

Resolution of the Village Board of the Village of East Nassau  
Introductory Local Law No. 3 of 2018

Resolution # \_\_\_\_\_ - 2018

At the regular monthly meeting of the Village of East Nassau Board of Trustees (the “Village Board”), duly held on the 13th day of June, 2018, the following Resolution was presented:

**WHEREAS**, the Village Board understands that solar energy companies are looking for properties in New York State for purposes of installing large scale solar energy arrays for the marketing and sale of electricity on the grid or for use by large consumers of electrical power; and

**WHEREAS**, the Village of East Nassau, pursuant to its current Zoning Law, has approved and continues to approve solar energy installations as accessory uses in the Village where those installations provide electricity to the homes and buildings on properties where the installations are located; and

**WHEREAS**, the Village Zoning Law does not address or provide criteria or procedures for the installation of large scale solar energy systems or for the installation of solar energy systems that are designed to provide electrical power off the site of where those systems are located; and

**WHEREAS**, although the Village Board recognizes the benefits of solar energy as a clean renewable source of energy, the Village Board is also aware that there may be less desirable impacts from commercial or industrial solar energy installations depending on the scale, the design and the location of such installations; and

**WHEREAS**, the Village Board is concerned about potential impacts from solar energy systems that are larger than those systems designed to supply power to a single residence or business including such potential impacts relating to the aesthetic quality of the Village, its natural resources and residential land values as well as the Village’s community character; and

**WHEREAS**, the Village Board is also concerned about possible public safety issues to the residents of the Village that may be associated with large scale solar energy systems and issues relating to the decommissioning of such facilities; and

**WHEREAS**, although no large scale solar energy system has been proposed to be located in the Village of East Nassau at this time, the Village Board does not want to be unprepared if such a proposal occurs and wants to make sure that the Village has the proper information and regulatory tools in place to determine whether such land use is appropriate given the Village’s community character and the health, safety and welfare of the its residents and property owners; and

**WHEREAS**, the Village Board desires to have the opportunity to study the issues outlined above before it is under pressure to review an application for a solar energy installation that is not presently contemplated in the Village's Zoning Law; and

**WHEREAS**, the Village Board hereby determines that a temporary moratorium on all solar energy installations outside of those designed primarily to deliver electricity to an onsite residences or business is appropriate in order to allow the Village time to study and develop legislative measures as needed in order to promote and process solar energy installations and facilities that are appropriate for the Village of East Nassau and that are consistent with the Village's land use policies and energy policies;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Village Board hereby introduces and proposes for adoption introductory Local Law No. 3 of 2018 of the Village of East Nassau which establishes a nine (9) month moratorium on all solar energy installations and applications for same except those for supplying power solely to an on-site residence or business.
2. The Village Board determines that the adoption of the proposed Local Law is an action that is identified as a Type II action under the State Environmental Quality Review Act (SEQRA) and, as such, further environmental review is not required.
3. The Village Board hereby schedules a public hearing for the proposed Local Law No. 3 of 2018, to be held at the Village meeting room at the Hoags Corners Ambulance Building on July 11, 2018, at 6:45 p.m.
4. The Village Board hereby orders that notice of the public hearing be posted on the Village website, and published at least once in the Village's official newspaper a minimum of 5 days before the scheduled hearing date.
5. This Resolution shall take effect immediately.

Upon motion made by \_\_\_\_\_, seconded by \_\_\_\_\_,  
the foregoing Resolution was duly adopted by the Board of Trustees of the Village of East Nassau on June 13, 2018 by vote of a majority of its members as follows:

	Aye	Nay
Mayor Acquario	_____	_____
Trustee L. Davis	_____	_____

Trustee Kiernan        \_\_\_\_\_        \_\_\_\_\_

Trustee Lever        \_\_\_\_\_        \_\_\_\_\_

Trustee Shapiro        \_\_\_\_\_        \_\_\_\_\_

It is hereby certified that the foregoing resolution is a true and accurate copy of that which was adopted by the Village Board on June 13, 2018.

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
Diane Maguire, Village Clerk