

To Yorktown Town Board, Town Clerk, Town Attorney

January 20, 2026

The Climate Smart Communities Task Force ("CSCTF") for the Town of Yorktown reviewed the latest proposed changes to Zoning Section 300-81-4 Solar power generation systems and facilities and offers the following comments:

- Section B. Statement of purpose and intent (5). The code currently states: "As such, the Town, in guiding the development of solar installations, will prioritize their placement first on agricultural or greenfield properties in areas that are presently cleared, second on commercial properties over roofs and parking areas, and third, on vacant parcels that are currently in a naturalized state." The proposed code simply states: "As such, the Town, in guiding the development of solar installations, will prioritize their placement on commercial properties over roofs and parking areas."

The CSCTF urges the Town Board to **exclude Yorktown's farms from the ban on large-scale solar in residential districts**. Allowing our small family farms to install large-scale solar is a win-win, as it can enable generation of much-needed renewable power into the grid while providing a reliable source of income to the farm. The size and topography of most farms typically result in solar installations that are not visible to most residents and neighboring properties.

- Section C Definitions. "SCREEN, SCREENING --- Measures such as landscape vegetation, fencing, earth berms and any other materials or methods used to reduce or eliminate the ability to view or see solar panels and their supporting structures, accessory or supporting equipment."

The placement of this definition should appear before SMALL-SCALE SOLAR ENERGY SYSTEM, rather than after. Just an error in alphabetizing.

- Section E. Small-scale solar energy system as an accessory use or structure. Section E. (3) c. The CSCTF **opposes the removal of the sentence**: "The Planning Board, in its discretion, may increase the allowable lot coverage, if the applicant can demonstrate that there are no adverse impacts to the surrounding neighbors and community character."

The addition of "the areas between panels and any related equipment" is also too restrictive. Each property is unique and the Planning Board should be able to apply their expertise in evaluating and guiding the property owner regarding each application for residential, personal use solar installations.

- Section E. Small-scale solar energy system as an accessory use or structure. Section E. (3) e. The CSCTF **supports the addition of the sentence**: "The Planning Board may require

substantially mature screening as appropriate in its discretion.” This further helps to address resident’s and neighbor’s concerns about insufficient screening.

- Section F Approval standards for large-scale solar systems. Subsection(1) currently states: “Large-scale solar energy systems are permitted through the issuance of a special use permit within all zoning districts, subject to the requirements set forth in this section, including site plan approval. “

The proposed change states: “Large-scale solar energy systems are prohibited in residential districts, but permitted through the issuance of a special use permit within all other zoning districts, subject to the requirements set forth in this section, including site plan approval.”

The CSCTF disagrees with the proposal in Draft law version 3 to prohibit the development of large scale ground mounted solar farms on **any residential property**. This effectively outlaws new large scale solar installations in Yorktown, depriving the rights of property owners to use their land in this way. Not all residential parcels are well suited for housing development; installing ground mounted solar in one or more of those carefully selected locations provides a renewable energy source, with little to no demand or impact on Town infrastructure, school enrollment, traffic, light pollution, etc. while providing wildlife corridors and pollinator plantings.

At a minimum the CSCTF urges the Town Board to **exclude Yorktown’s farms from the ban on large-scale solar in residential districts**. Allowing our small family farms to install large-scale solar is a win-win, as it can enable generation of much-needed renewable power into the grid while providing a reliable source of income to the farm. The size and topography of most farms typically result in solar installations that are not visible to most residents and neighboring properties.

- Section F Approval standards for large-scale solar systems. (3) Special use permit standards (a). Height and setback. The proposed change in the code mandates:

“Large-scale solar energy systems shall adhere to a minimum of a 150-foot setback requirement, which may be increased by the Planning Board as appropriate in its discretion. If the vertical elevation rises 50 feet or greater in the horizontal distance from the 150 feet setback line to 100 feet beyond the property line the required setback shall increase by a factor of two. The Planning Board can increase the minimum setback if they determine necessary to achieve the most effective visual screening or buffering.”

This language is repetitive and can be simplified to state:

“Large-scale solar energy systems shall adhere to a minimum of a 150-foot setback requirement. The Planning Board in its discretion can increase the minimum setback if they determine it is necessary to achieve the most effective visual screening or buffering.”

- Section F Approval standards for large-scale solar systems. (3) Special use permit standards (b).

Town code currently states (b) Lot size. “Large-scale energy systems shall be located on lots with a minimum lot size of five acres in residential zones. Lot size in nonresidential zones shall comply with the requirement in the underlying zone. [Amended 5-3-2022 by L.L. No. 5-2022]”

This is proposed to change to:

(b) Lot size. “Large-scale energy systems in nonresidential zones shall comply with the requirement in the underlying zone. “

As the CSCTF supports large scale solar permitting in residential areas, we believe **the current language** in the law is appropriate and clearer and **should be retained**.

- Section F Approval standards for large-scale solar systems. (3) Special use permit standards (C) Lot coverage.

The proposed change reduces the permitted lot coverage from 80% to 50%, without any distinction of whether the large scale solar energy system is or is not the principal use of the site. The CSCTF believes that the 50% limit is too restrictive, especially for a principal use project. We recommend inclusion of the sentence currently in place for small-scale solar energy systems above: “The Planning Board, in its discretion, may **increase the allowable lot coverage, if** the applicant can demonstrate that there are **no adverse impacts** to the surrounding neighbors and community character.”

- Section F Approval standards for large-scale solar systems. (3) Special use permit standards (g) Screening and buffering shall be required.

The CSCTF is in agreement with the proposed addition of this sentence in the proposed law: “The Planning Board may require substantially mature screening, as appropriate in its discretion.”

- Section G. Abandonment and decommissioning. (1)

The proposed changes strengthen the performance bond, **CSCTF supports that change.**

- New Section L. Grandfathering.

While the CSCTF recommends that the Town board continue to allow large scale solar energy systems in residential districts as we have outlined above, at a minimum, **we support the**

grandfathering of the projects proposed in special use permit applications for Jacob Road Solar and Dell Avenue (“Grandfathered Projects”), as detailed in the proposed language. Those may indeed be the last two large-scale solar energy projects permitted in Yorktown if the other proposed restrictions are enacted in the Code.

➤ *Renamed Section M. Applicability.* [Added 5-3-2022 by L.L. No. 5-2022]

This section of the current Code is missing from the proposed text and should be reinserted.

Respectfully submitted on behalf of the Climate Smart Communities Task Force,

Sarah Wilson, member