

5/19/2026 Comment by Nicole Shaffer, on behalf of the Sustainability Committee

I know the BESS regulation was already voted on and passed. But for the public record, I do want to relay the disappointment from the Sustainability Committee that we were not consulted during the drafting of this regulation, despite clean energy being at the core of our mission. We are also disappointed with the lack of recognition that BESS are an integral part of a cleaner energy future and grid resiliency, the emphasis on negativity, and misleading comments unnecessarily made for the record. It was our understanding that all of the time enabled by the moratorium was being taken to craft a well thought out regulation based on facts, and not fear. And we would also like to note that the other towns cited as passing bans, did so before the new NYS fire code was passed, specifically to address the incidents cited. Yet none of it seems reflected in our new regulation.

The Sustainability Committee certainly supports the intended carve out for residents and businesses, though we do question the impact the broad language used may have on future demand response. And Kevin is absolutely right that we're at the end of the transmission line so we're not a prime location for a large installation anyway. We also appreciate the Board's caution and agree that battery energy storage systems must be carefully regulated, especially in environmentally sensitive areas.

At the same time, we would encourage the Town to distinguish between legitimate safety concerns and broader claims that may not reflect the current state of the technology or updated industry standards.

We all know, lithium battery fires can be difficult to extinguish, release gasses, and can potentially reignite. However, BESS fires are a statistically rare event relative to the rapidly growing number of installations nationwide, and modern systems include multiple layers of fire suppression, monitoring, compartmentalization, and emergency response coordination, especially with the new NYS fire code enacted and other more recent mitigating factors. Incidences have drastically dropped and environmental studies have been conducted.

The worst incidents cited occurred with either outdated technology and/or were systems housed inside older buildings, where gases could accumulate. Newer installations use outdoor containerized systems, where in the event of a failure, gas can disperse and cannot build up to dangerous levels. That's a big difference. And LFP batteries, which are the dominant lithium battery used in BESS currently, are more stable and reduce the risk of thermal runaway.

The characterization of lithium batteries as "dirty energy" is just not supported by science. Lithium batteries are all around us; our phones, computers, cars, backup power. They are storage technologies that support renewable energy integration, grid stability, reduced operational costs, peak demand reduction, and emergency backup power. BESS reduces reliance on fossil fuels and helps lower carbon emissions, it can store clean energy and produces no pollution during normal operation. To call it "dirty" because of a worst case scenario, is just mind boggling and misleading.

Just as other municipalities have addressed similar concerns without an outright ban, a framework that allows the Town to evaluate projects through strict zoning requirements, setbacks from watersheds, wetlands, schools, and other sensitive areas, containment strategies, mandatory fire department training and coordination funded by the site owner, and adherence to the newly adopted fire code, would protect our natural resources while supporting a strategic piece to reducing our reliance on fossil fuels and creating a more resilient grid.

This is the kind of policy that we thought would be drafted.