



## TOWN OF RIVERHEAD PLANNING DEPARTMENT

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July 22, 2022

### VIA EMAIL & USPS

Farrell Fritz, PC  
C/O Philip Butler  
100 Motor Parkway  
Suite 300  
[pbutler@farrellfritz.com](mailto: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 No. 600-119-1-20.2

Dear Mr. Butler:

It has been determined that the Site Plan Application for the project listed above is incomplete for the following reasons:

1. Pursuant to Town of Riverhead Zoning Code Section 301-306 A. (5) submit a title report for the subject property, dated not more than three months prior to the date of submission of the application, prepared by a title company license in the State of New York containing a chain of title and any and all recorded covenants, declarations, restrictions and/or easements on the subject property. In addition to the original, please include one (1) physical copy and one (1) digital copy.
2. The subject application is an Unlisted Action pursuant to 6NYCRR part 617 (SEQR) and Chapter 225 of the Town Code. As such, please submit the following documentation (one original, one digital, 10 copies):
  - A. Preliminary sound study referenced in the submitted Environmental Assessment.
  - B. A preliminary equipment specification sheet which documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.

- C. Commissioning plan (one original, one digital, 10 copies). 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. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in the Uniform Code shall be provided to the Planning Board prior to final inspection and approval and maintained at an approved on-site location.
- D. 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.
- E. Decommissioning plan which includes the following information:
- 1) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, transmission lines, access roads and other related improvements from the site;
  - 2) A detailed narrative and plan for the disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
  - 3) The anticipated life of the battery energy storage system;
  - 4) The estimated decommissioning costs, prepared by a licensed professional engineer and how said estimate was determined;
  - 5) The method of ensuring that funds will be available for decommissioning and restoration;
  - 6) The method by which the decommissioning cost will be kept current;
  - 7) The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed.
  - 8) A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from

service that has been damaged by a fire or other event.

- 9) The Owner and/or operator of the energy storage system shall implement said plan upon abandonment and/or in conjunction with removal from the facility

Further review of the application will continue upon submission of the above listed information.

Items of note that will need to be addressed during the review of the application include, but are not limited to the following:

1. The proposed use, a Battery Energy Storage System is not permitted within the Residence B-40 (RB-40) Zoning use district. The application indicates a Special Exception to change from one non-conforming use to another non-conforming use, pursuant to Town Code Section 301-222 B, will be sought. A denial letter will be issued separately.

Sincerely,

  
Matt Charters  
Planner

Cc: Jefferson Murphree, AICP, Building & Planning Administrator (via email)