

DRAFT MINUTES
LEWIS COUNTY PLANNING BOARD
November 16, 2023

- (1) **Call to Order:** Chairman Petersen called the regular meeting of the Lewis County Planning Board to order at 2:31 PM in the conference room on the 2nd floor at the Lewis County Court House, Lowville, New York. Roll call was requested by Mr. Petersen.
- (2) **Roll Call:**
Board Members Present: Tim Petersen, Tim Hunt, Thomas Osborne, and John Lehman. Non-Voting Ex-Officio Member: Lawrence Dolhof
Staff Present: Casandra Buell, Planning & Community Development Director, Megan Krokowski, Community Development Specialist, and Ben Manning, Lewis County Code Enforcement Officer.
- (3) **Reading and Approval of Minutes:** The draft October 19, 2023 meeting minutes were received and reviewed prior to the meeting. Mr. Lehman motioned to approve the minutes; Mr. Hunt seconded the motion, which carried unanimously.
- (4) **Correspondence and Communication:**
 - Letter received from Alorah Brady concerning Widrick Truck & Diesel on State Route 26 in the Town of Denmark.
 - APA General Permit/Order 2019G-1- Permit # 2023-0212
Certification for the replacement of certain utility poles to replace an existing 34-foot-tall pole with a new 38.5-foot-tall pole with an additional pole top antenna for National Grid communication equipment resulting in an overall height of 43.25 feet above ground in the Town of Lyonsdale on Penny Settlement Road.
- (5) **Report of Officers:** None
- (6) **Report of Special Committees:**

239-M Review

Ms. Buell read the following review:

VILLAGE OF TURIN BOARD OF TRUSTEES

Proposed zoning text amendment to the Village of Turin Land Use Regulations to provide further clarity on sign regulations.

Village of Turin – Applicant

The proposed amendment, General Municipal Referral Form, and signed Full Environmental Assessment Form (FEAF) were submitted by Mayor Josh Leviker.

Village of Turin Zoning Law Revision

In summary, the proposed amendment provides more distinct guidance regarding signage and its illumination. The Village of Turin sign regulations, as detailed in Article F, Section 2 of the Village Turin Land Use Regulations law, are

detailed below. Amendments are proposed for the portions of this Section in bolded text:

- a. **No signs shall consist of lights which flash or move.**
- b. No sign shall be higher than the principal building to which it is accessory except when erected on the roof of the building.
- c. Advertising signs unrelated to the premises or not serving as a directional sign within five miles of the premises are not permitted.
- d. All existing signs at the time this regulation is adopted shall be allowed to remain as long as they are properly maintained and their use remains current.
- e. No sign shall project into the public right-of-way.
- f. **One on-site sign is permitted, not to exceed 32 square feet per side, to be illuminated during regular business hours only.**
- g. **Off-site directional signs are permitted, located within five miles of the use to which directions are indicated, not to be illuminated between 12 midnight and 6 a.m. and not to exceed 32 square feet per side.**

The proposed amendments to the Village of Turin Rural Development Law Article F. General Regulations, Section 2: Signs are shown below.

- a. No sign shall be allowed which utilizes flashing or strobe-type lights, or any type of pulsating lights.
- f. One on-site sign is permitted, not to exceed 32 square feet per side.
- g. Off-site directional signs are permitted, located within 5 miles of the use to which directions are indicated, not to exceed 32 square feet per side.

Recommendation: Approve with Conditions

- 1. Add the following definition for Electronic Message Center (EMC) to Part 6. Definitions: A sign that is capable of displaying words, symbols, figures, or images that electronically change by remote or automatic means.
- 2. Rephrase Section 2.a to read, "No sign shall utilize flashing, strobing (rapid on/off display of message(s)), or pulsating lights, and any Electronic Message Centers (EMC) shall not transition more frequently than once every 3 seconds."
- 3. Any Electronic Message Center (EMC) sign shall be equipped with a photocell automatic dimmer that reduces the nighttime brightness to a level no greater than .3 footcandles above the ambient lighting.

Mr. Manning recommended that a definition for directional signs would make enforcement clearer. Ms. Buell mentioned that the definition may be defined in the law already; Mr. Manning insisted that it was not. There was a brief discussion about how this law does not limit the number of off-premise signs, but it was determined that may have been intentional.

With no further comments or questions, Mr. Hunt made a motion to approve the project with the above conditions with the suggested additional definition, Mr. Petersen seconded the motion, which was carried unanimously.

NOTE: Following the meeting, upon further review, the Village of Turin's Law does include a definition for directional sign; therefore, the Board's recommendation to add said definition will not be sent to the Village of Turin.

Ms. Buell proceeded to read the next review:

TOWN OF TURIN TOWN BOARD

Proposed zoning text amendment to the Town of Turin Rural Development Law to provide further clarity on sign regulations.

Town of Turin – Applicant

The proposed amendment, General Municipal Referral Form, and signed Full Environmental Assessment Form (FEAF) were submitted by Town of Turin Planning Board Chairman, Daniel Szalach on behalf of the Town of Turin Supervisor, Jane Gillette.

Town of Turin Zoning Law Revision

In summary, the proposed amendment provides more distinct guidance regarding signage and its illumination. The Town of Turin sign regulations, as detailed in Article 3, Section 305 of the Town of Turin Rural Development Law, are detailed below. Amendments are proposed for the portions of this Section in bolded text:

1. **No signs shall consist of lights which flash or move.**
2. No sign shall be higher than the principal building to which it is accessory except when erected on the roof of the building.
3. Advertising signs unrelated to the premises or not serving as a directional sign within five miles of the premises are not permitted.
4. All existing signs at the time this regulation is adopted shall be allowed to remain as long as they are properly maintained and their use remains current.
5. No sign shall project into public right-of-way.
6. **One on-site sign is permitted, not to exceed 32 square feet per side, to be illuminated during regular business hours only.**
7. **Off-site directional signs are permitted, located within five miles of the use to which directions are indicated, not to be illuminated between 12 midnight and 6 a.m. and not to exceed 32 square feet per side.**

The proposed amendments to the Town of Turin Rural Development Law Article 3, Section 305. Signs are shown below.

1. No sign shall be allowed which utilizes flashing or strobe-type lights, or any type of pulsating lights.
6. One on-site sign is permitted, not to exceed 32 square feet per side.
7. Off-site directional signs are permitted, located within 5 miles of the use to which directions are indicated, not to exceed 32 square feet per side.

Recommendation: Approve with Conditions

1. Add the following definition for Electronic Message Center (EMC) to Section 140. Definitions: A sign that is capable of displaying words, symbols, figures, or images that electronically change by remote or automatic means.
2. Rephrase Article 3, Section 305 Line 1 to read, “No sign shall utilize flashing, strobing (rapid on/off display of message(s)), or pulsating lights, and any Electronic Message Centers (EMC) shall not transition more frequently than once every 3 seconds.”
3. Any Electronic Message Center (EMC) sign shall be equipped with a photocell automatic dimmer that reduces the nighttime brightness to a level no greater than .3 footcandles above the ambient lighting.

As this law so similarly replicates the Village of Turin’s, the same suggestions were made to add a definition for directional signs.

With no further comments or questions, Mr. Hunt made a motion to approve the project with the above conditions with the suggested additional definition, Mr. Petersen seconded the motion, which was carried unanimously.

NOTE: Following the meeting, upon further review, the Town of Turin’s Law does include a definition for ‘directional sign’; therefore, the Board’s recommendation to add said definition will not be sent to the Town of Turin.

Ms. Buell then read the next review:

TOWN OF OSCEOLA TOWN BOARD

Proposed amendment to their existing Zoning Law to add regulations for wind towers, solar energy systems, battery energy storage systems, and telecommunication towers in the Town of Osceola.

Town of Osceola – Applicant

The General Municipal Referral Form was submitted by Francis Yerdon, Town of Osceola Supervisor, with the Full Environmental Assessment Form.

Town of Osceola Zoning Law Additions:

A thorough review of the 49-page Zoning Law with a focus on solar, wind, and telecommunication towers was conducted. In summary, the Town of Osceola Zoning Law amendments reflect the following:

Definitions added (47) to Article 2 § 220. Specific Definitions:

Accessory Equipment	Battery(ies)	Battery Energy Storage Management System
Blade Glint	Commissioning	Battery Energy Storage System
Conservation Area	Coverage	Building-Integrated Photovoltaic (BIPV) System
Dedicated-Use Building	dBA	Electrical Transmission Tower
Energy Cooperative	Energy Code	Ground-Mounted Solar Energy Systems
Facility Area	FAA	LWEF (Large Wind Energy Facility)
Fire Code	Infrasound	LWEF Accessory Equipment
Mineral Soil Groups 1-4	NEC	Meteorological Measuring Device
Net-Metering	NFPA	Nationally Recognized Testing Laboratory (NRTL)

Non-Dedicated-Use Building	SEQRA	Roof-Mounted Solar Energy System
Shadow Flicker	Solar Access	Occupied Community Building
Solar Energy System	Solar Collector	Small-Scale Solar Energy System
Solar Skyspace	Solar Panel	Telecommunication Tower
Solar Thermal System	Wind Turbine	Utility-Scale Solar Energy System
WES (Wind Energy Facility)	Yard, Front	Wind Turbine Height
Yard, Rear	Yard, Side	

Uses added (6) to Article 4 § 410. Allowed Uses:

- Battery Energy Storage System (Tier 1): Allowed in all zones with Principal Use Permit.
- Battery Energy Storage System (Tier 2): Allowed in all zones except the Hamlet with a Special Use Permit.
- Large Wind Energy Facility (LWEF): Allowed in all zones except the Hamlet with a Special Use Permit.
- Small Scale Solar Energy System: Allowed in all zones with a Principal Use Permit.
- Telecommunication Tower: Allowed in all zones with a Special Use Permit.
- Utility Scale Solar Energy System: Allowed in all zones except the Hamlet with a Special Use Permit.

This is the only area of the Zoning Law that refers to a ‘Principal Use Permit’ which is assumed to be the same as a ‘Zoning Permit’; however, it should be revised to reflect ‘Zoning Permit’ for consistency and clarity.

Furthermore, the Town should clarify which uses require a site plan review and special use permit. Article 4 § 410 does not define both; however, later Articles do specify that both are required for Tier 2 Battery Energy Storage Systems and Utility-Scale Solar Energy Systems.

Additional regulation added in Article 5 § 570. Minor Wind Power Generating Facilities:

Minor wind power generating facilities shall have a maximum wind turbine height of 75’.

Added § 650. Large Wind Energy Facilities (LWEF):

Regulations further define approval requirements, temporary tower expectations, application requirements, permit timelines, dimensional requirements, financial surety details, installation and design standards, real property value protections, decommissioning plan requirements, liability insurance necessities, environmental monitoring expectations, and noise impact regulations, among other particulars.

Added § 655. Solar Energy Systems:

This section established regulations relative to Small Scale Solar Energy Systems and Utility-Scale Solar Energy Systems. These added regulations further define application submission requirements, equipment detail designs, site design details, visual impact concerns and expectations, decommissioning plan requirements, security parameters, financial surety details, and maintenance requirements, among other particulars.

There does not appear to be a requirement for the applicant to supply an emergency operations plan, similar to those required for Battery Energy Storage Facilities. It would be beneficial for local Emergency Management Services to be given an Emergency Service Plan and on-site training before the project is operational.

Added § 660. Battery Energy Storage Systems:

This section establishes regulations relative to Tier 1 and Tier 2 Battery Energy Storage Systems. These added regulations further define site design feature requirements, erosion and sediment control management, commissioning and decommissioning requirements, lighting and noise standards, signage, and the requirements for an emergency operations plan and fire safety compliance plan, among other particulars.

Added § 665. Telecommunication Towers:

This section established regulations relative to Telecommunication Towers. These added regulations further define shared use expectations, tower capacity, setbacks, visibility requirements, screening expectations, tower access and parking, and inspection intervals.

After a review of the documents provided, it appears that the proposed local law for the Town of Osceola will effectively regulate wind turbines, telecommunication towers, solar energy systems, and battery energy storage systems. We commend the Town of Osceola for the comprehensive additions to their existing zoning laws.

Recommendation: Approve with modifications

1. Article 4 § 410 is the only area of the Zoning Law that refers to a 'Principal Use Permit' which is assumed to be the same as a 'Zoning Permit'; however, it should be revised to reflect 'Zoning Permit' for consistency and clarity, or 'Principal Use Permit' should be added to the 'Zoning Permit Definition in Article 2 § 220.
2. Prior to adoption, the Town should clarify which uses require a site plan review and special use permit. Article 4 § 410 does not define both; however, later Articles do specify that both are required for Tier 2 Battery Energy Storage Systems and Utility-Scale Solar Energy Systems.
3. There does not appear to be a requirement for the applicant to supply an emergency operations plan in § 650 or § 655, similar to those required for Battery Energy Storage Facilities in § 660. It would be beneficial for Emergency Management Services to be given an Emergency Service Plan and on-site training before LWEF or Utility-Scale Solar Energy System projects are operational. As a condition of a special use permit, an Emergency Service Plan should be developed and distributed to all impacted districts. On-site training should be required and hosted by the applicant prior to operations.

The board had a brief discussion regarding the 75' height restriction on Minor Wind Power Generating Facilities and how that height is highly restrictive. With no further comments or questions, Mr. Hunt made a motion to approve the project

with the above conditions. Mr. Lehman seconded the motion, which was carried unanimously.

Ms. Buell was excused from the meeting upon the commencement of the following action.

Ms. Krokowski read the final review:

TOWN OF NEW BREMEN TOWN BOARD

Proposed Zoning Text Amendment to replace and consolidate the New Bremen Solar Law and Site Plan Review Law into one.

Town of New Bremen – Applicant

Town Clerk Elizabeth Jones submitted the General Municipal Referral Form on behalf of the Town of New Bremen.

Town of New Bremen Zoning Law Revisions

The proposed zoning text amendment consolidates the previously separate solar law and site plan zoning law for the Town of New Bremen into one condensed forty-two-page local law.

Upon review, the following deficits or inconsistencies have been identified:

Within Section 220, the definition of Campgrounds, the term “travel trailer” was noted, consider adding a specific definition for travel trailer.

The use of term ‘mobile home’ was used throughout the amendment; the Department of State has encouraged municipalities to refrain from using mobile homes and trailers within local zoning documents. If you wish to proceed using the term ‘Mobile Home’ consider using DOS’s definition for ***Mobile Home*** “A moveable or portable dwelling unit that was built prior to June 15, 1976, and designed and constructed to be towed on its own chassis, composed of frame and wheels, connected to utilities, and designed and constructed without a permanent foundation for year-round living, excluding travel trailers. For these provisions, a mobile home shall be considered a manufactured home.” Likewise, consider adding a term for Manufactured Home. The DOS definition of a ***Manufactured Home*** - A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, 24 CFR Part 3280, 4/1/93, transportable in one or more sections which in the traveling mode is 8 body feet (2438 body mm) or more in width or 40 feet (12 192 body mm) or more in length, or, where erected on site, is 320 square feet (30 m2) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation where connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; The term “Manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal

Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 1974, as amended. The term “Manufactured home” shall not include any self-propelled recreational vehicle.

The definition of Commercial Use - includes a typo “motor vehicle repair/paint shops.”

Regulated Medical Waste has a typo when referring to the effective date of November 26, **2**996.

Consider updating the definition of Solar Collectors - “Any device intended or used for the absorption of solar radiation for the heating of water or buildings or the production of electricity. The term solar collector also encompasses and includes the individual components of a solar collection system including the solar panels, utility boxes, generators, and all other ancillary devices or equipment necessary to collect and product **produce** solar energy.”

Review the definition of Solar Energy System - “A photovoltaic electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment. Several Scale system types, Agricultural Solar Energy Systems, Large-Scale Solar Energy Systems, and Medium Solar Energy Systems, are addressed in this local *law*”

Consider if small-scale solar should be added to this definition in addition to adding the word law at the end of the sentence.

Consider adding the word an in your definition of Structure - “Anything constructed or built; or building of any kind which requires location on the ground or is *an* attachment to something having a location on the ground, including but without limitation, swimming pools, covered patios, towers, poles, sheds, tanks, etc. excepting outdoor areas, such as paved areas and walkways.”

Perhaps the term “Use Oil Collection Center” was intended to be **Used** Oil Collection Center.

The definition of Waste Tire Storage Facility mentions an exemption for agricultural operations, consider adding a definition for Agricultural Operation for clarity.

The Board should ensure Section 570 §A that “Soil Conservation Services” is used and correct: rather than Soil and Water Conservation District.

Section 630 §B8, sentence two, states “A plan showing appropriate performance criteria specifying minimum *plan* sizes and measures to be taken in the event that the proposed vegetation fails to survive, flourish or otherwise meets said performance criteria shall be submitted with a building permit application.” Consider if the second use of the word plan should be changed to plant.

Page 26, iv. States “Solar Panels shall be placed at least 350’ from an occupied residence not involved in the project unless the owner of the residence agrees to waive the requirement.” Perhaps the Board should rephrase to require all owners and require a signed waiver.

Section 630, §C5 “All standards required for Medium - Scale Solar Energy Systems shall also be required for Large Scale Solar Energy Systems. In addition, the following shall be required:

a. Lot Size. Large - Scale Solar Energy Systems shall be located on lots with a minimum lot size of 10 acres. HOWEVER, Section 630 §B Medium-Scale Solar Energy Facilities 12c states “Lot Area. A parcel must have a minimum lot area of 15 contiguous acres. The Board should determine the intent of the lot size requirement for Large Scale Solar and ensure it is in fact larger.

Section 630, § C5l sentence one states “Where feasible, all utilizes serving the site shall be underground. “Consider if utilizes should be changed to utilities.

Review Section 570 §C and D to ensure 500 feet is the Agricultural District measurement the Board plans to use versus the standard 250 feet in Lewis County.

On page 30 E. Solar Energy System Application & Review Costs a fee schedule is mentioned, consider adding a location of where to attain this fee schedule to make it clearer for applicants.

Section 640 Battery Energy Storage Systems

6 a. viii *A listing of any contingencies for removing an intact operation energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.”*

7 l. iii *Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions...”*

Section 830 Temporary Permits indicates that “*Such permits may be renewed*”, consider if this language is specific enough to meet the intentions or if the intent was to truly function as a temporary solution to bring the use into compliance or to remove equipment. If you plan to retain the statement, consider adding the number of times and the term for the renewal for clarity and enforcement.

Section 850 C Appeals Procedure - The second to last sentence has a typo, we believe the word tall should be tally “*A tall of each member’s vote shall be recorded.*”

After a review of the documents provided, it appears that the proposed local law for the Town of New Bremen could effectively regulate solar, battery storage and site plans cohesively within this one document. We commend the Town of New Bremen for their proactive updates to their zoning law.

Recommendation: Approve with modifications

- 1) Within Section 220, the definition of Campgrounds, the term “travel trailer” was noted, consider adding a specific definition for travel trailer.
- 2) The use of term ‘mobile home’ was used throughout the amendment; the Department of State has encouraged municipalities to refrain from using mobile homes and trailers within local zoning documents. If you wish to proceed using the term ‘Mobile Home’ consider using DOS’s definition for ***Mobile Home*** “A moveable or portable dwelling unit that was built prior to June 15, 1976, and designed and constructed to be towed on its own chassis, composed of frame and wheels, connected to utilities, and designed and constructed without a permanent foundation for year-round living, excluding travel trailers. For the purpose of these provisions, a mobile home shall be considered a manufactured home. Likewise, consider adding a term for Manufactured Home. The DOS definition of a ***Manufactured Home*** - A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, 24 CFR Part 3280, 4/1/93, transportable in one or more sections which in the traveling mode is 8 body feet (2438 body mm) or more in width or 40 feet (12 192 body mm) or more in length, or, where erected on site, is 320 square feet (30 m²) minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation where connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein; The term “Manufactured home” shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Federal Department of Housing and Urban Development and complies with the standards established under the national Manufactured Housing Construction and Safety Act of 1974, as amended. The term “Manufactured home” shall not include any self-propelled recreational vehicle.
- 3) Review the definition of Solar Energy System - “A photovoltaic electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment. Several Scale system types, Agricultural Solar Energy Systems, Large-Scale Solar Energy Systems, and Medium Solar Energy Systems, are addressed in this local ***law***.” Consider if **small-scale solar** should be added to this definition in addition to adding the word **law** at the end of the sentence.
- 4) The definition of Waste Tire Storage Facility mentions an exemption for agricultural operations, consider adding a definition for Agricultural Operation for clarity.
- 5) The Board should ensure Section 570 §A that “Soil Conservation Services” is used and correct, rather than Soil and Water Conservation District.
- 6) Page 26, iv. States “Solar Panels shall be placed at least 350’ from an occupied residence not involved in the project unless the owner of the residence agrees to waive the requirement.” Perhaps the Board should rephrase to require all owners and require a signed waiver.

- 7) Section 630, §C5 “All standards required for Medium-Scale Solar Energy Systems shall also be required for Large Scale Solar Energy Systems. In addition, the following shall be required:
 - a. Lot Size. Large – Scale Solar Energy Systems shall be located on lots with a minimum lot size of 10 acres. **HOWEVER** Section 630 §B Medium-Scale Solar Energy Facilities 12c states “Lot Area. A parcel must have a minimum lot area of 15 contiguous acres. The Board should determine the intent of the lot size requirement for Large Scale Solar and ensure it is in fact larger.
- 8) Review Section 570 §C and D to ensure 500 feet is the Agricultural District measurement the Board plans to use versus the standard 250 feet in Lewis County.
- 9) On page 30 E. Solar Energy System Application & Review Costs a fee schedule is mentioned; consider adding a location of where to attain this fee schedule to make it clearer for applicants.
- 10) Section 830 Temporary Permits indicates that “*Such permits may be renewed.*”, consider if this language is specific enough to meet the intentions or if the intent was to truly function as a temporary solution to bring the use into compliance or to remove equipment. If the board plans to retain the statement, consider adding the number of times and the term for the renewal for clarity and enforcement.

Note: Due to the shared capacity of the Director of Planning as a Town of New Bremen Board member and referral review entity, to avoid ethical issues, she has recused herself from all portions of this review.

The technical review was performed by Megan Krokowski, Community Development Specialist.

The following Grammatical Errors were identified and should be corrected prior to adoption:

- 1) The definition of Commercial Use - includes a typo “motor vehicle repair/paint shops.”
- 2) Regulated Medical Waste has a typo when referring to the effective date of November 26, **2**996.
- 3) Consider updating the definition of Solar Collectors - “*Any device intended or used for the absorption of solar radiation for the heating of water or buildings or the production of electricity. The term solar collector also encompasses and includes the individual components of a solar collection system including the solar panels, utility boxes, generators, and all other ancillary devices or equipment necessary to collect and product ***produce*** solar energy.*”
- 4) Consider adding the word an in your definition of Structure - “*Anything constructed or built; or building of any kind which requires location on the ground or is **an** attachment to something having a location on the ground, including but without limitation, swimming pools, covered patios, towers, poles, sheds, tanks, etc. excepting outdoor areas, such as paved areas and walkways.*”

- 5) Perhaps the term “Use Oil Collection Center” was intended to be **Used** Oil Collection Center.
- 6) Section 630 §B8, sentence two, states “A *plan* showing appropriate performance criteria specifying minimum *plan* sizes and measures to be taken in the event that the proposed vegetation fails to survive, flourish or otherwise meets said performance criteria shall be submitted with a building permit application.” Consider if the second use of the word plan should be changed to plant.
- 7) Section 630, § C5l sentence one states “Where feasible, all utilizes serving the site shall be underground. “Consider if utilizes should be changed to utilities.
- 8) Section 640 Battery Energy Storage Systems
 - 6 a. viii A listing of any contingencies for removing an intact operation energy storage system from service, and for removing an energy storage system from service that has been **damaged**d by a fire or other event.”
 - 7 l. iii Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions...”

The above section includes two typos which can be corrected by including the shown bold letters to change the word damage to **damaged** and Batter to **Battery**.
- 9) Section 850 C Appeals Procedure - The second to last sentence has a typo, we believe the word tall should be tally “A *tall* of each member’s vote shall be recorded.”

The Board had a brief discussion regarding the wording on Recommendation 6 and decided to update the language to “**all owners of the occupied residence agree in writing** to waive the requirement.”

The Board mentioned several times during the review it was hard to follow as they are not accustomed to reviewing a site plan law and solar/battery storage law together and they questioned the purpose of the combination, but resigned to “this is New Bremen’s local law and their choice.”

With no further comments or questions, Mr. Hunt made a motion to approve the project with the above conditions and the updated language to Recommendation 6. Mr. Lehman seconded the motion, which was carried unanimously.

(7) Report of County Planner:

- Responses from municipalities regarding previously submitted/reviewed projects: NONE

(8) Unfinished Business: Mr. Hunt reported no progress to report for the ‘pond’ development in Leyden.

(9) New Business: None

- (10) **Adjournment:** There being no other business, a motion to adjourn the meeting was made by Mr. Lehman and seconded by Mr. Petersen which carried unanimously. Mr. Petersen adjourned the meeting at 3:26 PM.

Respectfully submitted,



Megan Krokowski
Community Development Specialist

Note: These minutes have been transcribed from a recording but are not verbatim or quoted version, they are rather a documentation of the meeting events.

DRAFT