

TOWN OF DRESDEN

Notice to Residents — Battery Energy Storage System (BESS) Moratorium

August 10, 2026

To the Residents of Dresden,

Thank you to everyone who came out to tonight's Town Board meeting. The turnout, the questions, and the passion in the room told us how much this community cares about protecting Dresden — and we share that commitment. This notice is meant to explain, in plain terms, what the Town Board did tonight regarding battery energy storage systems (BESS), why we approached it the way we did, and what residents can expect over the coming months.

We especially want to thank the residents who pushed us hardest tonight, including those who asked why the Town didn't go further and adopt an outright, permanent ban on BESS immediately. That question deserves a real answer, not a brush-off, and we want to give you one below.

What the Town Board Adopted Tonight

Tonight, the Town Board adopted a one-year moratorium on new battery energy storage system applications, permits, and approvals in the Town of Dresden. In plain terms: while the moratorium is in effect, no new BESS project can move forward through the Town's approval process, including the project currently in early review with the Adirondack Park Agency.

A moratorium is a temporary, legally established tool that New York towns use to pause development activity while they study an issue and put permanent rules in place. It is not the end of this process. It is the beginning of it.

Why a Moratorium First, and Not a Permanent Ban Tonight

We understand why some residents wanted the Board to go straight to a permanent ban. We want to be honest about why we didn't, because the reasoning matters and because we want your trust as we move forward together.

First: Dresden does not currently have a zoning code or zoning board. Because of that, any rule the Town adopts to restrict or ban BESS has to be built as its own standalone local law, from the ground up. That takes real, careful work to get right — it isn't something that can be written on the back of a napkin during a single meeting.

Second, and more important: a permanent ban adopted without that groundwork is the most vulnerable thing a town can pass. New York courts expect a land use restriction to be backed by real findings — evidence about safety, fire risk, environmental impact, and the town's specific reasons for restricting a use. A ban rushed through in one meeting, without that record, is exactly the kind of law that invites a legal challenge and gets struck down. We have already watched this play out in other New York communities this year: at least one town's outright, unsupported ban on battery storage was challenged in court, and the result was a ruling that

made it easier — not harder — for developers to work around local rules. We do not want Dresden to repeat that mistake.

A one-year moratorium gives us the room to do this properly: bring in legal counsel with real experience in energy siting, build a documented safety and environmental record with input from our volunteer fire department and from residents, and draft a permanent local law that is strict, well-supported, and built to hold up if it is challenged.

To be direct: this is not the Town backing away from stopping an unwanted BESS project. It is the Town making sure that whatever we ultimately adopt — a ban, or restrictions tight enough to have the same practical effect — actually survives contact with a lawyer, instead of being overturned in the first lawsuit and leaving Dresden with even less protection than before.

A Few Things We Want to Clear Up

There was some understandable confusion at tonight's meeting on a few points. We'd rather address these directly than let them linger.

“Isn't there already a state moratorium that covers this?”

Not quite. Earlier this year, Governor Hochul signed an executive order pausing state permits for new hyperscale data centers — facilities large enough to draw 50 megawatts of power or more. That order doesn't reach battery storage projects at all, and the project proposed near Dresden is neither a data center nor anywhere close to that scale. We'd rather residents have accurate information than rely on a state action that doesn't actually apply here.

“Is this actually a data center project?”

The application currently on file with the Adirondack Park Agency is for battery storage, not a data center — though early pre-application language referencing a nearby “data center” understandably raised concern. We are taking that concern seriously. If a data center component is ever formally proposed for this site, we will treat it as its own separate issue requiring its own review, including whatever state rules may apply to a project of that type and scale.

“Does the Town even have authority here without zoning or a zoning board?”

Yes. New York towns have broad authority to adopt local laws to protect the health, safety, and welfare of residents, separate from zoning. That authority is what tonight's moratorium was adopted under, and it will be the same authority behind whatever permanent local law follows it.

What Happens Next: Our Roadmap

Here is what residents should expect over the life of the moratorium:

1. Retain legal counsel. The Town will engage legal counsel experienced in energy facility siting to help draft a permanent local law that will hold up to a legal challenge.
2. Build the safety record. We will work with our volunteer fire department to document what training, equipment, and emergency response capacity a project like this would require — information that will inform both the permanent law and our public safety planning.

3. Engage with the Adirondack Park Agency. Because Dresden sits inside the Adirondack Park, the APA has its own, independent review process for this project. We will participate directly, and we encourage residents to submit comments to the APA once the application is complete.
4. Hold additional public meetings. We want resident input throughout the drafting process, not just at tonight's meeting. Dates will be posted on the Town website and at Town Hall.
5. Adopt a permanent local law before the moratorium expires. Our goal is to bring a well-supported, durable local law to a vote well before the one-year moratorium runs out, so there is no gap in protection for the Town.
6. Track state legislation. We are monitoring proposals in Albany that could affect local control over battery storage siting, and we will let residents know if action — letters, resolutions, contacting our state representatives — is needed to protect Dresden's authority to decide this issue locally.

How You Can Stay Involved

- Attend upcoming Town Board meetings — dates will be posted on the Town website and at Town Hall.
- Submit written comments to the Adirondack Park Agency once the project's formal application is complete.
- Reach out to the Town Supervisor's office with questions, concerns, or information you think the Board should have.
- Watch the Town website for updates as the permanent local law is drafted.

A Final Word

We know tonight's meeting raised as many questions as it answered, and that's alright — that's what the coming months are for. We are grateful to everyone who showed up, spoke up, and held us accountable tonight. Dresden's small size and volunteer government are strengths, not weaknesses, when the whole town pulls in the same direction. We intend to get this right, and we will keep you informed every step of the way.

Thank you for your patience, your engagement, and your trust.

Respectfully,

Charlie Tall

Town Supervisor, Town of Dresden