

WORKSHOP MEETING JANUARY 28TH 2025

The Town of Mayfield held a Workshop Meeting on January 28th, 2025, at 6:00 pm at the Mayfield Municipal Complex, 28 N. School St. Mayfield NY 12117. The meeting was opened by Deputy Supervisor Lesley Lanzi with the Pledge of Allegiance.

PRESENT: Deputy Supervisor Lesley Lanzi
Councilman Ralph Desiderio
Councilman Thomas Ruliffson

ABSENT: Supervisor Brandon Lehr
Councilman Jack Putman

Also Present: Aaron Howland

Deputy Supervisor Lanzi opened the Public Hearing at 6:05 PM

PUBLIC HEARING NOTICE

Please take notice that the Mayfield Town Board will hold a Public Hearing on Tuesday January 28th, 2025, at 6:05 PM at the Mayfield Municipal complex, 28 N. School St Mayfield NY 12117 to receive comments regarding proposed Local Law No. 1 of 2025 known as the "Large Scale Battery Energy Storage Systems Law of the Town of Mayfield.

Aaron Howland spoke about the verbiage to include open water along with underground aquifers.

BUDGET AMENDMENT

RES #32 On motion by Councilman Desiderio, seconded by Councilman Ruliffson the following resolution was adopted 3 AYES (Lanzi, Desiderio, Ruliffson)

RESOLVED that the Mayfield Town Board approves the Budget Amendment as follows:

Increase appropriations by line item SF3410.4 – Fire Protection – Contractual Expense - \$100
(total line - 50,450)

Increase Appropriated Fund balance SF0914 - \$100 (total item 509)

BROADALBIN MAYFIELD UNION RURAL CEMETERY

RES #33 On motion by Councilman Desiderio, seconded by Councilman Ruliffson the following resolution was adopted 3 AYES (Lanzi, Desiderio, Ruliffson)

RESOLVED that the Mayfield Town Board authorizes the release of funds for the Broadalbin Mayfield Union Rural Cemetery.

Aaron Howland spoke again about defining "open bodies of water" not limited to "aquifers"

The Public Hearing was closed at 6:12 PM

The SEQR was introduced by Councilman Desiderio as follows:

Town Board Member **Desiderio** introduced the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING THE ADOPTION OF THE DRAFT LOCAL LAW ON BATTERY ENERGY STORAGE SYSTEMS (BESS) AS A TYPE I ACTION UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), TO DESIGNATE THAT THE TOWN OF MAYFIELD TOWN BOARD SERVE AS THE LEAD AGENCY TO CONDUCT AN UN-COORDINATED REVIEW, AND TO AUTHORIZE A NEGATIVE DECLARATION

WHEREAS, the Town of Mayfield has been working over the past year to be proactive and establish a Battery Energy Storage Systems (BESS) Local Law, and

WHEREAS, the Town established a working group made up of Town Board members, Planning Board members, fire safety officials and at times consulted others for further clarification and research, and

WHEREAS, Section 617.4(b)(1) of NYS SEQR Regulations states that the proposed adoption of any Zoning Change shall be considered a Type 1 Action under SEQRA 617.4(B)(2) "the adoption of changes in the allowable uses within any zoning district affecting 25 or more acres of the district," and

WHEREAS, Resolution # 34 of 2025 the Town Board referred the BESS Local Law to the Town of Mayfield Planning Board for any additional input, and Fulton County Planning Board pursuant to GML 239-m, and

WHEREAS, The Fulton County Planning Board reviewed the Local Law on December 17, 2024, and recommended that the Local Law be approved with the following modifications:

- Section 10 should have a turnaround in front of the BESS system for emergency service vehicles (this language is found in many local laws within the county pertaining to solar arrays)
- Fencing height with slates should be at a minimum of 8' in height
- There should be limited access security for entering and exiting the BESS facility
- Screening should be listed in the local law, similar to what the Fulton County Planning Board gives to other renewable energy projects:
 - The Landscaping Plan should include a mix of Norway Spruce, White Spruce, White Pine, Nigra Arborvitae, Balsam Fir, Blue Hills Spruce, Beech, and Red

Maple. Varieties to be avoided are Blue Spruce, Douglas Fir, and Sugar Maple as they are prone to more diseases as well as being very site/soil selective. All plantings must be at least 8' in height at the time of planting.

- Plantings for residents along Route 30 should be made at intervals of not more than 10' on center by planting them in one (1) consecutive row or two (2) staggered rows so that the plantings maintain the 10' separation. All The plantings must be at least 8' in height at the time of planting.
- If applicable, plantings must be provided along the access driveway in order to soften the appearance of the utility poles.

WHEREAS, The Town of Mayfield Planning Board reviewed the Local Law on January 15, 2025, and offered the following comments: *To be reviewed in the future: adding "Lake" definition and being more specific regarding the water source, along with reviewing the law periodically to keep it up to date with the technology.*

WHEREAS, the Town of Mayfield Town Board completed Part 1 of the Full Environmental Assessment Form (FEAF), and

WHEREAS, on January 28, 2025, the Town Board, acting as the Lead Agency under SEQR determined that there would be no significant negative environmental impacts caused from the adoption of the draft Local Law on Battery Energy Storage Systems (BESS).

NOW, THEREFORE BE IT

RESOLVED, The Town of Mayfield Town Board hereby designates itself as the SEQR Lead Agency for the purposes of issuing a determination of significance under SEQR on the proposed action, and be it further

RESOLVED, that the Town of Mayfield Town Board has reviewed the Full Environmental Assessment Form, completed and reviewed Part II of the Full Environmental Assessment Form, reviewed and evaluated all criteria contained in 6NYCRR 617.7(c), and reviewed all other pertinent information regarding the proposed action, and be it further

RESOLVED, that the Town of Mayfield Town Board, as Lead Agency, hereby determines that:

1. The requirements of 6NYCRR Part 617 have been met.
2. The working group consisted of a mix of Town & Planning Board Members, some of who are first responders (Fire Department)
3. The Town of Mayfield Town Board has weighed and balanced relevant environmental impacts with social, economic, and other considerations.

4. Consistent with social, economic, and other essential considerations, from among the reasonable alternatives available, the proposed action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable.
5. Potential environmental impacts will be avoided or minimized to the maximum extent practicable due to the mitigative measures proposed.

RESOLVED, that the Town Board authorizes the Supervisor to complete and sign Part (3) of the Full Environmental Assessment Form and to Issue a Negative Declaration under SEQR, and be it further

RESOLVED, that certified copies of this Resolution be distributed to the Town Clerk, Town Attorney and Town Supervisor, and be it further

RESOLVED, that a signed Part 3 of the Full Environmental Assessment Form be sent to the Fulton County Planning Department to file with the New York State Department of Environmental Conservation (NYSDEC) Environmental Notice Bulletin.

Town Board Member Lanzi seconded the motion.

The Resolution was approved by the following vote:

3 Ayes (Lanzi, Desiderio, Ruliffson)
0 Nays
0 Abstentions
2 Absent

Motion by Councilman Desiderio, seconded by Councilman Ruliffson:

Move that the Board adopt and enforce Local Law 1 of 2025, which pertains to the development, implementation, and regulation of large-scale battery energy storage systems. This law is essential to ensure the safe, efficient, and environmentally responsible management of energy storage systems within our jurisdiction.

Roll Call Vote:

The motion to adopt Local Law 1 of 2025 will now proceed to a roll call vote. Board members will be called upon individually to cast their votes in favor or against this motion.

ROLL CALL VOTE:

Deputy Supervisor Lanzi	AYE
Councilman Desiderio	AYE
Councilman Ruliffson	AYE

LOCAL LAW NO. 1 HAS PASSED AS FOLLOWS AND WILL TAKE EFFECT UPON FILING WITH THE DEPARTMENT OF STATE

Town of Mayfield, New York
Local Law No. 1 of the Year 2025

A local law to establish regulations for the construction and operation of Large-Scale Battery Energy Storage Systems (BESS) within the Town of Mayfield.

BE IT ENACTED by the Town Board of the Town of Mayfield as follows:

Section 1: Title

This local law shall be known as the "Large-Scale Battery Energy Storage Systems Law of the Town of Mayfield."

Section 2: Purpose

The purpose of this local law is to provide for the construction and operation of Large-Scale Battery Energy Storage Systems (BESS) in the Town of Mayfield, subject to reasonable conditions that will protect the public health, safety, and welfare.

Section 3: Definitions

For the purposes of this Local Law, the following terms shall have the meanings indicated:

LARGE-SCALE BATTERY ENERGY STORAGE SYSTEM INSTALLATION(S): Any installation of a rechargeable energy storage system having an aggregate energy capacity greater than 600kWh, consisting of electrochemical storage batteries or similar technology, battery chargers, controls, power conditioning systems, inverters, transformers, switchgears and associated electrical equipment designed to store electrical power received from a generating or transmission source and periodically discharging power from the battery energy storage system into the power grid. Systems typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities relating to the energy consumed by a residence, farm operation or business on site and having an aggregate energy capacity of less than or equal to 600kWh shall not be considered "Large-Scale Battery Energy Storage System Installation(s)" for purpose of this Local Law.

Aquifers: Underground geological formations containing water supplies used or potentially used for drinking water and other municipal needs, subject to protection under local watershed and environmental regulations.

Crops: Agricultural products cultivated for food, fiber, or other commercial purposes on designated agricultural land.

Residences: Structures intended for human habitation, including single-family homes, apartments, and other dwelling units.

Roads: Public or private thoroughfares providing vehicular access, subject to local transportation ordinances, maintenance requirements, and right-of-way regulations.

Livestock: Domesticated animals raised for commercial purposes or agricultural use, subject to local animal husbandry regulations.

Businesses: Commercial establishments engaged in trade, services, or manufacturing.

Public Facilities: Government-owned or operated buildings providing community services.

Private Schools: Non-governmental educational institutions.

Places of Worship: Buildings used primarily for religious services and related activities.

Section 4: Applicability

The requirements of this Local Law shall apply to all Large-Scale Battery Energy Storage Systems permitted, installed, or modified in the Town of Mayfield after the effective date of this Local Law, excluding general maintenance and repair.

Section 5: Environmental Protection

1. Measures must be taken to protect soil and groundwater both on-site and on adjacent properties.
2. The design shall prevent contamination migration in case of fire or leakage.
3. Fire-protected non-combustible secondary containment structures with watertight basements are required.

Section 6: Setbacks

Large-Scale Battery Energy Storage Systems shall maintain a minimum setback of 1500 feet from:

1. Aquifers
2. Crops
3. Residences
4. Roads
5. Livestock
6. Businesses
7. Public facilities (Schools, Libraries, Post Office, etc.)
8. Private Schools
9. Place of worship

Section 7: Zoning Restrictions

1. Large-Scale Battery Energy Storage Systems shall only be permitted in Agriculture District 2 with a Special Use Permit. No Battery Energy Storage System shall be located or installed on any soils labeled as "Prime Agricultural Land" and, soils "of State Importance" should be avoided.

2. Specific oversight related to runoff (e.g., rivers, streams, roads) into the lake shall be implemented.

In addition, Table 301 as contained in Article III (Zoning Uses) of said Zoning Law is hereby amended as shown on the attachment annexed hereto and made a part hereof.

Section 8: Screening/Security

1. All equipment related to the BESS facility must be completely enclosed by a minimum 8' slated high fence with a self-locking gate. (See Section 9 for buffer zone)
2. Lighting on the site shall provide security while not projecting adverse glare onto adjacent properties nor distract motorist's line of sight.
3. In addition to fencing, the installation of a vegetated perimeter buffer to provide year-round screening of the system from adjacent properties. Examples of varieties to be planted include a mix of Norway Spruce, White Spruce, White Pine, Nigra Arborvitae, Balsam Fir, Blue Hills Spruce, Beech, and Red Maple. Varieties to be avoided are Blue Spruce, Douglas Fir, and Sugar Maple as they are prone to more diseases as well as being very site/soil selective. All plantings must be at least 8' in height at the time of planting and intervals of not more than 10' on center by planting them in one (1) consecutive row or two (2) staggered rows so that the plantings maintain the 10' separation.

Section 9: Fire Protection

1. All secondary containment structures and accessory buildings shall be constructed with non-combustible materials. For example, concrete masonry walls with steel bar joist roof framing and metal roofing. The specifics are the responsibility of the project engineer.
2. All secondary containment structures housing batteries are required to have adequately designed chemical fire protection systems along with the appropriate detection and alarm equipment.
3. All ground cover material within 300 feet of any battery cell shall be of a non-combustible material. This can be crushed stone or gravel, concrete or asphalt.
4. No trees, brush or other plants that could contribute to the spread of flames in a fire are allowed in this 300 foot fire buffer. In the site plan review process, the town planning board may require plantings for screening purposes beyond the 300 foot fire buffer area.

Section 10: Noise Regulations

The one-hour average noise generated from the battery energy storage system components and associated ancillary equipment shall not exceed a noise level of sixty (60) dBA as measured at the outside wall of any non-participating residence or occupied community/public building. Applicants may submit equipment and component manufacturing noise ratings to demonstrate compliance. The applicant may be required to provide operating sound pressure level measurements from a reasonable number of sample locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.

Section 11: Access Road Requirements

1. Minimum width: 20 feet
2. Minimum height clearance: 20 feet
3. Weight capacity: 40 tons
4. Turnaround in front of the BESS system
4. Purpose: Accommodate fire department and other emergency vehicles

Section 12: Height Restrictions

Buildings and battery containers shall not exceed a height of 15 feet.

Section 13: Water Source

A water source shall be made available for fire department use in case of emergency.

Section 14: Surety Bonds

Two separate and distinct surety bonds shall be required:

1. A bond for the decommissioning plan
2. A bond for environmental cleanup (in case of catastrophe or to restore land to its original state)

Section 15: Severability

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 16: Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

(Table 301 cont.) Addition:

Commercial Uses-2

	Residential-1	Residential-2	Agricultural-1	Agricultural-2	Mixed Use-1	Mixed Use-2	Commercial	Business	Lake Area-1	Lake Area-2	Resource Hub	Recreation	Public	NYS Wild Forres
Large-Scale Battery Energy Storage System (>600kWh)	N	N	N	SU	N	N	N	N	N	N	N	N	N	NA

On motion by Councilman Desiderio, seconded by Councilman Ruliffson the meeting was adjourned at 6:15 pm.

Nancy Parker
Town Clerk/RMO