

TOWN OF CONCORD PLANNING BOARD
Town Hall

November 2, 2021
7:00 p.m.

ITEM # 1:

The meeting was called to order by Planning Board Chairman Karl R. Lux, at 7 p.m.

ITEM #2: Roll Call

Present:

Karl R. Lux, Chairman
Bruce Luno
Julie Zybert
Joseph Edbauer
Michael Cochran

Also Present:

Clyde M. Drake, Supervisor
Stephanie A. Bacon, Secretary

Not Present:

James Jozwiak
Raymond Hilliker

ITEM #3: Citizen Participation

There was no one for Citizen Participation.

ITEM #4: Comments from Liaison Supervisor Drake

Supervisor Drake just wanted to bring to the Planning Board's attention that there is an issue with the greenhouse being built on Springville Boston Rd. It is approximately 15 ft too close to the road, so the owners were issued a stop-work order. The owners have asked to meet with the Zoning Board of Appeals. That meeting is scheduled for Monday, November 8th at 7 pm.

ITEMS #5: Approval of Minutes

a) October 5, 2021 – J. Edbauer made the motion, seconded by J. Zybert, to approve the Minutes as presented. All in favor. Carried.

ITEM #6: Review Draft Battery Storage Law

The Battery Energy Storage System Law is proposed to advance and protect the public health, safety, welfare, and quality of life of the Town of Concord by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;

- B. To ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems;
- C. To mitigate the impacts of battery energy storage systems on environmental resources such as important agricultural lands, forests, wildlife and other protected resources.

Chairman Lux opened the floor to the members for discussion. B. Luno asked what zones the law would be used in and how often are the battery storage systems used. Tiers 1 Battery Energy Storage Systems (BESS) are permitted in all zoning areas. Tier 2 BESS are permitted through the issuance of a special use permit within all non-residential zoning districts and when associated with solar or wind, only allowed in the Zoning Districts that allow that particular project. Tier 3 BESS are permitted only in industrially zoned areas. Supervisor Drake advised that Drew Reilly from Wendel Companies stated that even though they are not being used now, as soon as the technology gets there, we will be seeing a lot of these systems.

Chairman Lux said that he appreciates the decommissioning requirements of the law. B. Luno said that he had an issue with the public hearing requirement (page 5). The draft law currently states that the Town Planning Board would be responsible for the particulars of a public hearing when necessary. He believes that it should be changed to state that the Town Board would be responsible for the public hearing. Section 7(A)(2-4) all mention of Planning Board should be changed to Town Board.

M. Cochran made the motion, seconded by J. Zybert, to make a recommendation to the Town Board to adopt the Battery Energy Storage System Law with changes to the public hearing provision. All in favor. Carried.

ITEM #7: Business from the Members

- a) J. Edbauer asked what is going on with the marijuana law. Supervisor Drake said that it is on the agenda for Thursday, November 11th.
- b) J. Zybert asked if there is an update on the Rails to Trails issue. Someone has been replacing the bridges along the trail, but that may be the snowmobile club doing the work. There is no other update at this time.

ITEM #8: Motion of Adjourn

J. Edbauer made the motion, seconded by J. Zybert, to adjourn the meeting at approximately 7:23 p.m. All in favor. Carried. The next meeting is December 7th.

Stephanie A. Bacon
Planning Board Secretary