

Town of Bristol
Planning & Zoning Board of Appeals
Joint Meeting
May18, 2021.

Members Present: Karen Ellmore, Joann Rogers, Justin Steinbach, Bob Stryker, Marty Snyder, John Krebbeks, Donna Beretta, A J Magnan, Marty Snyder, Patti Giordano, Steve Smiley and Secretary Sandra Riker

Battery Energy Storage Law:

Code Enforcement Officer answer to questions from 03/16/2021 meeting:

1. What codes should the BESS systems be required for compliance-both tier 1 and 2. CJ-Tier 1 and other such small-scale residential systems. They can be covered under a standard building permit process.
2. Should tier 1 have a less restrictive permitting process for residential & commercial smaller size requirements. What would be required for a permit?

CJ-Residential Building Code now contains a section on Battery Storage Systems. He attached section R327 of the residential building code [R327.pdf](#) He went on to include two definitions:

[RB] Battery System, Stationary Storage. A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls and associated electrical equipment designed to provide electrical power to a building. The system is typically used to provide standby or emergency power, an uninterruptable power supply, load shedding, load sharing or similar capabilities.

[NY } Battery System, Stationary Storage. A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls and associated electrical equipment designed to provide electrical power to a building. The system is typically used to provide standby or emergency power, an uninterruptable power supply, load shedding, load sharing or similar capabilities.

Section R327 of the residential building code:



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Decommissioning:

Section I: Special Use Permit Standards.

1. Setbacks. Our requirements should be in line with our Solar Law and are greater than the model law.
2. Height. Same as the model law-Tier 2 Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.

3. Fencing Requirements. Same as model law-Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a [7 foot high] fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports.
4. Screening and Visibility. Tier 2 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping or other screening methods that will harmonize the character of the property and surrounding area and not interfering with ventilation or exhaust ports.

J. Ownership Changes. If the owner of the BESS changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all the obligations of the special use perm, site plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the [Code Enforcement Officer] of such change in ownership or operator withing [30] days prior to ownership or lease change. A new owner or operator must provide such notification to {Code Enforcement Officer} in writing. The special use permit and all other local approvals for the battery energy storage system would be void if a new owner or operator fails to provide written notification to the [Code Enforcement Officer] in the required timeframe. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this Local Law.

8. Safety. Same as written in model law.

9. Permit Time Frame and Abandonment-Should be the same as in the Solar Law under decommissioning.

10. Enforcement. -Same as Solar Law

11. Severability-Same as Solar Law.

Patti Giordano sent an email clarifying what she was trying to express to us about Noise- “When you write things into the law that are normally part of the site plan, you remove the ability to be flexible. If it is in the law, then we must conform to that threshold or condition. If it is dealt with at site plan, we can require more stringent thresholds, or less, depending on the situation.

What I personally like better is, for the sound issue for instance, putting in the law that sound thresholds must be reviewed at site plan.

We should only write things into the law if we know that there would never be acceptable exceptions.

Thoughts?”

Meeting was adjourned.

Respectively Submitted,

Sandra Riker

Town of Bristol
planning and zba Secretary

The minutes of May 18, 2021, were accepted with a motion by Donna Berretta and a second by Patti Giordano. All members present agreed.