



**SPR2020-10** (continued)

Jeff Palumbo and Ari Goldberg with Barclay & Damon, LLP were present with their client Kristina Wolf. Mr. Palumbo stated the proposal is for a battery energy facility called the Levy Grid, LLC. The grids goal is to decrease the reliance on fossil fuel. Battery energy has been used across the country and is a first for this area to provide reliable emergency power backup. This grid would connect to the National Grid substation and the hybrid purchases energy that is produced at the substation. Purchasing takes place during off peak hours when the demand is low. The energy is stored within the batteries and when the demand for energy peaks the batteries come into play. The batteries store the energy to be used when energy is needed the most, reducing the need for fossil fuel. The site was chosen because this is an industrial site and does not require rezoning. The property is currently zoned M-1 and M-2 and is appropriate for this use. This location is also close to the Gardenville substation. The plan calls for a 150 mega watt facility with an access road onto the 5 acres site that will consist of 1,064 battery racks across 64 rows.

The batteries are relatively safe as the racks are water cooled; each rack contains a smoke and heat detector that is wired into a battery management system. Regular monitoring of the batteries takes place along with regular visits. The battery management system can notify the local fire department. Training is held with the local fire department to ensure there are never any issues in the event of an emergency.

Some frequently asked questions and answers:

- ✓ Are the batteries safe to touch – The modules are all touch safe and comparable to a wall outlet.
- ✓ Do the batteries make noise – There is minimal sound comparable to a mini-fridge and standard transformer hum.
- ✓ Lightning strikes - Lightning protection can be installed; lightning rods may be placed to draw lightning away.
- ✓ The racks are not hot to touch; the elements will not have any impact on the racks.
- ✓ Do the batteries corrode or leak – corrosion is not typical with this type of battery; the battery has an air tight seal.

After speaking with the Town Engineer the following adjustments have been made:

- ✓ Issues with erosion control were brought up; the petitioner understands that is not allowable and has no issue complying with requirements.
- ✓ The drainage pipe running through the center of the property will be removed; the water will be directed to the drainage pond.
- ✓ The storm water pollution prevention plan would normally be required prior to site plan approval; this situation is different as construction will not take place for some time. A number of steps need to be completed before construction and the applicant would like the approval to be conditional.

**SPR2020-10** (continued)

Mr. Clifford questioned the shelf life of the battery and what happens to the battery when they no longer serve a purpose; are they biodegradable? Ms. Wolf replied she is required to have a decommissioning disposable plan for the batteries; they are typically recycled in accordance with the Environmental Protection Agency regulations.

Ms. Wolf stated the battery facility can be used on occasion or on a permanent basis. This is dependent on the contract with National Grid; some locations use battery energy at a certain time and every day.

Ms. Bebak asked for calcification on how the energy comes from the building to the grid. Ms. Wolf stated a utility structure is built from the substation to the utility substation. Typically direction is given from the utility substation on where the connection starts. This will look like a transmission pole, steel with one to two lines and possibly three poles will be required to reach the substation. The design has not been finalized.

Mr. McCabe stated it is his understanding this board would be required to issue a negative SEQR declaration and is reluctant to do so without Town Engineer approval and questioned if site plan approval could be given conditioned on the submission of engineering plans and a subsequent issuance of a negative declaration. Town Attorney Tina Hawthorne stated it is her recommendation to table this item until next month.

A resident had the following questions:

- ✓ How often will the facility/batteries be checked
- ✓ Will there be expansion from the proposed footprint as the front property is for sale
- ✓ How long can electricity be stored in the battery
- ✓ Has an environmental impact study been completed
- ✓ Has a safety analysis been completed
- ✓ Will the applicant be looking for a pilot payment in lieu of taxes
- ✓ What is the size and total number of batteries/racks
- ✓ Will the site be gated for security
- ✓ Is NYS DEC approval required
- ✓ Where will the retention pond drain to
- ✓ Is a variance required for a lightning rod
- ✓ Has the Fire Company been trained for this type of facility
- ✓ Please provide an explanation on thermal runaway and off gassing

Code Enforcement Officer Jeffrey Schieber provided the following explanations:

- ✓ The project has been sent out for a full coordinated SEQR review
- ✓ Application and correspondence has been received from the DEC, the Army Corp of Engineers and DOT
- ✓ The site is previously disturbed almost in its entirety – a lot of issues have been negated due to this

**SPR2020-10** (continued)

- ✓ The Fire Department will be trained and educated and will walk through to familiarize themselves with the project.
- ✓ 40' is the max height in commercial districts; a variance will be required for the 7' barbed wire fence

Mr. Goldberg provided the following explanations:

- ✓ Batteries will be checked weekly
- ✓ At this time there is no plan to expand the footprint
- ✓ The electricity dissipates over time very similar to a laptop battery
- ✓ A safety analysis is part of the supply contracts along with training the Fire Department training
- ✓ A 7' barbed wire fence will be added for security
- ✓ The retention will be dry except for during a rain event and will drain to a new catch basin to the existing storm sewer
- ✓ Thermal runaway and off gas – these instances only occur in battery abuse. First a gas is released and turns to smoke; where there is smoke there is not fire. The battery is skewed toward safety.
- ✓ The racks are 7 ½' tall and placed on rows; each rack contains 8 modules with 52 cells (batteries) and in a 2 hour fire insulated cabinet.

Motion by Clifford, seconded by McCabe to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Clifford, seconded by Sailer, to table site plan approval for property located at 799 Indian Church Road, for construction of a battery storage energy complex.

Ayes: All

Noes: None

Motion Carried

**2020-06**

A request from Joelle Sawyer for a rezoning for property located at 905 Mill Road, being part of Lot No. 65, 66 and 100, changing its classification from R-65 to R-65A, for use as a two-family residence.

Motion by Clifford, seconded by McCabe, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Attorney Kathleen Linhardt was present on behalf of her client Ms. Sawyer and stated a zoning change from R-65 to R-65A is being requested for the residence to be used as a two-family home. The applicant is purchasing the property from her relative and the house has been in the family since 1959. Since that time, the house has been a two-family with 2 meters and entrances. It was used

