



TOWN OF AMENIA
TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

RESOLUTION NO. 31 of 2018

RE: INTRODUCING LOCAL LAW NO. X OF THE YEAR 2018, IMPOSING A TEMPORARY TOWN-WIDE MORATORIUM PROHIBITING THE INSTALLATION OF FREESTANDING OR GROUND-MOUNTED SOLAR ENERGY SYSTEMS AND WIND ENERGY CONVERSION SYSTEMS

WHEREAS, the installation of solar energy systems on commercial and residential properties has become wide spread in recent years; and

WHEREAS, the Town Board of the Town of Amenia recognizes that solar panels have many benefits for the property owner and the community in general but wise regulation regarding the placement of ground mounted panels are required; and

WHEREAS, wind farms are being proposed in other areas of the State of New York and it is appropriate for the Town of Amenia to determine where wind farms should be permitted by zoning; and

WHEREAS, The Town of Amenia Zoning Review Committee issued a report dated May 3, 2018 recommending the need for amendments to the Town of Amenia Zoning Code to address Solar Energy Systems and Wind Energy Conversion Systems; and

WHEREAS, it is necessary to preserve the status quo in the Town of Amenia pending the enactment of reasonable regulations for the installation of Freestanding or Ground-Mounted Solar Energy Systems and Wind Energy Conversion Systems; and

WHEREAS, the Town Board believes that it is in the best interest of the citizens and property owners of the Town of Amenia to impose a Temporary Town-wide Moratorium on the Installation of

Freestanding or Ground-Mounted Solar Energy Systems and Wind Energy Conversion Systems for a period of 180 days; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type II Action not subject to environmental review pursuant to 6 N.Y.C.R.R. §617.5 (c)(30); now, therefore, be it

RESOLVED, the Town Board hereby introduces for consideration of its adoption proposed “Local Law No. X of the Year 2018, Temporary Town-Wide Moratorium prohibiting the Installation of Freestanding or Ground-Mounted Solar Energy Systems and Wind Energy Conversion Systems” in the form annexed hereto; and be it further

RESOLVED, that the Town Board hereby schedules a Public Hearing regarding the proposed adoption of the annexed Local Law for 7:00 P.M., on the 5th day of July, 2018, to be held at Town Hall, 4988 Route 22, Amenia, New York, and the Town Clerk is directed to post a Notice of Public Hearing in the Town’s official newspaper, the Millerton News, and on the sign board maintained by the Town Clerk in Town Hall not less than ten (10) days prior to said public hearing date, and that such notice shall be in the following form; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to act as follows with respect to the proposed Local Law:

- a. To serve a copy of this resolution, the annexed proposed Local Law, and the Notice of Public Hearing to the municipal clerk of each abutting municipality not less than ten (10) days prior to said Public Hearing with the form; and
- b. To serve a copy of this resolution, the annexed proposed Local Law, and the Notice of Public Hearing to the Dutchess County Department of Planning and Development for advisory review in accordance with §239 l & m of the General Municipal Law; and

- c. To distribute a copy of this resolution, the annexed proposed Local Law, and the Notice of Public Hearing to the Town of Amenia Planning Board for its review and report, pursuant to Zoning Code §121-69(B)(2).
- d. To serve a copy of this resolution, the annexed proposed local law and the Notice of Public Hearing on the New York State Department of Transportation, Region 8.

Motion made by Perotti

Seconded by Somogyi

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Morris	Aye
Councilwoman Somogyi	Aye

Dated: Amenia, New York
June 7, 2018


DAWN MARIE KLINGNER, TOWN CLERK