

Westchester County Planning Board Planning and Zoning Action Referral Form

Referral Name: Temporary Moratorium on Battery Energy Storage System

Westchester County Planning Board comments due by:

Address: _____

Municipality: Yonkers

Local Case Number: _____

Zip code of location of the action: _____

Local Meeting Date: _____

Section: _____ Block: _____ Lot: _____

Public Hearing: Yes No

Referring Agency:

City Council
 Town/Village Board
 Planning Board/Commission
 Zoning Board
 Other: _____

General Land Use Classification: _____

Type of Action	SEQR Action	
<input type="checkbox"/> New	<input type="checkbox"/> EAF	<input type="checkbox"/> Draft EIS
<input type="checkbox"/> Expansion	<input type="checkbox"/> Lead Agency	<input type="checkbox"/> Final EIS
<input type="checkbox"/> Modification	<input type="checkbox"/> Draft Scope	<input type="checkbox"/> Findings
		<input type="checkbox"/> Positive Declaration
		<input type="checkbox"/> Negative Declaration

Referral Description: Proposed General Ordinance establishing a temporary moratorium on battery energy storage system within the COY pending appropriate review.

Referral Trigger (Type of Action)*

Please check appropriate box for actions involving **more than 5,000 square feet of new or renovated floor area OR 10,000 square feet of total land disturbance**. If this action involves less floor area or land disturbance, please use a "notification only" form to reduce paperwork/waste.

- Special Use Permit or Use Variance
- Subdivision Plat (Only when a new street will connect directly into a state or county road or a new drainage line will connect directly into a county drainage channel)
- Zoning Ordinance or Map (Adoption or Amendment)
- Moratoriums

- Comprehensive Plan (Adoption or Amendment)
- Official Map (Adoption or Amendment)
- Site Plan (please circle the condition)
Affecting property within 500 feet of:
 - A municipal boundary;
 - The boundary of an existing or proposed state or county park or any other state/county recreation area;
 - The right-of-way of an existing or proposed state or county road;
 - An existing or proposed county drainage channel line;
 - The boundary of state or county-owned land on which a public building/ institution is located;
 - The boundary of a farm located in an agricultural district.

Contact Information

Local Contact Name: Vincent Spano
 Department/Agency: City Clerk
 Phone Number: 914-377-6020 Email Address: vincent.spano@yonkersny.gov

Please provide notice at least **10 days** prior to any hearing (**30 days** in advance for site plans) with supporting documentation (including an EAF) and return address to:

Municipal Referrals
 Westchester County Department of Planning
 148 Martine Avenue, Room 432
 White Plains, NY 10601-3311

Note: You may fax this sheet to (914) 995-3780, in order to start the referral process. Please send all supporting documentation within one business day of sending the fax.

* Note: This list is provided as a convenience. Please check General Municipal Law and the Westchester County Code to be certain which actions to refer.

RESOLUTION NO.118-2024

BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER RUBBO, MAJORITY WHIP ROBINSON, MINORITY LEADER BREEN, COUNCILMEMBERS, PINEDA –ISAAC, DIAZ AND MERANTE:

RESOLUTION DIRECTING THE REFERRAL OF THE PROPOSED GENERAL ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON BATTERY ENERGY STORAGE SYSTEMS WITHIN THE CITY OF YONKERS PENDING APPROPRIATE REVIEW AND SETTING A PUBLIC HEARING FOR JUNE 26, 2024 AT 6 P.M.

WHEREAS, the City has proposed a temporary, limited moratorium on battery energy storage systems (“BESS”) whereby no approval for, permitting, or including a BESS shall be granted by the City, including, but not limited to, the approval of any of a zone change, variance, subdivision, site plan, special use permit, building permit, demolition permit, or sign permit; and

WHEREAS, the City Council finds that the necessary, temporary action proposed by this ordinance, consisting of deliberative information collection as part of the continuing administration and management of the City, constitutes a Type II action under the New York State Environmental Quality Review Act and therefore requires no further environmental review; and

WHEREAS, Section 239-m of New York General Municipal Law requires referral of any proposed land use moratoriums to the Westchester County Planning Board;

WHEREAS, Section 43-164 of the Zoning Ordinance requires referral of all amendments to the Zoning Ordinance to be considered by the City Council to the Yonkers Planning Board for its review and report;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yonkers that a public hearing shall be held on June 26, 2024, at the City Council Chamber, located at 40 South Broadway, New York, at 6 PM, or as soon as possible thereafter, to consider the adoption of a general ordinance establishing a temporary moratorium on battery energy storage systems within the City of Yonkers pending appropriate review; and

RESOLUTION NO.118-2024 (CONTINUED)

BE IT FURTHER RESOLVED, that in accordance with Section 43-164 of the Zoning Ordinance and Section 239-m of NY General Municipal Law, the City Council hereby refers the proposed establishing a temporary moratorium on battery energy storage systems within the City of Yonkers pending appropriate review to the Yonkers Planning Board and Westchester County Planning Board for their review and report; and be it further;

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 11, 2024. BY A VOTE OF 6-0. MAJORITY WHIP ROBINSON WAS ABSENT.

J. Call-Bellomy
COUNCIL PRESIDENT

6/13/2024
DATE

SENT TO MAYOR 6/13/2024
DATE

Michael Russo
MAYOR

APPROVED 6/14/24
DATE

ATTEST:

Vernon Spear
CITY CLERK

6/17/24
DATE