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May 28, 2025

Town of Watson
6971 Number Four Road
Lowville, New York 13367

RE: Town of Watson

To Whom it May Concern:

Local Law 2 of the year 2025 was filed with this office on 5/23/2025. The Department of State Local Law Index Number 2 of the year of 2025. The Local Law number assigned by the Department of State for indexing purposes may be different from the Local Law number ascribed by the Legislative Body of the Local Government.

Department of State
Division of State Records
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The Local Law filing form has been updated as of 03/05/2025 in compliance with Section 27 of the Municipal Home Rule Law



**Department
of State**

TOWN OF WATSON

LOCAL LAW NO. 2 FOR THE YEAR 2025

A LOCAL LAW ENACTING A TEMPORARY MORATORIUM ON UTILITY-SCALE ENERGY STORAGE SYSTEMS

SECTION 1: TITLE.

This "Local Law" shall be known as "A Local Law to Impose a Temporary Moratorium on Utility-Scale Energy Storage System Applications within the Town of Watson."

SECTION 2: LEGISLATIVE FINDINGS AND INTENT.

- A. The Town of Watson, New York, adopted the "Town of Watson Comprehensive Plan" dated December 4, 2020 (hereinafter, the "Comprehensive Plan"). This Comprehensive Plan was developed to facilitate proactive land use planning, guide future development, and establish a framework for updating the Town of Watson Zoning Law (Local Law 1 of 1997). Notably, the Comprehensive Plan specifically emphasizes the necessity for careful consideration of large-scale electric utility projects to mitigate potential environmental and habitat degradation.
- B. The Town of Watson was awarded a New York State Department of State (NYSDOS) Smart Growth Grant to support the update of its land use regulations and initiated the update process in June 2024.
- C. The current land use regulations of the Town of Watson do not adequately address the unique characteristics and potential impacts of Utility-Scale Energy Storage Systems (USESS).
- D. Accepting new applications for USESS prior to the completion of the ongoing land use regulations update would significantly impede the Town's ability to properly protect the Town's sensitive environmental resources, along with municipal and private water supplies, town roads, and other critical infrastructure. Such premature applications may also negatively impact the health, safety, welfare, and quality of life of the Town's residents by committing the Town to a regulatory framework that is not yet fully developed and may lack necessary protections.
- E. The purpose of this moratorium is to provide the Town with sufficient time to thoroughly review, clarify, amend, and update its regulations for USESS. It is the intent of the Town Board to utilize this moratorium period to:
- i. Conduct a comprehensive examination of the potential risks associated with USESS.
 - ii. Review and update the Town's Zoning Law (Local Law 1 of 1997) and other applicable land use regulations.
 - iii. Ensure that any future development of USESS is consistent with the Town's Comprehensive Plan.
 - iv. Adopt any additional regulations necessary to promote and preserve the health, safety, and welfare of the Town and its citizens.
- B. The Town Board also finds that pursuant to 6 NYCRR 617(5), the adoption of a moratorium on land development is a TYPE II action under the New York State Environmental Quality Review Act ("SEQRA") precluding the need for further environmental review.

SECTION 3: AUTHORITY.

Pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Watson to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Watson hereby declares a moratorium on

the acceptance of applications or proceedings for applications for, the review of applications, or the issuance of approvals or permits for the construction or advancement of USESS projects within the Town of Watson, lasting six (6) months from the effective date of this local law's filing.

SECTION 4: MORATORIUM IMPOSED.

A. Scope. Neither the Town Board, Town Planning Board, Zoning Enforcement Officer, the Zoning Board of Appeals, nor or any other staff, employee, or agent of the Town shall accept, process, conduct any review or consider or grant any site plan, special permit, subdivision, building permit, zoning change applications, variances, or other approvals that purport to allow or advance the development, siting, establishment, or construction of any USESS within the Town. Nor shall any language or term in this moratorium effect, or be construed to result in, any default approval, and any matter now pending shall be stayed in place during the pendency of this moratorium, with all deadlines or other timelines suspended for the same number of days that this moratorium is in effect.

B. Term. This moratorium shall be in effect for a period of six (6) months from its effective date. This moratorium may be extended or rescinded or removed by the Town Board for good cause.

C. Area. The moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Watson. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the official tax maps of Lewis County and the official New York corporate boundary maps for the Town of Watson.

D. Waivers. The Town Board has determined that the unique and limited scope of this moratorium necessitates its strict and uniform application. Therefore, no waivers to the provisions of this moratorium shall be entertained.

SECTION 5: DEFINITIONS.

Except where specifically defined herein, all words used in the law carry their customary meanings. Words in the present tense include future, words in the singular include the plural and the plural the singular, and the word "shall" in intended to be mandatory. The term in the foregoing, as used throughout this local law, shall have the following meaning ascribed to them:

UTILITY-SCALE ENERGY STORAGE SYSTEMS (USESS) – Facilities designed to store electrical energy for later release to the electrical grid, typically with the capacity of one (1) megawatt (MW) or greater. These systems are intended to support grid stability, reliability, and renewable energy integration. For the purposes of this definition, USESS include, but are not limited to the following:

1. COMPRESSED AIR ENERGY STORAGE (CAES) SYSTEM –An electromechanical energy storage facility that stores energy by compressing air and containing it within a purpose-built underground hard rock cavern. When energy is needed, the compressed air is pushed to the surface where it is recombined with stored heat and expanded through a turbine to generate electricity on demand. CAES systems typically include components such as air compressors, storage reservoirs, turbines, generators, heat exchangers, and associated control and safety equipment.

2. TIER 2 BATTERY ENERGY STORAGE SYSTEMS (BESS) - A system comprised of one or more interconnected electrochemical energy storage devices, excluding a single 12-volt automotive battery or an electric motor vehicle, designed to store electrical energy for subsequent discharge. A Tier 2 BESS shall be defined as either a system with an aggregate energy storage capacity exceeding 600 kilowatt-hours (kWh) or a system utilizing more than one distinct battery storage technology within a single room or enclosed area.

SECTION 6. SUPERSESSION.

This local law is hereby adopted pursuant to the provision of § 10 of the New York State Municipal Home Rule Law and § 10 of the New York State Statue of Local Governments, it being the intent of the Town Board to supersede any and all contrary or inconsistent State Laws. In particular, this law shall supersede (i) any inconsistent provision set forth in all of Article 16 of the New York Town Law, Sections 261 through 285; (ii) any inconsistent provisions set forth in the Town of Watson Zoning Law (LL 1-1997), the Town of Watson Subdivision Law (LL 3-2008), and the Zoning Map (October 8, 1997); (iii) any inconsistent provisions set forth in any and all other local laws of the Town of Watson.

SECTION 7: SEVERABILITY.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE.

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with New York Municipal Home Rule Law.