



Steven M. Neuhaus  
County Executive

## Orange County Department of Planning

124 Main Street  
Goshen, NY 10924-2124  
Tel: (845) 615-3840  
Fax: (845) 291-2533

Alan J. Sorensen, AICP  
Commissioner

[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)  
[planning@orangecountygov.com](mailto:planning@orangecountygov.com)

### County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n

**Local Referring Board:** Village of Warwick Planning Board      **Referral ID #:** WRV 04-20M  
**Applicant:** Convergent Energy and Power      **Tax Map #:** 208-2-10  
**Project Name:** Battery Storage Facility      **Local File #:** none provided  
**Proposed Action:** Site Plan for addition of 10,000 sq. ft. battery energy storage facility to existing onsite light industrial development  
**Reason for County Review:** Within 500 feet of the Town of Warwick/Village of Warwick boundary; within 500 feet of NYS Routes 17A and 94, and County Route 13 (Colonial Avenue)  
**Date of Full Statement:** July 27, 2020

#### Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Environmental Constraints: The property is adjacent to a trout-spawning stream (Wawayanda Creek); contains suitable habitat for the Indiana Bat and the Bog Turtle; is within the floodway, 100-year floodplain and 500 year floodplain of Wawayanda Creek; and is listed as a Brownfield Opportunity Area subject to Environmental Site Remediation incident #336003 and #336061. The proposed project should not have a substantial impact on any of these resources. We advise the Village to ensure that the lithium-ion batteries proposed for the energy storage facility remain self-contained.

Decommissioning Plan: The applicant shall submit a decommissioning plan for this facility, developed in accordance with the Uniform Code. This plan shall be implemented upon abandonment and/or in conjunction with the removal of the facility.

Emergency Operations Plan: The applicant shall develop an Emergency Operations Plan (EOP) for this facility. A copy of this EOP shall be provided to the system operator, the local fire department, and the Village of Warwick Building Inspector.

#### County Recommendation: Local Determination

**Date:** August 25, 2020

**Prepared by:** Megan Tennermann, AICP  
Acting Senior Planner

  
\_\_\_\_\_  
Alan J. Sorensen, AICP  
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).