



Special Use Permit Application Requirements for Tier 2 & Tier 3 Battery Energy Storage Systems

The legal requirements governing approval of a Battery Energy Storage System (BESS) Special Use Permit are set forth in Chapter 209 of the Town of Clay Code.

INSTRUCTIONS

1. File the required documents listed below with the Planning Department, Town of Clay, 4401 State Route 31, Clay, New York 13041 by the deadline date as shown on the Town Board calendar, which is provided with this packet.

Prior to submitting a Tier 2 or Tier 3 BESS Special Use Permit application, applicants shall schedule a pre-application meeting with the Town of Clay Planning Department to discuss the proposed project and application requirements. To schedule a meeting, please contact the Planning Department by email at planning@townofclayny.gov or by phone at 315-652-3800.

As part of the pre-application process, the Planning Department will also coordinate an initial consultation with the Fire District having jurisdiction over the proposed BESS facility to discuss applicable fire protection, emergency response, and code compliance considerations.

TWO (2) Complete applications for the BESS Special Use Permit including legal description, Disclosure Affidavit, and all applicable items.

NINETEEN (19) Copies of BESS Special Use Application Filled Out with Applicable Information. Applicants shall comply with all applicable requirements of Chapter 209, including provisions of § 209-9 (Site Plan Application). Tier 3 Battery Energy Storage System proposals shall also satisfy the special and additional requirements set forth in § 209-9.

NINETEEN (19) Copies of Site Plan (24" x 36" in size and **MUST BE FOLDED**) drawn to scale indicating major landmarks and roads leading to major highways, which should include:

- ☐ A Title Block listing the name of the project, date, and scale.
- ☐ A map legend indicating significant features of the property (acreage, utilities, etc.).
- ☐ The zoning classification of the site and all adjacent properties.
- ☐ All existing easements and/or restrictions of record including rights-of-way, fully dimensioned.
- ☐ All roads, watercourses, wooded acres, wetlands, (DEC and Corps of Engineers), floodplains (based on FEMA maps), and other significant natural or manmade features.
- ☐ All property lines shown with dimensions.

NINETEEN (19) Copies of Property Survey (24" x 36" in size and **MUST BE FOLDED**)

NINETEEN (19) Copies of Environmental Assessment Form

2. **FEES** Payment of \$400.00 must accompany the filing of this application for a Petition for a BESS Special Use Permit.
3. An electronic copy (pdf format) of the application (flash drive or email planning@townofclayny.gov) must be submitted.

PLEASE READ ALL INSTRUCTIONS

All submitted documents must be printed one sided.

Incomplete applications will not be processed or placed
on an agenda until all required materials have been
submitted and the application is deemed complete.

***Remove this page
prior to filing***



Tax Map # _____ - _____ - _____

Case # _____

Petition for a Tier 2 or Tier 3 BESS Special Use Permit

PROJECT NAME _____

PROJECT LOCATION _____

PROJECT DESCRIPTION

NAME OF APPLICANT (Principal contact): _____

Mailing Address _____

Email _____ Phone _____

ADDRESS OF SUBJECT PROPERTY: _____

PROPERTY OWNER: (Owner of record, if not applicant) _____

Mailing Address _____ Phone _____

PERSON/FIRM REPRESENTING APPLICANT:

_____ Mailing Address

_____ Email

_____ Phone _____

Date: _____

(Signature)

(Entity Name)

By: _____

(Officer)

(Title)

Official Use Only

Date filed w/ Planning Department

Town Board Action:

(a) Date of Filing _____

(b) Date of Public Hearing called _____

(c) Date of Public Hearing heard _____

Date permission referred to County Planning _____

Date recommendation received from County Planning _____

Planning Board Action:

(a) Date of Public Hearing _____

(b) Date of recommendation _____

Date of Town Board Decision _____

Application: [] *Approved* [] *Approved w/ conditions* [] *Denied*

Commissioner of Planning & Development

<u>Location of the property:</u>	YES	NO
Is located within 500 feet of the Town of Clay or the Village of North Syracuse	_____	_____
Is located within 500 feet of an <u>existing</u> or <u>proposed</u> County or state park or other recreation area; County or State Parkway, Thruway, expressway, road or highway; right-of-way of any stream or drainage channel owned by County or for which the County has established channel lines; County or State owned lands on which a public building or institution is situated.	_____	_____

MANDATORY EXHIBITS FOR BESS SPECIAL USE PERMITS. The hearing will not be scheduled without these exhibits:

Legal description of the property; an **up-to-date survey** or **scaled drawing** of the subject property showing all dimensions and locations and setbacks of all buildings and structures thereon; and an **EAF** (Environmental Assessment form)

An EAF (Environmental Assessment Form).

Requirements listed in Chapter 209.

Petitioner waives any or all rights otherwise afforded to him under provisions of The Zoning Code of the Town of Clay.

Dated: _____

(Individual Signature)

(OR)

(Entity Name)

By: _____
(Officer) (Title)



TOWN OF CLAY DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license, permit, or special permit.*

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
 OF)

I. _____, being duly sworn, deposes and says that (s)he is:

(applicant, petitioner, corporation officer, property owner, etc.)

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s)he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

Notary Public

4401 State Route 31
Clay, New York 13041-8707
Website: www.townofclayny.gov



Phone: (315) 652-3800
Fax: (315) 622-7259
E-mail: planning@townofclayny.gov

Owner Agreement to Join in with a BESS Special Use Permit

Date _____

(I / We) _____ being owner
of premises known as:

(ADDRESS) _____

TAX MAP NUMBER(S) _____ . - _____ - _____
 _____ . - _____ - _____
 _____ . - _____ - _____

Agree to and join in the application of: _____

(APPLICANT NAME)

FOR A SPECIAL PERMIT TO/FOR:

SIGNATURE _____

PRINTED NAME _____