

**Greig Town Board  
Public Hearing  
November 12, 2025 – 5:30PM**

Public Hearing on Local Policy governing Use of Building Maintenance Funds. Approval to move money from this fund to cover expenses for Town Hall Building insulation upgrade.

**Regular October Town Board Meeting Meeting  
November 12, 2025**

A group of more than 30 members of the public appeared for this meeting. It was stated they wanted to gain information on the EIP Company plan to submit an application to the Greig Planning Board to place a Battery Energy Storage System (BESS) within the Town of Greig.

Meeting called to order at 5:35 P.M.. Supervisor Johnson led Pledge of Allegiance to the Flag.

Roll Call: Councilmen Olmstead, Mallette, Bailey-Swisher and Mayhew are present. Also Town Clerk Gunn, Highway Superintendent Alfano, Assessor Mace, RACOG Circuit Rider Cowell and Attorney Gilbert were present.

Supervisor Johnson stated it is important that the Board hear the monthly summary report prepared by Assessor Mace now because Mr. Mace has another meeting he needs to attend.

Assessor Mace provided a printed monthly report to the Board and reviewed its contents. There was a count of properties he has visited in person and by aerial photos, impact of exemptions and an estimated assessed value increase within the town if a BESS project were to be put in place.

Supervisor Johnson started the BESS public discussion by explaining there have been 3 presentations made by EIP to the Town of Greig to date. These presentations and other Town actions, in preparation for an anticipated application by EIP, have been noted in town meeting minutes since 2023. EIP has made two visits to the Town Board in the past and recently visited the Town Planning Board Meeting. These presentations were intended to educate both the Town Board and the Planning Board about what a BESS was and where they planned to locate it and in what time frame. These presentations can be viewed by following a link on the [townofgreig.gov](http://townofgreig.gov) website front page. The town board has made revisions to the Town Zoning Law and also created a PILOT (Payment in Lieu of Taxes) Law partly as a result of the EIP notice. Supervisor Johnson then gave a quick review of the information the Boards have received. It should be noted there have been no applications presented to the Town by EIP at this point, just the information that this company has been in the planning and in the preliminary stages for a while.

Supervisor Johnson then opened a discussion period that he requested be closed by 6:30 PM so other Board business could be completed. A vigorous period of questions and answers followed. Some Board members spoke to indicate they have never expressed positive support of this project and are waiting to see the application and hear all the data facts before making a decision.

**6:30PM**

**MINUTES From Last Meeting**

Supervisor called for a motion from the Board to accept the minutes from the October Town Board Meeting. These minutes have been emailed in advance to the Council members. Councilman Olmstead wished to modify the report on Dam Maintenance. He will not be an official “overseeing” the construction of repair parts for the Dam.

**Motion 25-11-10** made by Councilman Olmstead Seconded by Bailey-Swisher

Approve the October 2025 regular meeting minutes with the modification removing Mr. Olmstead's name as the “overseer” of Dam repairs.

Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

**Supervisor Johnson called the Public Hearing to move Reserve Fund Savings to A Fund Expense Account open.** No members of the Public wished to speak at this time. 6:45 PM

### **PB and ZBA REPORT**

Supervisor Johnson asked the RAYCOG Circuit Rider for a report. He indicated actions were underway with youth groups within the school systems to actively be a part of RACOG programs. The RAYCOG Visions Meeting will take place at BOCES in March of 2026. Local Governments may share RAYCOG ZOOM meeting contract to produce meetings if desired.

**ZBA** did not have any appeals to review.

**PB** approved the Dolhof subdivision request for property on the VanArnum Road. Mr. Dittle's application for subdivision on North Shore Road was put on hold requesting more information. The meeting to share for "better communications" between the Chairman, Secretary, Town Clerk and Supervisor has not taken place yet.

### **ATTORNEY REPORT**

Mr. Gilbert is arranging another venue for a current court case.

### **OLD/NEW BUSINESS**

#### **Zoning Law**

Supervisor Johnson ran through some of the word changes that have been recommended by the County Planning Department. Supervisor Johnson indicated we will have a Public Hearing on the proposed Zoning Law changes at the opening of the December Greig Town Board Meeting December 10, 2025 at 5:30PM. Changes are attached to these minutes.

**Supervisor Johnson gavel-ed the Public Hearing to transfer funds closed at 6:50 PM**

**Motion 25-11-11** made by Councilman Bailey-Swisher, Seconded by Mayhew

Authorize transfer of \$7000 from the Building Maintenance Fund to the A fund to cover the expense of the Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

Supervisor Johnson discussed a revision for the fee schedule for an appearance before the Zoning Board of Appeals and Planning Board. Other Towns have made serious changes based on the level of work anticipated with "tier 2" type "energy project" applications. It was noted each windmill carried a \$1000 fee per application. We need to protect our boards when this type of activity draws a high pressure response with an enormous amount of work and meetings involved. Mr. Johnson indicated the board should give this thought and be prepared to pass a "Fee Schedule" change at the December meeting.

**National Grid Invoices** Mr. Johnson reported there are still issues unresolved with the electricity use at the Town Hall building for the last 18 months and the sales tax that has been collected. These should be a wash and we should start receiving monthly use invoices without sales tax. They have not produced an accurate accounting at this point and we are still waiting.

National Grid representatives did visit to discuss a program to replace lighting as a cost savings. This program ends December 31. We would replace Town Hall Lights (inside and out) and the Cold Storage Building.

Estimate for the entire project is \$13,703. The Town Share would be \$5174, or 1/3 of the project cost. Payback should be in 4 to 5 years. Mr. Johnson asks for a motion authorizing him to approve this contract

**Motion 25-11-12** made by Councilman Bailey-Swisher, Seconded by Olmstead

Authorize Supervisor to sign Electric Light Replacement program contract with National Grid. Cost should be \$5174 coming from Reserve Fund for Building Maintenance.

Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

**Humane Society** Supervisor Johnson received the 2026 Contract from the Humane Society. He reviewed a presentation the Society Director made to the Supervisors Meeting he recently attended. The Humane Society has been required to make substantial changes to the Shelter to meet State Requirements. They are portioning the costs to Towns based on Town population. The Greig Share is \$2000. This is an increase from last years \$500 cost. Mr. Johnson asked authorization to sign the Humane Society 2026 Contract.

**Motion 25-11-13** made by Councilman Mallette, Seconded by Mayhew

Authorize Supervisor to sign Humane Society contract for 2026. Cost should be \$2000 coming from budgeted funds.

Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

**Comprehensive Plan Committee** Mr. Johnson noted there will be a Committee meeting Wednesday November 19 at 6:00PM. Results of the survey will be discussed.

**Town Historian** Ms. Bailey-Swisher passed around an example of the "Town Time Line" theme she will be placing along our building hallways. She has been working on this project, as well as working on locks for the display cabinet in the lobby.

Supervisor Johnson requests an Executive Session to discuss a Personnel Action and Building Permit Legal issue.

**Motion 25-11-14** made by Councilman Olmstead, Seconded by Bailey-Swisher

Enter executive session to discuss a personnel issue and building permit action. 7:30 PM

Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

**Motion 25-11-15** made by Councilman Bailey-Swisher, Seconded by Olmstead

Exit executive session. 7:50 PM

Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes

**Motion approved.**

**Planning Board Membership** Supervisor Johnson reported he has reviewed the appointment dates for each of the PB members and feels confident that if the Board appoints Mr. Dave VandeWater tonight as the Board Chairman for the period of fiscal 2025 and a 5 year membership on the Planning Board 2025-2029, the membership will be correct

The Board membership should now have the following dates:

| Name              | Appointed  | Expires    |
|-------------------|------------|------------|
| Duncan, Ron       | 01/01/2021 | 12/31/2025 |
| Wilson, Judy      | 01/01/2022 | 12/31/2026 |
| Bourgeois, Brenda | 01/01/2023 | 12/31/2027 |
| Widrick, Luke     | 01/01/2024 | 12/31/2028 |
| VandeWater, Dave  | 01/01/2025 | 12/31/2029 |

**Motion 25-11-16** made by Councilman Olmstead, Seconded by Mallette  
 Appoint Dave VandeWater as Chairman of the Planning Board with a term ending 12/31/2025.  
 Vote: Mayhew, Olmstead, Bailey-Swisher and Mallette - Yes  
**Motion approved.**

**SUPERINTENDENT REPORT**

Preparations for snow have been completed. Working on Partridgeville Road.

**SUPERVISORS REPORT**

Supervisor Johnson presented the current status of the budget as submitted by the accounting firm. Noticed that the A fund shows the revenue from the Grant to pay for the Comprehensive Plan invoice.  
 Mr. Johnson also noted the Water District Fund (SW) has a \$21,000 current balance.

Mr. Johnson requested a motion to move funds in the budget to cover out of balance conditions.

**Motion 25-11-17** made by Councilman Bailey-Swisher , Seconded by Mayhew  
 Authorize the Supervisor to move the following money between budgeted accounts:

|   |  |
|---|--|
| Move \$2100   | from Contingent Account A1990.4 to Retirement Account DA9010.8   |
| Move \$909  | from Contingent Account A1990.4 to Retirement Account A9010.8    |
| Move \$130  | from Contingent Account A1990.4 to PB Contract Account A8020.4   |
| Move \$270  | from Contingent Account A1990.4 to Disability Ins Acct DA 9050.8 |
| Increase Revenue income from \$210,000 to \$275,000 | DA 3501  |
| Increase Revenue income from \$210,000 to \$275,000 | Improvement to Highway DA 5112.2                                 |
| Move \$8200   | from Maint of Roads DA5110.4 to Snow Removal DA 5142.1           |
| Move \$400  | from Maint of Roads DA5110.1 to Snow Removal DA 9055.8           |

Vote: Mayhew, Olmstead, Bailey-Swisher, and Mallette - Yes  
**Motion approved.**

**Motion 25-11-18** made by Councilman Bailey-Swisher, Seconded by Mallette  
 Accept the Supervisors Financial Report as presented  
 Vote: Mayhew, Olmstead, Bailey-Swisher, and Mallette - Yes  
**Motion approved.**

**CLERKS REPORT**

Clerk Gunn distributed the October 2025 report by email. Report contained details of the following financial actions:

**Town Collections**

There were general fund collections of:

|                           |                  |
|---------------------------|------------------|
| 2 Board Appearance        | \$ 145.00        |
| 5 Dog License             | \$ 7.00          |
| <b>Total Collections:</b> | <b>\$ 152.00</b> |

The expenditures were:

|                            |                 |
|----------------------------|-----------------|
| Town Supervisor as Revenue | \$145.00        |
| Animal Population Control  | \$ 7.00         |
| <b>Total Payments</b>      | <b>\$152.00</b> |

**Motion 25-11-19:** made by Councilman Mallette, Seconded by Olmstead  
Approve Clerk's financial report as presented.

Vote: Mayhew, Olmstead, Bailey-Swisher, and Mallette - Yes

**Motion approved.**

**VOUCHER REPORT**

|   |                    |
|---|--------------------|
| Highway Abstracts                       | \$37,567.27        |
| General Abstracts                       | \$37,799.43        |
| Trust & Agency Abstracts                | \$ 1,508.92        |
| SW Water District                       | \$ 2,040.47        |
| <b>Total paid in August Abstracts =</b> | <b>\$78,916.09</b> |

**Motion 25-11-20:** made by Councilman Bailey-Swisher, Seconded by Mayhew  
Approve Vouchers

Vote: Mayhew, Olmstead, Bailey-Swisher, and Mallette - Yes

**Motion approved.**

**Motion 25-11-21** made by Councilman Mayhew, Seconded by Bailey Swisher  
Motion to adjourn 09:30PM

Vote: Mayhew, Olmstead, Bailey-Swisher, and Mallette - Yes

**Motion approved.**

Respectfully submitted

Thomas Gunn, Clerk/Collector

# Appendix 1

## Zoning Law Word Changes

uprights on which such sign is placed on signs with more than one face, only that face or faces visible from any one direction at one time will be counted.

**Asphalt/Black Top/Cement Facilities Permanent:** A facility designed to combine bonding agents with sand, gravel and stone to create asphalt or concrete that will exist more than three years.

**Asphalt/Black Top/Cement Plants Limited:** (not to exceed three years) A facility designed to combine bonding agents with sand, gravel and stone to create asphalt or concrete.

**Battery(ies):** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

**Battery Energy Storage Management System:** An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

**Battery Energy Storage System [BESS]:** 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 automobile. Solar energy systems with battery storage are included under solar energy system regulations. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

- A. Tier 1 Battery Energy Storage Systems have 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. Tier 1 BESS shall be considered as light industrial use and shall be within the light industry floating zone. Tier 1 systems used for on-site residential use are shall be considered accessory and shall follow the requirements of Section 699.8.
- B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kwh or are comprised of more than one storage battery technology in a room or enclosed area. Tier 2 BESS shall be considered as heavy industrial use and shall be within the heavy industry floating zone.

**Battery Energy Storage System Building-Mounted:** A Battery Energy Storage System attached to any part of a building or structure that has an occupancy permit on file with the Town and/or County, and that is either the principal structure or an accessory structure on a recorded parcel.

**Battery Energy Storage System Ground-Mounted:** A Battery Energy Storage System that is not a Building-Mounted Battery Energy Storage System.

**Bed and Breakfast:** An owner-occupied residential dwelling that makes available a room or rooms for overnight accommodation to transient paying guests.

**Boathouse:** A covered structure with direct access to a navigable body of water.

**Building:** Shelter having a roof supported by columns or walls and intended for the shelter or enclosure of persons, animals, or property.

C. Amending the Zoning Map does not constitute recording of a subdivision plat nor authorize the issuance of building permits.

▪ **Section 320.5 Review of Zoning Changes**

The Town Board may review property not developed within three years following a zoning classification change to determine whether or not the classification remains appropriate. Following the review, the Town Board may call a public hearing to consider a further change in classification, as it deems appropriate.

**Section 325 Standards for Lot Mergers**

The rules and procedures for approving Lot Mergers are found in the Town of Greig's Subdivision Law.

**ARTICLE IV ZONING DISTRICT STANDARDS**

**Section 405 Zoning District Uses**

Any use not listed shall be assumed to be prohibited due to health and or safety reasons.

Key: Not Permitted – (-) Permitted Use - P Special Permit - SP Floating Zone - FZ

| USE                           | HAMLET | RR-1  | RR-2 | FOREST | WF 2           | LI    |
|-------------------------------|--------|-------|------|--------|----------------|-------|
| One Family Dwelling           | P      | P     | P    | P      | P <sup>5</sup> | -     |
| Two Family Dwelling           | SP     | SP    | SP   | SP     | -              | -     |
| Multi Family Dwelling         | SP     | SP    | SP   | SP     | -              | -     |
| Manufactured Home             | P      | P     | P    | P      | -              | -     |
| Mobile Homes                  | -      | -     | -    | -      | -              | -     |
| Accessory Structures          | P      | P     | P    | P      | P <sup>3</sup> | -     |
| Adult Use/ Entertainment Est. | -      | -     | -    | SP     | -              | -     |
| Agricultural Business         | -      | SP    | SP   | SP     | -              | -     |
| Agricultural Structure        | P      | P     | P    | P      | -              | -     |
| Amusement Arcades             | SP     | -     | -    | -      | -              | -     |
| Anaerobic Digesters           | -      | -     | -    | -      | -              | -     |
| Animal Hospitals              | SP     | SP    | -    | -      | -              | -     |
| Bed and Breakfast / Hostels   | SP     | SP    | SP   | SP     | -              | -     |
| BESS Tier 1                   | =      | FZ/SP | =    | =      | =              | FZ/SP |
| BESS Tier 2                   | =      | FZ/SP | =    | =      | =              |       |
| Campground / Trailer Park     | SP     | SP    | SP   | SP     | -              | -     |
| Community Center              | P      | P     | -    | -      | -              | -     |
| Condominium                   | SP     | SP    | SP   | SP     | -              | -     |
| Cluster Development           | SP     | SP    | SP   | SP     | -              | -     |
| Day Care <sup>2</sup>         | P      | P     | P    | P      | P              | -     |
| Duplex                        | SP     | SP    | SP   | SP     | -              | -     |
| Essential Facilities          | SP     | SP    | SP   | SP     | -              | -     |
| Excavation                    | -      | SP    | SP   | SP     | -              | -     |

It is the intention of this law that once a substantial area (as determined by the Town Board) has been zoned for industry, this section will be repealed by the Town Board. There will then be an Industrial Zone and therefore no need for a floating zone.

- B. General Requirements and Review Criteria. The following are standards that apply when forming an Industrial Zone:
1. The zone change shall be for a minimum of ten (10) acres.
  2. The proposed industrial use shall not cause interference or a nuisance that may be detrimental to adjacent uses.
  3. The proposed industrial use shall be compatible with the surrounding neighborhood and in harmony with the general plan for the community.
  4. All discharges from the site and or operation shall be retained on-site.
  5. In order to preserve the environment and community character Light Industrial and Heavy Industrial use are prohibited in all Forest, Waterfront and Hamlet zones.

#### **Section 435 Light Industry Zone (LI)**

This zone shall include sawmills, Tier I Battery Energy Storage Systems, WEPS and light industrial uses. Light Industry Zones may be established in the town and designated as specific locations on the zoning map using the procedure for establishing floating zones in **Section 420** of this law.

It is the intention of this law that once a substantial area (as determined by the Town Board) has been zoned for light industry, the Floating Zone section will be repealed by the Town Board. There will then be a Light Industry Zone and therefore no need for the floating zone.

Light Industrial Uses shall comply with the following standards:

- A. All operations shall comply with applicable Federal, State, and Local air quality standards.
- B. The proposed use shall not be sited within one hundred and fifty feet (150) of a designated wetland or mapped waterbody.
- C. The storage, handling, and use of hazardous materials shall be restricted to the property.
  1. Facilities shall have secondary containment systems to prevent spills and leaks from contaminating the environment.
  2. Facilities shall have a comprehensive emergency response plan to address accidental spills and other emergencies.
- D. Loading and unloading areas shall be designed to minimize traffic congestion, noise, and the need to back into public roadways to the greatest extent practical.
- E. Noise levels shall not exceed 70 decibels at the property line.
- F. All discharges from the site and or operation shall be retained on-site.
- ~~F-G~~ In order to preserve the environment and community character Light Industrial and Heavy Industrial uses are prohibited in all Forest, Waterfront and Hamlet zones.

Lighting. All exterior lighting fixtures shall be shielded or designed to prevent direct light intrusion onto adjacent properties.

#### **Section 440 Cluster Development**

- A. Authorization

2. The land so set aside shall be provided in such a manner that it is usable for recreation or other activities and is accessible to all residents of the subdivision or, where the land has been deeded to the Town, to the public.
3. Cluster open space shall be made available for the use of all residents of the Town unless the Planning Board finds that the size, location, type of development, or cost of development or maintenance of such cluster open space, or the availability of public open space, would make public use undesirable or unnecessary.
4. If cluster open space is not dedicated to public use, it shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the cluster open space; method of maintenance; responsibility for maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain cluster open space will not be dissolved without the consent of the Planning Board; and any specifications deemed necessary by the Planning Board.

## ARTICLE V. GENERAL STANDARDS FOR ALL ZONES

### Section 505 General

The standards in **Article V: General Standards**, shall apply to **all land uses, structures, and developments in all zoning districts**, unless expressly stated otherwise.

### Section 506 Development Agreements

A. Complexity of Review. The Town Board or the Planning Board, upon ~~may~~ request, may require an applicant to enter into a Development Agreement when the proposed project involves technical, environmental, or procedural complexities that warrant additional oversight or coordination beyond standard review procedures. Projects that may warrant a Development Agreement include, but are not limited to, medium or large solar energy systems, ~~applicants to enter into a Development Agreement due to the technical and environmental complexities inherent in the proposed project,~~ battery energy storage systems (BESS) tier 1 or tier 2, WESP, campgrounds, light industrial, heavy industrial, slaughterhouse, manufactured home parks, and other uses with significant environmental or infrastructure impacts.

B. Consultants and Experts. The Development Agreement shall include provisions for the Town to retain qualified consultants and technical experts, at the applicant's sole expense, to assist in the review of environmental, engineering, safety, and other technical aspects of the proposed project. Such consultants may include, but are not limited to, engineers, planners, attorneys, environmental scientists, and other professionals deemed necessary by the Town. ~~The Agreement shall provide for the retention of qualified consultants and experts at the applicant's expense to assist the Town in reviewing environmental, engineering, safety, and other technical aspects of the project.~~

A. Cost Recovery. Applicants shall reimburse the Town for all reasonable and necessary costs incurred during the review of the application, including but not limited to consultant fees, legal expenses, and administrative costs, as outlined in the Development Agreement. No final approval shall be granted until all such costs have been paid in full. ~~Applicants shall reimburse the Town for all~~

B. Restrictions on Occupancy

1. Every manufactured home shall have a pitched roof of a minimum ratio of 1/4.
2. Any manufactured home located in the Town of Greig shall be in compliance with standards equal to or stricter than the U.S. Department of Housing and Urban Development (HUD) Manufactured Mobile Home Construction and Safety Standards, 24 CFR Part 3280 (1976), and as amended. The owner or applicant is responsible for providing adequate assurance that these standards have been complied with. The presence of a permanent certification label affixed to the manufactured home by the manufacturer shall be presumptive evidence that the construction of a manufactured home is in compliance with such standards.
3. Every manufactured home shall be equipped with at least one smoke or heat detector to give warning to occupants in case of fire.

C. Manufactured Home Skirting

1. Each manufactured home shall be provided with a skirt to screen space between the manufactured home and the ground.
2. Such skirts shall be of permanent material providing a finished exterior appearance.
3. The materials used for skirting shall be fire resistant.

**Section 575 Flood Plain Standards**

All uses shall also comply with the Town of Greig Flood Damage Prevention Local Law, Local Law 4-08, of 2008, and as amended.

**Section 576 Land Clearing and Forest Preservation**

A. Purpose and Findings

The Town finds that forested areas within the Town provide important environmental benefits, including carbon sequestration, oxygen production, erosion control, and habitat for wildlife. Large-scale clearing of forested land for development, including renewable energy projects, can reduce these benefits and may be counterproductive to overall environmental and climate objectives. The Town further finds that limiting forest clearing and requiring the preservation of mature trees is consistent with sound land use planning, environmental protection, and the Town's goals for sustainable, renewable energy development. Comprehensive plan surveys indicate a strong desire to maintain the town's rural, forested character.

A.13 Applicability

This section applies to all land clearing activities associated with development projects that involve the removal of more than 10% of the project footprint or 5 acres, whichever is greater, of forested land. This includes, but is not limited to, the development of:

- Wind Energy Systems (WESP)
- Battery Energy Storage Systems (BESS)
- Solar Energy Systems
- Commercial, industrial, or large-scale residential projects

C. Requirements

1. Tree and Vegetation Inventory: Applicants shall submit a tree and vegetation inventory as part of the site plan or special use permit application, identifying all trees over [e.g., 6 inches DBH] and delineating areas of forest cover.
2. Minimization of Clearing: Site plans shall demonstrate that forest clearing has been minimized to the greatest extent practicable. Clustering of development and alternative site layouts may be required to preserve mature trees and contiguous forest areas.
3. Preservation Zones: The Planning Board may designate “no-clearing zones” or “tree preservation areas” where clearing is prohibited, particularly in areas with steep slopes, wetlands, or critical wildlife habitat.
4. Mitigation: Where clearing is unavoidable, the Town shall require reforestation, tree replacement, or conservation easements as mitigation measures.

**Review and Enforcement**

The Planning Board shall consider the extent of proposed clearing during site plan and special use permit reviews. Violations of this section may result in stop-work orders, fines, or restoration requirements as provided in the enforcement provisions of this law.

**Section 580 Individual Travel Trailers**

A. Regulation: The term travel trailer may be used interchangeably with recreational camping vehicles, all provisions that apply to travel trailers also apply to recreational camping vehicles as in this Law they are considered the same.

1. Storage:

A maximum of two (2) travel trailers may be stored outside (unoccupied and not used for living quarters), if the recreational camping vehicle is owned by the real property owner or the tenant, or by a family member residing on the same lot.

2. Occupancy:

A maximum of two (2) recreational camping vehicles may be located on a lot owned by the registered recreational camping vehicle's owner or by a family member for occupancy subject to the following conditions:

- a. If potable and sanitary water is supplied, then it shall meet the standards as promulgated by the NYS Department of Health.
- b. On-site sanitary sewage disposal is required.
- c. Travel trailers must remain mobile; no accessory structures may be attached.
- d. The travel trailer must remain licensed, registered, and inspected for highway use, and at all times the travel trailer(s) must remain capable of use on public highways.
- e. No travel trailer shall be used as a permanent residence (over 180 days within a calendar year).
- f. The placement of all travel trailers shall meet all required yard setback requirements of the zoning district in which it is located when in use. (Temporarily stored travel trailers (30 days or less) are exempt from setback requirements.) Zoning use can be found in the Town of Greig Zoning Laws **Section 410 and 415**.
- g. A permit is obtained from the Zoning Officer.
- h. One travel trailer per parcel may be rented except for Waterfront 2 (WF-2) and the Hamlet (H) where no rental is allowed. No additional travel trailer may be rented without a Campground Special Permit from the Town of Greig Planning Board.

B. Permit Requirements

- B. Setback: Heavy industrial uses shall not be located closer than two hundred (200) feet to any front, side, or rear lot line.
- C. Screening: All industrial operations shall be screened from roads, waterbodies and adjacent property that are other than an industrial use, by a minimum seventy-five (75) foot vegetative buffer area. Plant material shall be six (6) to eight (8) feet in height when planted and shall be spaced to form an opaque screen in multiple rows with alternate spacing or other equally acceptable screening techniques upon approval of the Planning Board.
- D. Maximum building height is 40 feet.
- E. Lot size and road frontage requirements shall be that of the zone in which the Heavy Industrial is floated into.

**Section 640 Light Industry and Sawmills standards (including WEPS, BESS, and Sawmills)**

STBT

A. Setback: A light industrial use (including Wind Energy Systems Principal, WESP) or sawmill shall not be located closer than seventy-five (75) feet to any front, side or rear lot line.

Tier 1 Battery Energy Storage Systems (BESS) requirements are specified in Section 699 due to the unique operational and emergency response considerations.

B. Screening: All such light industry operations, excluding BESS and WESP (which are governed by stricter screening standards in their respective sections), shall be landscaped and screened in accordance with Section 815. Screening shall provide a year-round visual and sound buffer from adjacent residential or sensitive land uses.

C. **Height Limitations.** The maximum building height for any structure associated with a light industrial use shall not exceed forty (40) feet, unless otherwise specified in a special use permit or overlay district.

**Section 645 Slaughterhouse**

- A. Location: A slaughterhouse shall not be located within two hundred (200) feet of a state or federally designated wetland, and no closer than five hundred (500) feet of a water body due to the noise and visual impact.
- B. Setback: A slaughterhouse shall not be located closer than two hundred (200) feet to any front, side, or rear lot line.
- C. Screening: A slaughterhouse shall be screened from roads, waterbodies and adjacent properties by a minimum seventy-five (75) foot vegetative buffer area. Plant material shall be six (6) to eight (8) feet in height when planted and shall be spaced to form an opaque screen in multiple rows with alternate spacing or other equally acceptable screening techniques upon approval of the Planning Board.
- D. All discharges from the site and or operation shall be retained on-site.

- B. May be used for a period not to exceed 6 months without a Permit. Where the duration of the project will exceed 6 months, an application for Special Permit must be filed with the Planning Board for approval of an extended period.
- C. Temporary car shelters may be installed on an annual basis for seasonal use and shall not exceed the 6-month duration. Use exceeding 6 months requires an application for a Zoning Permit and must meet appropriate setbacks as an accessory building.

**Section 697 Solar Energy Systems -Medium and Large.**

A. Purpose.

The Town of Greig recognizes the importance of advancing renewable energy resources in a manner that is consistent with the goals and requirements of the New York State Climate Leadership and Community Protection Act (CLCPA) of 2019. This Article aims to encourage the responsible and orderly development of solar energy systems within the Town while protecting the health, safety, and welfare of residents, the environment, and the Town's rural and scenic character.

B. Legislative Intent.

It is the intent of this Article to:

1. Facilitate the generation of renewable energy consistent with state and county energy policies;
2. Ensure that solar energy systems are appropriately located, designed, screened, and decommissioned to avoid or minimize adverse impacts on neighboring properties, agricultural land, and natural resources;
3. Provide uniform and comprehensive standards for the permitting, installation, operation, and removal of solar energy systems;
4. Balance the Town's interest in protecting its rural landscape and agricultural heritage with the State's policy objectives to expand renewable energy generation capacity; and
5. Promote long-term sustainability, energy independence, and local participation in New York's transition to clean energy.

C. All Solar Energy Systems must comply with all requirements of **Section 586.**

D. Permit application – Special Permit required; Building Permit required.

E. Installation must be located in the Solar Overlay District.

▪ **Section 697.1 Medium-Scale Solar Energy Systems**

Medium-Scale Solar Energy Systems are permitted within the Solar Energy System Overlay District, subject to receiving a zoning permit, and Special Use Permit from the Town of Greig Planning Board. Mandatory considerations include: the visual effect of the proposed solar installation on scenic and historic resources and viewsheds, impacts on community character, compatibility of the proposed Solar Energy System with adjacent and other nearby land uses, compatibility with agriculture farmlands, managing stormwater runoff, and the effect of the proposed installation on ecologically sensitive land or water resources.

The total acreage allotted to Medium-Scale Solar Energy Systems within the Town shall not collectively exceed a total of sixty (60) acres. For purposes of this provision, a Medium-Scale Solar Facility's "total acreage" shall be calculated based on physical infrastructure. Meaning, allotted acreage within the Town shall be calculated by physical system occupancy, not tax parcel acreage. Additionally, the parcels

7. Commissioning Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Where commissioning is required by the Uniform Code, Battery energy storage system commissioning shall be conducted by a New York State (NYS) Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in the Uniform Code shall be provided to the Building Inspector prior to final inspection and approval and maintained at an approved on-site location.
8. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code.
9. Operation and Maintenance Manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code.
10. Erosion and sediment control and stormwater management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Town Board.
11. Prior to the issuance of the building permit or final approval by the Planning Board, but not required as part of the application, engineering documents must be signed and sealed by an NYS Licensed Professional Engineer.
12. Emergency Operations Plan. A copy of the approved Emergency Operations Plan shall be given to the system owner, the local fire department, and the local fire code official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
  - a. The Emergency Operations Plan (EOP) shall be reviewed and updated annually by the system owner or operator. A copy of the updated EOP shall be submitted to the Town of Greig, the local fire department, and Lewis County Emergency Services no later than January 31st of each calendar year. Documentation of annual drills or training exercises shall also be submitted with the updated plan.
  - b. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
  - c. Procedures for inspection and testing of associated alarms, interlocks, and controls.
  - d. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
  - e. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.

## **Section 699 Battery Energy Storage Systems**

### **A. Purpose.**

The Town of Greig recognizes the growing role of energy storage technologies in supporting renewable energy integration, grid reliability, and local resilience. In accordance with the New York State Climate Leadership and Community Protection Act (CLCPA), this Article establishes regulations for the safe and effective siting and operation of battery energy storage systems to protect the public health, safety, and welfare.

### **B. Legislative Intent.**

It is the intent of this Article to:

1. Encourage the deployment of battery energy storage systems that support renewable energy generation and community resilience in a manner consistent with state climate goals;
2. Establish standards and procedures to ensure that such systems are designed, constructed, operated, and decommissioned in a safe and environmentally responsible manner;
3. Prevent potential adverse impacts on adjoining properties, emergency responders, and critical infrastructure;
4. Balance the Town's interest in protecting its rural landscape and agricultural heritage with the State's policy objectives to expand renewable energy generation capacity;
5. Promote consistency with the Town's comprehensive plan and zoning objectives; and
6. Provide for a predictable and transparent permitting process that balances technological innovation with community protection and environmental stewardship.

For Tier 1 Battery Energy Storage Systems classified as light industrial uses, applicants shall also refer to the siting and operational standards outlined in **Section 640: Light Industry Standards**, in addition to the requirements of this section. Where provisions differ, the more restrictive standard shall apply.

Tier 2 Battery Energy Storage Systems are classified as **Heavy Industrial Uses** and must be sited within the **Heavy Industry Floating Zone (HI)** in accordance with **Section 430** of this law. All applications for Tier 2 BESS shall comply with the siting, environmental, and operational standards applicable to heavy industrial uses, including but not limited to minimum lot size, separation from sensitive uses, and screening requirements. Where provisions in **Section 699** differ from **Section 430** or other relevant sections, the more restrictive standard shall apply.

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### **Section 699.1 General Requirements of all Battery Energy Storage Systems**

1. The requirements of this Local Law shall apply to all battery energy storage systems permitted, installed, or modified in the Town of Greig after the effective date of this Local Law, excluding general maintenance and repair.
2. Battery energy storage systems constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law.
3. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this Local Law.
4. A building permit and an electrical permit shall be required for the installation of all battery energy storage systems.

5. Issuance of permits and approvals by the Town Planning Board shall include review pursuant to the State Environmental Quality Review Act ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 ("SEQRA").
6. All battery energy storage systems, all Dedicated Use Buildings, and all other buildings or structures that (1) contain or are otherwise associated with a battery energy storage system and (2) subject to the Uniform Code and/or the Energy Code shall be designed, erected, and installed in accordance with all applicable provisions of the Uniform Code, all applicable provisions of the Energy Code, and all applicable provisions of the codes, regulations, and industry standards as referenced in the Uniform Code, the Energy Code, and the Town of Greig Zoning Law.

~~B. Permitting Requirements for Tier 1 Battery Energy Storage Systems.~~

~~1. Building mounted and ground mounted Tier 1 Battery Energy Storage Systems, as defined herein, shall be permitted as accessory uses, subject to the Uniform Code and issuance of a Zoning Permit by the Enforcement Officer(s). Building mounted and Ground mounted Tier 1 Battery Energy Storage Systems shall be permitted, subject to the Uniform Code and a Zoning Permit and is exempt from the special use permit process.~~

~~2. Ground mounted Tier 1 Battery Energy Storage Systems are permitted as accessory structures and are subject to the following requirements:~~

~~a. The height of the ground mounted Tier 1 Battery Energy Storage System and any mounts shall not exceed 15 feet.~~

~~b. The total surface area of the ground-mounted Tier 1 Battery Energy Storage System on the lot shall not exceed 5% lot coverage.~~

~~c. The ground mounted Tier 1 Battery Energy Storage System is not the primary use of the property.~~

~~d. The ground mounted Tier 1 Battery Energy Storage System is located in a side or rear yard.~~

~~e. The ground mounted Tier 1 Battery Energy Storage System shall comply with the minimum setbacks for accessory structures applicable to the zoning district in which the battery energy storage system is sited.~~

~~The ground mounted Tier 1 Battery Energy Storage System shall be screened from adjacent residences through the use of architectural features, earth berms, landscaping, or other screening which will harmonize with the character of the property and surrounding area.~~

~~Special Use Permit Standards.~~

~~Setbacks. Tier 1 Battery Energy Storage Systems shall be set back at least 150 feet from any adjacent lot lines as measured from the surrounding fence.~~

~~Height. The maximum height of structures dedicated to Tier 1 Battery Energy Storage Systems shall be twenty (20) feet.~~

~~Fencing Requirements. Tier 1 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a seven (7) foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated use building and not interfering with ventilation or exhaust ports.~~

~~Screening and Visibility. Tier 1 Battery Energy Storage Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfere with ventilation or exhaust ports.~~

~~Safety. All applicable Emergency Service Agencies and Personnel shall receive initial and annual on-site drills and training, provided by the applicant, to ensure that the procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions are fully~~

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understood prior to operations. Any costs for training and required emergency services equipment shall be supplied by the applicant.

Tier 1 Battery Storage Systems shall follow the permitting requirements of the Tier 2 BESS.

**Section 699.2 Permitting for Tier 2 Battery Energy Storage Systems.**

Tier 2 Battery Energy Storage Systems are permitted through the issuance of a Special Use Permit and shall be subject to the Uniform Code and application requirements outlined in this Section. Applications for the installation of Tier 2 Battery Energy Storage System shall be:

- A. Reviewed by the Building Inspector for completeness. An application shall be complete when it addresses all matters listed in this Local Law including, but not necessarily limited to:
  - 1. Compliance with all applicable provisions of the Uniform Code and all applicable provisions of the Energy Code; and
  - 2. Matters relating to the proposed battery energy storage system and Floodplain, Utility Lines and Electrical Circuitry, Signage, Lighting, Vegetation and Tree-cutting, Noise, Decommissioning, Site Plan and Development, Special Use and Development, Ownership Changes, Safety, and Permit Time Frame and Abandonment. Applicants shall be advised within ten (10) business days of the completeness of their application or any deficiencies that must be addressed prior to substantive review.
- B. Subject to a public hearing to hear all comments for and against the application. The Town Board of the Town of Greig shall have a notice printed in a newspaper of general circulation in the Town of Greig at least five (5) days in advance of such hearing. Applicants shall have delivered the notice by first class mail to adjoining landowners or landowners within 200 feet of the property at least ten (10) days prior to such a hearing. Proof of mailing shall be provided to the Town Board at the public hearing.
- C. Referred to the County Planning Department pursuant to General Municipal Law § 239-m, if required.
- D. Upon closing of the public hearing, the Town Board shall take action on the application within 62 days of the public hearing, which can include approval, approval with conditions, or denial. The 62-day period may be extended upon consent by both the Town Board and Applicant.
- E. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- F. Signage.
  - 1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.
  - 2. As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

G. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

H. Vegetation and Tree-Cutting.

Tree removal shall be minimized to the extent practicable, consistent with the requirements of Section 576 (Land Clearing and Forest Preservation) and Section 699.4 Vegetation Management and Tree Preservation for BESS. Where feasible, non-combustible vegetation or fire-resistant landscaping should be used to meet both safety and environmental goals.

H.1. Wetlands. The Town Board shall determine the potential impact on important bird areas, as identified by the New York Audubon Society, other recognized habitats such as any nearby New York State wildlife management areas, and any locally recognized priority habitat areas such as those set aside for bats and any areas considered "sensitive," which may include but not be limited to areas such as bird conservation areas or areas covered under mitigation for species such as grassland birds; and at least 500 feet from state-identified and/or federally-identified.

I. Noise. The one-hour (1-hour) average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA as measured at the outside wall of any non-participating residence or occupied community building. Applicants shall submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.

I.K. Landscaping. All BESS applications must include a landscape and vegetation management plan that maps existing tree cover and proposed removals, identifies fire-resistant plantings, details maintenance practices (e.g., mowing, pruning, debris removal), includes replanting or mitigation measures if tree removal exceeds thresholds and describes the ongoing maintenance plan.

*as described in Section 699.4*

**Section 699.3 BESS Decommissioning.**

1. Decommissioning Plan. The applicant shall submit a decommissioning plan, which is inclusive of above ground and underground components, developed in accordance with the Uniform Code, to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:
  - a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
  - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
  - c. The anticipated life of the battery energy storage system;
  - d. The estimated decommissioning costs and how said estimate was determined;
  - e. The method of ensuring that funds will be available for decommissioning and restoration;
  - f. The method by which the decommissioning cost will be kept current;

- g. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
- h. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- i. Decommissioning Fund. The owner and/or operator of the energy storage system, shall continuously maintain a fund or bond payable to the Town of Greig in a form approved by the Town Clerk's Office for the removal of the battery energy storage system, in an amount to be determined by the Town of Greig for the period of the life of the facility. This amount will be reviewed and updated on an annual basis. This fund may consist of a letter of credit from a State of New York licensed-financial institution. All costs of the financial security shall be borne by the applicant.
- j. The decommissioning fund shall be reviewed annually by the Town Clerk or designated official to ensure adequacy. The owner or operator shall provide updated cost estimates and proof of bond renewal or continuation no later than January 31st of each year. Failure to maintain an active and sufficient bond shall constitute a violation of this law and may result in enforcement action under Section 930.

**Section 699.4: Vegetation Management and Tree Preservation for BESS**

**A. Purpose**

To ensure the safe operation of Tier 2 Battery Energy Storage Systems (BESS) while preserving the Town's environmental resources, this section establishes standards for vegetation management, fire-resistant landscaping, and tree preservation in accordance with Section 576 (Land Clearing and Forest Preservation) and applicable fire safety codes.

**B. Defensible Space Requirements**

- 1. A minimum fifty (50) foot clearance shall be maintained on all sides of Tier 2 BESS enclosures.
- 2. This area must be cleared of combustible vegetation and other combustible growth, including dry grasses, brush, and deadwood.
- 3. The following vegetation types are permitted within the defensible zone, provided they do not form a means of readily transmitting fire:
  - a. Maintained green grass
  - b. Succulents and low-growing, fire-resistant groundcovers
  - a-c. Single, well-spaced ornamental trees or shrubs

**C. Tree Preservation Standards**

- 1. Tree removal shall be minimized to the greatest extent practicable, consistent with Section 576.

2. Mature trees (6 inches DBH or greater) located outside the required defensible space should be preserved unless:
  - They pose a hazard to the system or emergency access
  - Their removal is necessary for essential site development and no feasible alternative exists
3. Where tree removal is unavoidable, the Town may require tree replacement at a 2:1 ratio, using native or climate-resilient species.

**D. Landscape and Vegetation Management Plan**

All Tier 2 BESS applications shall include a landscape and vegetation management plan that:

1. Maps existing tree cover and proposed removals
2. Identifies fire-resistant plantings
3. Details maintenance practices (e.g., mowing, pruning, debris removal)
4. Includes replanting or mitigation measures if tree removal exceeds thresholds

**E. Ongoing Maintenance**

1. Vegetation within the ten (10)-foot defensible buffer shall be maintained year-round to prevent the accumulation of combustible materials.
2. The Town may require periodic inspections or third-party verification to ensure compliance with this section.

**Section 699.5 Special Use Permit Application**

For a Tier 2 Battery Energy Storage System requiring a Special Use Permit the special use permit application shall include the following information:

1. Property lines and physical features, including roads, for the project site.
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
3. A three-line electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
4. A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
5. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of building permit.
6. Name, address, email address, phone number, and signature of the project Applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.

7. Commissioning Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Where commissioning is required by the Uniform Code, Battery energy storage system commissioning shall be conducted by a New York State (NYS) Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in the Uniform Code shall be provided to the Building Inspector prior to final inspection and approval and maintained at an approved on-site location.
8. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code.
9. Operation and Maintenance Manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code.
10. Erosion and sediment control and stormwater management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Town Board.
11. Prior to the issuance of the building permit or final approval by the Planning Board, but not required as part of the application, engineering documents must be signed and sealed by an NYS Licensed Professional Engineer.
12. Emergency Operations Plan. A copy of the approved Emergency Operations Plan shall be given to the system owner, the local fire department, and the local fire code official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
  - a. The Emergency Operations Plan (EOP) shall be reviewed and updated annually by the system owner or operator. A copy of the updated EOP shall be submitted to the Town of Greig, the local fire department, and Lewis County Emergency Services no later than January 31st of each calendar year. Documentation of annual drills or training exercises shall also be submitted with the updated plan.
  - b. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
  - c. Procedures for inspection and testing of associated alarms, interlocks, and controls.
  - d. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
  - e. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.

- f. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
- g. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
- h. Other procedures as determined necessary by the Town of Greig to provide for the safety of occupants, neighboring properties, and emergency responders.
- i. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures including proper personal protection equipment.

13. Landscaping Plan. All BESS applications must include a landscape and vegetation management plan that maps existing tree cover and proposed removals, identifies fire-resistant plantings, details maintenance practices (e.g., mowing, pruning, debris removal), includes replanting or mitigation measures if tree removal exceeds thresholds and describes the ongoing maintenance plan.

*delete*  
*in accordance w/ Section 699.4*

**Section 699.6 Special Use Permit Standards.**

- A. Setbacks. Tier 2 Battery Energy Storage Systems shall be set back at least 200 feet from any adjacent lot lines as measured from the surrounding fence.
- B. Height. The maximum height of structures dedicated to Tier 2 Battery Energy Storage Systems shall be twenty (20) feet.
- C. Fencing Requirements. Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a seven (7) foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports.
- D. Screening and Visibility. Tier 2 Battery Energy Storage Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfere with ventilation or exhaust ports.
- E. Safety. All applicable Emergency Service Agencies and Personnel shall receive initial and annual on-site drills and training, provided by the applicant, to ensure that the procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions are fully understood prior to operations. Any costs for training and required emergency services equipment shall be supplied by the applicant.
- F. Ownership Changes. If the owner of the battery energy storage system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, and decommissioning plan. A new owner or operator of the battery energy storage system shall notify the Building Inspector and ZEO of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the Building Inspector or ZEO in writing. The special use permit and all other local approvals for the battery energy storage system would be void if a new owner or operator fails to provide written notification to the Building Inspector in the required timeframe. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this Local Law.

F-G Safety

1. System Certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:
  - a. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
  - b. UL 1642 (Standard for Lithium Batteries),
  - c. UL 1741 or UL 62109 (Inverters and Power Converters),
  - d. Certified under the applicable electrical, building, and fire prevention codes as required.
  - e. Installed following NFPA 855- Standard for the Installation of Stationary Energy Storage Systems.
  - f. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations, and safety standards may be used to meet system certification requirements.
2. Site Access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local fire departments and Lewis County Emergency Services Director.
3. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

**Section 699.7 Permit Time Frame and Abandonment.**

1. The Special Use Permit for a battery energy storage system shall be valid for a period of 24 months, provided that a building permit is issued for construction and/or construction is commenced. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Planning Board, within 24 months after approval, the Town Board may extend the time to complete construction for no more than 180 days. If the owner and/or operator fails to perform substantial construction after 36 months, the approvals shall expire.
2. The battery energy storage system shall be considered abandoned when it ceases to operate consistently for more than one (1) year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the Town of Greig may, at its discretion, enter the property and utilize the available bond and/or security for the removal of a Tier 2 Battery Energy Storage System and restoration of the site in accordance with the decommissioning plan. The Town of Greig may impose a lien on the property to cover any decommissioning costs not covered by the bond or security.

**Section 699.8 Permitting Requirements for Tier 1 Battery Energy Storage Systems.**

Tier 1 Battery Energy Storage Systems (BESS), whether building-mounted or ground-mounted, are considered accessory uses but shall require a Special Use Permit in accordance with Section 405 and Article VII of this law. These systems are subject to the standards outlined below and shall not be exempt from site plan or special use permit review unless explicitly stated otherwise by the Planning Board. Zoning Permits may be issued only after Special Use Permit approval is granted.

7' height above  
it says cant  
get permit  
w/o special permit  
also ✓

A. Building-mounted and ground-mounted Tier 1 Battery Energy Storage Systems, as defined herein, shall be permitted as accessory uses, subject to the Uniform Code and issuance of a Zoning Permit by the Enforcement Officer(s). Such systems shall be exempt from site plan and special use permit review.

B. Ground-mounted Tier 1 Battery Energy Storage Systems are permitted as accessory structures and are subject to the following requirements:

1. The height of the ground-mounted Tier 1 Battery Energy Storage System and any mounts shall not exceed 15 feet.
2. The total surface area of the ground-mounted Tier 1 Battery Energy Storage System on the lot shall not exceed 5% lot coverage.
3. The ground mounted Tier 1 Battery Energy Storage System is not the primary use of the property.
4. The ground mounted Tier 1 Battery Energy Storage System is located in a side or rear yard.
5. The ground mounted Tier 1 Battery Energy Storage System shall comply with the minimum setbacks for accessory structures applicable to the zoning district in which the battery energy storage system is sited.
6. The ground mounted Tier 1 Battery Energy Storage System shall be screened from adjacent residences through the use of architectural features, earth berms, landscaping, or other screening which will harmonize with the character of the property and surrounding area.

C. Tier 1 BESS Special Use Permit Standards.

1. Setbacks. Tier 1 Battery Energy Storage Systems shall be set back at least 150 feet from any adjacent lot lines as measured from the surrounding fence.
2. Height. The maximum height of structures dedicated to Tier 1 Battery Energy Storage Systems shall be twenty (20) feet.
3. Fencing Requirements. Tier 1 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a seven (7) foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports.
4. Screening and Visibility. Tier 1 Battery Energy Storage Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfere with ventilation or exhaust ports.
5. Safety. All applicable Emergency Service Agencies and Personnel shall receive initial and annual on-site drills and training, provided by the applicant, to ensure that the procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions are fully understood prior to operations. Any costs for training and required emergency services equipment shall be supplied by the applicant.

6. Tier 1 Battery Storage Systems shall follow all the above-listed requirements of the Tier 2 BESS unless provided relief by the Planning Board or Zoning Board of Appeals, or this section.