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July 17, 2019

By Hand Delivery

Honorable Loretta Taylor, Chairperson
and Members of the Planning Board
Town of Cortlandt
1 Heady Street
Cortlandt Manor, New York 10567

Re: Application of CVE North America for Site Plan Approval of a Tier 3 Solar Energy System at the Property Designated on the Town of Cortlandt Tax Map as Section 24.6, Block 1, Lot 30.

Dear Chairperson Taylor and Members of the Planning Board:

This firm represents CVE North America (the “Applicant”) in connection with the proposed installation of a Tier 3 Solar Energy System at the vacant property located on East Main Street (U.S. Route 6) which is designated on the tax assessment map of the Town of Cortlandt as Section 24.6, Block 1, Lot 30 (the “Property”). On behalf of the Applicant and pursuant to Sections 255-8, 283 and 259 of the Town Code of the Town of Cortlandt (the “Town Code”) and Section 307-66 of the Zoning Ordinance of the Town of Cortlandt (the “Zoning Ordinance”), we respectfully submit the enclosed application for site plan approval, a tree removal permit and a steep slopes permit for the installation at the Property of a Tier 3 solar energy system (the “Project”).

The Applicant and the Property

The Applicant is a subsidiary of Cap Vert Energie, SAS, an independent power producer with 208 megawatts of solar energy in operation and under construction in the United States, Chile and Europe. Unlike other solar energy companies, the Applicant develops, finances, builds and manages its solar energy systems. The Applicant has been operating in the United States since 2017, and its domestic portfolio includes seven (7) projects in Massachusetts. The Applicant is a NY Sun approved commercial and industrial contractor and has over 50 megawatts of solar energy projects in development.

The Applicant is seeking approval from the Planning Board to install a ground-mounted Tier 3 solar energy system at the Property. The Property is located on the north side of East Main Street, approximately 800 feet from the intersection of East Main Street and Lexington Avenue. The Property is approximately 28.77 acres and is within both the R-40 Single-family Residential District (the "R-40 District") and the HC Highway Commercial District (the "HC District") of the Town.

The Application

The Project consists of the installation of 3,368 ground-mounted solar panels, which will generate – 1.35 megawatts of power. The solar panels will be approximately 6.42 feet high and will be installed in an approximately 170,041 square foot (3.90 acres) portion of the Property that is located entirely within the HC District. The Project is a permitted principal use in the HC District, subject to a special permit from the Town Board (See Town Code Section 255-8A).

As shown on the enclosed drawings, to avoid any disturbance to an on-site wetland buffer, the solar panels are proposed to be located approximately 36 feet from the front property line along East Main Street. The Applicant will, in conjunction with its application to the Town Board for special permit approval, request relief from the 100 foot minimum setback for a Tier 3 system required by Town Code Section 255-8A(10)(b)[1].¹ The Project complies in all other respects with the requirements for a Tier 3 solar energy system.

In addition, the Applicant is requesting a tree removal permit and steep slopes permit from the Planning Board pursuant to Town Code Sections 283-5(B) and 259-5(B), respectively. The Applicant is proposing to remove 609 trees from the Property. Pursuant to Town Code Section 283-3(C)(3)(d)[3], the Applicant is required to replant 961 trees. In lieu of replanting, the Applicant is requesting to make a contribution to the Town tree mitigation fund, in an amount to be calculated by the Town. Tree removal will comply with Town requirements and the Applicant will adhere to seasonal clearing restrictions to avoid potential impacts to Northern Long Eared Bat and Indiana Bat habitats. As shown on the enclosed Drawing No. SK-103, a steep slopes permit is required for disturbance to approximately 3.30 acres of slopes between 0 and 25 percent and 0.60 acres of steep slopes greater than 25 percent.

Finally, it should be noted that the Applicant proposes to grant the Town a 20-foot utility easement along East Main Street.

Related Approval

As discussed above, the Project also requires special permit approval from the Town Board pursuant to Town Code Section 255-8A. The Applicant will make the application to the Town Board in due course.

¹ The proposed setback is 6 feet greater than the 30 foot minimum front yard setback otherwise required in the HC District.

Required Submissions

In accordance with the requirements of the Planning Board, and in support of our application, we respectfully submit the following:

1. Twelve (12) copies of the completed Application Form;
2. Twelve (12) sets of the plans for the Project sized 11” x 17” and two (2) sets of full-size plans consisting of the following drawings:

Drawing Number	Title	Prepared By	Date or Last Revised
SK-100	Cover Sheet	Tectonic Engineering & Surveying Consultants, P.C. (“Tectonic”)	7/10/2019
SK-101	Adjoiners List, Zoning Table, Legend & Notes	Tectonic	7/10/2019
SK-102	Advanced Concept Plan	Tectonic	7/10/2019
SK-103	Wetlands & Steep Slopes Map	Tectonic	7/10/2019
SK-104	Wetlands & Steep Slopes Map	Tectonic	7/10/2019

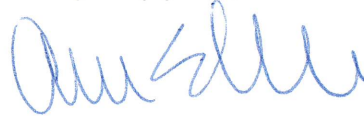
3. Twelve (12) copies of the completed Environmental Assessment Form, dated July 16, 2019;
4. One (1) copy of the Owner Authorization;
5. Two (2) copies of the Recent Property Survey;
6. Two (2) copies of photographs of the Property; and
7. A check in the amount of \$400.00 made payable to the Town of Cortlandt representing the application fee.

Conclusion

We respectfully request that this application be placed on the July 23, 2019 agenda of the Planning Board for commencement of review, including under the State Environmental Quality Review Act. In the interim, please do not hesitate to contact me if you have any questions or if you need any additional information.

Thank you for your consideration. We look forward to meeting with the Board next week.

Very truly yours,



ANNE E. KLINE

Enclosures

cc: Alex Fox, CVE
Travis Scott, CVE
Louis Greco, Tectonic
Mark P. Weingarten, Esq.