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☐ **County** ☐ **City** ☒ **Town** ☐ **Village**

of Van Buren

Local Law No. 3 **of the year 2023**

A LOCAL LAW EXTENDING FOR AN ADDITIONAL PERIOD OF THREE (3) MONTHS THE MORATORIUM ON SOLAR FARMS WITHIN THE TOWN OF VAN BUREN

Be it enacted by the Town Board of the

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**

of Van Buren as follows:

TOWN OF VAN BUREN
LOCAL LAW NO. _3_ of 2024

TOWN OF VANBUREN

LOCAL LAW NO. 3-2024

A LOCAL LAW TO AMEND CHAPTER 200 (ZONING) OF THE CODE OF THE TOWN OF VAN BUREN TO REVISE THE REGULATION OF SOLAR POWER AND ENERGY SYSTEMS IN THE TOWN

Be it enacted by the Town Board of the Town of Van Buren as follows:

SECTION 1. LEGISLATIVE PURPOSE AND INTENT

In light of recent changes in the New York State energy policy, the creation of the Office of Renewal Energy Siting, and aggressive State targets for new solar power generation and battery energy storage system capacity, the Town of Van Buren anticipates an increase in proposals for solar energy and battery energy systems in the Town and the need to amend its Zoning Law to further align its solar energy system regulations with the goals and objectives of the Town. The modifications set forth herein support State energy policy by promoting appropriate solar development while protecting the character of the Town, valuable farmland, and local resources. The enactment of this Local Law further evinces the Town's intent for State siting bodies to strictly apply all substantive provisions in the Town Code.

SECTION 2. AUTHORITY

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 3. DEFINITIONS

Chapter 200 § 200-9 ("Definitions") of the Code of the Town of Van Buren is hereby amended to revise the definition of "Solar Energy System" in the following manner:

"**ENVIRONMENTAL MANAGER (EM)** - An individual possessing the skills and knowledge to effectively develop a site for use as a solar PV system and then reclaim the site restoring it, to the greatest extent practical, to its original use.

POLLINATOR - Bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

SOLAR ENERGY SYSTEM: A system of components intended for the collection, inversion, storage, and/or distribution of solar energy that directly or indirectly generates thermal, chemical, electrical, or other usable energy. A solar energy system consists of, but is not limited to, solar collectors, mounting devices or structures, generators/turbines, water and energy storage and distribution systems, battery energy storage systems, storage, maintenance and/or other accessory buildings, inverters, fans, combiner boxes, meters, transformers, and all other mechanical structures. The term also includes, but is not limited to, solar panels and solar energy equipment. The area of a solar energy system includes all the land inside the perimeter of the solar energy system, which extends to any interconnection equipment. A Solar energy system is classified as a Tier 1, Tier 2, or Tier 3 solar energy system as follows:

A. Tier 1 solar energy systems include the following:
   (1) Building-integrated solar energy systems; and
   (2) Roof-mounted solar energy systems.

B. Tier 2 solar energy systems include ground-mounted solar energy systems with a total surface area of all solar panels on the lot of up to 4,000 square feet and that generate over a 12-month period not more than 110% of the electricity consumed on the site over the previous 12 months.

   (1) Notwithstanding the above, a solar energy system located on a farm operation, as defined in § 301, Subdivision 11, or the relevant provision of the New York State Agriculture and Markets Law, and located in a New York State Agricultural District, which primarily serves the needs of such farm operation and produces not more than 110% of the farm's needs, or other amount that may be established by resolution of the Van Buren Town Board in accordance with New York State Department of Agriculture and Markets guidance, shall be deemed a Tier 2 solar energy system.

   (2) A system that does not exceed the production or output limits and otherwise conforms to the requirements of this definition shall not be excluded from designation as a Tier 2 solar energy system as a result of selling or otherwise

receiving credits or benefits for excess energy provided to the distribution grid.

C. Tier 3 solar energy systems are utility-scale solar energy systems. Tier 3 systems include any solar-energy-generation facility or area of land principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar-thermal devices or various experimental solar technologies, which shall be deemed to include but not be limited to any solar energy system which has a total surface area of all solar panels on the lot of more than 4,000 square feet, designed and intended to supply energy primarily into a utility grid for sale to the general public or to supply multiple users located off the site on which the energy system is located."

SECTION 4.

Chapter 200 § 200-89, currently titled "Building-integrated solar energy systems," is hereby repealed and replaced, in its entirety, as follows:

"§200-89 Requirements for Tier 1 Solar Energy Systems.

A. Building-integrated solar energy systems.

(1) Districts where allowed. Building-integrated solar energy systems shall be permitted in all zoning districts within the Town subject to the submission of, application for and review and issuance of an applicable building permit. A proposed building-integrated solar energy system shall be shown on the plans submitted for the building permit.

(2) Building-integrated solar energy systems shall be subject to the general requirements set forth at § 200-91.

B. Roof-mounted solar energy systems.

(1) Districts where allowed. Roof-mounted solar energy systems shall be permitted in all zoning districts within the Town subject to the following requirements:

(a) A solar/building permit shall be required for the installation of all roof-mounted solar energy systems. An applicant shall submit the following application materials to the Code Enforcement Officer:

i. A site survey and building roof plan showing location of major components of the solar energy system and other equipment on the roof or legal accessory structure. This plan should represent relative locations of components at the site, including, but not limited to, location of arrays, existing electrical service locations, utility meters, inverter locations, system orientation and tilt angles. This plan should show access and pathways that are compliant with the New York State Uniform Fire Prevention and Building Code, as applicable.

ii. One-line or three-line electrical diagram. The electrical diagram required by NYSERDA for an incentive application and/or utilities for an interconnection agreement may also be provided.

iii. Specification sheets for all manufactured components. If these sheets are available electronically, a web address will be accepted in place of an attachment, at the discretion of the Town.

iv. All electrical diagrams are to be prepared by a professional engineer or an architectural firm, and the diagrams and plans must contain the applicable professional's stamp, mark, and/or signature as required by New York State law and include the following:

[1] Project address, section, block and lot number of the property;
[2] Owner's name, address and phone number;
[3] Name, address and phone number of the person preparing the plans; and
[4] System capacity in kW-DC.

(b) Roof-mounted solar energy systems shall not exceed the maximum allowed height of the principal use in the zoning district in which the system is located. If practicable, a roof-mounted solar energy system on a pitched roof shall be mounted with a maximum distance of eight (8) inches or as required by the New York State Uniform Fire Prevention and Building Code, between the roof surface and the highest edge of the system.

(c) Roof-mounted solar energy systems shall be mounted parallel to the roof plane on which they are mounted. However, in the case of buildings which have a flat roof, a tilted mount may be permitted subject to site plan review before the Planning Board and Zoning Board of Appeals.

(d) In order to ensure firefighter and other emergency responder safety, except in the case of accessory buildings under 1,000 square feet in area, there shall be a minimum perimeter area around the edge of the roof and structurally supported pathways to provide space on the roof for walking around all roof-mounted solar energy systems.

i. Additionally, installations shall provide for adequate access and spacing in to:

[1] Ensure access to the roof.
[2] Provide pathways to specific areas of the roof. The specific pathway size per building will be determined and approved by the Fire Marshal. The Fire Marshal shall determine how close to the edge of the building that solar panels can go to provide sufficient area for firefighters to work.
[3] Provide for smoke ventilation opportunity areas.
[4] Provide for emergency egress from the roof.

ii. Exceptions to these requirements may be requested where access, pathway or ventilation requirements are reduced due to:

[1] Unique site-specific limitations;
[2] Alternative access opportunities (such as from adjoining roofs);
[3] Ground level access to the roof area in question;
[4] Other adequate ventilation opportunities when approved by the Codes Office or Fire Marshal;
[5] Adequate ventilation opportunities afforded by panels set back from other roof equipment (for example: shading or structural constraints may leave significant areas open for ventilation near HVAC equipment);
[6] Automatic ventilation devices; or
[7] New technology, methods or other innovations that ensure adequate emergency responder access, pathways and ventilation opportunities.

(e) Roof-mounted solar energy systems shall be subject to the general requirements set forth at § 200-91."

SECTION 5.

Chapter 200 § 200-90, currently titled "Rooftop-mounted solar energy systems," is hereby repealed and shall be replaced, in its entirety, as follows:

"§200-90 Requirements for Tier 2 Solar Energy Systems.

A. Districts where allowed. Ground-mounted solar energy systems are permitted as accessory structures in the following: Residence District 40 (R-40), Agriculture/Residence District (AR-80), Industrial A District (InA), Industrial B District (InB), Planned Unit Development (PUD), Planned Commercial (PCD), Planned Industrial (InP), Planned Office Development (POD), General Business District (GB), Local Business District (LB), Business/Residence Buffer District (BRB) and Rural Hamlet District (RH), and further subject to the following requirements:

(1) A solar/building permit and special use permit shall be required for installation of all ground-mounted solar energy systems.

(2) Ground-mounted solar energy systems are prohibited in front yards. In addition, ground-mounted solar energy systems shall comply with the most restrictive area, yard and total area/lot coverage restrictions based on the specific zone regulations in each applicable zoning district in which the ground-mounted solar energy system is constructed. Further setbacks, area and yard requirements and total area/lot coverage restrictions may be required by the Planning/Zoning Board of Appeals in order to protect the public's safety, health and welfare.

(3) Ground-mounted solar energy systems shall only be permitted on lots which are 20,000 square feet or larger.

(4) The height of the solar collector/panel and any mounts shall not exceed 15 feet in height when oriented at maximum tilt measured from the ground, including any base.

(5) As part of the special use permit review process, the Zoning Board of Appeals will determine that a ground-mounted solar energy systems shall be screened when possible and practicable from adjoining lots and street rights-of-way through the use of architectural features, earth berms, landscaping, fencing or other screening which will harmonize with the character of the property and the surrounding area. The proposed screening shall not interfere with the normal operation of the solar collectors/panels.

(6) The ground-mounted solar energy system shall be located in a manner to reasonably minimize view blockage for surrounding properties and shading of property while still providing adequate solar access for the solar energy system.

(7) Neither the ground-mounted solar energy system nor any component thereof shall be sited within any required buffer area, easement, right-of-way or setback.

(8) The criteria for a special use permit as set forth in §200-80(C)(5) shall also be demonstrated for each application.

B. Districts where prohibited. Except for where permitted in Subsection A herein, ground-mounted solar energy systems are prohibited in all other zoning districts of the Town, including but not limited to: Residence District 10 (R-10), Residence District 15 (R-15), Residence District (R-20), Mobile/Manufactured Home Community (MHC) and the overlay and protection districts enumerated in § 200-12 of the Van Buren Code."

SECTION 6.

Chapter 200 § 200-91, currently titled "Ground-mounted solar energy systems," is hereby repealed and shall be replaced, in its entirety, as follows:

"§200-91 General requirements applicable to Tier 1 and Tier 2 Solar Energy Systems.

A. All Tier 1 and Tier 2 Solar Energy Systems installations must be performed by a qualified solar installer.

B. A solar/building permit shall be required for installation of all solar energy systems.

C. Tier 1 and Tier 2 Solar Energy Systems shall be permitted only to provide power for use by owners, lessees, tenants, residents or other occupants of the premises on which they are erected, but nothing contained in this provision shall be construed to prohibit the sale of excess power through a net-metering arrangement in accordance with New York Public Service Law § 66-j or similar state or federal statute. However, Tier 1 and Tier 2 Solar Energy System applications in a residential setting and serving a residential use on a single parcel or lot shall be limited to 25 kW or less or no more than 110% of energy consumed on the site in the prior 12 months. Solar energy system applications serving a commercial or industrial use shall be limited to no more than 110% of energy consumed on the site in the prior 12 months.

D. Prior to operation, electrical connections must be inspected by an appropriate licensed electrical inspection person or agency, as determined by the Town. An electrical inspector must supply written verification that all electrical connections pass inspection.

E. Any connection to the public utility grid must be inspected by the appropriate public utility, and proof of inspection shall be provided to the Town. Prior to such connection, the public utility shall certify that the electric grid has the capacity to support the energy generated from the Solar Energy System.

F. Tier 1 and Tier 2 Solar Energy Systems shall be maintained in good working order.

G. Tier 1 and Tier 2 Solar Energy Systems shall be permitted only if they are determined by the Town not to present any unreasonable safety risks, including but not limited to:

(1) Weight load;

(2) Wind resistance; and

(3) Ingress or egress in the event of fire or other emergency.

H. All Tier 1 and Tier 2 Solar Energy Systems shall meet and comply with all relevant and applicable provisions of the New York State Uniform Fire Prevention and Building Code Standards. To the extent the provisions of the New York State Uniform Fire Prevention and Building Code are more restrictive than the provisions set forth in this article, the provisions of the New York State Uniform Fire Prevention and Building Code shall control.

I. If solar storage batteries are included as part of a Tier 1 and Tier 2 Solar Energy Systems, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use, and when no longer used shall be disposed of in accordance with the laws and regulations of the Town and other applicable laws and regulations.

J. All utility services and electrical wiring/lines shall be placed underground and otherwise be placed within the walls or unobtrusive conduit. Conduits or feeds which are laid on the roof shall be camouflaged to blend in with the roof and reduce aesthetically objectionable impacts. Where applicable, the Zoning Board/Planning Board may, for example, instruct that the conduit matches the building color, to the extent practical.

K. If a solar energy system ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall completely remove the system, mount and all other associated equipment and components by no later than 90 days after written notice from the Town. The Building Inspector, Zoning Enforcement Officer, Code Enforcement Officer and/or Town Engineer shall have the right at any reasonable time to enter, in the company of the owner or his agent, to ensure that the solar energy system remains operational.

L. To the extent practicable, solar energy systems shall have neutral paint colors, materials and textures to achieve visual harmony with the surrounding area. Solar energy systems shall be composed of panels which are the same or similar in composition and color.

M. The design, construction, operation and maintenance of the solar energy system shall prevent the direction, misdirection and/or reflection of solar rays and/or glare onto neighboring properties, public roads, public parks and public buildings.

N. All applications and the review of solar energy systems shall comply with the New York State Environmental Quality Review Act and its implementing regulations.

O. Prior to the time of the issuance of a solar/building permit, the applicant/owner shall demonstrate to the Code Enforcement Officer a reliable and safe method for de-energizing the solar energy system in the event of an emergency. The method and location to de-energize the solar energy system, once approved by the Code Enforcement Officer, shall be provided by the applicant to all applicable emergency services and first responders.

P. Marking of equipment.

(1) Solar energy systems and components shall be marked in order to provide emergency responders with appropriate warning and guidance with respect to isolating the solar electric system. Materials used for marking shall be weather-resistant. For residential applications, the marking may be placed within the main service disconnect. If the main service disconnect is operable with the service panel closed, then the marking should be placed on the outside cover.

(2) In the event any of the standards in this subsection for markings are more stringent than applicable provisions of the New York State Uniform Fire Prevention and Building Code, they shall be deemed to be guidelines only, and the standards of the State Code shall apply.

Q. Made in America Requirements. All Tier 1 and Tier 2 Solar Energy Systems shall be required to use solar panels, components and materials made and manufactured in the United States of America."

SECTION 7.

Chapter 200 § 200-93, currently titled "Solar Farms," is hereby repealed and shall be replaced, in its entirety, as follows:

"§200-92 Tier 3 Solar Energy Systems.

A. Districts where allowed. Subject to the issuance of site plan approval and a special use permit and other requirements as set forth herein, Tier 3 Solar Energy Systems shall be a permitted use in the following zoning districts subject to the limitations set forth herein: Agriculture/Residence District 80 (AR-80), Industrial A District (InA), Industrial B District (InB), and Planned Industrial (InP).

B. Districts where prohibited. Tier 3 Solar Energy Systems shall be prohibited in all other zoning districts, including but not limited to the following districts: Residence District 10 (R10), Residence District 15 (R-15), Residence District 20 (R-20), Residence District 40 (R-40), Mobile/Manufactured Home Community (MHC), Planned Unit Development (PUD), Planned Office Development (POD), Business/Residence Buffer District (BRB), Rural Hamlet District (RH), and the overlay and protection districts enumerated in § 200-12 of the Van Buren Code. No exemptions are applicable.

C. Lot area and yard regulations. The following lot area and yard regulations shall apply to Tier 3 Solar Energy Systems:

(1) Minimum street frontage: 100 feet.

(2) Minimum lot area: 15 acres.

(3) Minimum front yard setback: 200 feet.

(4) Minimum rear yard setback: 100 feet.

(5) Minimum side yard setback: 100 feet, except where an existing residence abuts the side yard, the setback shall be 200 feet.

(6) Minimum water setback: 200 feet from the high-water mark as determined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers local governing body, Canal Corporation or any other U.S. or State government agency. A written determination by such agency must be submitted with the application.

D. Permits required. No person, firm or corporation, or other entity being the owner, occupant, or lessee of any land or premises within the Town of Van Buren shall use or permit the use of land or premises for the construction or installation of a Tier 3 Solar Energy System without obtaining a building permit, a special use permit issued by the Planning/Zoning Board and a site plan approval issued by the Planning/Zoning Board as hereinafter provided.

E. Operating Permit. An operating permit shall be required, in accordance with § 115-9(1)(j) of the Town of Van Buren Code.

F. Special use permit.

(1) In addition to the criteria established pursuant to § 200-80(C)(5), the following criteria are hereby established for purposes of granting a special use permit for a Tier 3 Solar Energy System under this Article:

(a) Scenic viewsheds. A Tier 3 Solar Energy System shall not be installed in any location that would substantially detract from or block the view(s) of all or a portion of a scenic viewshed or from a waterfront overlay and stream corridor, as viewed from

any public road, right-of-way or publicly owned land within the Town of Van Buren or that extends beyond the border of the Town of Van Buren as determined by the Codes Officer. For purposes of this subsection, consideration shall be given to any relevant portions of the current, amended and/or future Town of Van Buren Comprehensive Plan and/or any other prior, current, amended and/or future officially recognized Town planning document or resource.

(b) No Tier 3 Solar Energy System shall be installed on or within 1,000 feet of wetlands as identified/defined by the New York State Department of Environmental Conservation, the U.S. Army Corps of Engineers or local governing body, nor shall a Tier 3 Solar Energy System be installed on lands situated within the Onondaga County Sanitary Sewer District. If proposed lands are located within a designated wetland, the applicant may submit a wetlands assessment with the application to authorize the installation of a Tier 3 Solar Energy System that is less than 1,000 feet from designated wetlands.

(c) Emergency shutdown/safety. The applicant shall demonstrate the existence of adequate emergency/safety measures. The applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any solar panel or other component of the Tier 3 Solar Energy System need immediate repair or attention. This emergency telephone number should be clearly visible and in a location which is convenient and readily noticeable to someone likely to detect a problem.

(d) Operation and maintenance plan. Submission of a written operation and maintenance plan for the proposed Tier 3 Solar Energy System that include measures for maintaining safe access, operational maintenance of the solar farm, and general property upkeep, such as mowing and trimming. The operation and maintenance plan shall be filed and recorded by the applicant in the Onondaga County Clerk's Office (indexed to the property) following approval of the site plan by the Planning Board.

(e) Security. All Tier 3 Solar Energy Systems shall be secured to the extent practicable to restrict unauthorized access.

(f) Access road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the Tier 3 Solar Energy System, they shall be constructed in a way that allows for the passage of emergency vehicles in the event of an emergency. Each application shall be accompanied by correspondence from the responding fire department and emergency care provider as to the acceptability of the proposed ingress to and egress from the Tier 3 Solar Energy System site.

(g) The development and operation of the Tier 3 Solar Energy System shall not have a significant impact on fish, wildlife, animal or plant species or their critical habitats, or other significant habitats identified by the Town of Van Buren or federal or state regulatory agencies. The Town encourages the dual use of any land planned for a Tier 3 Solar Energy System, including livestock and uses that encourage pollination.

(h) Setbacks. Additional setbacks may be required from those set forth in this section by the Zoning Board/Planning Board in order to provide for the public's safety, health and welfare.

G. Site plan review.

(1) The following submission requirements must be observed regarding a site plan application for a Tier 3 Solar Energy System. The Planning/Zoning Board may also require any of the requirements of § 200-79 as part of the submission.

(a) A completed application form as supplied by the Town of Van Buren for site plan approval for a Tier 3 Solar Energy System.

(b) Proof of ownership of the premises involved or proof that the applicant has written permission of the owner to make such application.

(c) Plans and drawings of the proposed Tier 3 Solar Energy System installation signed, marked and/or stamped by a professional engineer or architect registered in New York State showing the proposed layout of the entire Tier 3 Solar Energy System, along with a description of all components, whether on site or off site, existing vegetation and proposed clearing and grading of all sites involved. Clearing and/or grading activities are subject to review by the Planning/Zoning Board and shall not commence until the issuance of site plan approval. The plans and development plan shall be drawn in sufficient detail and shall further describe:

[1] Property lines and physical dimensions of the proposed site, including contours at five-foot intervals.
[2] Location, approximate dimensions and types of all existing structures and uses on the site.
[3] Location and elevation of the proposed Tier 3 Solar Energy System and all components thereof.
[4] Location of all existing aboveground utility lines showing the connection of the system to the utility line within 1,200 linear feet of the site.
[5] Where applicable, the location of all transmission facilities proposed for installation. All transmission lines and wiring associated with a Tier 3 Solar Energy System shall be buried underground and include necessary encasements in accordance with the national electric code and Town requirements. The Town Board may recommend waiving this requirement if sufficient engineering data is submitted by the applicant demonstrating that underground transmission lines are not feasible or practical. The applicant is required to show the locations of all proposed overhead electric utility/transmission lines (if permitted) and underground electric utility/transmission lines, including substations and junction boxes and other electrical components for the project on the site plan. All transmission lines and electrical wiring shall be in compliance with the public utility company's requirements for interconnection. Any connection and/ or interconnection to the public utility grid must be identified and subsequently inspected by the appropriate public utility; further, certification from such public utility is required evidencing the availability of capacity.

[6] Location of all service structures proposed as part of the installation and primary equipment sheets.
[7] Landscape plan showing all existing natural land features, trees, forest cover and all proposed changes to these features, including size and type of plant material. The plan shall show any trees and/or vegetation which is proposed to be removed for purposes of providing greater solar access. Removal of existing trees larger than six inches in diameter shall be minimized to the greatest extent possible. Non-invasive, native ground cover, under and between the rows of solar panels shall be low-maintenance, drought-resistant, non-fertilizer-dependent and shall be pollinator-friendly to provide a habitat for bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects. Herbicides are prohibited except where the Planning Board finds it impractical to use mechanical means to control vegetation.
[8] A berm, landscape screen, or any other combination acceptable to the Town capable of screening the site shall be provided along any property line as may be required by the Planning/Zoning Board during review. Such plantings and screening shall be continuously maintained and replaced if dead, dying, or falling into disrepair.
[9] Soil type(s) at the proposed site.

(d) Photographic simulations shall be included showing the proposed Tier 3 Solar Energy System, along with elevation views and dimensions and manufacturer's specifications and photos of the proposed solar energy systems, solar collectors, solar panels and all other components comprising the Tier 3 Solar Energy System or from other vantage points selected by the Planning/Zoning Board.

(e) Prior to the issuance of a solar permit, certification from a professional engineer or architect registered in New York State indicating that the building or structure to which a solar panel or solar energy system is affixed is capable of handling the loading requirements of the solar panel or solar energy system and various components.

(f) One- or three-line electrical diagram detailing the solar energy system installation, associated components, and electrical interconnection methods, with all disconnects and overcurrent devices.

(g) Documentation of access to the project site(s), including location of all access roads, gates, parking area, etc.

(h) A plan for clearing and/or grading of the site and a stormwater pollution prevention plan (SWPPP) for the site. The SWPPP shall be filed and recorded in the Onondaga County Clerk's Office (indexed against the property) by the applicant following Planning Board approval (prior to commencement of construction) and shall provide for access to the Town of Van Buren in the event of a default of the operator's obligations under the SWPPP. The SWPPP shall include a security amount approved by the Town's Consulting Engineer and shall remain in place until decommissioning is complete."

(i) Documentation of utility notification, including an electric service order number.

(j) Sun chart. Where deemed appropriate, the Planning/Zoning Board may require that the applicant submit a sun chart for the proposed site indicating the sun angle for the southern boundary of the site for a minimum four-hour continuous period during the time of the highest sun angle on December 21, along with the potential for existing buildings, structures, and/or vegetation on the site or on adjacent sites to obstruct the solar skyspace of the proposed Tier 3 Solar Energy System. The sun chart shall also indicate the potential for obstructions to the solar skyspace of the proposed Tier 3 Solar Energy System under a scenario where an adjacent site is developed as otherwise permitted by applicable provisions of Chapter 200 of the Code of the Town of Van Buren with a building/structure built to maximum bulk and height at the minimum setback. Where no standards for setback are established, this scenario shall assume a maximum setback of five feet from the property line. The sun chart shall be kept on file at the Town Code Enforcement office and determine the minimum setback required for any solar collectors from the south property line as well as the solar skyspace that should be considered when development of neighboring properties occurs. This section in no way places responsibility on the Town for guaranteeing the solar skyspace of a solar energy system.

(k) The manufacturer's or installer's identification and appropriate warning signage shall be posted at the site and be clearly visible. All Tier 3 Solar Energy Systems shall be required to use solar panels, components and materials made and manufactured in the United States of America.

(l) Solar energy systems shall be marked in order to provide emergency responders with appropriate warning and guidance with respect to isolating the electric systems. Materials used for marking shall be weather-resistant. The marking shall be placed adjacent to the main service disconnect location clearly visible from the location where the lever is operated.

(m)The height of the solar panel array shall conform to the height restrictions for an accessory structure in the applicable zoning district, but in no case shall exceed 20 feet measured from the ground, and including any base or supporting materials. Neutral paint colors, materials and textures may be required for Tier 3 Solar Energy System components, buildings and structures to achieve visual harmony with the surrounding area.

(n) The design, construction, operation and maintenance of the solar energy system shall prevent the direction, misdirection and/or reflection of solar rays and/or glare onto neighboring properties, public roads, public parks and public buildings.

(o) Artificial lighting of Tier 3 Solar Energy Systems shall be limited to lighting required for safety and operational purposes and shall be shielded from all neighboring properties and public roads.

(p) Tier 3 Solar Energy Systems shall be enclosed by perimeter fencing to restrict unauthorized access as approved by the Planning/Zoning Board. Style and type of fence shall be approved by the Planning/Zoning Board as part of the site plan.

(q) Only signage used to identify the location of the Tier 3 Solar Energy System shall be allowed, and such signage shall otherwise comply with the Town's sign regulations and requirements.

(r) To the extent practicable, equipment that produces noise above ambient levels during normal operation shall be placed in the center of the solar array or at a minimum of 1,000 feet from the nearest property line. At any time after operation of the Tier 3 Solar Energy System commences, the Town may require the applicant to perform a noise study to confirm compliance with this provision.

(s) All applications shall be accompanied by a full environmental assessment form for purposes of environmental review under the New York State Environmental Quality Review Act (SEQRA), including a visual impact analysis/visual environmental assessment form. The following additional material may be required by the Planning/Zoning Board:

[1] A digital-elevation-model-based project visibility map showing the impact of topography upon visibility of the project from other locations, to a distance radius of three miles from the center of the project. Scaled use shall depict a three-mile radius as not smaller than 2.7 inches, and the base map shall be a published topographic map showing cultural features.
[2] No fewer than four color photos taken from locations within a three-mile radius from the proposed location, as selected by the Planning/Zoning Board and computer-enhanced to simulate the appearance of the as-built aboveground Tier 3 Solar Energy System components as they would appear from these locations.

(2) Site plan review criteria. In addition to the above, no site plan shall be approved unless the Planning/Zoning Board determines that the proposed Tier 3 Solar Energy System complies with the following:

(a) The use is oriented in its location upon the site as to layout, coverage, screening, means of access and aesthetics so that:

[1] The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;
[2] There is reasonable compatibility in all respects with any structure or use in the surrounding area, actual or permitted, which may be directly substantially affected;
[3] There shall not be any unreasonable detriment to any structure or use, actual or permitted, in the surrounding area;
[4] There is a reasonable provision for open space and yard areas as appropriate to the surrounding area.

H. Public hearing. No action shall be taken by the Planning/Zoning Board to issue a special use permit or site plan approval, nor the Zoning Board of Appeals to grant a use or area variance in relation to an application for a Tier 3 Solar Energy System until after public notice and a public hearing. Proper notice of a hearing before the Board shall be given by legal notice published in the official newspaper of the Town of Van Buren at least 10

days before the date set for such public hearing(s) and written notice mailed to the applicant or his agent at the address given in the application to be considered. The applicant shall be responsible for notifying, by certified mail, all property owners of record within 500 feet of the outside perimeter of the boundary line of the property involved in the application of the time, date and place of such public hearing at least 10 days prior to such hearing. Notice shall be deemed to have been given if mailed to the property owner at the tax billing address listed on the property tax records of the Town Assessor or at the property address. At least seven days prior to such hearing, the applicant shall file with the Board his/her affidavit verifying the mailing of such notices. Failure of the property owners to receive such notice shall not be deemed a jurisdictional defect.

I. Compliance with New York State Uniform Fire Prevention and Building Code.

(1) Building permit applications shall be accompanied by standard drawings of structural components of the Tier 3 Solar Energy System and all its components (including but not limited to solar panel, solar collector, solar energy system, etc.). Drawings and any necessary calculations shall be certified, in writing, by a New York State registered professional engineer that the system complies with the New York State Uniform Fire Prevention and Building Code. This certification would normally be supplied by the manufacturer.

(2) Where the structure, components or installation vary from the standard design or specification, the proposed modification shall be certified by a New York State registered professional engineer for compliance with the structural design provisions of the New York State Uniform Fire Prevention and Building Code.

J. Compliance with state, local and national electric codes.

(1) Building permit applications shall be accompanied by a line drawing identifying the electrical components of the Tier 3 Solar Energy System to be installed in sufficient detail to allow for a determination that the manner of installation conforms with the national electric code. The application shall include a statement from a New York State registered professional engineer indicating that the electrical system conforms with good engineering practices and complies with the national electric code, as well as applicable state and local electrical codes. This certification would normally be supplied by the manufacturer. All equipment and materials shall be used or installed in accordance with such drawings and diagrams.

(2) Where the electrical components of an installation vary from the standard design or specifications, the proposed modifications shall be reviewed and certified by a New York State registered professional engineer for compliance with the requirements of the national electric code and good engineering practices.

K. Agricultural resources. For projects located on agricultural lands:

(1) The Planning Board shall in all instances give special consideration to areas that consist of Prime Farmland, Prime Soils, Prime Soil Lands, and/or Farmland of Statewide

Importance and the removal of such lands when reviewing applications and granting special use permits and site plan approvals to solar farm applicants under this law.

(2) Tier 3 Solar Energy Systems shall avoid soils classified as Prime Farmland, Prime Farmland if Drained, Prime Soils, Prime Soil Lands, or Farmland of Statewide Importance as classified by the United States Department of Agriculture, New York State, the Town of Van Buren, or the Natural Resources Conservation Service, to the greatest extent possible.

(3) To the maximum extent practicable, Tier 3 Solar Energy Systems approved to be located on land used for agricultural purposes shall be constructed in accordance with the construction requirements of the New York State Department of Agriculture and Markets.

(4) Tier 3 Solar Energy System applicants shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the applicants shall use native plant species and seed mixes.

(5) Where a Tier 3 Solar Energy System is to be located on agricultural land, the applicant shall hire an environmental monitor (EM) to oversee the construction, restoration, and subsequent monitoring of the agricultural lands. The EM is to be on site whenever construction is occurring on the agricultural land(s) and any construction shall be coordinated with the Town's Code Enforcement Officer and the New York State Department of Agriculture and Markets to develop an appropriate schedule for inspections to assure these lands are being preserved and protected to the greatest extent possible.

(6) Fencing and watering systems associated with rotational grazing systems and reduction in farmland viability due to the reduction in remaining productive farmland shall be assessed and mitigated to the greatest extent possible.

(7) Structures for overhead collection lines, interconnect cables and transmission lines installed aboveground (when unavoidable) shall be located outside agricultural field boundaries. When above-ground cables and transmission lines must cross agricultural fields, applicant shall use taller structures that provide longer spanning distances and locate poles on field edges to the greatest extent practicable.

(i) All buried electric cables in cropland, hay land and improved pastures shall have a minimum depth of 48 inches of cover. At no time is the depth of cover to be less than 24 inches below the soil surface.

(ii) The Onondaga County Soil and Water Conservation District is to be consulted concerning the type of intercept drain lines whenever buried electric cables alter the natural stratification of soil horizons and natural soil drainage patterns.

(8) Access roads are to be located along the edge of agricultural fields, in areas next to hedgerows and field boundaries, and in the nonagricultural portions of the site.

(9) The amount of cut and fill shall be minimized so as to reduce the risk of creating drainage problems by locating access roads, which cross agricultural fields, along ridge tops and by following field contours to the greatest extent possible.

(10) The width of access roads across or along agricultural fields is to be no wider than 20 feet so as to minimize the loss of agricultural lands and comply with the New York State Fire Code.

(11) The surface of Tier 3 Solar Energy System access roads to be constructed through agricultural fields should be level with the adjacent field surface where possible.

(12) All existing drainage and erosion control structures such as diversions, ditches, and tile lines shall be preserved, and applicants shall take appropriate measures to maintain the design and effectiveness of these structures. Applicants shall repair any structure disturbed during construction to as close to original condition as possible unless such structures are to be eliminated based upon an approved site plan for the solar farm.

(13) Culverts and water bars are to be installed to maintain natural drainage patterns.

(14) All topsoil areas to be used for vehicle and equipment traffic, parking, equipment laydown, and as storage areas are to be stripped.

(15) All topsoil stripped from work areas (parking areas, electric cable trenches, along access roads) is to be stockpiled separate from other excavated materials (rock and/or subsoil).

(16) Where an open trench is required for cable installation, topsoil stripping from the entire work area may be necessary. As a result, additional workspace may be required as part of site plan approval.

(17) A maximum of 50 feet of temporary workspace is to be provided along open-cut electric cable trenches for proper topsoil segregation. All topsoil will be stockpiled immediately adjacent to the area where stripped/removed and shall be used for restoration on that particular site. No topsoil shall be removed from the site.

(18) The site plan shall clearly designate topsoil stockpile areas in the field and on the construction drawings.

(19) All vehicle and equipment traffic and parking to the access road and/or designated work areas, such as laydown areas, are to be limited in size to the greatest extent practical.

(20) No vehicles or equipment are to be allowed outside the work area without prior approval from the EM.

(21) In pasture areas, it is necessary to construct temporary or permanent fences around work areas to prevent livestock access, consistent with any applicable landowner agreements.

(22) Excess concrete used in the construction of the site is not to be buried or left on the surface in active agricultural areas. Concrete trucks will be washed outside of active agricultural areas.

L. Road remediation. The applicant shall be responsible for remediation of any roads damaged, during the construction of and/or completion of the installation (or removal) of any Tier 3 Solar Energy System approved pursuant to this Article. The Highway Superintendent is hereby authorized and directed to ensure a public improvement (road repairs) cash security be posted prior to the issuance of any building permit in an amount sufficient to compensate the Town for any damage to local roads that is not corrected by the applicant. The Highway Superintendent is authorized to consult with any necessary professional to determine or confirm the cash security amount all at the sole cost and expense of the applicant. Such cash security shall be in addition to other securities required in this article/Chapter.

M. Restoration requirements. Following construction/installation of the Tier 3 Solar Energy System, applicants shall restore all disturbed areas where soil has been exposed as follows:

(1) Be decompacted if soil compaction results are more than 250 pounds per square inch (PSI) as measured with a soil penetrometer. In such cases where results are more than 250 PSI, soil shall be decompacted to a depth of 18 inches with a deep ripper or heavy-duty chisel plow. In areas where the topsoil was stripped, soil decompaction should be conducted prior to topsoil replacement. Topsoil shall be replaced to original depth and original contours reestablished where possible. Subsoil decompaction and topsoil replacement shall be avoided after October 1 of each year.

(2) Regrade all access roads to allow for farm equipment crossing and to restore original surface drainage patterns, or other drainage pattern incorporated into the approved site design by the Planning Board/Board of Appeals.

(3) Seed all restored agricultural areas with the seed mix specified by the EM and this article, in order to maintain consistency with the surrounding areas.

(4) All damaged subsurface or surface drainage structures are to be repaired to preconstruction conditions, unless said structures are to be removed as part of the site plan approval. All surface or subsurface drainage problems resulting from construction of the solar energy project shall be remedied with the appropriate mitigation measures as determined by the EM.

(5) Postpone any restoration practices until favorable (workable, relatively dry) topsoil/subsoil conditions exist. Restoration is not to be conducted while soils are in a wet or plastic state of consistency. Stockpiled topsoil should not be regraded, and subsoil should not be decompacted until plasticity, as determined by the Atterberg Limits and Field Test, is adequately reduced. No project restoration activities are to occur in

agricultural fields between the months of October and May unless favorable soil moisture conditions exist.

(6) Following site restoration, remove all construction debris from the site.

(7) Following site restoration, the project sponsor is to provide a monitoring and remediation period of no less than two years. General conditions to be monitored include topsoil thickness, relative content of rack and large stones, trench settling, crop production, drainage and repair of severed subsurface drain lines, fences, etc.

(8) Mitigate any topsoil deficiency and trench settling with imported topsoil that is consistent with the quality of topsoil on the affected site. All excess rocks and large stones are to be removed from the site.

(9) All concrete piers, footers, or other supports are to be removed to a depth of 48 inches below the soil surface.

N. Post-construction/installation certification. Following the construction/installation of the Tier 3 Solar Energy System, the applicant shall provide a post-construction/installation certification from a professional engineer registered in New York State that the project complies with any and all applicable codes and industry practices and has been constructed and is operating according to the drawings and development plan(s) submitted to the Town and this article.

O. Insurance. The applicant, owner, lessee or assignee shall at all times during construction and operation maintain a current insurance policy which will cover installation and operation of the solar farm and shall be increased annually per industry standards. Said policy shall provide a minimum of $5,000,000 property and personal liability coverage. Proof of such policy shall be provided to the Town on an annual basis. Notwithstanding any terms, conditions, or provisions in any other writing between the parties, the applicant shall agree to effectuate the naming of the Town as an additional insured on the applicant's insurance policies, with the exception of workers' compensation and NYS disability insurance. The policy naming the Town as an additional insured shall:

(1) Be an insurance policy from an A.M. Best rated "secured" or better insurer, authorized to conduct business in New York State. A New York State licensed insurer is preferred.

(2) State that the applicant's insurance coverage shall be primary and noncontributory coverage for the Town, its Board, employees, agents, and volunteers.

(3) Additional insured status shall be provided by standard or other endorsements that extend coverage to the Town for both on-going and completed operations. A completed copy of the endorsements shall be attached to the certificate of insurance.

(4) The applicant shall provide a copy of the declaration page of the liability policies with a list of endorsements and forms. If so requested, the applicant will provide a copy of the policy endorsements and forms.

(5) The certificate of insurance shall contain a provision that coverage afforded under the applicable policy shall not be cancelled or terminated until at least 30 days' prior notice has been provided to the Town. In the event of a termination, cancellation, or lapse of the required insurance coverage, the special use permit to operate the solar energy system shall be immediately suspended and operation of the system shall cease. Upon restoration of the required insurance coverage, to the satisfaction of the Town, permission to operate the solar farm may be restored.

P. Inspections. Annual inspections of the Tier 3 Solar Energy Systems shall be performed by the Code Enforcement Officer and the Town of Van Buren's solar consultant. Any fees associated with such annual inspection shall be the sole responsibility of the Solar Energy Systems' owner/ operator. Such annual inspection shall confirm compliance with the terms of the operational permit issued in accordance with § 200-92(E), which shall include, but shall not be limited to, review of the installed and maintained landscaping. The Building Inspector, Zoning Enforcement Officer, Code Enforcement Officer and/or Town Engineer shall have the right at any reasonable time to enter, in the company of the owner or his agent, the premises on which a Tier 3 Solar Energy System is being or has been constructed, to inspect all parts of said Tier 3 Solar Energy System installation and require that repairs or alterations be made if, in his judgment, there exists a deficiency in the operation or the structural stability of the Tier 3 Solar Energy System or any component thereof. If necessary, the Building Inspector or Town Engineer may order the system secured or to otherwise cease operation. It shall not be required that the owner or agent be present in the event of an emergency situation involving danger to life, limb or property.

Q. Power to impose conditions. In granting any site plan approval, special use permit or variance for a Tier 3 Solar Energy System, the Planning Board or Zoning Board of Appeals, as the case may be, may impose reasonable conditions to the extent that such Board finds that such conditions are necessary to minimize any adverse effect or impacts of the proposed use on neighboring properties and to protect the general health, safety and welfare of Town residents and others.

R. Decommissioning and removal of Tier 3 Solar Energy Systems. The following shall be the minimum requirements to be addressed for the decommissioning of every Tier 3 Solar Energy System:

(1) The submission of an acceptable Decommissioning Plan and Decommissioning Cash Security subject to review by the Town's consulting Attorneys and Engineers and approved by the Town of Van Buren. For purposes of the Decommissioning Plan and Decommissioning Security, the following shall constitute "Decommissioning Events" triggering the decommissioning of the site and/or a call on the Decommissioning Security: (a) if construction and installation of the project improvements are not completed within 18 months of commencement of construction (such time period may be reasonably extended upon notification to the Town and with good cause shown for any delays in completion); (b) if the Tier 3 Solar Energy System ceases to be used for its intended purpose for twelve (12) consecutive months (such time period may be reasonably extended upon notification to the Town with good cause shown); (c) at the time of decommissioning, complete removal of the project within ninety

(90) days thereafter, except for any portions of the project access roads otherwise requested by the owner to remain to facilitate agricultural access to the property or conduit buried more than four feet (4') below ground; (d) upon the end of the project's operation; (e) if the applicant, or its successors or assigns, seeks dissolution or files for bankruptcy or (f) failure to have in place or timely replace adequate decommissioning securities. All decommissioning activities shall be completed to the reasonable satisfaction of the Town, and consistent with the Decommissioning Plan. Such agreement shall also include a commitment by the applicant to impose a similar obligation to remove any unused and/or obsolete solar panels upon any person subsequently securing rights to relocate the solar panels. The applicant shall include the following binding terms in the decommission plan, at a minimum, the following:

(a) Complete removal of above-ground and below-ground equipment, fencing, structures, and foundations.

(b) Restoration of the surface grade and soil after removal of equipment to the condition (or better), which it existed prior to the installation. This includes adding an adequate layer of topsoil where existing topsoil has been removed or eroded, and reseeding and/or reforestation of areas that were cleared of mature trees (with established growth demonstrated).

(c) Herbaceous revegetation of restored soil areas with native seed mixes, excluding any invasive species.

(d) Specifically address: the useful lifespan of proposed solar facility and any storage batteries; the current New York State and Federal rules and regulations regarding placement thereof and disposal thereof at the end of their useful lifespan; together with plans for replacement of solar storage batteries. The financial surety required by the Town shall take into account maintenance, replacement, and disposal of solar storage batteries if included in the application for a Tier 3 Solar Energy System.

(e) Such Decommissioning Plan shall be executed by the applicant and the property owner and shall be recorded against the property in the Onondaga County Clerk's Office.

(1) Cash Security. The applicant shall be required to deposit with the Town of Van Buren cash security in an amount sufficient for the faithful performance of the terms and conditions of the permit issued under this Article, and to provide for expenses associated with the decommissioning removal and restoration of the site subsequent to the removal of the Tier 3 Solar Energy System. The amount of the cash security shall be no less than 150% of the cost of the removal of the solar panels and restoration of the site, and shall further be reviewed and adjusted at five-year increments. Such amounts shall account for inflation and prevailing wage costs for decommissioning. In the event of a default upon performance of such conditions or any of them, the cash security shall be forfeited to the Town, upon demand. The cash security shall remain in full force and effect until the complete removal of the solar panels and site restoration is finished.

S. If solar storage batteries are included as part of a Tier 3 Solar Energy Systems, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Fire Prevention and Building Code when in use, and when no longer used shall be disposed of in accordance with the laws and regulations of the Town and other applicable laws and regulations.

T. Fees. Fees, a portion of which shall be directed to farmland protection funds, for applications and permits under this article shall be established by resolution of the Town Board of the Town of Van Buren. Consistent with the procedure of § 107-5 of the Town of Van Buren Town Code (Deposit of funds; payment of fees), it shall be the applicant's responsibility to reimburse the Town for any and all reasonable and necessary legal, engineering and other professional fees incurred by the Town in reviewing and administering an application for a Tier 3 Solar Energy System under this article.

U. Reference to Article 94-c. Any proposed solar energy system subject to review by the New York State Board on Electric Generation Siting and the Environment pursuant to Article 10 of the New York State Public Service Law, or the Office of Renewable Energy Siting pursuant to Article 94-c of the New York State Executive Law, shall be subject to all substantive provisions of this Article and any other applicable provisions of the Town of Van Buren Town Code

V. Waiver. The Planning/Zoning Board may, under appropriate circumstances, waive one or more of the submission requirements contained herein."

SECTION 8.

Chapter 115 at § 115-9, titled "Operating permits," of the Town of Van Buren Town Code is hereby amended to add a new subparagraph (j) under § 115-9(A)(1) of the Town of Van Buren Code, which shall read as follows:

"(j) Tier 3 Solar Energy Systems, as set forth in Chapter 200."

SECTION 9. SEVERABILITY.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 10. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

(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 **2024** of the **Town** of **Van Buren** was duly passed by the **Town Board** on **March 6, 2024**, in accordance with the applicable 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 **Town** of **Sullivan** was duly passed by the **Town Board** on _____ __, **20**__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** and was deemed duly adopted 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 **Town** of **Sullivan** was duly passed by the **Town Board** on _____ __, **20**__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** on _____ __, **20**__.~~

~~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 **Town** of **Sullivan** was duly passed by the **Town Board** on _____ __, **20**__, and was (approved/not approved/ repassed after disapproval) by the **Town Board** 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.~~

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.

Lynn Precourt

Hon. Lynn M. Precourt, Town Clerk
Town of Van Buren

(Seal)

Date: 3/7, **2024**