

May 29, 2025

Via Email

Hon. Ed Lachterman, Supervisor
and the Members of the Yorktown Town Board
Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598

Re: Proposed Local Law for Amendment to Chapter 300-81.4
Regarding Solar Power Generation Systems and Facilities

Dear Supervisor Lachterman and Members of the Town Board:

We write on behalf of Freestone Renewables (“Freestone”) in connection with the proposed amendment to Chapter 300-81.4 (“Solar Power Generation Systems and Facilities”). Specifically, we wish to address a question raised during the May 20th public hearing about whether power generated by large-scale ground mounted solar energy systems, such as the one proposed by Freestone, would actually be provided to Yorktown residents.

The answer to this question is yes. To be sure, please consider this letter confirmation that, should the Jacob Road Project be approved, Freestone commits to entering into an agreement with the Town through which Freestone would offer an exclusive enrollment opportunity to Yorktown residents and businesses for a 90-day period in advance of the general subscription open period. During this period, spots in the Community Solar program receiving electricity specifically from the Project – and the associated 5-20% discount on related electricity costs – would only be offered to Yorktown residents and businesses.

Based on our discussions with Sustainable Westchester, it appears that there is significant demand in Yorktown to opt in to the Community Solar program. There is a waitlist of at least 60 Yorktown residents seeking enrollment in the Community Solar program from Sustainable Westchester’s last enrollment campaign in 2023. These people have been waiting for two years for a new Community Solar project to come online. Thus, it is likely that should the Jacob Road Project move forward, a good portion of Freestone’s capacity will be allocated within days of the 90-day “Yorktown only” enrollment period opening. Freestone would also work with the appropriate parties during that 90-day period on a new campaign to try to enroll as many households and businesses in the Yorktown community as possible. We hope the Town will consider assisting Freestone in this campaign should it move forward.

To be clear, Freestone is not saying there is no possible scenario in which someone who lives in a neighboring town will ever receive electricity from the Jacob Road Project. If excess capacity remains after the 90-day “Yorktown only” enrollment period, unallocated electricity would go to users in the greater Con Edison Buchanan Network. We hope the Town Board can understand why this is necessary from a business perspective – *e.g.*, you would not expect a local restaurant owner to throw away uncooked food after a private event has ended instead of selling it to customers who come from a neighboring community to enjoy a meal in Yorktown.

Nonetheless, once the Project’s initial capacity is full, Freestone will agree to automatically place Yorktown residents at the top of the waitlist for an opportunity to enroll as soon as capacity becomes available. This added measure will ensure that Yorktown residents continue to have the proverbial “first bite at the apple” when electricity from Jacob Road is available.

Additionally, we understand there was a question about whether Freestone’s Project would include a battery storage component. Consistent with Town law, the Project would not include battery storage.

We thank the Board for its attention to Freestone’s comments. If you have any questions or require any additional information, please do not hesitate to contact us.

Respectfully Submitted,

ZARIN & STEINMETZ LLP

By: 

David J. Cooper
Jaclyn V. Cohen

Encls.

cc: Diana Quast, Town Clerk
Adam Rodriguez, Esq., Town Attorney
John A. Tegeder, R.A.
Robyn A. Steinberg, AICP, CPESC
Freestone Renewables