

TOWN OF AMSTERDAM TOWN BOARD

RESOLUTION TO REFER PROPOSED ZONING AMENDMENTS RELATING TO BATTERY ENERGY STORAGE SYSTEMS TO THE TOWN OF AMSTERDAM PLANNING BOARD, REFER SAID ZONING AMENDMENTS TO MONTGOMERY COUNTY, AND INITIATE A COORDINATED REVIEW UNDER SEQR

Whereas, the Town Board has undertaken to study development of battery energy storage systems in the Town, and develop land use regulations relating thereto; and

Whereas, on September 20, 2023, the Town Board of the Town of Amsterdam adopted a six (6) month moratorium on applications for permits, site plans, or other land use approvals for solar storage batteries and utility-scale energy storage systems, which moratorium the Town Board has extended by three (3) months; and

Whereas, Delaware Engineering, D.P.C., engaged by the Town to assist in the regulation development, has prepared a draft local law containing recommended zoning text amendments to address small-scale and utility-scale battery energy storage system developments in the Town, and has delivered a copy of the proposed draft the Town Board; and

Whereas, under 6 NYCRR Part 617.4(b)(2), the adoption of changes in the allowable uses within any zoning district that affects 25 or more acres of a zoning district is a type 1 action under SEQR; and

Whereas, zoning law amendments must be referred to the Town Planning Board, in accordance with Art. XII of the Town zoning law, and to the County Planning Board, in accordance with GML Section 239-m; and

Whereas, the proposed energy storage system zoning law amendments were informally referred to the Town Planning Board on [INSERT DATE];

now, therefore, be it

RESOLVED, that the Town Board of the Town of Amsterdam hereby acknowledges referral of said proposed energy storage system zoning law amendments to the Town Planning Board, which must provide a report within sixty (60) days of the date of this resolution, as stipulated by Art. XII of the Town zoning law; and

be it further

RESOLVED, that the Town Board of the Town of Amsterdam hereby classifies adoption of the proposed energy storage system zoning law amendments as a type 1 action, declares its intent to assume lead agency status for the purposes of the required environmental review, and directs that potentially involved and interested agencies be provided notice of the proposed action and the Board's intent to assume lead agency, under SEQR; and

be it further

RESOLVED, that the Town Board of the Town of Amsterdam hereby directs that the proposed energy storage system zoning law amendments be referred to the Montgomery County Planning Board, in accordance with GML 239-m.

Dated: February 21, 2024

Sponsored by:

Seconded by:

ADOPTED- -AYES- -NOES