

RESOLUTION 74-2021

ADOPTION BY THE TOWN BOARD OF THE TOWN OF RIPLEY OF A RESOLUTION CLASSIFYING CONSIDERATION OF THE ENACTMENT OF THE PROPOSED SOLAR LAW AS A TYPE I ACTION UNDER SEQRA

WHEREAS, on or about May 13, 2021 the Town Board of the Town of Ripley (the “Town Board”) introduced the proposed Solar Law, Local Law 1 of 2021, and **WHEREAS**, the Town Board recognizes the emergence and growing use of solar energy as a renewable energy resource, and **WHEREAS**, the Town of Ripley’s current Zoning Code does not adequately meet the Town’s objectives, which include:

1. To create synergy between solar energy system development while protecting the historic and rural character of the Town, maintaining the rural style of life, retaining active farm production, developing business, and keeping Ripley an affordable place to live.
2. To maintain the rural character of the town;
3. To preserve the agricultural base of land and farm operations;
4. To avoid, or if avoidance is impossible, mitigate the impacts of Solar Energy Systems on environmental resources such as important agricultural lands, forests, wildlife, waterways, unique views and other protected resources;
5. To encourage sense of pride in the community and allow local residents, farms, businesses, and government to take advantage of the potential financial benefits of solar energy systems;
6. To increase employment and business development in the Town of Ripley by furthering the installation of appropriately sited Solar Energy Systems;
7. To diversify personal and community energy resources;
8. To decrease the use of fossil fuels to produce electricity, thereby reducing the
9. carbon footprint of electricity produced in New York State;
10. To protect environmental resources such as agricultural lands, forests, wildlife and their habitats, waterways, wetlands, unique views and other protected resources from the potential for adverse impacts from Solar Energy Systems;

11. To advance state renewable energy policy by promoting community solar development of an appropriate scale, and providing substantive standards for large Solar Energy Facilities sited in Ripley by the New York State government.

WHEREAS, adoption of the Proposed Solar Law would involve a change in allowable uses within at least one zoning district affecting 25 or more acres of the district, and

WHEREAS, an amendment to the Town of Ripley’s current zoning ordinance may be necessary to allow for the use of solar energy generation and support state energy policy, while meeting the objectives of the Town and its residents, and

WHEREAS, consideration is warranted of a proposed local law to amend the current zoning ordinance of the Town of Ripley to establish a Solar Law to plan for well-sited solar projects in order to protect and promote the health, safety, and welfare of the community, and

WHEREAS, The Town Board has considered the content of the prior draft version of the proposed Solar Law provided by the Planning Board, the current version of the proposed solar law, and all comments related to this action received to date, and

WHEREAS, The Town Board has considered any relevant public input, and **NOW, THEREFORE**, the Town Board of the Town of Ripley hereby finds that the adoption of the current version of the proposed Solar Law would qualify as a Type I action under SEQRA because it would involve a change in allowable uses within any zoning district affecting 25 or more acres of the district, under 6 NYCRR 617.4(b)(2).

AND THEREFORE, the Town Board of the Town of Ripley further resolves that the Proposed Action is classified as a Type I Action under SEQRA.

AND THEREFORE, the Town Board of the Town of Ripley will continue its SEQRA review of the proposed solar law by preparing a Full Environmental Assessment Form at a special board meeting to be held on or about **7:00 P.M. June 3, 2021.**

AND THEREFORE, the Town Board of the Town of Ripley will review any relevant submissions and comments related to the proposed Solar Law in order to make a determination of environmental significance under SEQRA.

AND THEREFORE, the Town Clerk is hereby directed to enter this resolution in the minutes of this meeting.

This Resolution was introduced by Deputy Supervisor Rowe, seconded by Councilwoman Hathaway.

The question of the foregoing resolution was duly put to a vote as follows:

Town Board Member:	Yes	No	Abstain
<u>Phil Chimera</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>John Trevelline</u>	X	<input type="checkbox"/>	<input type="checkbox"/>

<u>Patricia Hathaway</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael Rowe</u>	X	<input type="checkbox"/>	<input type="checkbox"/>
<u>Douglas Bowen</u>	ABSENT		

Dated: May, 13,2021

Ripley, New York

By order of the Town Board of the Town of Ripley, New York.

Mike Rowe, Deputy Town Supervisor