



Battery Energy Storage Systems (BESS)

Town Law Development—Part 3

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Goals of This Presentation

- Update on timeline for draft and final law
- Logistics of the BESS law
- Proposed choices on additional topics, compared to current zoning law



Timeline for Gardiner Town BESS Law

- ✓ June 30—Special Board meeting to agree on initial parameters of Draft Town Law + vote on 6-month moratorium extension
- ✓ July 23—6-month moratorium extension begins
- July/August—Draft Town Law and amendments to Zoning Code
- August/September—Iteration with attorney(s)
- September/October—Submit draft to Town of Gardiner Planning Board and Ulster County Planning Board for review
- October—Incorporate Planning Board suggestions into draft
- November—Public hearing on draft law; revise based on input
- December—Town Board vote on BESS Law

BESS law in Gardiner Municipal Code

CURRENT

▼ Ch 220 Zoning

§ 220-45 Day camps and overnight camps.

§ 220-45.1 Residential camping.

§ 220-45.2 Campgrounds.

§ 220-46 Wireless telecommunication facilities.

§ 220-47 Solar energy systems.

§ 220-48 Adult uses.

FUTURE

- Incorporation of BESS

§220-47 Energy systems

§220-47.1 Solar energy systems

§220-47.2 Battery energy storage systems

- Need to amend Chapter 220 in many places for internal consistency.
 - E.g., §220-40C. Noise.

Proposed Tiers and Current Zones--Updated



	Tier 1 (< 80 kWh)	Tier 2 (80-600 kWh)	Tier 3 (0.6-8 MWh)	Tier 4 (8-100 MWh)
SP-3	Yes	No	No	No
SP-2	Yes	No	No	No
SP-1	Yes	Yes	No	No
RA	Yes	Yes	BSO only	No
HR	Yes	No	No	No
HM	Yes	Yes	BSO only	No
Overlays	Yes	No (except BSO)	No	No
Floating	Yes	Yes	No	No
CLI	Yes	Yes	Yes	No
HC	Yes	Yes	Yes	No
PDD	Yes	Yes	Yes	Yes

BSO = BESS Overlay District: +/- 500 horizontal feet from 3-phase or high-voltage lines, but not including SP and HR districts

Permitting Requirements for Tiers 3 and 4



Item	Current Zoning Code	BESS Proposal
Special use permit application	NA	Required; conformance with Uniform Code (Fire Code §1207.7)
Noise at lot boundary	60 dBA night; 70 dBA day	55 dBA day and night
Side-yard setbacks from lot boundary	10-50 feet	Tier 3: 100 feet Tier 4: 300 feet
Height	35-45 feet	20 feet
Lighting	§220-40L	Same as zoning
Fencing	NA	8-foot fence
Brush clearance	NA	10 feet (Fire Code)
Screening	NA	Special use permit application
Decommissioning plan	NA	Detailed contents described
Decommissioning bond	NA	Set by Town, updated every 2 yr
Site Plan	NA	Detailed, includes equipment specs, emergency plan, fire safety, peer review report (Fire Code)
Safety	NA	Fire Code; includes first responder plan/training
Permitting fee	NA	Required; amounts to be set separately