

MAR 10 2022

TOWN OF YORKTOWN

MEMO

FROM: Joe Shanahan, Project Developer, Con Edison Clean Energy Businesses

TO: Richard Fon, Chairman, Planning Board, Town of Yorktown

SUBJECT: Proposed Solar Facility, 3849 Foothill Street
Final Mitigation Plan

DATE: March 10, 2022

On October 23, 2021, the Applicant/Developer submitted a proposed Mitigation Plan to the Planning Board pursuant to the Town's Tree Ordinance, Chapter 270 of the Town Code. That Plan has since been discussed and revised in response to comments made by the Tree Conservation Advisory Commission, the Conservation Board, the Planning Board and the Board's attorney. This Memo is intended to incorporate all of the elements of the proposed Mitigation Plan in one document for the Planning Board's consideration.

Payment into the Tree Bank Fund

In accordance with Chapter 270, the Applicant/Developer proposes to make a payment into the Tree Bank Fund of \$207,356. This amount was calculated as follows: 1658 trees to be removed @ \$100 (\$165,800) and the 15.90 acres of the 34.23-acre site to be disturbed @ \$300 for every 5,000 square feet (\$41,556) for a total of \$207,356.

Conservation Restriction on the Remaining 19 Acres

In response to concerns expressed that after the solar project is developed on the approximately 15-acre project site, the remaining approximately 19 acres of the 34-acre Lockwood parcel might still be developed for the installation of an additional solar project or a smaller version of one of the residential subdivisions which Mr. Lockwood has previously presented to the Town, Mr. Lockwood shall commit to enter upon a Conservation Restriction, or another restriction deemed acceptable to the Town, ensuring that the remaining 19 acres will NOT be developed, but left undisturbed and in its current natural state, for the life of the Lease for the solar project.

Plantings for Screening and Mitigation

The Applicant/Developer's proposal would leave undisturbed a 15-foot strip of existing vegetation along Foothill Street and further enhance that natural buffer with an additional 212 plantings, installed at a cost of \$160,000, to enhance the natural screening and in mitigation for the trees removed for the project.

Pollinator Habitat

Almost all of the 15.90 acres disturbed to develop the solar project will be returned to grass and meadow, using a pollinator seed and/or plantings, as suggested by a Certified Ecological Restoration Practitioner with whom the Applicant/Developer has previously consulted. The resulting much-needed pollinator habitat will provide valuable ecosystem services and positive climate impacts.

Pollution and the Greenhouse Gas Effect

While the development of the Lockwood parcel for any other use would result in vehicular traffic which would introduce fuel, oil, grease, road salt and other pollutants to the watershed and emissions which produce harmful greenhouse gases, the proposed solar project would not result in such pollutants nor produce air pollution, but would have a positive, indirect effect on the environment as solar energy replaces or reduces the use of other energy sources that have larger effects on the environment. This one 1.87 MW AC solar project would offset 2,214 metric tons of carbon dioxide (CO₂) during its lifetime which is the equivalent of offsetting 478 passenger vehicles driven for one year or 5,494,911 miles driven by an average passenger vehicle. By comparison, the trees currently on the site which are to be removed for the solar project would sequester less than 1% of that amount of carbon dioxide during the same period.

PILOT Agreement

In addition to the proposed payment into the Tree Bank Fund (\$207,356), the Applicant/Developer has proposed entering upon a PILOT (Payment In Lieu Of Taxes) Agreement with the Town whereby it would pay the Town approximately \$20,757 per year in connection with the solar project, based upon a rate of \$11,100 per MW AC for this approximately 1.87 MW AC project. This would represent payments totaling approximately \$311,355 to the Town over the term of the PILOT Agreement, providing a great tax benefit without placing any burden on Town resources or services as such projects do not use sewer or water, require trash pick-up or police or fire response and, most importantly, do not put any additional children in the school system. As a result, all of this additional revenue can be used for enhancing Town programs and/or infrastructure improvements ... or to lower the tax burden for residents.