



April 22, 2024

Town of Carmel Planning Board Members
60 McAlpin Avenue
Mahopac, NY 10541

RE: Proposed Battery Storage Facility

Chair Praeprer and Members of the Planning Board:

As representatives of the Town of Somers on the Westchester County Board of Legislators, we are writing in response to the many comments from our constituents, as well as those from municipal and County Department officials, expressing their concerns in connection with the proposed action for a 116 megawatt battery storage facility. We do not oppose energy storage systems in general and understand its potential to decrease reliance on fossil fuel and contribute to a cleaner and more sustainable environment. Our interest is to ensure that there is a full and fair review of the proposed action, and that our residents will be safe.

The subject property is not only adjacent to Westchester County and the Town of Somers, the proposed battery storage enclosure is within 200 feet of several Somers homes. In fact, the Somers residences are closer to the facility than any Putnam County homes. We want to ensure the safety of all nearby residents, as well as the volunteer and paid firefighters and ambulance workers from adjacent municipalities and Westchester County Emergency Services. We need to better understand how these organizations will be staffed, trained, equipped and funded to provide the crucial services which will protect Putnam and Westchester County residents and workers. This includes incorporating and maintaining best practices for hazard detection, fire suppression and cybersecurity.

In addition, we are concerned about environmental impacts to wetlands, soil, air and water quality and potential contamination, all of which extend beyond municipal boundaries. Further, we want assurances that the facility would be able to withstand environmental hazards such as heavy snow, flooding, lightning and earthquakes.

Given the proximity of Westchester County residents, and implications to human safety and environmental protection, we make the following specific requests:

1. **Notification:** Full compliance with General Municipal Law 239-nn which requires notice to adjacent municipalities of certain land use actions proposed within 500 feet of municipal boundaries; specifically, timely notice of all meetings at which this project is on the agenda. Notices should be sent by email and regular mail to the Clerk of the Westchester County Board of Legislators at mav5@westchestercountyny.gov and Westchester County Board of Legislators, Attn: Clerk of the Board, 148 Martine Avenue, 8th Floor, White Plains New York 10601.
2. **Environmental Impact Review:** Full compliance with the New York State Environmental Quality Review Act (SEQRA) and its promulgating regulations to ensure that the Planning Board identifies and



takes a hard look at potential significant adverse impacts resulting from the proposed action. Based on the potential impacts to safety and the environment, it is our expectation that the Carmel Planning Board, as Lead Agency, will make a Positive Declaration, requiring the preparation of a Draft Environmental Impact Statement. As “interested” parties under SEQRA, we want to participate in the scoping process.

3. **Reflection of Finalized Fire Code Recommendations:** The New York State Inter-Agency Fire Safety Working Group was created in 2023 to ensure the safety and security of energy storage systems, following several serious fires at such facilities across the state. Draft recommendations were issued in February 2024, followed by a public comment period, which closed on March 5, 2024. We urge no action by the Planning Board until a final report is issued and considered by the Planning Board so that appropriate conditions can be contemplated and imposed prior to any approval.
4. **Site Visit:** Westchester County officials need to tour the site to better understand the proposal and site conditions in order to determine what measures may be necessary to provide critical emergency support services.

In the spirit of inter-governmental cooperation, and in light of the serious health and safety concerns which have been raised, we urge you to conduct an inclusive, transparent and thorough review process.

Sincerely,

Vedat Gashi
Chairman, District 4

Erika L. Pierce
Legislator, District 2

- cc: Matt Slater, New York State Assembly member
 Peter Harckham, New York State Senator
 George Latimer, Westchester County Executive
 Ken Jenkins, Westchester Deputy County Executive
 Richard Wishnie, Westchester Emergency Services Commissioner
 Robert Scorrano, Somers Town Supervisor