



TOWN OF LONG LAKE
Clay J. Arsenault
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MEMORANDUM

May 3, 2024

To: Town of Long Lake Department Heads and Elected Officials; Interested Agencies; General Public
From: Town Supervisor Clay J. Arsenault
Re: Environmental Assessments and Comments Concerning: **Proposed Local Law No. 1 of 2024
Town of Long Lake Revised Battery Energy Storage System Law**

The Town Board is considering the enactment of a revised Battery Energy Storage System (BESS) Law and will conduct a public hearing on the matter on Wednesday at 7 PM -May 29, 2024, at Town Hall.

Last year the Town adopted its Battery Electric Storage System Law (BESS) as Local Law No.1 of 2023, and an Opt-Out from Real Property Law § 487 for certain Energy Related Improvements as Local Law No. 2 of 2023.

The laws were adopted last year on **April 20, 2023**, after receiving comments, conducting a hearing and environmental review.

On July 28, 2023, Governor Kathy Hochul announced the creation of a new Inter-Agency Fire Safety Working Group to ensure the safety and security of energy storage systems across the state. Updates and resources can be found on the Working Group’s webpage <https://www.nyserda.ny.gov/All-Programs/Energy-Storage-Program/New-York-Inter-Agency-Fire-Safety-Working-Group>

Subsequently, on August 30th, 2023, the Town Board declared a moratorium on permitting new Tier 2 (greater than 600kWh) BESS’s. This was done to allow time for the Town to formulate this current proposed Local Law in a way that better reflected community concerns engendered by the spate of battery electric storage system fires within New York State in the year 2023, and the Governor’s convening of an interagency Fire Safety Working Group.

The Town Board is the lead agency for this unlisted action.

Attached is Part 1 of the Short Environmental Assessment Forms for the revised BESS law along with the text of the proposed Revised Local Law as proposed at the April 24, 2024, Town Board Meeting.

Again, the BESS Law is based upon a model local law provided by NYSERDA, but the revised local law adds substantial additional regulatory clarity and firmer standards and protocols on setbacks, noise, financial accountability of BESS operators, as well as a provision for variances. The model law and the New York State Battery Energy Storage System Guidebook are on NYSERDA’s website <https://www.nyserda.ny.gov/All-Programs/Clean-Energy-Siting-Resources/Battery-Energy-Storage-Guidebook>

The purpose and rationale for instituting said proposed law is provided in the attached documents.

If you wish to comment and provide input into the environmental review, please do so by the end of the day on **May 28th, 2024**, in writing to me. The Town Board will be conducting a hearing at 7 pm on Wednesday May 29th at the Town Hall to receive public comment.

Thank you very much.

Attachments:

1-Proposed Local Law # 1 of 2024: TOWN OF LONG LAKE REVISED BATTERY ENERGY STORAGE SYSTEM LAW

2-Short Environmental Assessment Form Part 1 along with the Narrative Statement for: Town of Long Lake Battery Energy Storage System Law
- Local Law Adoption by the Town Board of the Town of Long Lake in Hamilton County, NY