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MEMORANDUM

TO: Carolyn Stevens, Chair, and the Town of Ossining Planning Board

FROM: Valerie Monastra, AICP
Danielle Dreyer, Planner

CC: Christie Adonna, Town of Ossining Planning Board Attorney
Jon Turnquist, Town of Ossining Building Inspector
Dan Ciarcia, PE, Town of Ossining Planning Board Engineer

DATE: November 11, 2026

RE: 25 Stormytown Road

Robert Rabe ("Applicant") is seeking Site Plan, Conditional Use, and Architectural Review Board approval for a Tier II Battery Energy Storage System (BESS) at 25 Stormytown Road. The applicant proposes a standalone, front-of-the-meter battery energy storage system (BESS) to be interconnected to the Con Edison distribution system. The Project will be located at 25 Stormytown Road, Section, Block, and Lot 89.08-1-3 ("Project Site"). The Project Site is located in the R-20, One-Family Residence District.

GENERAL AND PROCEDURAL COMMENTS

1. **SEQR.** This project is categorized as an Unlisted action under SEQR.

    a. On May 26, 2026, the State Environmental Quality Review Act was amended to include a new SEAF Part I. An updated Part I should be provided, utilizing the new form available through DEC's EAF Mapper. Until this is provided, the Planning Board cannot circulate a notice of its intent to be the lead agency to commence the SEQR process.

    b. Per the submitted SEAF, the following should be revised on the new SEAF:

        i. 12.a: Yes – Site is near a federally listed historic site (104 Havell St.)

        ii. 13.a: Yes – site contains federally designated surface waters – Stream 864-60 (Class C)

        iii. 15.: No – site does not contain threatened or endangered plants or animals.

2. **Wetlands & Waterbodies.** The project location is within 300 ft. of a federally designated stream and contains an existing drainage swale within the proposed area of construction. Although no disturbance is located within 100 ft. of the stream, disturbance- which includes trenching- is proposed within 100 ft. of the drainage swale. Per § 105-2B, wetlands are defined as inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation. It is unclear if the existing swale matches this definition. Per § 105-5B(2), any form of draining or dredging, either directly or indirectly, and installation of any service lines or cable conduits require a wetlands permit. Additional information is required to determine if there will be any wetland or wetland buffer area disturbance.

3. **Site Plan Approval.** This application requires Site Plan approval from the Planning Board, and a public hearing is required.

4. **Conditional Use Approval.** This application requires a Conditional Use Permit per § 200-31.4F(3) of the code.

5. **Zoning.** The applicant is petitioning for a Tier 2 BESS floating zone. In the interest of promoting alternative energy through battery energy storage, the Town Board may entertain the creation of Tier 2 battery energy storage system floating zones by the legislative amendment of the Town's Zoning Map. The One-Family, GB, O-RB, O-RE and BE Zoning Districts are eligible hosts for this floating zone. **The Town Board has referred this application to the Planning Board for SEQR and site plan review.**

6. **Tree Removal Permit.** A tree removal permit per § 183-5B(3) is required as all proposed trees to be removed have over a 6" DBH. The following information is required unless the Planning Board waives such information as it deems to be not pertinent or necessary:

    a. The species and health status of trees to be removed; and

    b. The disposal method of trees to be removed.

SITE PLAN COMMENTS

1. **Site Plan Application.** Per § 200-31.4G, the following materials should be provided:

    a. A preliminary equipment specification sheet that documents any proposed inverters and all associated electrical equipment that are to be installed. Please provide the details of the electrical equipment and transformers.

    b. **Fire safety compliance plan**. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code.

c. **Operation and maintenance manual**. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing, and commissioning information, and shall meet all requirements set forth in the Uniform Code.

d. **Emergency operations plan**. Please provide one for review by the local Fire Department and Town Building Department.

e. **Elevations**. Only a south elevation has been provided. The Applicant should provide architectural profiles of all four sides of the storage facility and photographic examples of the types of units that will be installed. In addition, the renderings are only shown from a bird's-eye view and not how it will look on the project site from a human eye level.

f. **Commissioning plan**. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Where commissioning is required by the Uniform Code, battery energy storage system commissioning shall be conducted by a New York State (NYS) licensed professional engineer after the installation is complete but prior to final inspection and approval.

2. **Signage.** Minimal warning signage is proposed. Per §200-31.4K, additional signage is required and shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and twenty-four-hour emergency contact information, including a reach-back phone number.

   a. As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

3. **Site Access.**
   a. Per §200-31.4H(3), vehicular access within the site shall be designed to meet any applicable emergency access or safety requirements. Will the rear of the site be accessible to emergency vehicles in case of a fire?
   b. The Applicant provided a site plan with general dimensions of the battery storage facility. Additional details on the road widths and road surface materials should be included on the Plan.

4. **Screening.** Per §200-31.4H(2), Tier 2 battery energy storage systems shall be screened to the maximum extent practicable from public roadways and adjacent properties. This appears to be met due to existing vegetation and proposed fencing and landscaping. A covenant regarding the maintenance of any required screening shall be provided by the applicant.

5. **Emergency Services.** It is recommended that this application be referred to the Ossining Fire Department and the Building Inspector, Jon Turnquist, for review and comment on compliance with all applicable fire safety codes and emergency access requirements for the battery storage facility.

6. **Noise.** Per 200-31.4J, "the noise generated from the battery energy storage systems, components, and associated ancillary equipment shall meet the requirements of Chapter 130, Noise. Applicants may submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide operating sound pressure level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard." We recommend that the applicant provide additional information on potential noise impacts as the site abuts a cemetery and is in a residential zoning district.

7. **Decommissioning Plan.** A decommissioning plan has been provided. However, it appears to be vague. We defer to the Town Engineer for review. For example, the code requires that conditions be "confirmed as being acceptable after the system is removed." The plan only promises to notify the Building Department in writing when work is done, which is a notice, not a confirmation. There is no post-removal inspection.

SUBMISSION MATERIALS

The following materials were submitted by the Applicant and examined by our office for the preparation of this review:

- Town of Ossining Application for Planning Board, signed, dated October 29, 2026
- Short Environmental Assessment Form, Part I, prepared by Robert Rabe dated October 29, 2026
- Owner Authorization Form, signed by Christopher Moroni, dated October 27, 2026
- Topographic Survey, prepared by Tectonic, dated October 30, 3036
- Threeline Diagram, prepared by Luminance, dated April 16, 2026
- Visual Renderings, prepared by Luminace
- Site Plan, 20 Sheets, prepared by Mark Privette, Tectonic, dated October 30, 2026
- Stormwater Pollution Prevention Plan, prepared by Mark Privette, dated October 30, 2026
- Phase I Environmental Site Assessment, prepared by Langan Engineering, dated November 2, 2026
- Natural Resources Constraints Assessment Memorandum, prepared by Langan Engineering, dated November 2, 2026
- Megablock Data Sheet, 3 Sheets, prepared by Tesla
- Decommissioning Plan and Cost Estimate, prepared by Luminace