

TOWN OF BELFAST

ALLEGANY COUNTY, NEW YORK

RESOLUTION NO. 015-2026

A Resolution Introducing Proposed Local Law No. 005-2026, Entitled "A Local Law Repealing Local Law No. 003-2026, Battery Energy Storage System Law of the Town of Belfast," and Scheduling a Public Hearing

WHEREAS, the Town Board of the Town of Belfast adopted Local Law No. 003-2026, entitled the "**Battery Energy Storage System Law of the Town of Belfast**," and thereafter caused said Local Law to be filed with the New York State Department of State; and

WHEREAS, the Town Board has subsequently determined that the version of Local Law No. 003-2026 adopted and filed was a **draft version** of the proposed Battery Energy Storage System Law and not the final version intended for adoption by the Town Board; and

WHEREAS, the Town Board finds that it is in the best interests of the Town to maintain an accurate and complete legislative record and to ensure that any Battery Energy Storage System regulations accurately reflect the legislative intent of the Town Board; and

WHEREAS, the Town Board has prepared Proposed Local Law No. 005-2026 entitled:

"A Local Law Repealing Local Law No. 003-2026, Battery Energy Storage System Law of the Town of Belfast."

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Belfast, Allegany County, New York, as follows:

Section 1. Introduction of Local Law

The Town Board hereby introduces **Proposed Local Law No. 005-2026**, entitled:

"A Local Law Repealing Local Law No. 003-2026, Battery Energy Storage System Law of the Town of Belfast."

Section 2. Purpose

The purpose of the proposed Local Law is to repeal Local Law No. 003-2026 in its entirety because the version adopted and filed with the New York State Department of State was not the

final version approved by the Town Board. Following repeal, the Town Board may consider adoption of a revised Battery Energy Storage System Local Law in accordance with all applicable provisions of New York State law.

Section 3. Public Hearing

Pursuant to Municipal Home Rule Law, the Town Board shall hold a Public Hearing on the proposed Local Law on:

Date: _____, 2026

Time: _____

Location:

Town of Belfast Town Hall
13 Merton Avenue
Belfast, New York 14711

At the Public Hearing, all interested persons shall be afforded an opportunity to be heard concerning the proposed Local Law.

Section 4. Notice of Public Hearing

The Town Clerk is hereby authorized and directed to publish the Notice of Public Hearing in the Town's official newspaper in accordance with the Municipal Home Rule Law and all other applicable provisions of law.

Section 5. Availability of Proposed Local Law

The Town Clerk shall make copies of Proposed Local Law No. 005-2026 available for public inspection at the Town Clerk's Office during regular business hours prior to the Public Hearing.

Section 6. SEQRA Review

The Town Board shall undertake all required review under the **New York State Environmental Quality Review Act (SEQRA)** prior to taking final action on the proposed Local Law.

Section 7. County Referral

The Town Clerk is authorized to refer the proposed Local Law to the **Allegany County Planning Board** pursuant to **General Municipal Law § 239-m**, if such referral is required by law.

Section 8. Filing

TOWN OF BELFAST

ALLEGANY COUNTY, NEW YORK

PROPOSED LOCAL LAW NO. 005 OF 2026

A LOCAL LAW REPEALING LOCAL LAW NO. 003-2026, ENTITLED "BATTERY ENERGY STORAGE SYSTEM LAW OF THE TOWN OF BELFAST"

BE IT ENACTED by the Town Board of the Town of Belfast, Allegany County, New York, as follows:

Section 1. Title

This Local Law shall be known as:

"A Local Law Repealing Local Law No. 003-2026 of the Town of Belfast."

Section 2. Legislative Findings and Intent

The Town Board of the Town of Belfast finds and determines that Local Law No. 003-2026, entitled the "Battery Energy Storage System Law of the Town of Belfast," was adopted and filed with the New York State Department of State using a draft version of the proposed local law rather than the final version intended for adoption by the Town Board.

The Town Board further finds that, in the interest of maintaining an accurate legislative record and ensuring that any Battery Energy Storage System regulations reflect the Town Board's final legislative intent, it is necessary and appropriate to repeal Local Law No. 003-2026 in its entirety.

The repeal of Local Law No. 003-2026 will allow the Town Board to consider and, if appropriate, adopt a revised Battery Energy Storage System Local Law following all applicable procedures required by the Municipal Home Rule Law, the State Environmental Quality Review Act (SEQRA), and all other applicable laws.

Section 3. Repeal

Local Law No. 003-2026, entitled the "Battery Energy Storage System Law of the Town of Belfast," is hereby repealed in its entirety.

Section 4. Effect of Repeal

The repeal of Local Law No. 003-2026 shall not affect: