mailto:eredding@bergmannpc.com).

Sincerely,

Eric Redding, PE, LEED AP  
DISCIPLINE LEADER, BERGMANN

cc Leigh G. Jones, PLA, Barton & Loguidice D.P.C



**Full Environmental Assessment Form  
Part 1 - Project and Setting**

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**Instructions for Completing Part 1**

TOWN OF YORKTOWN

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Yorktown A Solar Farm		
Project Location (describe, and attach a general location map): 3849 Foothill Street, Mohegan Lake, Westchester County, NY 10547		
Brief Description of Proposed Action (include purpose or need): The proposed project consists of a 16.0± acre community solar farm (Yorktown A). It will involve tree removal, the installation of ground mounted photovoltaic panels, battery storage, as well as the associated access road, electric utility upgrades, and perimeter fencing.		
Name of Applicant/Sponsor: Con Edison Clean Energy Businesses, Inc. c/o Joe Shanahan, Project Developer	Telephone: (978) 888-4088	E-Mail: ShanahanJ@conedceb.com
Address: 100 Summit Lake Drive		
City/PO: Valhalla	State: NY	Zip Code: 10595
Project Contact (if not same as sponsor; give name and title/role): Bergmann c/o Eric Redding, PE as Agent for Applicant	Telephone: (518) 556-3631	E-Mail: eredding@bergmannpc.com
Address: 2 Winners Circle, Suite 102		
City/PO: Albany	State: NY	Zip Code: 12205
Property Owner (if not same as sponsor): William Lockwood	Telephone: (914) 760-0817	E-Mail: bill0704@hotmail.com
Address: 50 Lockwood Drive		
City/PO: Cortlandt Manor	State: NY	Zip Code: 10567



**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board: Site Plan Approval; Special Use Permit; Tree Permit	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Conservation Board	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County: 239M Review	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - SPDES General Permit GP-0-20-001; SHPO - No Effect; NYSERDA - Incentives;	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	

### C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
R1-40 - One Family Residential
- b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No
- c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site?

### C.4. Existing community services.

- a. In what school district is the project site located? Lakeland Central School District
- b. What police or other public protection forces serve the project site?  
Yorktown Police Department
- c. Which fire protection and emergency medical services serve the project site?  
Yorktown Heights Fire Department
- d. What parks serve the project site?  
Blackberry Woods Park, Shrub Oak Park, Ivy Knolls Park

### D. Project Details

#### D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Community Solar Farm
- b. a. Total acreage of the site of the proposed action? 34.23± acres  
b. Total acreage to be physically disturbed? 16.00± acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 34.23± acres
- c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_
- d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_
- e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated 4  
• Anticipated commencement date of phase 1 (including demolition) March month 2022 year  
• Anticipated completion date of final phase July month 2022 year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

The project site is divided into phases to avoid disturbing more than 5 acres at a time. The construction of future phases depend on the stabilization of each phase as the project continues.



f. Does the project include new residential uses?  Yes  No

If Yes, show numbers of units proposed.

One Family      Two Family      Three Family      Multiple Family (four or more)

Initial Phase \_\_\_\_\_

At completion \_\_\_\_\_

of all phases \_\_\_\_\_

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures 5994 module

ii. Dimensions (in feet) of largest proposed structure: 10± height; 3.12± width; and 6.58± length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: Stormwater Detention

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Stormwater

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: 0.17 million gallons; surface area: 0.26 acres

v. Dimensions of the proposed dam or impounding structure: 2 ft height; varies length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Earth Fill

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): \_\_\_\_\_

• Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
\_\_\_\_\_



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

• Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

• Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

\_\_\_\_\_

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

\_\_\_\_\_

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

2,920± Square feet or 0.07± acres (impervious surface)

1,491,189± Square feet or 34.23± acres (parcel size)

- ii. Describe types of new point sources. \_\_\_\_\_

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Stormwater runoff will be directed to stormwater management facilities on site (detention ponds, bio-retention basin) and ultimately discharge to on and off site wetlands/streams.

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
On-site Federal wetland and Stream

- Will stormwater runoff flow to adjacent properties?  Yes  No

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

- ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7:00 a.m. - 6:00 p.m.</li> <li>• Saturday: _____ 7:00 a.m. - 6:00 p.m.</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A</li> <li>• Saturday: _____ N/A</li> <li>• Sunday: _____ N/A</li> <li>• Holidays: _____ N/A</li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 Noise levels will temporarily increase during construction due to construction equipment during the hours of 7:00 a.m. – 6:00 p.m., Monday – Saturday. Construction duration will not exceed 4 months. No significant impact with respect to noise is anticipated during operations. Work will conform to local noise ordinance.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Existing vegetation will remain around the boundary of the project site.

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)
- Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	0.07	+0.07
• Forested	32.40±	16.40±	-16.00±
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	15.76±	+15.76±
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.00	0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.66±	1.66±	0.00
• Wetlands (freshwater or tidal)	0.17±	0.17±	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: <u>Limited Use Pervious Gravel</u>	0.00	0.17±	+0.17±



c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain:

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
Putnam Valley Middle School, Putnam Valley High School

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_  
\_\_\_\_\_



v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >6.5± feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

ChB (HSG B)	73.3± %
ChE (HSG B)	17.2± %
SuB (HSG D)	6.6± %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ >6.5± feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	91.6 % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	8.4 % of site
<input type="checkbox"/> Poorly Drained	_____ % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	33 % of site
<input checked="" type="checkbox"/> 10-15%:	36 % of site
<input checked="" type="checkbox"/> 15% or greater:	31 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 864-614 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters Approximate Size 0.17± Acres
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:

i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 Various Migratory Birds \_\_\_\_\_  
 Typical Northeastern Wildlife \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Habitat for Indiana Bat (*Myotis Sodalis*) \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? 27.7 Acres  
 ii. Source(s) of soil rating(s): NRCS Web Soil Survey

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Taconic State Parkway

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Byway

iii. Distance between project and resource: 2.0± miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

#### F. Additional Information

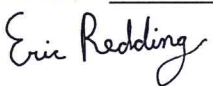
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

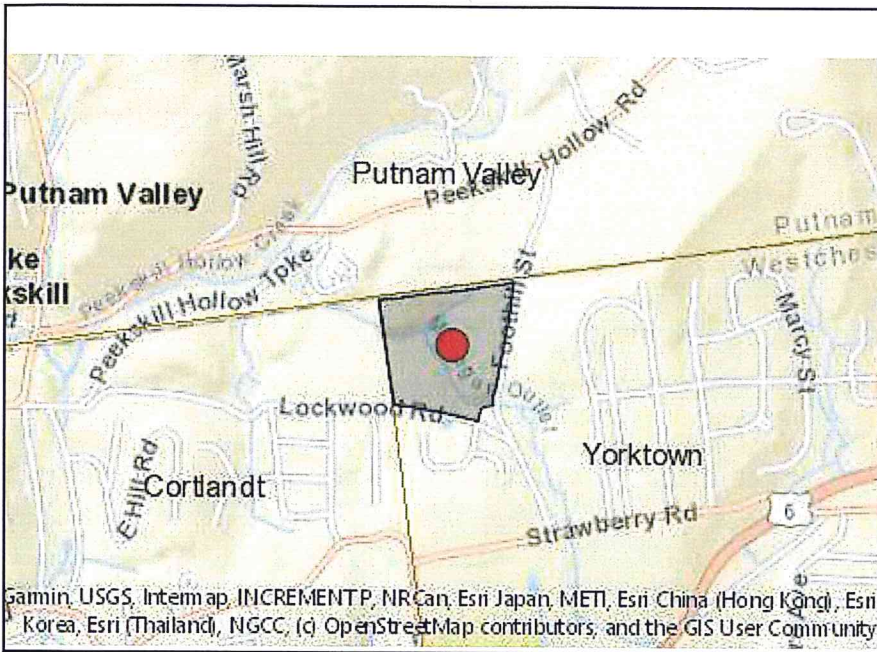
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Con Edison Clean Energy Businesses, Inc.  
c/o Joe Shanahan Date 12/20/2021

Signature  Bergmann c/o Eric Redding, PE  
as Agent for Applicant Title Discipline Leader

**PRINT FORM**





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-614
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	WEST001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



DEC 27 2021

TOWN OF YORKTOWN

December 15, 2021

Town of Yorktown  
Bureau of Fire Prevention  
Town Hall  
363 Underhill Avenue  
Yorktown Heights, NY 10598  
Attn: Edward Kolisz, Fire Inspector

Re: Solar Project – Foothill Street

Inspector Kolisz:

This is in response to your Memorandum dated October 29, 2021 to the Planning Board, Town of Yorktown, with regard to the subject solar project. I apologize for the delay in responding to you, but the Planning Department did not provide a copy of the Memorandum to me until December 3, 2021.

With regard to your comments:

- **Vehicle access to the remote areas of the site needs to be improved. The fire department wants emergency vehicle access to extend to within 300 feet of all panels.**

The submitted Site Plan provides an unobstructed Fire Access Road to the Gate. We have incorporated perimeter clearance allowing vehicular access around the entire perimeter of the project to support medical response and small utility type vehicles within the fenced array.

If the Town would like us to add a second gate to the project, for emergency access only, we are happy to do that and would suggest it be placed at the south end of the project.

In the event of a fire, electrical or brush, we would expect that the fire department would follow operating guidelines very similar to what it currently does in connection with any incident at a Utility Substation in the Town of Yorktown.

Upon substantial completion of the project, ConEdison Clean Energy will provide Emergency Response Guidelines and training to Yorktown, Police Fire and EMS. The ERGs include response to the following:

- Electrical Fires

All personnel MUST stage at gate and await CEB Site Personnel

- Water SHALL NOT be utilized to extinguish any electrical fire or energized equipment
- Water can be utilized for; brush fire or to wet down area around affected electrical equipment
- Dry chemical and/or CO2 extinguishers can be utilized under the direction of CEB Site Personnel
- Firefighters should stand by, maintain a safe distance and await direction from CEB Site Personnel

- Brush Fires

- Brush Fires within the site should be managed by creating fire breaks or fire lines to contain the spread of fire
- Water SHOULD NOT be utilized within the array unless an imminent life-threat exists
- Personnel should take great care in not coming into contact with any of the equipment within the solar array
- Brush Fires outside the fence line or located > 25ft from equipment can be managed utilizing standard practices including the use of water for extinguishment

- **Training:**

As we have done at so many of our projects throughout the country, proper training WILL be provided to the fire department. The site-specific training program will be developed collaboratively between CEB Manager of Environmental Health and Safety, David Raines, and representatives of the fire department. (I understand that you and David have worked together in the past during his time in a similar role at IBM in the Town of Yorktown.)

- **A lock box for fire access needs to be provided.**

As we do at ALL of our projects throughout the country, a Knox Box and Knox Lock on the gate will be provided. And, if a second gate is to be added, a Knox Box and Knox Lock will be added at that gate also.



If you have any questions or require additional information with regard to this matter, please do not hesitate to contact me.

If you feel a conference call or a meeting to discuss this matter would be beneficial, David Raines and I shall be happy accommodate you at your earliest convenience.

Your consideration is appreciated.

Regards,

*Joe Shanahan*

Project Developer

**Con Edison Clean Energy Businesses**

100 Summit Lake Drive

Valhalla, NY 10595

M: (978) 888-4088

E: [ShanahanJ@conedceb.com](mailto:ShanahanJ@conedceb.com)

W: [ConEdCEB.com](http://ConEdCEB.com)

DEC 27 2021

**Darbouze, Websly**

TOWN OF YORKTOWN

**From:** noreply@faa.gov  
**Sent:** Wednesday, December 8, 2021 10:51 AM  
**To:** Shanahan, Joseph  
**Subject:** <External Sender> Status of FAA Filing

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Your filing is assigned Aeronautical Study Number(s) (ASN): 2021-AEA-17307-OE, 2021-AEA-17308-OE, 2021-AEA-17310-OE, 2021-AEA-17309-OE.

To review your electronic record, go to our website [oeaaa.faa.gov](http://oeaaa.faa.gov) and select the Search Archives link to locate your case using the assigned Aeronautical Study Number (ASN).

The FAA verified your filing and an aeronautical study has been initiated. Please allow a minimum 45 days for the FAA to complete the study. Please refer to the assigned ASN on all future inquiries regarding this filing.

For Wind Turbine proposals only, please ensure Wind Turbine Data as described on the project summary page in your registered e-filing account has been uploaded to your filing.

*To ensure e-mail notifications are delivered to your inbox please add noreply@faa.gov to your address book. Notifications sent from this address are system generated FAA e-mails and replies to this address will NOT be read or forwarded for review. Each system generated e-mail will contain specific FAA contact information in the text of the message.*