



July 6, 2020

Village of Warwick Planning Board
77 Main Street
Warwick, NY 10990

Att: James Patterson, Chairman

Re: Convergent Energy and Power – Battery Energy Storage Facility
28 Church Street
Section 28, Block 2, Lot 10
L&G # 1802.58

Dear Mr. Patterson and Planning Board Members:

We have reviewed the following documents submitted for the Convergent Energy and Power application:

- Planning Board application forms, dated 4/28/20
- Site Plans prepared by ERS Engineering Consultants (2 sheets), dated 3/31/20
- Long Form EAF, Part 1, dated 4/28/20.

Convergent Energy and Power proposes to construct a battery energy storage facility at 28 Church Street, in an open area behind the existing building. The site is located within the Light Industry (LI) zone, and is not located within the Village's Historic District. The Planning Board has reviewed and approved previous site-related proposals on the 29.2-acre parcel, which is owned by Warwick Valley BBA LLC.

We provide the following review comments:

1. The applicant should provide more information on the purpose and construction of the proposed facility. Issues to be addressed include:
 - a. Will the facility serve the onsite building and offsite properties? Proposed point(s) of electrical connection should be shown on the site plan.
 - b. Will hazardous materials be utilized in the batteries?
 - c. What is the proposed height of the batteries? An elevation view of the facility should be provided.
 - d. The fire department should review the details of the proposed facility and provide comments to the Planning Board.
 - e. What is required to decommission the facility?

2. As Mr. Dickover points out in his memo, the Board needs to determine if the proposed use is allowed in the LI zoning district. In a review of the zoning code, I do not find any references to the term "battery", although energy storage is mentioned in sections in the code pertaining to solar energy facilities. Is the proposed facility a Public Utility Facility, which the Table of Use Requirements describes as "*rights of way, transmission lines, or unmanned structures (e.g. substation, pump station) serving the Village*"?
3. Once a use group designation has been determined, the possible need for a side yard variance for the existing building can be discussed.
4. The proposed fence height (7 feet) exceeds the 6.5-foot maximum specified in Section 145-52.C. of the code.
5. Although a portion of the project site is located within the 100-year flood plain, it appears that no disturbance is proposed to flood plain areas.
6. On the Foundation Section, the proposed compressive strength of the concrete slab should be specified. It appears that the label "varies 8 feet to 9 feet" does not apply.
7. Once additional information on the project has been provided, the site plan checklist and the EAF can be reviewed in detail.

Sincerely,



Lehman & Getz, P.C.
David A. Getz, P.E.