

TOWN OF AMSTERDAM TOWN BOARD

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW IMPOSING A MORATORIUM ON APPLICATIONS FOR PERMITS, SITE PLANS, OR OTHER LAND USE APPROVALS FOR SOLAR STORAGE BATTERIES AND UTILITY-SCALE ENERGY STORAGE SYSTEMS

Whereas, the Town's zoning law allows installation of solar storage batteries as part of utility-scale solar energy system facilities; and

Whereas, utility-scale energy storage systems may be defined as one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle and excluding those systems with an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology; and

Whereas, ongoing technological developments in the realm of energy storage system facilities and legislation and policy oriented toward decarbonizing the electrical grid in NYS, which espouse goals to accelerate development of energy storage system deployments to achieve 6 gigawatts of energy storage capacity by 2030, have increased interest in and development of utility-scale energy storage system facilities across NYS; and

Whereas, recent fire incidents in May, June, and July of this year at utility-scale energy storage system facilities located in Jefferson, Orange, and Suffolk Counties prompted shelter-in-place orders, caused release of toxic substances to the air, created potential for soil and groundwater contamination, and placed elevated resource demands on local first responders – developments that ultimately led the Governor to create an Inter-Agency Fire Safety Working Group to ensure the safety and security of energy storage systems across the state.; and

Whereas, the Town Board wishes to solicit public comment on a proposal to supersede and suspend all of Article 16 of the New York State Town Law Sections 261-285, as well as jurisdiction of the ZBA to grant relief from the moratorium, in order to preserve the status quo while affording the Town Board sufficient time to adequately study and consider the Town's zoning law and utility-scale energy storage system facilities within the various zoning districts in the town; and

Whereas, adoption of moratoria on land development or construction is a type 2 action under SEQR; and

Now, therefore, be it resolved that the Town Board directs that a public hearing be noticed by the Town Clerk, as required by law, on the proposed local law imposing a moratorium on applications for permits, site plans or other land use approvals for solar storage batteries and utility-scale solar energy systems with the public hearing to be held at Town Hall at 283 Manny's Corners Road in the Town of Amsterdam on September 20, 2023 at 5:50 p.m.

Dated: August 16, 2023

Sponsored by:

Seconded by:

ADOPTED- -AYES- -NOES

DRAFT