

LOCAL LAW #3 of 2023

ESTABLISHING A MORATORIUM ON DEVELOPMENT OF CERTAIN
SOLAR FACILITIES IN THE TOWN OF WILTON

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

1. Title and Authority-This Local Law shall be known as the Town of Wilton Solar Facilities Moratorium Law. It is adopted pursuant to Municipal Home Rule Law Section 10.
2. Purpose - The Town Board recognizes that solar energy offers benefits for energy conservation and reduction of reliance on fossil fuels and the development of solar energy facilities continues to grow. However, the installation of non-residential and energy distributing groundmounted solar energy facilities may have impacts on neighboring land uses, landscape, environmental integrity, flora, fauna and character of the Town. This Moratorium is necessary in order to temporarily restrict the development of non-residential and energy production or distribution ground-mounted solar energy systems so that the Town Board may consider enactment and/or revision of zoning regulations to encourage appropriate solar facilities development that is consistent with the Town's 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 Wilton.
3. Moratorium - The Town of Wilton hereby imposes a six-month Moratorium on the construction, establishment, installation, review or approval of any Commercial 2 Solar PV System, Ground-Mounted Solar Energy System or Large-Scale Solar Energy System facilities as defined in Town Code Section 108-3 for a period of six (6) months from March 2, 2023 until September 7, 2023. The provisions of this Local Law shall be applicable to any such facilities including for which applications are currently pending unless all necessary approvals have already been obtained from the Town of Wilton Planning Board. For the purpose of this Local Law, establishment, installation, review or approval shall include undertaking of any such new or expanded solar facility, issuance of a building permit, application of review standards, conduct of a Public Hearing or rendering of a decision or any approval which would in any way authorize the installation, construction or use of any such solar facility.
4. 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 Wilton and accomplish the stated purposes and intent of this Local Law.
5. Variance Procedure - The Town Board shall have authority, 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 sixty (60) days after the close of the Public Hearing.

6. Termination - This Moratorium may be terminated by the Town Board earlier than September 7, 2023 upon enactment and/or amendment of local legislation regulating development of solar facilities within the Town.

7. 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.