

OFFICE LOCATION:

Town Hall Annex
54375 State Route 25
(cor. Main Rd. & Youngs Ave.)
Southold, NY



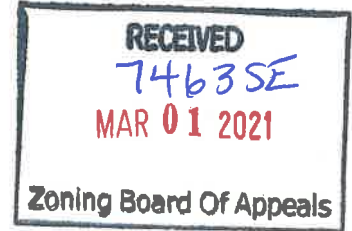
MAILING ADDRESS:

P.O. Box 1179
Southold, NY 11971

Telephone: 631 765-1938
www.southoldtownny.gov

*orig to file
emailed to members
1 binder
emailed to Losquadro
JES 3/1/21*

PLANNING BOARD OFFICE
TOWN OF SOUTHOLD



MEMORANDUM

To: Leslie Weisman, ZBA Chairperson
Members of the Zoning Board of Appeals

From: Donald J. Wilcenski, Planning Board Chairman *DW*
Members of the Planning Board *city*

Date: March 1, 2021

Re: Request for Comments for
SUFFOLK COUNTY ENERGY STORAGE II, LLC
SCTM#1000-45-5-1 ZBA File Number #7463SE

SUFFOLK COUNTY ENERGY STORAGE II, LLC #7463SE – Request for a Special Exception pursuant to Article XV, Section 280-62B(5), the applicant is requesting permission to construct a battery energy storage system facility; located at 69430 Main Road (NYS Route 25), Greenport, NY. SCTM#1000-45-5-1.

The Planning Board performed a site inspection of the property on February 25, 2021 and does not support the project at this location for the following reasons:

1. The project proposes to increase lot coverage to 47.93 percent from 7.48 percent (it is unclear if the wetlands were assessed in lot coverage). The maximum permitted lot coverage in the LI Zoning District is 30 percent. A variance of lot coverage would set a precedent for the Light Industrial Zoning District if not specifically related to this type of use.
2. The project is located within the Light Industrial Zoning District and § 280-64 Front yard setbacks of the Southold Town Code requires that structures be set back at least 100 feet from a right-of-way. A 25' front yard setback from the right of way (NYS Route 25) is proposed. NYS Route 25, is a designated Scenic Byway and the 100-foot setback is required to mitigate visual impacts from light industrial uses. A significant variance of

the setback would set a precedent for the Light Industrial Zoning District if not specifically related to this type of use.

3. The high-quality freshwater wetland system occurs in the rear of the property and continues on preserved open space owned by the Suffolk County. A total of 14 to 17 structures (depending on cabinet layout) would be located within or partially within 100' of the wetland. A minimum setback to the wetlands per Chapter 275 Wetlands and Shorelines of the Southold Town Code is 100 feet. The Southold Town Board of Trustees has not made a decision on the proposal.
4. The parcel floods. The site inspection confirmed that the parcel seasonally floods due to groundwater conditions and soil characteristics. Many areas of ponding (standing water) were observed during the site inspection and the soils were saturated on the majority of the parcel. The threat of flooding from groundwater, soil conditions, sea level rise and hurricanes is a risk to the structures and facility.
5. The rear portion of the parcel is located within the Pipes Cove Creek and Moore's Drain Significant Coastal Fish and Wildlife Habitat Area; an area of high ecological significance.
6. The proposal is not fully consistent with *Objective 6.6 Protect scenic, natural, and cultural resources while planning for the provision of adequate energy for the future* which provides analytical guidance when planning for an energy application. The proposed application is analyzed below:

The Natural Resources and Environment Chapter of the Southold Town Comprehensive Plan (2020) addresses energy.

A | Protect scenic qualities important to the community from public vantage points including New York State Route 25 and Suffolk County Route 48 when locating energy generating or transmission facilities.

B | Protect natural resources and environmental qualities when locating energy generating or transmission facilities.

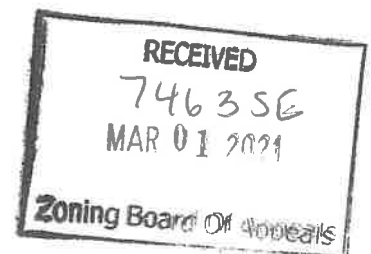
Mitigate adverse impacts through:

- *Burying transmission lines*

The proposal includes the burying of transmission lines.

- *Supporting innovative designs*

The facility provides supporting infrastructure for energy storage to address energy needs.



RECEIVED
17463SE
MAR 01 2021
Zoning Board Of Appeals

- *Requiring significant vegetative buffering*

The applicant has indicated that a vegetated buffer will be installed with evergreen trees to screen the facility from the road. The details of the vegetated buffer (tree height, specifications and spacing) have not been provided.

- *Requiring large setbacks*

As discussed above, the project shows a 25' front yard setback from the right of way (NYS Route 25) § 280-64 Front yard setbacks of the Southold Town Code requires that structures be set back at least 100 feet from the right-of-way. This provision is to mitigate visual impacts from light industrial uses. NYS Route 25 is a designated Scenic Byway.

1 | Discourage facilities from locating in designated environmentally sensitive areas.

The parcel is located in a designated environmentally sensitive area. The rear portion of the parcel is located within the Pipes Cove Creek and Moore's Drain Significant Coastal Fish and Wildlife Habitat Area; an area of high ecological significance.

2 | Preclude the potential degradation of coastal resources by locating and constructing new electric energy generating/equipment/ transmission facilities so that they would not adversely affect:

- *Designated SCFWHs*

The parcel is adjacent to the Pipes Cove Creek and Moore's Drain Significant Coastal Fish and Wildlife Habitat Area; an area of high ecological significance. The applicant has contacted the New York State Department of Environmental Conservation Natural Heritage Program and threatened habitats and protected species have been identified as potentially occurring adjacent to the parcel.

- *Habitats critical to vulnerable fish and wildlife species, vulnerable plant species, and rare ecological communities.*

The majority of the parcel is cleared. The proposal would not directly result in additional clearing of habitats.

- *Wetlands and protected natural features.*

A .10-acre freshwater wetland occurs on the parcel in the east corner. Structures would be located within or partially within 100'

of the wetland. Since the build out is intense, the applicant is proposing a minimum of 10' wide buffer from the wetland boundary. This width is insufficient to provide protection of the wetland from developmental impacts and to mitigate flooding of the property from the expected seasonal expansion of the wetland (flooding).

E | Work with energy providers through the specific area planning process to identify appropriate coastal locations for major energy generating or transmission facilities. Consider coastal locations where a clear public benefit is established using the following factors.

- *There is a demonstrated need for the facility.*

It is recognized that there is a need for public utility battery storage facilities to store electricity to meet peak electrical demands and during emergencies in the Town.

- *The facility will satisfy additional electric capacity needs or electric system needs.*

Yes, the facility could provide power to 28,746 homes for up to 8 hours during electric shortages or outages (if grid is operational). The applicant states that the facility would serve as a public utility function to enhance reliability of the electrical grid.

- *Alternative available methods of power generation and alternative sources of energy cannot reasonably meet the public need.*

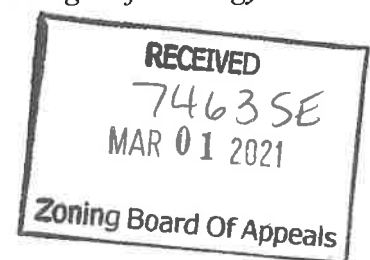
The purpose of the facility is to store power. It does not generate power.

- *Upgrades of existing facilities cannot reasonably meet the public need.*
- *The facility incorporates feasible public recreational uses.*

No public recreational uses are proposed. It is important to note here that the facility would be visible from the Bay to Sound Trail.

The proposal does not fully support Objective 6.7 of the Southold Town Comprehensive Plan which states: *Ensure maximum efficiency when siting major energy generating facilities.*

A | Achieve maximum transmission efficiency by siting major energy generating facilities close to load centers.



The facility is proposed to be interconnected to the LIPA 8J Southold Substation located 750' to the northeast. Maximum transmission efficiency would be achieved if the facility were located on LIPA's 8J Southold Substation property.

B | Work with energy providers to co-locate, where possible, facilities such as transmission lines, pipelines, substations, and terminals.

The co-location of this or similar type facility on PSEG/LIPA owned property is supported.

C | Encourage the adoption of designated generation and transmission and facility sites and corridors to protect against incompatible development and to maximize increased capacity.

The parcel has not been adopted or designated as a battery energy storage system facility site.

The Planning Board acknowledges the benefits of the proposed battery energy storage system facility to the public. However, the location proposed is not supported due to the reasons stated above.

Thank you for this opportunity to provide comments. If you should have any questions or require additional information, please do not hesitate to contact the Planning Department.

