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June 23, 2020

***VIA ELECTRONIC MAIL & FEDERAL EXPRESS***

Town Board and Planning Board  
Town of Cortlandt  
1 Heady Street  
Cortlandt Manor, New York 10567



Attention: Chris Kehoe, AICP—[chrisk@townofcortlandt.com](mailto:chrisk@townofcortlandt.com)

**RE: Application for the Necessary Zoning Approvals from the Town of Cortlandt Town Board by CVE North America to Construct and Operate a Solar Energy Production Facility on two (2) parcels of property: one parcel located west of Lexington Avenue (Tax Parcel No. 13.18-2-2.4) and a second parcel located off Red Mill Road (Tax Parcel No. 13.14-5-25) in the Town of Cortlandt, County of Westchester, State of New York (the “Project”).**

Dear Members of the Town Board and Planning Board:

CVE North America, Inc., the contract vendee of the subject property (“CVE” or the “Applicant”) proposes to construct and operate a solar energy production facility (the “Project”) on two (2) parcels of real property: the first parcel located west of Lexington Avenue (Tax Parcel No. 13.18-2-2.4) and the second parcel located off Red Mill Road (Tax Parcel No. 13.14-5-25) (collectively, the “Site”) in the Town of Cortlandt (the “Town”). The Project is intended to generate and deliver renewable electric energy to the Cortlandt community and for the public benefit, generally.

The Site consists of approximately 43.12± acres of long-vacant forested land. The Project will consist of a 3MW (AC) ground mounted solar array and associated electric interconnection infrastructure connecting to Con Edison’s power grid, all as shown on the enclosed conceptual site plan prepared by TRC Engineers, Inc. (“TRC”), dated June 2020 (the “Site Plan”).

The Site is located both in the Town’s R-40 zoning district. Solar Energy Systems are a permitted in the R-40 zoning district by special permit. As such, the Project will require a special permit, as well as a setback waiver, steep slope permit and tree cutting permit as applicable from the Town Board (see Town of Cortlandt Code (the “Code”) §§ 255-8(A); 255-

8(A)(9); 255-8(A)(10)(b)(2); 259-4(b); and 283-3(A)). In addition, site development plan approval is required from the Planning Board. (see Code § 307-66(A)).

Accordingly, please accept the following exhibits and enclosures as CVE's application for the required special permit, setback waiver, steep slope permit, tree cutting permit from the Town Board and site development plan approval from the Planning Board (as well as any other zoning approvals that may be required to construct and operate the Project):

- Exhibit A: Completed Town application forms;
- Exhibit B: Completed landowner proxy statements;
- Exhibit C: Project description, including proof of need and applicable legal standards;
- Exhibit D: Proof of compliance with the Town's Solar Energy Systems Law set forth in Code §§ 255-1 et seq.;
- Exhibit E: Proof of compliance with the Town's special permit standards set forth in §§ 307-40 – 307-44 and §307-58 of the Code;
- Exhibit F: Proof of compliance with the Town's site development plan approval law as set forth in §§ 307-66 et seq. of the Code;
- Exhibit G: Proof of compliance with the Town's Steep Slopes Ordinance as set forth in § 259-1 et seq. of the Code;
- Exhibit H: 11" x 17" copy of the Site Plan;
- Exhibit I: Completed Long Form Environmental Assessment Form ("EAF");
- Exhibit J: Digital file containing the SEQR Supplemental Information report, the stormwater pollution prevention plan ("SWPPP") and the Site Plan;
- Exhibit K: NYS OPRHP determination; and
- Exhibit L: Current deeds and land purchase agreements (and addendums thereto) for the parcels of real property comprising the Site.

- Two (2) copies of this application booklet;
- Two (2) full-size copies of the Site Plan;
- Two (2) hard copies of the SEQR Supplemental Information Report;
- One (1) hard copy of the SWPPP;
- Ten (10) additional 11" x 17" copies of the Site Plan;
- Ten (10) additional copies of the EAF; and

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- Two (2) checks payable to the Town of Cortlandt: \$7,500.00 for the required application fee (\$2,500.00 per MW) and \$15,000.00 for the required escrow fee to cover the Town's costs for third-party consultant review of the Application.

We respectfully request the Application be placed on the Planning Board's July 7, 2020 meeting agenda. Do not hesitate to contact me if you have any questions or if you require any additional information prior to the meeting.

Thank you.

Very truly yours,

Jared C. Lusk

cc: Carson Weinand  
Steven Meersma  
Laura Lefebvre  
Mehul Dalal  
Robert J. Brenner, Esq.