

**LOCAL LAW NO. 3 OF 2021
EXTENDING THE MORATORIUM ON
SOLAR FARMS IN THE TOWN OF CORINTH**

NOW, THEREFORE, BE IT ENACTED BY THE CORINTH TOWN BOARD AS FOLLOWS:

1. Title and Authority: This Local Law shall be known as the Town of Corinth Solar Farm Moratorium Law. It is adopted pursuant to Municipal Home Rule Law §10.

2. Purpose: (a) The Town Board recognizes that solar energy offers benefits for energy conservation and reduction of reliance on fossil fuels and, as such, the development of solar energy facilities continues to grow. However, the installation of large-scale solar energy facilities, panels, equipment and accessories may have adverse impacts on neighboring land uses while the Town of Corinth's Land Use Law currently does not provide any regulation of these solar facilities. This Moratorium is necessary in order to temporarily restrict the development of commercial solar facilities and solar farms so that the Town Board may consider enactment of land use regulations to encourage appropriate development of solar energy facilities that is consistent with the Town's land use development and zoning objectives. The Town Board has determined that this would best enhance and protect the health, safety and welfare of the citizens of the Town of Corinth.

(b) The Town Board previously imposed a six-month Moratorium on the construction, establishment, installation, review or approval of any new or expanded Solar Farm or Ground-Mounted Solar Panels from March 11, 2021 until September 11, 2021, and a draft Local Law is being prepared to address issues presented by solar energy facilities. However, the Board has determined that additional time is needed for its review of proposed regulations, finalization of a draft Local Law and compliance with statutory procedural requirements to ensure that regulations governing solar energy facilities adequately protect the public health, safety and welfare of the citizens of the Town.

3. Definitions:

"Solar Panel" means a device that produces electricity from sunlight using photovoltaic cells or other technology.

"Ground-Mounted Solar Panel" means a solar panel that is directly installed in the ground and is not attached or affixed to an existing structure. Pole-mounted, shed-

mounted or freestanding canopy-mounted solar panels shall be considered ground-mounted solar panels.

"Solar Farm" means an installation or area of land where multiple Ground-Mounted Solar Panels and/or accessory structures are located for the purpose of generating electricity from sunlight.

4. Moratorium Extension: The Corinth Town Board hereby extends the Moratorium on the construction, establishment, installation, review or approval of any new or expanded Solar Farm or Ground-Mounted Solar Panels from the expiration of the current moratorium on September 11, 2021 until March 11, 2022, and further provides that no application for Solar Farm or Ground-Mounted Solar Panels will be accepted or reviewed during that period. During the pendency of this Moratorium there shall be no permits issued nor applications considered by the Town, its Officials, Boards or Departments for the construction, installation or use of Solar Farms or Ground-Mounted Solar Panels.

5. Residential Use Exception: This Moratorium shall not apply to residential Solar Panel installations, regardless of whether or not the panels are ground-mounted, so long as the total Solar Panel installation on a single residential tax map parcel is designed to generate no more than 110% of the electricity consumed over the previous twelve-month period for the existing parcel (for new construction that does not have a twelve-month log of electricity use, a projection of electricity use over the first 12 months shall be used).

6. Additional Extensions: This Moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Corinth and accomplish the stated purposes and intent of this Local Law.

7. Termination: This moratorium may be terminated earlier than March 11, 2022 upon enactment of local legislation governing solar energy facilities.

8. Variance Procedure: The Town Board shall have the power, after a Public Hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose extraordinary hardship upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purposes and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk. The Town Board shall conduct a Public Hearing on the application on not less than five (5) days' public notice and shall make its decision within thirty (30) days after the close of the Public Hearing. Any project which is granted a variance from this Local Law shall be subject to all requirements under the

Town Code which would have been applicable to the project if the moratorium had not been adopted.

9. Severability: The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

10. Effective Date: This Local Law shall take effect upon filing by the Office of the New York Secretary of State or as otherwise provided by law and shall be operative as of September 11, 2021 as provided in paragraph 4 above.

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