

NOTICE OF PUBLIC HEARING

Town of Henderson, New York

PLEASE TAKE NOTICE that a Local Law has been introduced by the Town Board of the Town of Henderson to establish a **Town Wide Six (6) Month Moratorium on all Solar Energy Systems and/or Battery Energy Storage Systems.**

The Local Law prohibits any Enforcement Officer, the Zoning Board of Appeals, or the Planning Board, from processing, reviewing, rendering any determination, granting any variance, or approval with respect to any Solar Energy Systems and/or Battery Energy Storage Systems during the duration of the Moratorium.

The Local Law declares that a violation shall be punishable by a fine not exceeding \$250 and/or injunctive relief to prohibit such activities.

PLEASE TAKE NOTICE that a public hearing upon the Local Law will be held at the Town Offices, 12105 Town Barn Rd, Henderson, New York on the **November 28, 2023 at 7:00PM** and that an opportunity to be heard in regard thereto will then and there be given to all persons.

Dated: November 14, 2023

Wendy Flagg - Town Clerk

Town of Henderson

12105 Town Barn Rd.
Henderson, New York 13650
(315) 938-5542
www.townofhendersonny.org

RESOLUTION # _____ OF 2023

ADOPTING LOCAL LAW 1 of 2023 Establishing a Townwide Six (6) Month Moratorium for Solar Energy Systems and/or Battery Energy Storage Systems

WHEREAS, the Town Board of the Town of Henderson recognizes that there is potential that person(s) might proceed with an application seeking approval for Solar Energy Systems and/or Battery Energy Storage Systems; and

WHEREAS, the Town Board of the Town of Henderson upon review of the Town of Henderson Zoning Law, its familiarity with lands within the Town, considering concerns expressed by some area residents, and in recognition of an obligation to promote the health, safety and welfare of the general public within the Town of Henderson, deems it to be in the public interest to stop and temporarily suspend the processing of any application(s) that may include Solar Energy Systems and/or Battery Energy Storage Systems within the Town of Henderson ; and

WHEREAS, the Town Board anticipates undertaking steps to potentially update, revise and/or amend its Zoning in regard to such activities within the Town and has determined that providing for a temporary moratorium is appropriate; and

WHEREAS, this action is considered a Type II action under SEQR per 6 NYCRR 617.5(c)(36).

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing regarding a possible moratorium for six (6) months was conducted on November ____, 2023 and such information and comments have been considered by the Town Board; and

BE IT FURTHER RESOLVED, that adoption of a six (6) month moratorium to provide adequate time to fully consider and potentially amend its Zoning Law and/or Solar Energy Law within the Town of Henderson regarding Solar Energy Systems and/or Battery Energy Storage Systems is appropriate and the Local Law establishing the Moratorium is approved; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately and the underlying Local Law shall become effective upon filing with the NYS Department of State.

The foregoing Resolution was offered by Board Member, _____, and seconded by Board Member, _____, and upon roll call vote of the Board was duly adopted as follows:

Ed Glaser, Supervisor	Yes ____	No ____
Carol Hall	Yes ____	No ____
Torre Parker-Lane	Yes ____	No ____
Bryan Flagg	Yes ____	No ____
Matthew Owen	Yes ____	No ____

Dated: November ____, 2023

Wendy Flagg, Town Clerk