

# **TOWN OF WESTMORELAND**

## **Local Law #2 of 2021**

### **1. Authority**

Be it enacted by the Town of Westmoreland Town Board as follows: pursuant to sections 261-265 of the Town Law and section 20 of Municipal Home Rule Law of the State of New York, which authorize the Town Board to adopt zoning provisions that advance and protect the health, safety and welfare of the community, and, in accordance with the law of New York State, “to make provisions for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefore.”

### **2. Purpose**

This Local Law is adopted to amend and clarify the Local Law #4 that was passed in 2019 as to regulations for the installation and use of solar energy generating systems and equipment within the Town of Westmoreland.

### **3. Amendments**

- A. Section 5 of Local Law #4 of 2021, “General Requirements” is hereby amended to replace 5(E) with the following:

The permitting fee for Tier 1 and Tier 2 Solar Energy Systems shall be \$300.00. The permitting fee for Tier 3 Solar Energy Systems shall be \$1200.00. Applicants for all Solar Energy Systems shall be required to pay the reviewing Board’s outside consultant fees including but not limited to legal, engineering and survey costs as part of their permit process.

- B. Section 5 of Local Law#4 of 2021, “General Requirements” is hereby amended to add a 5(F) which shall read as follows:

Any application which consists of multiple parcels/lots of land must demonstrate to the reviewing Board that all applicable parcels/lots are under one owner, either individual or a corporate entity. Applications that contain multiple parcels/lots of land owned by multiple owners shall not be considered/approved.

### **4. Effective Date**

This local law shall take effect immediately subject to this law being filed with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

A public hearing regarding this local law was held on October 11, 2021 at 6:15 pm, immediately followed by a regularly meeting of the Westmoreland Town

Board, where it was motioned by Councilperson Hebbard and seconded by Councilperson Seymour, to approve the legislation, after which it was a unanimous vote in favor of said motion, with all board members being present.

Sworn to and certified by the Town Clerk, this \_\_\_\_ day of October 2021.

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Jody Burdick, Town Clerk