Communication to Westchester County Representatives:

[Your Name]

[Your Address]

[Your City, State, Zip Code]

[Your Email Address]

[Your Phone Number]

[Date]

[send to each addressee email]

The Honorable [Westchester County Executive Ken Jenkins/Westchester County Legislator Margaret Cunzio]

Subject: Opposition to NYS Senate Bill S5506

[use for applicable addressee]

Dear [Title/Last Name]:

As a constituent deeply concerned about the proposed NYS Senate Bill S5506, which strips local government control over lithium battery storage (BESS) regulation, I am writing to express my strong opposition to Bill S5506 as the bill would override local laws fast-tracking these BESS facilities without proper and deserved community oversight.

I am concerned that this bill will not only override local laws and decisions but suppress local residents' voices in these matters. There are proven risks associated with these BESS facilities right here in New York State, with three fires in 2023. Local city and town governments and their residents should have a say in the location of these facilities. The zoning and building laws put in place by local municipalities take into consideration the risks and requirements of any build, including these BESS facilities and should not be overridden by the state.

In addition, I am concerned that this bill circumvents the New York Constitution, Article IX—Local Governments Section 1—Bill of Rights for Local Governments. This Article of the New York Constitution provides local governments with rights, powers, privileges, and

immunities in addition to those granted by other provisions of the constitution. Those powers include the local government's power to adopt local laws, which would include zoning laws.

As a resident of the Town of Mount Pleasant, I am concerned that two of these BESS facilities are already within our town borders. Proposals for two others, one of which is a large 130 MW facility, will sit less than 2 miles away from Westchester Medical Center, Maria Ferrari Children's Hospital, Blythdale Children's Hospital, numerous local schools and daycare centers, and less than a half a mile from homes. Fires from these facilities have caused evacuation and or shelter-in-place orders, contaminated ground water, and sent plumes of toxic chemicals into the air. These fires cannot be extinguished and our local fire department has also voiced its strong opposition to these BESS facilities. These facilities do not belong in densely populated areas of the state and certainly not in the Town of Mount Pleasant.

I urge you to express your opposition to Bill S5506 to your New York State Senate and Assembly peers. I hope you will consider my concerns and the potential negative impacts this legislation could have. Thank you for your time and consideration of this critical matter. I look forward to hearing your response on this issue.

Sincerely,

[Your Name]