

# 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 \_\_\_\_\_

FILED  
STATE RECORDS

DEC 29 2017

DEPARTMENT OF STATE

Local Law No. #3 of the year 2017

A local law Solar Energy Law for East Greenbush as an amendment to Local Law No. 1 of 2017  
(Insert Title)

Be it enacted by the Town Board of the \_\_\_\_\_ of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of East Greenbush as follows:

Be it enacted by the Town Board of the Town of East Greenbush as follows:

Section 1 – Section 7 (A) of the Solar Energy Law, enacted by Local Law #1 of 2017, is repealed, and a new Section 7 (A) is enacted as follows:

7.

A. Large-scale solar energy systems are limited to a maximum of 2.5 acres in size and are permitted through the issuance of a special use permit within the A-R, O, OC, OI, CI and R-OS districts, subject to the requirements set forth in this section, including site plan approval. Applications for the installation of a large-scale solar energy system shall be reviewed by the Zoning Enforcement Officer and referred, with comments, according to Section 3.11 of the Code for its review and action, which can include approval, approval on conditions, or denial.

Section 2 - This local law shall take effect immediately upon passage.

(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. 3 of 2017 of the (County)(City)(~~Town~~)(Village) of East Greenbush was duly passed by the Town Board on November 15th 2017, in accordance with the applicable (Name of Legislative Body) provisions of law.

**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20  , in accordance with the applicable provisions of law.

**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) (Name of Legislative Body) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (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) (Name of Legislative Body) (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.

\* 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.)**

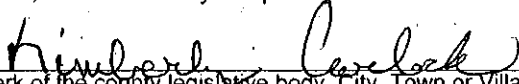
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority 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 \_\_\_\_\_ above.

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

Date: 12-1-2017

(Seal)



# The Town of East Greenbush

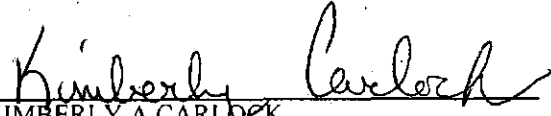
225 Columbia Turnpike, Rensselaer, New York  
Kimberly Carlock, Town Clerk  
Michelle Eckler, Deputy Town Clerk  
Phone: 518-477-7145  
Fax: 518-477-4508

STATE OF NEW YORK  
COUNTY OF RENSSELAER  
TOWN OF EAST GREENBUSH

I, **KIMBERLY A CARLOCK**, Town Clerk of the Town of East Greenbush, Rensselaer County, State of New York do hereby certify that the foregoing is a true and correct copy of the resolution **222-2017**. A resolution to approve Local Law No. 3 of 2017-Solar Energy Law for East Greenbush as an amendment to Local Law No. 1 of 2017

I **FURTHER CERTIFY**, that such Resolution was adopted in full compliance with the laws of the State of New York.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Town of East Greenbush, this 27<sup>th</sup> day of December 2017.

  
KIMBERLY A CARLOCK  
Town Clerk  
Town of East Greenbush  
Rensselaer County, New York

Seal of Town of East Greenbush

**TOWN OF EAST GREENBUSH  
RESOLUTION 222-2017**

**A Resolution to Approve Local Law No. 3 of 2017 – Solar Energy Law for  
East Greenbush as an Amendment to Local Law No. 1 of 2017**

**WHEREAS**, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of November 8, 2017 and was subsequently presented to the Town Board on November 13, 2017; and

**WHEREAS**, the Town Board of the Town of East Greenbush adopted Local Law No.1 - 2017 Solar Energy Law for the Town of East Greenbush via Resolution 142-2017; and

**WHEREAS**, section 3.14.4 of the Solar Law regarding Approval Standards for Large-Scale Solar Systems as a Special Permit use specified that Large-Scale Solar Energy Systems are limited to a maximum of 2.5 acres in size and are permitted through the issuance of a special permit within the A-R, O, OC, OI, and CI Districts, subject to the requirements set forth in this Section, including site plan approval; and

**WHEREAS**, subsequent review of proposed large-scale solar systems indicate that Residential Open Space (R-OS) districts should be included in the permitted zoning districts; and

**WHEREAS**, a public hearing was held on October 18, 2017 at 6:45 p.m. to hear public comments on the proposed amended Local Law; and

**WHEREAS**, the Town Comptroller confirms that this resolution will have no material impact on the Town's finances;

now, therefore, be it

**RESOLVED**, that enactment of Local Law No. 3 of 2017- Amending Local Law No. 1 of East Greenbush - Solar Energy Law of the Town of East Greenbush, and the same hereby is, approved,

and be it further

**RESOLVED**, that the Town Clerk shall file the Local Law with the New York Secretary of State.

The foregoing resolution was duly moved by Councilor Tierney and seconded by Councilor Grant and brought to a vote resulting as follows:

Councilor Tierney  
Councilor Grant  
Supervisor Conway  
Councilor DiMartino  
Councilor Matters

VOTED: YES  
VOTED: YES  
VOTED: YES  
VOTED: YES  
VOTED: YES

Dated: November 15, 2017