

**CVE US NY Westhampton 243 LLC  
(Solar Repurposing of Westhampton Mine)  
Westhampton, Town of Southampton, NY**

**Central Pine Barrens Joint Planning & Policy Commission  
CPA/CGA Hardship Application**

**May 15, 2024**



Nelson Pope Voorhis



# Introduction

- Project Team – Chic Voorhis, Steven Engelmann, David Gilmartin
- Core Preservation Area (CPA)/Compatible Growth Area (CGA) Hardship Application August 16, 2023
- Initial Hearing September 20, 2023
- Supplemental Hardship Justification and Environmental & Public Benefit Program Summary March 7, 2024
- Hearing on supplemental information April 17, 2024
- Response to Staff Comments letter May 1, 2024
- Continuation of hearing today, May 15, 2024
- Commission is familiar with the site location, size, zoning, history and proposed project from prior submissions

# Additional Hardship Justification –

## Landowner Commitment



- **Sacrifice of mining on 1.55 acres in the northeast portion of the site, which results in the loss of 100,000 cubic yards of material that would have otherwise been mined.**
- Establishment of Conservation Easement on ±24 acres of undeveloped, wooded south portion of the subject property near Old Country Road.
  - Aligns with other protected land in the area, offering contiguous preserved land
- Reduction of mining period from 2044 to 2039 (less 5 years).
  - Landowner will not seek any extensions to mining after 2039 or solar use after the expiration of the subject application.
- Revegetation following active mining will occur sooner in accordance with the approved plan.
  - More quickly transition disturbed site to proposed beneficial use and associated restoration
  - Applicant/landowner willing to plant pine trees after solar use

# Supplemental Hardship Justification –

## Alternatives

- Full Coordinated Electric System Interconnection Review (CESIR) study identified this site as extremely rare in its ability to connect to the grid given very scarce “available substation and circuit capacity” within the utility.
- Other sites do not have ability to connect to the grid, are still in active operation, or are partially or fully vegetated.
- CVE and many other developers have scoured Long Island for years looking for suitable sites.
- Land on Long Island is extremely valuable and has many higher value uses. The base of the retired mine site has fewer alternative uses so lease or purchase value enables community solar development.
- Other sites have experienced great opposition from abutting properties who are visually impacted and don't want to see solar.
- ***Site is completely compliant with the hosting Town's newly created code.***
- ***Proposal is critical to helping the Town, County, and State meet clean energy goals.***

# Alternatives Analysis – PSEG-LI CESIR Study

- CVE submitted a full electrical engineering study and PSEG interconnection application to PSEG.
- PSEG conducted detailed analysis of existing grid infrastructure
- Determined there is infinitesimally small availability for projects to connect at the 5MW scale.
- This site is truly unique in its ability to receive an approved interconnection from the utility
- There are costs involved to connect, but it allows the project to participate in providing energy savings under the community solar program

## Alternatives Analysis – PSEG-LI Hosting Capacity

- Map provided by utility to identify where there is substation and circuit capacity
- At 5MW scale, there are restrictions at either the circuit or the substation
- At this scale, there is no availability in open land areas to connect nor build projects.
- Capacity exists in small “load pockets” of densely populated areas where there is no space to build large projects.
- CVE has interacted with the utility regarding these project sites and there is no ability to interconnect projects here.

# Alternatives Analysis – Carports

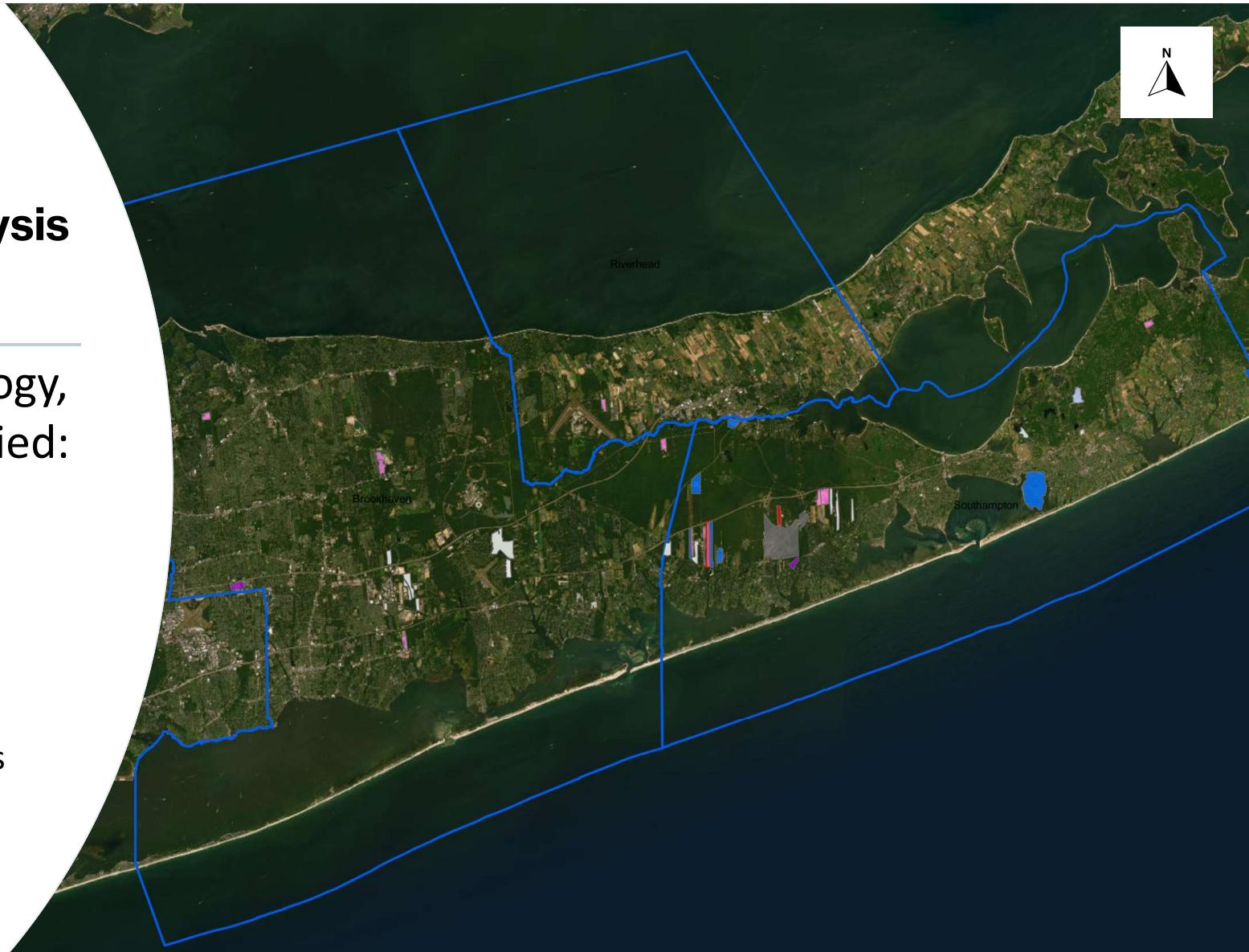
- The ability to site and construct solar carports on Long Island has become increasingly expensive and more difficult for several reasons:
  - All carports developed on Long Island were under previous incentive programs
  - Project Scale and Value of Energy drive project economics and determine project feasibility
  - Cost of steel has increased significantly
    - Higher levels of structural steel required to withstand hurricane force windspeeds of LI
    - Carports need to be elevated to accommodate large plowing vehicles

## Detailed Alternatives Analysis - Methodology

- Reviewed zoning codes for commercial solar development in towns of Brookhaven, Southampton, and Riverhead
- Identified parcels greater than 50 acres in 3 towns (based on scale of project)
- Limited parcels in Brookhaven to those zoned L-1, L-2, J-2, J-4, J-5
- Limited parcels in Riverhead to LI, Ind A, Ind B, PIP; Ind C in Calverton only
- Limited parcels in Southampton must fit definition of “opportunity area” (i.e., agricultural, residential, parks/open space)
- Applied Suffolk County Land Use Data to identify parcels of the required size

## Alternatives Analysis – Identified Sites

- Based on methodology,  
37 total sites identified:
  - 7 Institutional Parcels
  - 1 Commercial Parcel
  - 12 Industrial Parcels
  - 2 Utility Parcels
  - 12 Vacant Parcels
  - 2 Transportation Parcels
  - 1 Waste Handling/  
Management Parcel



# Brookhaven sites

## Brookhaven Sites - Land Use (13 parcels)

- Industrial (5 parcels)
- Institutional (1 parcel)
- Utilities (1 parcel)
- Vacant (6 parcels)

Pine Barrens

Core Preservation Area

Compatible Growth Area

- Zoning of 13 parcels:

- L1: 10 sites
- L1/L2: 1 site
- L1 & partially in district that doesn't allow solar: 1 site
- L2: 1 site

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# Riverhead sites

Riverhead Sites - Land Use (1 parcel)

■ Industrial (1 parcel)

Pine Barrens

■ Core Preservation Area

■ Compatible Growth Area

- Zoned Ind-C in Calverton



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# Southampton sites

## Southampton Sites - Land Use (23 parcels)

- Commercial (1 parcel)
- Industrial (6 parcels)
- Institutional (6 parcels)
- Transportation (2 parcels)
- Utilities (1 parcels)
- Vacant (6 parcels)
- Waste Handling & Management (1 parcel)

## Pine Barrens

- Core Preservation Area
- Compatible Growth Area

Note: zoning of parcels not applicable in Southampton since commercial-scale solar energy systems are to be sited in "Opportunity Areas" regardless of zoning classification

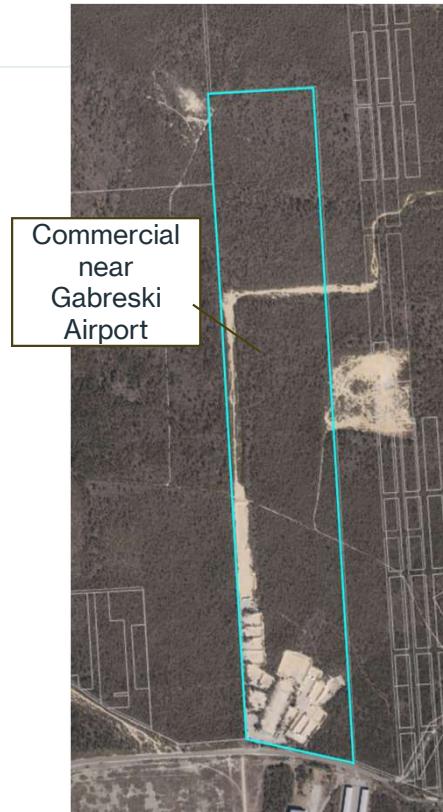


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# Continued Alternatives Analysis – Institutional and Commercial Sites

- All 7 “institutional” parcels are ineligible based on existing active development, or undisturbed wooded land on parcel
  - Stony Brook University R&D Park (Brookhaven)
  - Suffolk County Community College (121 Speonk Riverhead Road, Riverhead)
  - Suffolk County Correctional Facility (100 Center Drive S, Riverhead)
  - Shinnecock Reservation (Southampton)
  - 109 Old Country Road, Westhampton (Southampton)
  - Bide A Wee Home, Westhampton (Southampton): In contract with Town with CPF funds
  - Cornell Duck Research Lab (192, Old Country Road, Southampton)
- Commercial parcel immediately north of Gabreski Airport (in CPA) ineligible due to majority of coverage by trees

# Alternative Institutional and Commercial Sites Examples



# Continued Alternatives Analysis – Industrial Sites

- Of 12 industrial sites identified, only Westhampton Mine is eligible:
  - Northville Industries Gas Company (Brookhaven) – In active operation
  - Roanoke Sand & Gravel Realty Corp (2 parcels) (Brookhaven) – lake parcel, would require floating solar installation. Currently under contract.
  - Copart Parking Lot (Brookhaven) – Carports cannot meet aesthetic requirements of Town, and cannot meet scale/economics of proposed project. In active operation.
  - Calverton Industries LLC Sand & Gravel Mining (Riverhead) – Ineligible due to cost of property. In active operation.
  - Calverton Shooting Range Property (Riverhead) – Property highly compromised, owner unwilling to sell or lease, in CPA, partially in zone that doesn't allow solar
  - Con-Strux LLC (Brookhaven) – In active operation, in CGA
  - NextGen Property (Southampton) – In active operation, in CGA
  - East Quogue Mines (2 parcels) (Southampton) – In active operation, in CPA/CGA
  - Sand Land Corp. Mine (Southampton) – In active operation
  - **Westhampton Mine – operation closing, compliant with zoning, meets aesthetic requirements**

# Alternative Industrial Sites Examples



## Alternative Industrial Sites Examples (Continued)



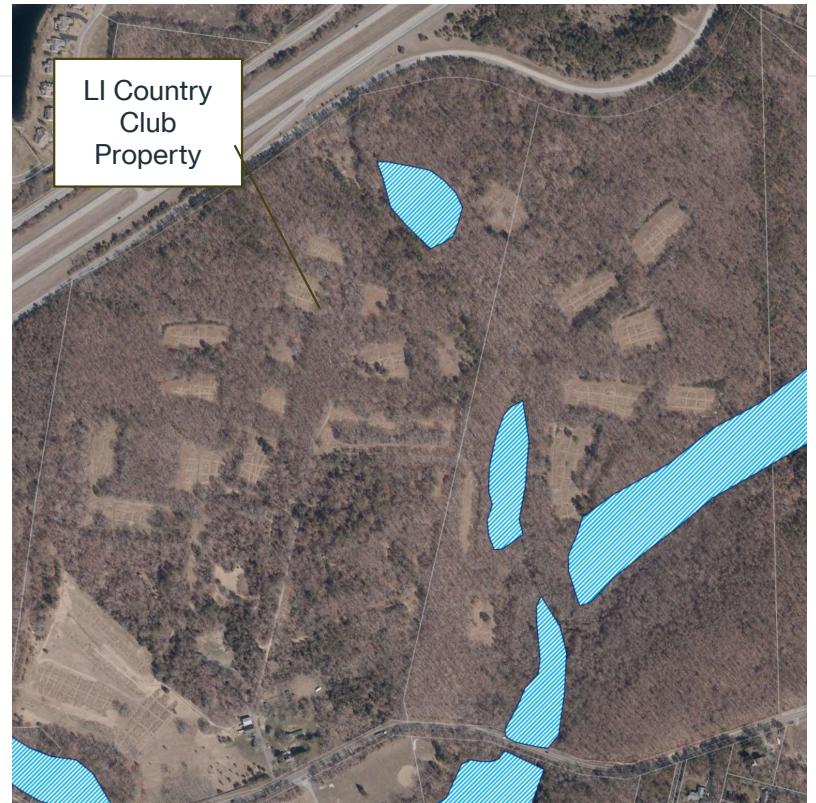
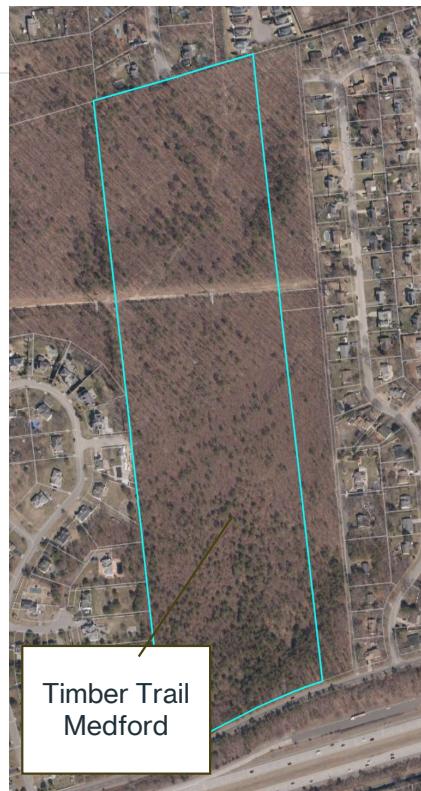
# Continued Alternatives Analysis – Utilities, Transportation and Waste Handling/Management Sites

- 2 Utilities Parcels identified – ineligible due to operation and extensive clearing required
  - SCWA parcel SE of Gabreski Airport (Southampton): includes a water tower and is undeveloped/wooded otherwise, adjacent to freshwater wetlands
  - Holtsville Gas Plant (605 Union Avenue, Holtsville) (Brookhaven): Majority either already developed or densely wooded
- 2 Transportation Parcels – both associated with active Francis S. Gabreski Airport
- North Sea Transfer Station (Southampton) – solar already under construction

# Continued Alternatives Analysis – Vacant Sites

- 12 Total identified
  - 8 are completely wooded/undeveloped
    - Brookhaven – doesn't allow any clearing for solar use
    - Southampton – wouldn't meet "Opportunity Area" definition
  - 1 Already developed with solar use
  - 1 owned by Long Island Country Club (Southampton) – mostly wooded, freshwater wetlands on-site, small cleared patches, wouldn't meet "Opportunity Area" definition, in CPA.
  - 1 adjacent to Calabro Airport owned by Rose Breslin Associates LLC (Brookhaven) – mostly wooded, would require clearing, cost of property prohibitive, in CGA
  - 1 Lewis Road site – under development

# Alternative Vacant Sites Examples



# Summary/Findings



- Additional hardship offered by landowner
- There are no alternatives site locations in Brookhaven, Southampton or Riverhead based on zoning requirements and project needs