



**Westchester County Planning Board Referral Review**  
 Pursuant to Section 239 L, M and N of the General Municipal Law and  
 Section 277.61 of the County Administrative Code

Copies ..... 8 ..... Planning Board



- ..... Legal Dept.
- ..... DOTS Director
- ..... C.A.C.
- ..... A.R.C.
- ..... Applicant
- ..... Jared Lusk, Esq.
- ..... TMC

George Latimer  
 County Executive

June 25, 2021

Chris Kehoe, Deputy Planning Director  
 Cortlandt Town Hall  
 1 Heady Street  
 Cortlandt Manor, NY 10567-1254

**County Planning Board Referral File CTD 21-002 – Cortlandt Mills Solar Farm**  
**Mill Court (3479 Lexington Avenue)**  
**Site Plan and Special Use Permit** 6/28/21

Dear Mr. Kehoe:

The Westchester County Planning Board has received a site plan (revised March, 2021) and related materials for a proposed solar farm to be located on a 43.12-acre site located at the end of Mill Court (a/k/a 3479 Lexington Avenue) (SBLs 13.18-2-2.4 & 13.14-5-25). The two properties are currently undeveloped woodland.

The proposed solar farm would occupy approximately 16.31 acres of the site, with the remainder left undeveloped. Alongside the solar array, a battery energy storage system is to be installed, facilitating the electrical services of the site. Access to the site would be provided through a new driveway connecting to the dead-end of Mill Court. Underground electrical transmission wires are proposed to lead from the new solar farm to the existing transmission line on Red Mill Road, but no access is proposed from that street.

We have reviewed the site plan under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comment:

**1. Tree removal.**

Mill Court and the surrounding area have a wooded character, which could be compromised by the proposed solar farm. We note that the applicant has included a tree preservation and reforestation plan, stating that 3,396 trees are to be removed from the site. A landscaping plan establishes that 302 trees and other greenery would be planted to partially offset the tree removal, but 537 additional trees would need to be planted to fulfill removal requirements. The applicant states these trees would be planted after the decommissioning of the solar farm.

In the past year, we have received several solar farm applications proposed throughout the county due to the recent adoption of solar regulations in a number of municipalities. While the Town has robust tree removal regulations, we question if 841 trees is the correct total number of replacement plantings required for the removal of 3,396 trees. Our understanding of the Town's regulations is that protected trees must be replaced by 1.5 times the number of removed trees, and by 2 times the number of removed trees on steep slopes. While we are generally supportive of adding more solar power to our region's

energy grid, such installations should balance the expense of other environmental factors, such as the carbon-negative impact of deforestation. We encourage the Town to consider deforestation impacts as solar farm development applications continue to be considered, and to work with the applicant to clarify the required number of replacement trees.

Please inform us of the Town's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By: 

Norma V. Drummond  
Commissioner

NVD/MV