

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 of Lloyd  
Village

Local Law No.-----4-----of the year 2025

**A LOCAL LAW TO AMEND THE TOWN OF LLOYD ZONING CODE, SECTION 100-39.1 TO REVISE THAT SECTION TO REGULATE THE INSTALLATION OF SOLAR ENERGY FACILITIES THROUGHOUT THE TOWN TO PROMOTE THE PUBLIC HEALTH, WELFARE, AND SAFETY WITHIN THE TOWN OF LLOYD**

Be it enacted by the----- Town Board----- of the

County

City

Town of -----Lloyd----- as follows:

Village

SEE ATTACHED

(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 4 of 2025 of the Town of Lloyd was duly passed by the Town Board on December 17, 2025 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 200\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 200\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 200\_\_, 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 200\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 200\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 200\_\_. 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 \_\_\_\_\_ 200\_\_, 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 200\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 200\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 200\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 200\_\_, 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.)**~~

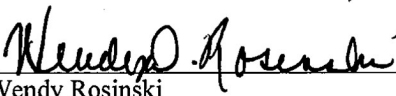
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 200\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 200\_\_, 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 \_\_\_\_\_ 200\_\_, 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 one, above.

  
\_\_\_\_\_  
Wendy Rosinski  
Town Clerk

Date: ~~December~~ \_\_\_\_\_, 2025

Jan 29, 2026

(Seal)

## § 100-39.1. Solar energy facilities. [Added 3-15-2017 by L.L. No. 1-2017]

A. Purpose. This Zoning for Solar Energy Law is adopted to make provision for the accommodation of solar energy systems and equipment and access to sunlight necessary therefor, so far as conditions may permit.

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

**BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM** — A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows.

**GROUND-MOUNTED RESIDENTIAL SOLAR ENERGY SYSTEM** — A solar energy system that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure, for the primary purpose of producing electricity for onsite consumption in a single- or two-family building.

**GROUND-MOUNTED NONRESIDENTIAL SOLAR ENERGY SYSTEM** — A solar energy system that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure, for the primary purpose of producing electricity for onsite consumption in any building other than a single- or two-family building.

**PERSONAL SOLAR ENERGY SYSTEM** — A solar energy system that is not permanently mounted, not connected to the power grid and less than 50 square feet in size. These installations are typically used to charge batteries. Incidental solar energy systems are not regulated in any manner.

**LARGE-SCALE SOLAR ENERGY SYSTEM** — A solar energy system that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption.

**NET METERING** — A solar energy system designed primarily to generate sufficient electricity to serve the property on which it is located.

**ROOF-MOUNTED NON-RESIDENTIAL SOLAR ENERGY SYSTEM** — A solar panel system located on the roof of any legally permitted building or structure other than a single- or two-family building, for the primary purpose of producing electricity for onsite consumption.

**ROOF-MOUNTED RESIDENTIAL SOLAR ENERGY SYSTEM** — A solar panel system located on the roof of any legally permitted single- or two-family residential building or structure, for the primary purpose of producing electricity for onsite consumption.

**SOLAR ENERGY EQUIPMENT** — Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

**SOLAR ENERGY SYSTEM** — An electrical generating system composed of a combination of both solar panels and solar energy equipment.

**SOLAR PANEL** — A photovoltaic device capable of collecting and converting solar energy into electrical energy.

C. Applicability. The requirements of this law shall apply to all solar energy systems installed

or modified after its effective date, excluding general maintenance and repair, building-integrated photovoltaic systems and those capable of generating 25 megawatts or more.

D. Solar as an accessory use or structure.

(1) (1) Roof-mounted solar energy systems.

(a) Roof-mounted solar energy systems that primarily use the electricity onsite are permitted as an accessory use on single- and two-family structures in any single- or two-family residential zoning district and on single- and two-family structures, barns and other farm buildings in any agricultural zoning district, when attached to any lawfully permitted building or structure, subject to issuance of a building permit by the Code Enforcement Officer.. If both roof- and ground-mounted panels are used, the total size of the ground-mounted panels may not exceed 1,000 square feet in residential zoning districts and 2,000 square feet in agricultural zoning districts. The Code Enforcement Officer may consider reflectance issues and require mitigation (such as the use of "stippled" glass or other light-trapping designs or other visual buffering items such as vegetation) if the installation may have undue effects on neighboring dwellings. If the structure also has "hot water" solar panels, they shall not be included in the 1,000 and 2,000 square foot limits. Approval of roof-mounted solar energy systems that exceed the square footage allowed is subject to issuance of a special use permit by the Planning Board.

(b) Roof-Mounted Non-Residential Solar Energy Systems that are proposed to be mounted on existing commercial, industrial or other type of non-residential structures shall be allowed with a special use permit with an expedited review with the Planning Board.

- In order to qualify for an expedited review, the applicant should submit an application, a narrative detailing the proposed project including where the electricity will be used (on site or to feed the electric grid), a full set of plans for the proposed array and any visual impact documentation showing that no adverse visual impact would occur should the project be approved and installed.
- If the Planning Board determines that the project is eligible for an expedited review, at the first meeting where the project is presented, the Planning Board should determine the type of SEQR for the project and proceed to set a public hearing for the following month's meeting, or as soon as possible.

(c) Height. Roof-mounted solar energy systems shall not exceed the maximum height restrictions of the zoning district within which they are located and are provided the same height exemptions granted to building-mounted mechanical devices or equipment.

(d) Aesthetics. Roof-mounted solar energy system installations shall incorporate, when feasible, the following design requirements:

- [1] Panels must be mounted at the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of the system unless it can be shown that limiting the panels to the roof pitch would limit the

possible energy collected to an extent where the array would produce 20% less electricity using the roof pitch rather than a more productive pitch to align with the path of the sun.

(2) Ground-mounted residential solar energy systems.

- (a) The primary concern with ground-mounted solar energy systems is the visual appearance from public roads and sidewalks and from adjacent properties. The Code Enforcement Officer may issue a building permit, without additional approvals, for any type other than large scale solar systems, if the ground-mounted solar energy system is situated so as to be largely invisible from public ways and adjacent properties. The masking of the system could be accomplished by the lay of the land, by existing buildings or structures, by sufficient vegetation or fencing to act as a buffer, by the orientation of the panels, by a combination of these factors, or by other means.
- (b) Ground-mounted solar energy systems that use the electricity primarily onsite are permitted as accessory structures in all zoning districts. If they do not meet the requirements of Subsection D (2)(a) above, approval is subject to site plan review and issuance of a special use permit by the Planning Board. Ground-mounted solar energy systems are limited to a total of 1,000 square feet in residential zoning districts and 2,000 square feet in agricultural zoning districts. Approval of ground-mounted solar energy systems that exceed the sizes listed above is subject to issuance of a special use permit by the Planning Board.
- (c) Height and setback. Ground-mounted residential solar energy systems shall not be higher than 12 feet above the ground and must conform to the setback requirements of the underlying zoning district.
- (d) Lot coverage. Ground-mounted solar energy systems are limited to lot coverage requirements of the underlying zoning district. The surface area covered by ground-mounted solar panels shall be included in total lot coverage. Surface area coverage should be calculated to represent the actual area covered, taking into account the angle of placement, if any.
- (e) All ground-mounted solar energy systems in residential districts shall be installed in the side or rear yards only unless they comply with the requirements of Subsection D (2)(a) above.

(3) Building integrated photovoltaic systems.

- (a) Building integrated photovoltaic systems for new buildings are subject to approval in accordance with the requirements for new buildings in the underlying zoning district and with the requirements of the New York State Uniform Fire Prevention and Building Code.

E. Approval standards for large-scale solar energy systems as a special use.

- (1) Large-scale solar energy systems are permitted through the issuance of a special use permit within agricultural, heavy industrial, light industrial, designed business and general business zoning 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 Code Enforcement Officer and referred, with

comments, to the Planning Board for its review and action, which can include approval, approval on conditions, and denial. [Amended 2-21-2018 by L.L. No. 3-2018]

- (2) Special use permit application requirements. For a special permit application, the site plan application must be supplemented by the following provisions:
  - (a) If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.
  - (b) Blueprints showing the layout of the solar energy system signed by a professional engineer or registered architect shall be required.
  - (c) The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed as part of the solar energy system.
  - (d) Property operation and maintenance plan. Such plan shall describe continuing maintenance of the solar energy system and property upkeep, such as mowing and trimming of vegetation.
  - (e) Decommissioning plan. To ensure the proper removal of large-scale solar energy systems, a decommissioning plan shall be submitted as part of the application. Compliance with this plan shall be made a condition of the issuance of a special use permit under this section. The decommissioning plan must specify that after the large-scale solar energy system can no longer be used, it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution. A cost estimate detailing the projected cost of executing the decommissioning plan shall be prepared by a professional engineer or contractor. Cost estimations shall take into account inflation. Removal of large-scale solar energy systems must be completed in accordance with the decommissioning plan. If the large-scale solar energy system is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover these costs to the municipality.
- (3) Special use permit standards.
  - (a) Height and setback. Large-scale solar energy systems shall adhere to the height and setback requirements of the underlying zoning district.
  - (b) Lot size. Large-scale energy systems shall be located on lots with a minimum lot size of 10 acres.
  - (c) Lot coverage. A large-scale solar energy system that is ground-mounted shall not exceed 60% lot coverage allowed by the underlying zoning district of the lot on which it is installed. The surface area covered by solar panels shall be included in total lot coverage.
  - (d) The electrical and control equipment of all large-scale solar energy systems shall be enclosed by six-foot-high fencing to prevent unauthorized access. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. The type of

fencing shall be determined by the Planning Board. The fencing and the entire system of arrays and secondary equipment shall be situated and screened so as not to be visible from streets, public ways, and all neighboring properties, to the greatest extent practicable. [Amended 2-21-2018 by L.L. No. 3-2018]

- (e) Any application under the section shall meet all substantive provisions contained in local site plan requirements in the Town of Lloyd zoning code that, in the judgment of the Planning Board, are applicable to the system being proposed. If none of the site plan requirements are applicable, the Planning Board may waive the requirement for site plan review. **[Amended 2-21-2018 by L.L. No. 3-2018]**
  - (f) The Planning Board shall require an applicant to prepare a visual impact analysis as part of the submittal requirements for large-scale solar energy systems. **[Added 2-21-2018 by L.L. No. 3-2018]**
  - (g) The Planning Board may impose conditions on its approval of any special use permit under this section in order to enforce the standards referred to in this section or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA). **[Amended 2-21-2018 by L.L. No. 3-2018]**
  - (h) The applicant shall, to the greatest extent practicable, avoid construction on areas of prime farmland as designated by the U.S. Department of Agriculture. **[Added 2-21-2018 by L.L. No. 3-2018]**
- F. Abandonment and decommissioning. Solar energy systems of any type other than roof-mounted residential are considered abandoned after 18 months without electrical energy generation and must be removed from the property; provided, however, that the Planning Board has the discretion to grant an extension of this limitation, or in the case of such a system approved solely by the Code Enforcement Officer, the Code Enforcement Officer has the discretion.
- G. Enforcement. Any violation of this Solar Energy Law shall be subject to the same civil and criminal penalties provided for in the zoning regulations of the Town of Lloyd.
- H. Severability. The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.