

TOWN OF SARATOGA TOWN BOARD

RESOLUTION #24-46 DATE 04/08/2024

**AMENDMENT TO LOCAL LAW #1 OF 2024 - A TEMPORARY MORATORIUM ON
MAJOR SOLAR COLLECTION SYSTEMS IN THE TOWN OF SARATOGA
FOR A PERIOD OF SIX MONTHS.**

**Offered by Councilmember Michael McLoughlin
Seconded by Councilmember Gary Squires**

At a Regular Meeting of the Town Board of the Town of Saratoga, County of Saratoga, State of New York, held on April 8, 2024, the following resolution was made as indicated above,

WHEREAS, the Town Board of the Town of Saratoga acknowledges the need to place a temporary moratorium on major solar collection systems for 6-months to adequately study, review and plan for legislation on major solar collection systems, and if more time is needed to complete the task this moratorium may be further extended, and

WHEREAS, this moratorium affects all major solar collection systems that currently do not have Planning Board preliminary approval and negative declaration on SEQR.

WHEREAS, a public hearing was held and input was received from the townspeople, now therefore be it,

RESOLVED, by the Town Board of the Town of Saratoga, to adopt Amended Local Law # 1 of 2024, placing a temporary moratorium on major solar collection systems for six months, effective immediately.

Supervisor Ian Murray – aye
Councilman Michael McLoughlin – aye
Councilwoman Ruth Drumm – aye
Councilman Gary Squires – aye
Councilwoman Maxine Lautenberg -aye

Carried 5-0

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, 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.

Town of Saratoga

Local Law No. 1 of the year 2024

A local law to enact a temporary moratorium on Major Solar Collection Systems in the Town of Saratoga.

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

Town of Saratoga as follows:

SECTION 1 – Legislative Findings.

The Town of Saratoga is currently undertaking a study of the effects and suitability of establishing a land use regulatory scheme regarding construction of major solar collection systems in the Town of Saratoga. The Town Board is of the opinion that a period of time is needed in order to adequately review, study and plan for such a land use regulation.

SECTION 2 - Moratorium.

There is enacted a temporary moratorium on the construction of major solar collection systems, as defined below, in the Town of Saratoga. This moratorium shall continue for a period of six months from the effective date of this local law, if more time is needed to complete the task this moratorium may be further extended. This moratorium affects all major solar collection systems that currently do not have planning board preliminary approval and negative declaration on SEQR.

SECTION 3 - Definition.

For purposes of this temporary moratorium, a **Major Solar Collection Systems** shall be defined as follows:

A major solar collection system is the use of land for a large scale installation of solar energy collection apparatus for a commercial or institutional purpose or entity.

SECTION 4 – Effective Date.

This local law shall take effect immediately.

(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. 1 of 2024 of the ~~(County)(City)(Town)(Village)~~ of Saratoga was duly passed by the Town Board on April 8, 2024, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 2024, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Michelle M. Comover

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

Date: April 12, 2024

(Seal)

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

April 25, 2024

Town of Saratoga
12 Spring Street
Schuylerville, New York 12871

RE: Town of Saratoga, Local Law 1 2024, filed on 4/17/2024

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

5-9-24 SW state records both law #1 and #2
were filed w/ the state on 4-17-24.
She apologized for the letter not having
#2 on it.



Department
of State