

## **TOWN OF SANGERFIELD – LOCAL LAW # 3 OF 2015**

**LOCAL LAW # 3 – OF 2015 IMPOSING A SIX MONTH MORATORIUM ON THE PLACEMENT OF WIND ENERGY CONVERSION SYSTEMS, WINDMILLS, AND/OR THE METEOROLOGICAL TESTING TOWERS IN THE TOWN OF SANGERFIELD.**

BE IT ENACTED by the Town Board of Sangerfield as follows:

### **SECTION 1. TITLE**

This Local Law shall be referred to as Imposing a six-Month Moratorium on Placement of Wind Energy Conversion Systems, Windmills and/or Meteorological Testing Towers in the Town of Sangerfield.

### **SECTION 2. PURPOSE AND INTENT**

Pursuant to the statutory powers vested in the Town of Sangerfield to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Sangerfield hereby declares a six month moratorium in the establishment, placement, construction, enlargement and erection of wind energy conversion systems/windmills/meteorological testing towers in the town.

The Town of Sangerfield Zoning Law regulation presently fails to adequately regulate wind energy conversion systems/windmills. In the face of present and anticipated applications, this represents a clear and obvious deficiency in the Zoning Law.

The Town is in need of additional time to address, in a careful manner, the establishment, placement, construction, enlargement and erection of wind energy conversion systems/windmills on a comprehensive Town-wide basis and to adopt zoning regulations for provisions to specifically regulate the same.

### **SECTION 3. SCOPE OF CONTROLS**

A. During the effective period of this Local Law:

1. The Town Board shall not grant any approvals that would have as the result the establishment, placement, construction, enlargement, or erection of wind energy conversion systems, windmills and/or meteorological testing towers within the Town.
2. The Town Planning Board shall not grant any preliminary or final approval to a subdivision plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction, enlargement or erection of a wind energy conversion systems, windmills and or meteorological testing towers within the Town.
3. The Town Zoning Board of Appeals shall not grant any variance or other permit for any use that would result in the establishment, placement, construction, enlargement or erection of a wind energy conversion systems, windmills and/or meteorological testing towers within the Town.

4. The Building Inspector/Code Enforcement Officer of the Town shall not issue any permit that would result in the establishment, placement, construction, enlargement or erection of a wind energy conversion system, windmills and/or meteorological testing towers within the Town.

**B.** The Town Board of the Town reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

#### **Section 4. NO CONSIDERATION OF NEW APPLICATIONS**

No applications for construction affected by this Local Law or for approvals for a site plan, subdivision, variance special use permit or other permits shall be considered by any board officer or agency of the Town while the moratorium imposed by this Local Law is in effect.

#### **Section 5. Term**

The moratorium imposed by this Local Law shall be in effect for a period of six (6) months from the effective date of this Local Law.

#### **Section 6. EFFECTIVE DATE**

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.