

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Mayfield

JAN 31 2025

DEPARTMENT OF STATE

Local Law No. 1 of the year 2025

A local law Known as the Large-Scale Battery Energy Storage Systems of the Town of Mayfield
(Insert Title)

Be It enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one.)

of Mayfield as follows:

The text of this local law is annexed hereto.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2025 of the (County)(City)(Town)(Village) of Mayfield was duly passed by the Town Board on Jan 28 202025, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2025, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

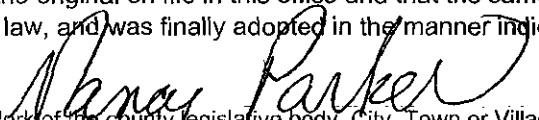
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1____ above.


Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

Date: 1-28-25

(Seal)