



August 27, 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:

- Letter from ERS Engineering Consultants, PC, dated 8/19/20
- Site Plans prepared by ERS (2 sheets), revised 8/6/20
- Email message from Building Inspector Boris Rudzinski to David Griggs of ERS, dated 7/29/20, regarding the proposed fence height.

We provide the following review comments:

1. The applicant has submitted plans to the Fire Department for review, but has not received a response.
2. The applicant has requested a determination from the Building Inspector as to whether the use is permitted in the LI zone, but has not received a response.
3. The site plans have been updated to address our previous technical comments. They now show the existing paved parking areas behind the building.
4. The proposed fence height (7 feet) exceeds the 6.5-foot maximum specified in Section 145-52.C. of the code. In the attached email correspondence, the Building Inspector indicates that a variance is not needed due to National Electric Code requirements.
5. At the 8/11/20 meeting, the Planning Board asked about the electrical transmission lines that will connect from the proposed facility to existing facilities, stating a preference for underground connections to the extent possible. The proposed lines have been added to the plan. The applicant's representative indicates that the connections will be made with overhead lines due to site constraints.

6. A decommissioning plan, including estimated costs, should be submitted to the Village for review.
7. Once additional information on the project has been discussed, the site plan checklist and the EAF can be reviewed in detail.

Sincerely,



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

From: Boris Rudzinski <building@villageofwarwick.org>
Sent: Wednesday, August 19, 2020 12:04 PM
To: David Griggs
Cc: Dave Getz; Becky Koze
Subject: RE: 28 Church Street Energy Storage Facility Fence Height

Mr. Griggs,

Code training teaches us that if stuck between 2 or more codes, the stricter code shall apply for anything life or health safety.

I would not require a variance and the fence would be allowed to be 7 feet as NEC dictates.

Research indicates barbed wire is allowed in NY State but discouraged in residential settings without good reason.

I feel the Energy Storage System area is good enough reason for barbed wire on top.

Regards,

Boris Rudzinski
Village of Warwick Building Inspector/Code Enforcement
77 Main Street/PO Box 369
Warwick, NY 10990
Phone: (845) 986-2031
Email: building@villageofwarwick.org

From: David Griggs [mailto:david@ersconsultants.com]
Sent: Tuesday, August 18, 2020 4:28 PM
To: Boris Rudzinski
Cc: Dave Getz; Becky Koze
Subject: 28 Church Street Energy Storage Facility Fence Height

Hi Boris,

We respectfully request a determination pertaining to the need for a variance for the height of the proposed energy storage fence. The proposed fence height of 7 feet exceeds the 6.5 foot maximum specified in Section 145-52.C. of the Village of Warwick Code.

However, according to the National Electric Code (NEC) 110.31 when equipment is installed outdoors, a wall, screen or fence shall be used to deter access by people who are not qualified. The NEC 110.31 continues by stating the fence shall have a height of at least 7 feet. A 6-foot-tall fence can be used, but there shall be at least a 1 foot extension utilizing three or more strands of barbed wire or equivalent.

David Griggs
ERS Consultants
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