



Planning Board

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TO: Mayor Pugh and the Board of Trustees
FROM: Robert Luntz, Chairman of the Planning Board
RE: Local Law Introductory 22-2023
DATE: January 19th, 2024

At its regularly scheduled meeting on January 16th, 2024, the Planning Board of the Village of Croton-on-Hudson reviewed the referral from the Village Board regarding Local Law Introductory 22 of 2023 to amend and update provisions of Chapter 230, Zoning, of the Village Code.

Lindsay Audin, Chairman of Croton on Hudson's Sustainability Committee joined the meeting via Zoom to answer questions, and offer his expertise on this topic.

Based on their review, the Planning Board recommends that Tier 1 Battery Energy Storage Systems should be defined as having an aggregate energy capacity less than or equal to 200 kWh and that Tier 2 Battery Energy Storage Systems which would be any system over 201 kWh would require a special permit and site plan approval and would only be permitted on commercial properties, not residential properties.

For battery energy storage systems, The Planning Board believes that the law should require a minimum pad height of at least 6 inches, as recommended by Lindsay Audin, for stability and to ensure that the batteries do not get flooded. The Planning Board would also recommend that the code be written in such a way so that any equipment should be placed in a way that it was not an eyesore, possibly with some landscape around it, and there will need to be a distance decided as a set-back.

For Solar Panels, the proposed law mentions roof-mounted solar energy systems, but many are not actually attached to the roof, but ballasted. For flat roofs, the law should allow for the possibility of ballasting. This was brought to our attention by Lindsay Audin, specifically, Section 230-48.1 E (1) (a) [1], which states that the roof mounted systems "must be attached."

Lindsay Audin also recommended that section 230-48.1 G (3) (f)[2] that "6 inches in diameter" be replaced with "6 inches in diameter at Breast -Height (DBH).

It was also discussed that there are standards for fire detection and fire suppression built into The National Fire Protection Association (NFPA) and state codes that will need to be followed. The Planning Board recommends adoption of the local law with the above recommendations taken into consideration.