

August 10, 2023

The Town Board of the Town of Warwick held a Public Hearing to for Introductory Local Law No. 4 of 2023 establishing a six-month moratorium prohibiting the review and approval of clean renewable energy technology businesses devoted to research, education, distribution or application of technological innovation in alternative energy uses in the Town of Warwick. Said public hearing was held on Thursday, August 10, 2023 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor opened the public hearing at 7:40 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Gerstner- Absent
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman Kevin Shuback

Attorney for the Town, Jay Myrow

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on July 19, 2023.

(Copy of this legal notice is printed at the end of these minutes.)

~~Supervisor Sweeton~~— before I open the Public Hearing, most people were aware that there was an incident at one of the battery storage units at the school district's property. While it is in the town, it is exempt from our zoning. There was a fire there. There is an ongoing investigation. As to the cause of that it remains unknown and the Town's code had provided for these battery storage units to be in several of our zones. In light of that incident, the need for more information and actually to understand the technology much better, this prompted the issue of a moratorium. The Town Board has taken that initiative and enact the 6-month moratorium so we can get that information. Make what ever changes we need to be make in our zoning code in terms of locations of these things. They have a place and they do need to be placed strategically. So we are taking that action, hopefully after a hearing to put that moratorium in place to give us the time to modify our code to make provisions for these kind of things. I will make note that the State of New York has finally awakened to the issue that three of these type of facilities around the state have caught fire and the Governor has now put together a task force to render their own findings. We will also take that information. We did refer this to Orange County Department of Planning as required and we did get a response from them. The department has received the above referenced Local Law and has found no evidence that is significant inter municipal or countywide impacts because of its approval. We have no advisory comments regarding the project. We also referred it to our own Planning Board as required by our zoning code and I am not sure if I got a response from them yet but I know they entertained it.

Ben Astorino (Planning Board Chairman): It is forthcoming.

Supervisor Sweeton: okay, so it is forthcoming that we will have prior to any action. We will not take action on it this evening in any event. That is the purpose of the hearing. Therefore, we will open it up to the public for any comment.

No comments from the public

Supervisor Sweeton: Seeing none, are there any comment from the Board?

No comments from the Board

Supervisor Sweeton: I would entertain a motion to close the Public Hearing. I will take written comment for 10 days from tonight and we will entertain a motion on the moratorium at the next first meeting in September, which I believe is the 10th. Regardless it will be the first meeting in September

CLOSE PUBLIC HEARING: Motion Councilman DeAngelo, seconded Councilman Kowal that the public hearing be closed. Motion Carried (4 ayes, 0 nays, 1 Absent, Councilman Gerstner Absent) 7:44 p.m.

08-10-23 EA

Eileen Astorino, Town Clerk