

**RESOLUTION 017-2026
OF THE TOWN BOARD
OF THE TOWN OF BELFAST
July 20, 2026**

**RESOLUTION 017-2026 INTRODUCING THE PROPOSED
LOCAL LAW NO. 007 OF 2026 AND RELATED SEQRA EAF
FOR REVIEW, ESTABLISHING SEQRA LEAD AGENCY,
REFERRING PROPOSED LOCAL LAW NO. 007 OF 2026
TO THE ALLEGANY COUNTY PLANNING BOARD
AND SETTING A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Belfast (“Town”) commissioned the Town Planning Board and the Town, with assistance of the attorney of the Town, to review and propose regulating battery energy storage systems (“BESS”); and

WHEREAS, the Town and its town attorney have developed a proposed Local Law No. 007 of 2026, annexed hereto as Exhibit A (the “Proposed Local Law”), regarding regulations for BESS; and

WHEREAS, the battery energy storage system regulations are guided by the NYSERDA model battery energy storage system local laws, guidance for siting any BESS projects on agricultural land from NYSERDA, the American Farmland Trust, and the NYS Department of Agriculture and Markets (“Ag and Markets”), and recommend substantive changes as compared to the existing NYSERDA BESS model law with respect to:

- Safety and environmental concerns related to the installation and processing and decommissioning of battery energy storage systems, with an emphasis on environmental and fire safety;
- Requirement for active maintenance and review of any existing battery energy storage systems;
- Provide for a high level of financial security for the decommissioning of lithium-ion battery energy storage systems because of the uncertainty associated with the costs for disposal or contamination

WHEREAS, adoption of the Proposed Local Law could be considered a Type I action under the State Environmental Quality Review Act (“SEQRA”), pursuant to 6 NYCRR §617.4(b)(2), because it may be considered to be changing the allowed uses within an area of more than 25 acres within the Town; and

WHEREAS, Part 1 of the SEQRA Environmental Assessment Form (“EAF”), annexed hereto as Exhibit B, has been prepared for the Proposed Local Law; and

WHEREAS, The Proposed Local Law is required to be referred to the Allegany County Planning Board pursuant to General Municipal Law §239-m; and

WHEREAS, the proposed Local Law is subject to the notice and hearing requirements of Town Law §264.

NOW, THEREFORE, IT IS RESOLVED that the Proposed Local Law is introduced for consideration by the Town Board; and

RESOLVED, that pursuant to 6 NYCRR §617.6(b)(3)(i), the Town Board shall serve as Lead Agency for the SEQRA review of the Proposed Local Law; and

RESOLVED, that the Town Board accepts and directs the Town Supervisor to sign the EAF; and

RESOLVED, that the Town Board directs the Town Supervisor to arrange for referral of the Proposed Local Law, EAF and proposed BESS law to the Allegany County Planning Board for review pursuant to General Municipal Law §239-m; and

IT IS HEREBY FURTHER RESOLVED that a public hearing before the Town Board at the Belfast Town Hall regarding the proposed Local Law and the SEQRA review of the Proposed Local Law is set (contingent upon the Allegany County Planning Board’s approval of said proposed Local Law) and the SEQRA review for the Proposed Local Law is set for the 21th day of September 2026 at 7:00 pm; and

RESOLVED, pursuant to Town Law §264, notice of the time and place of the public hearing shall be published in the *Olean Times Herald*, and posted on the Town sign board and Town website at least ten days prior to the date of the public hearing; and

RESOLVED, pursuant to Town Law §264, at least ten days prior to the date of the public hearing, written notice of the Proposed Local Law shall be mailed or personally delivered to the Town Clerks of the Towns of Caneadea, Allen, Angelica, Amity, Friendship, Cuba, New Hudson, and Rushford, and the Clerk of the Allegany County Legislature.

DATE: July 20, 2026