

**TOWN BOARD OF THE TOWN OF NORTH EAST**

**RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2018 ENTITLED: “A LAW TO REGULATE SOLAR ENERGY SYSTEMS**

**WHEREAS**, the Town of North East has determined that it is in the best of the community and its citizens to provide for, and encourage, renewable energy systems and a sustainable quality of life and to that end that a local law should be adopted to provide for the permitting and establishment of solar energy systems and facilities within the Town of North East; and

**WHEREAS**, the Town Board appointed an Advisory Committee to work with the Attorney to the Town to produce a local law to regulate such solar energy systems within the Town; and

**WHEREAS**, the Committee, with the assistance of the Attorney to the Town, drafted a proposed local law to regulate solar energy systems and submitted it to the Town Board on August 9, 2018; and

**WHEREAS**, the Town Board reviewed the proposed local law and determined that the local law was acceptable for purposes of commencing the local law adoption process; and

**WHEREAS**, the Town Board determined that this is a Type I action under SEQRA and that the Town Board is the only involved agency in the SEQRA process; and

**WHEREAS**, the Attorney to the Town prepared a Part 1 of a Full Environmental Assessment Form to be utilized by the Town Board in conjunction with the SEQRA review process which was adopted by the Town Board on August 9, 2018; and

**WHEREAS**, the Town Board declared itself to be lead agency with regard to the SEQRA review of this local law and scheduled a public hearing for the adoption of Local Law No. 3 of 2018 for September 13, 2018 at 7:25 in the afternoon at the North East Town Hall; and

**WHEREAS**, the Town Clerk duly posted and published notice of the public hearing, as required by law, and forwarded a copy of the local law to the Dutchess County Department of Planning and Development for its review and comment pursuant to General Municipal Law §239-m and to the North East Planning Board for its review and comment; and

**WHEREAS**, the Town Board opened the public hearing on the local law on September 13, 2018, received public comment and closed the public hearing on October 11, 2018; and

**WHEREAS**, the Town Board reviewed and completed Part 2 of the Full Environmental Assessment Form, and completed Part 3 of the Environmental Assessment Form for purposes of issuing its SEQRA determination; and

**WHEREAS**, the Town Board determined that this action will result in no significant impacts on the environment and that an Environmental Impact Statement need not be prepared; and

**WHEREAS**, the Dutchess County Department of Planning and Development determined that this action was a matter of local concern and had no comments on the law; and

**WHEREAS**, 30 days has expired since the referral of the local law to the Planning Board and the Planning Board has submitted no comments on said local law.

**NOW, THEREFORE**, be it

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**RESOLVED**, that the Town Board hereby adopts Local Law No. 3 of 2018 entitled: “A Law to Regulate Solar Energy Systems”; and be it further

**RESOLVED**, that the Town Board hereby directs the Town Clerk to file a copy of said local law with the Department of State as required by law; and be it further

**RESOLVED**, that the Town Board directs the Town Clerk to publish the Town’s Negative SEQRA Declaration in the Environmental Notice Bulletin of the Department of Environmental Conservation as required by the SEQRA Regulations.

This motion was made by Councilman Merwin, seconded by Councilman Fedele, and was:  
**ADOPTED BY ROLL CALL VOTE:**

**SUPERVISOR KAYE COUNCILMAN FEDELE COUNCILMAN KENNAN COUNCILMAN MERWIN COUNCILMAN MIDWOOD**

Voted    **AYE**    Voted    **AYE**    Voted    **AYE**    Voted    **AYE**    Voted    **AYE**   

The Resolution was carried by a 5-0 vote of the Town Board members on October 11, 2018.

Attorney Replansky mentioned solar projects are exempt under section 45 of the Tax Law for a period of 15 years. In other municipalities, there have been exemptions of everything but solar farms. In those cases, there is a PILOT program established for solar farms. The program is guided by the Assessor. Once the Assessor can makes a recommendation to the Town Board, the Town Board can create a PILOT local law.