



Kenneth W. Jenkins
Westchester County Executive

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

September 23, 2025

Diana L. Quast, Town Clerk
Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598

County Planning Board Referral File YTN 25-008B – Solar Power Generation Zoning Text Amendment

Dear Ms. Quast:

The Westchester County Planning Board has received updated revisions of a proposed local law to amend the text of the Yorktown Zoning Ordinance to remove large-scale solar systems as a permitted use within the residential districts of the Town, and to reduce the permitted area of ground-mounted solar systems within nonresidential zones to below 50% of the lot inclusive of areas between panels, from 80% of the lot. Large-scale solar systems would continue to not be permitted as a principal use within nonresidential zones, however they would be permitted as part of a special permit for another primary use. Additionally, Setback requirements for small-scale ground-mounted solar systems would be increased to 30 feet within the R2, R1-10, R1-20, and R1-40 residential zones, or to 50 feet in the other residential zones. Heights for small-scale ground-mounted arrays would be reduced within the residential zones from 15 feet to 10 feet. Large-scale systems would require a 150-foot setback. Two specific pending applications, Jacob Road Solar and Dell Avenue, would be considered grandfathered into the new regulations under specific conditions.

We have no objection to the Yorktown Town Board assuming Lead Agency status for this review.

We have previously reviewed this matter 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 responded in a letter dated April 21, 2025. As we stated in our previous letter, we understand that the Town wishes to refocus the installation of large-scale solar arrays away from residential and woodland areas. However, we do not believe that a prohibition of large-scale solar systems within all the residential zones is appropriate. We note that there are many uses within the residential zones that may appropriately host a large-scale solar array, including school campuses, golf courses, institutional sites, or existing utility areas. We recommend that the proposed law permit these existing uses to establish solar arrays on their properties in a manner similar to the commercial zones.

We also again caution that continuing to require large-scale solar collection systems to be an accessory use within the commercial zones may impact the development of these important contributors to the State and County's transition to renewable energy sources, especially since they would not be permitted within the residential zones. By requiring solar farms to be accessory to another use, less buildable area on a site would be available for solar arrays, thus decreasing the potential output of any future solar farm. We note that the updated revisions include further constraints on the development of

solar systems, namely the new 150-foot setback requirement, and the inclusion of space between panels as part of maximum lot coverage. We again recommend that the Town study the possible effects of this proposed law on the fiscal viability of establishing solar farms, and consider whether increased environmental protections would provide a suitable check on inappropriate development as opposed to requiring all solar farms to be incidental to another use.

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

A handwritten signature in black ink, appearing to read "Bernard Thombs".

Bernard Thombs

Chair, Westchester County Planning Board

BT/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning