

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of MASTIC BEACH

Local Law No. 12 of the year 20 11

A local law Creating Chapter 530A of the Mastic Beach Village Code  
(Insert Title)  
to Adopt Regulations to Expedite Applications regarding  
the Construction and Installation of Solar Energy Systems

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Mastic Beach as follows:

\*\*\* see attached local law \*\*\*

FILED  
STATE RECORDS

DEC 22 2011

DEPARTMENT OF STATE

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 12 of 2011 of the ~~(County)(City)(Town)~~(Village) of Mastic Beach was duly passed by the Board of Trustees on Dec. 13, 2011, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on 20    , in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, \_\_\_1\_\_\_ above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: December 20, 2011

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF SUFFOLK

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature Joseph W Prokop, Esq.  
Title Village Attorney

~~County~~  
~~City~~ of Mastic Beach  
~~Town~~  
Village

Date: December 20, 2011

INCORPORATED VILLAGE OF MASTIC BEACH

LOCAL LAW NO. 12 OF THE YEAR 2011

A LOCAL LAW CREATING CHAPTER 530A OF THE

MASTIC BEACH VILLAGE CODE TO ADOPT REGULATIONS TO EXPEDITE

APPLICATIONS REGARDING THE CONSTRUCTION AND

INSTALLATION OF SOLAR ENERGY SYSTEMS

BE IT HEREBY ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE

OF MASTIC BEACH AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Intent.

Section 1.1 Title of Local Law

Section 1.2 Enactment.

Section 1.3 Effective Date.

Section 1.4 Intent

Section 2.0 General Provisions

Section 3.0 Severability

Section 1.0 Title, Enactment, Effective Date, Intent.

Section 1.1. Title

This Local Law shall be entitled “Local Law No. 12 of 2011 of the Incorporated Village of

Mastic Beach, a Local Law Creating Chapter 530A of the Mastic Beach Village Code to Adopt Regulations to Expedite Applications Regarding the Construction and Installation of Solar Energy Systems in the Village of Mastic Beach.”

Section 1.2. Enactment.

Pursuant to Section 10 of the Home Rule Law and the Village Law of the State of New York the Incorporated Village of Mastic Beach, County of Suffolk and State of New

York, hereby enacts by this Local Law of 2011, a Local Law of the Village of Mastic Beach.

1.3. Effective Date.

This local law shall take effect on the filing of a copy of the local law with the required forms at the Office of the Department of State of the State of New York, which shall be within twenty days of the adoption of this local law by the Board of Trustees.

1.4 Intent.

The Village of Mastic Beach understands the importance of maintaining and enhancing the character of the Village. With the current push to reduce the consumption of energy through the use of alternative renewable energy technologies and a federal and state tax credit that reduced that cost of installation of alternative energy systems, the demand for the installation of such systems has increase significantly. As a resulted of these sometime competing interests it is important to consider regulations that involved balancing the need for protecting the existing character of the Village with the goal of encouraging the use of renewable energy sources, which is one of the stated purposes of zoning as outlined in § 7-704 of New York State Village Law. The Board of Trustees of the Village of Mastic Beach therefore determines and finds that it is in the best interests of the Village, its residents and property owners to enact this Local Law.

2.0 General Provisions

2.1 There shall be created a Chapter 530A which shall read as follows:

“Chapter 530A Regulations Regarding the Expediting of the Construction and Installation of Solar Energy Equipment.

530A-1 Definitions

ACCESSORY SOLAR ENERGY SYSTEMS – A solar energy system that transforms solar energy into another form of energy or transfers heat from a collector to another medium using mechanical, electrical, or chemical means. Structures or devices which provide power to

any other dwelling or structure located on a separate property are not considered part of this definition.

**BUILDING-INTEGRATED SOLAR SYSTEMS** – An active solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to photovoltaic or hot water solar systems that are contained within roofing materials, windows, skylights, and awnings.

530A - 2 Accessory Solar Energy Systems

A. Legislative intent. In order to accommodate alternative and renewable forms of energy production across the Village, while regulating the visual impacts of any such form, accessory solar energy systems, as defined in this chapter, may be allowed as specified herein.

B. Solar energy systems are permitted as an accessory use in all residential zoning districts in the Village, subject to certain requirements as set forth herein.

C. Height - Solar energy systems must meet the following height requirements:

1. Building- or roof- mounted solar systems may exceed the maximum allowed height in any zoning district by 1 foot, any building which is pre-existing non-conforming in terms height requirements may be increased by 1 foot provided that any such system shall comply with the other provisions of the Village of Mastic Beach Zoning Code. For purposes for height measurement, solar systems other than building-integrated systems shall be considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices.

2. Ground- or pole-mounted solar systems shall not exceed 6 feet in height when oriented at maximum tilt.

D. Set-back/Location - Solar energy systems must meet the accessory structure

setback and location requirements set forth in the Zoning

1. Roof-mounted Solar Systems - In addition to the building setback, the collector surface and mounting devices for roof-mounted solar systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side or rear yard exposure.

2. Ground-mounted Solar Systems - Ground-mounted solar energy systems may not extend into the required rear yard accessory setback when oriented at minimum design tilt.

E. Visibility – The design of the solar energy system shall make best efforts to blend into the architecture of the building or be screened from routine view from public right-of-ways. The color of the solar collector shall be, to the extent possible, consistent with the roofing materials on which it is mounted.

1. Building Integrated Photovoltaic Systems - Building integrated photovoltaic solar systems shall be allowed regardless of visibility, provided the building component in which the system is integrated meets all required setback and regulations for the district in which the building is located.

2. Solar Systems with Mounting Devices - Any solar system that meets one of the following standards, will be deemed to meet the visibility requirements of this section:

a. Meets the standards for use of the Solar Energy System Fast Track Permit Application, or;

b. Is not visible from the closest edge of any public right-of-way other than an alley, or;

c. Is a roof-mount system that is visible from the nearest edge of the street frontage right-of-way but does not have a highest finished pitch more than five (5) percent steeper than

the roof pitch on which the system is mounted, and is no higher than ten (10) inches above the roof.

3. Coverage - Roof or building mounted solar systems, excluding building-integrated systems, and shall be set back from the roof edge or ridge with a clear path of a minimum of eighteen (18) inches each.

4. Ground-mounted Solar Systems – a Ground-mounted solar energy systems shall be screened with perimeter plantings to consist of evergreen plantings having a minimum height of 4 feet at the time of installation, and shall not be setback more than 5 feet from said system.

F. Approved Solar Components - Electric solar system components must be certified as meeting the Underwriters Laboratory (UL) Standard 1703, and the inverter conforms to UL Standard 1741. Solar hot water systems must be certified by the Solar Rating and Certification Corporation. The solar system must be certified by a licensed professional that said system is anchored in such a manner consistent with NYS Building Code, including but not limited to wind load requirements, and for roof mounted solar system have a roof load not exceeding 6 pounds per square foot.

G. All solar collector installations must be performed by a qualified solar installer, and prior to operation the electrical connections must be inspected by an appropriate electrical inspection agency as determined by the Building Department. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.

H. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use and when no longer used shall be disposed of in accordance with the applicable laws and regulations.

I. Electric solar system - A sign shall be installed on the utility meter and at any

Alternating Current (AC) disconnect switch indicating that there is an operating solar electric co-generating system on site.

J. Decommissioning. The facility owner and operator shall, at its expense, complete decommissioning of the accessory solar energy system within 12 months after the end of the useful life of said system. The accessory solar energy system will presume to be at the end of its useful life if no electricity is generated for a continuous period of 12 months. Decommissioning shall include removal of the collectors, mount and any other associated equipment and facilities by no later than 90 days after the end of the twelve-month period.

K. Administration.

1. The Chief Building Inspector shall promulgate such rules, procedures, application forms, and certificates as may be required to effectively implement the Solar Energy System Fast Track Permit Application.

2. The filing fee for an accessory solar energy system permit shall be \$50.00.

3. The permit shall be issued within fourteen days of the submittal of a complete application.

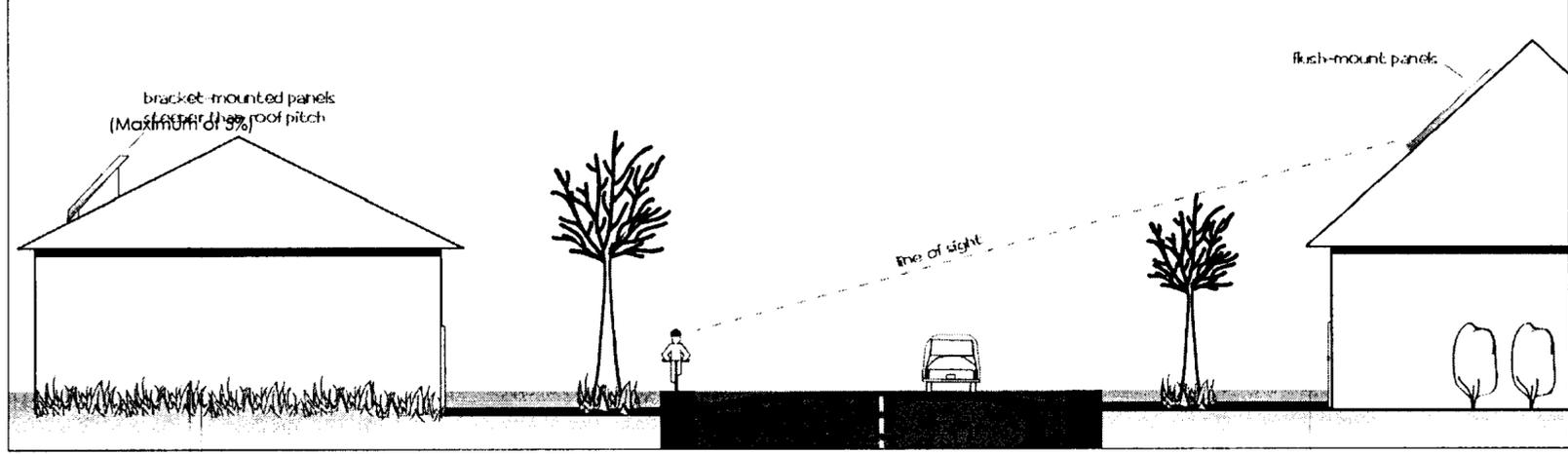
4. Solar energy systems meeting the standards contained herein shall not require Architectural Review Board review.

5. The Building Department shall maintain a list by address of all solar installations, which shall be made available to all relevant first responder organizations.

### Section 3.0 Severability

In the event that one or more provisions of this Local Law should be deemed to be invalid, the remaining provisions of this local law shall remain in full force and effect.

Design Guidelines for Solar Roofs  
Pitched Roof



Design Guidelines for Solar Roofs  
Flat Roof

