

Town of Royalton
Planning Board Minutes

The Town of Royalton Planning Board Meeting was held on Wednesday January 24, 2024, at the Royalton Town Hall, 5316 Royalton Center Road, Middleport, NY. The meeting was called to order at 7:05pm by Chairman, Kevin Covell.

PLANNING BOARD:

Chairman – Kevin Covell

Members Present – Heather Brent, Patricia Hinds, Justine Seefeldt, Ryan Pierson, Thomas Arlington

Members Absent –

Clerk – Katherine Cavallaro

Other Officials –

Guests – Patricia Chutko, Supervisor Jeff Brown, Barry Butski, Alex Fukuchi, Colleen Bisceglia, Eric Watson

AGENDA:

1. Applicant: T&S Fertilizer
For: Site Plan Review
SBL: 85.00-3-28.111
Address: 4133 S Carmen Rd., Middleport, NY 14105

2. Applicant: BlueWave Energy
For: Preapplication Conference – Battery Energy Storage System
SBL: 86.00-3-10 (Owner: Brenda L. Dunn)
Address: 9981 Rochester Rd., Middleport, NY 14105

CORRESPONDENCE RECEIVED & DISTRIBUTED: None

OPEN FOR DISCUSSION:

ACTION: To Approve December 20, 2023, Planning Board Minutes.

Motion: Justine Seefeldt Seconded: Heather Brent All in favor

OLD BUSINESS: None

NEW BUSINESS:

1. Agenda item #1: Mr. Butski presented information regarding his proposal to add to the Fertilizer building for salt storage. It will have concrete heated floors. The design will be two large bins. Ms. Brent stated that the current frontage is only 40' and Light Industrial zoning requires frontage to be 50'. There is already an existing building there. The Board stated that it should go to Zoning Board for approval. Ms. Seefeldt asked if the fertilizer is regulated by DEC? Mr. Butski stated that it is not regulated. Mr. Pierson asked if the building would be insulated. Mr. Butski stated that it will not be.

Motion: Contingent approval upon Mr. Hartman obtaining approval from the ZBA regarding the frontage setback encroachment.

Motion: Thomas Arlington Second: Patricia Hinds All approved.

2. Agenda item #2: Mr. Fukuchi and Ms. Bisceglia discussed BlueWave Energy's proposed Battery Storage Facility. The parcel is zoned Business. They stated that they are looking for contact information for the local EMS. Mr. Arlington asked if NYSERDA is involved. Mr. Fukuchi stated that not at this point. Ms. Brent asked what specifically they hoped to acquire from this meeting. They indicated that they are at the meeting to determine what the Town will require for a battery storage facility. Ms. Brent asked if they plan to tie into National Grid. They stated that they would be. Ms. Brent asked for clarification regarding their application stating it would be "Essential Services". They stated that it would be public use or pertinent to public use – this would tie into the public utility grid. They would be purchasing the excess energy and then selling it back to National Grid when needed. Ms. Brent asked if the Town of Royalton would benefit from the excess power. They said it would go onto the distributed network which needs to go through the network and National Grid would determine where it went. Ms. Brent asked could National Grid own their battery storage facility. They stated that National Grid is allowed to do it but currently they need partnering with large investor solar companies. There is currently no NYS requirement for a battery storage facility. Mr. Arlington asked what drives the size of the project? They said it is the utility company that determines what size it needs to be. Mr. Arlington asked how many buildings there would be. They brought generic 3D renderings. They showed renderings that their cabinets had storage. Ms. Brent asked if they would get an FMC easement. They said that since National Grid runs lines over FMC they most likely will not need it but if needed they will obtain one. Mr. Covell asked what happens when the batteries degrade? They stated that the batteries will last over the life of the system so they will not need to swap batteries during the life of the plant. Typical plant is 20-40 years. Mr. Covell asked what is the decommissioning plan? Ms. Seefeldt asked if they have done any projects in NYS yet? They said not stand alone like they are proposing here. They distributed "sample battery cabinets" brochure. Ms. Seefeldt asked if the ground would be disturbed, especially since FMC has remediation. Mr. Covell asked how far from the county line the project is. They stated it is approximately ¼ mile from the county line. Mr. Arlington stated it might need referral to

Niagara County Planning Board and Orleans County. Supervisor Brown asked about noise. They said that the systems do emit noise. Most of the noise comes from the cooling fans. They said they would conduct a noise study. Ms. Brent asked if they will be leasing property from the owner. They said that's correct. Ms. Seefeldt asked if they will use gravel improved roads for the access road. They said they do not want it to be paved. Ms. Brent stated that since there was a business there prior that hopefully there would be a use for it again, so how do they plan to not disturb that. They said the plan would be to leave the front road paved but gravel road in back. Mr. Covell asked what type of assurance there would be that the poison from the batteries would not get into the ground. They stated that the cabinets have areas for run over and are self-contained. They also said that there is a NYS Fire Safety Working Group that will be issuing guidance for compliance. Ms. Seefeldt stated that the purpose of their visit is to determine what they need when they come for their actual application. They said that is correct. Ms. Brent stated that the Town's battery storage law needs to be developed first. Ms. Seefeldt said that they would need to see the SEQR info. Ms. Brent and Ms. Seefeldt stated that it will be at least a number of months before the law is finalized. They asked if a draft could be made available. Ms. Brent said that the town attorney would determine if that would be possible. Mr. Arlington said once the Town Board sets the public hearing it would be available. Mr. Covell stated there would need to be a bond in the decommissioning plan. They said that they partner with ESRG company for EMS training. Ms. Seefeldt asked if they are lithium batteries. They said that is correct. They stated they are waiting for guidance from the NYS Fire Safety group. Ms. Seefeldt asked if there is funding set aside to provide equipment for the fires. They stated not currently. But that their company would work to get whatever was necessary. Ms. Brent will be going to the Town Board meeting to propose a 6-month moratorium for the battery storage law. Ms. Seefeldt and Ms. Brent will be attending the Town Board to also discuss the possibility of having separate Planning Board meetings to work on the battery storage law.

3. Election of Officers took place:

- Mr. Covell stated that he would like to step down as Chairman.
- Ms. Seefeldt was unanimously appointed as Chairwoman.
- Ms. Brent was unanimously appointed as Vice-Chairwoman.

GOOD TO THE ORDER:

The next Planning Board meeting will be Wednesday February 28, 2024, at 7:30 pm.

ACTION: To adjourn was made at 8:50pm.

Motion: Justine Seefeldt Seconded: Patrica Hinds All in Favor

Respectfully submitted,

Katherine A. Cavallaro, Planning Board Clerk