



TOWN OF RIVERHEAD

Building Department

201 Howell Avenue, Riverhead, New York 11901-2596
(631) 727-3200, Fax (631) 208-8039
www.townofriverheadny.gov

Jefferson V Murphree, AICP
Building & Planning Admin.
Ext. 239

Andreas Sofoklis
Sr. Building Inspector
Ext. 275

Mike Inghingolo
Building Inspector
Ext. 231

Corey Fliss
Electrical Inspector
Ext. 265

July 22, 2022

VIA EMAIL & USPS

Farrell Fritz, PC
C/O Philip Butler
100 Motor Parkway
Suite 300
pbutler@farrellfritz.com

Re: **Riverhead Energy, LLC** – Preliminary Site Plan Application for 100 MW Battery Energy Storage system located at 95 Mill Road, Hamlet of Riverhead.
SCTM Nos. 600-119-1-20.2

Dear Mr. Butler:

A preliminary review by this office for the above referenced project has been found to not be in accordance with the Zoning Code of the Town of Riverhead. Therefore, your application for site plan approval has been denied. Your application may be resubmitted with the following issues resolved, or you have the right to seek relief from the Town Zoning Board of Appeals.

Zoning: Residence B-40 (RB-40)
Section(s): **§301-14 A** Battery Energy Storage System is not permitted use within the Residence B-40 (RB-40) Zoning use district. A Special Exception to change from one non-conforming use to another non-conforming use, pursuant to Town Code Section 301-222 B is required.

Design for building must also conform to the 2020 New York State Building Code. Any approval or relief from the Zoning Board does not constitute satisfying requirements for a building permit. Further review by this and other offices may be necessary.

It is the applicant's responsibility to follow all procedures as outlined to you by the Planning Department. The applicant must apply within sixty (60) days of the date of this letter to the Zoning Board of Appeals. Please contact Tracy Stewart in the Planning Department at extension 240 or Stewart@townofriverheadny.gov to receive an application or information, or visit the Town website at www.townofriverheadny.gov.

Sincerely,

Jefferson V. Murphree, AICP
Building and Planning Administrator