

Town of Schuyler- Herkimer County

Local Law: 2023-1

Solar Farms Public Parkland Benefit Fee- (Amendment to Solar Ordinance 2021)

Pursuant to s 10 (1)(ii)(d)(3) of the Municipal Home Rule Law, the Town of Schuyler hereby amends Town Law- Solar Law of November 23,2021 to require, after a finding of need, that a public parkland benefit fee to be paid to the Town as part of site plan approval for any commercial solar energy farm applications (not to include residential). Solar farms constitute a unique land use that impacts the Towns ability to retain its suburban aesthetic and occupies large swaths of green space while converting open or agricultural lands with potential for more suitable development.

- A. The Zoning Board, as part of site plan approval for any large-scale energy farm , may require a public parkland benefit fee on a per-acre basis; amount to be based upon the developed land as described the site plan. This fee will be based on the total acreage within the fenced solar farm and will be calculated comprehensively on the total acreage inside the fence and not just acreage which a solar panel occupies. The fee will be \$7,000 per acre for acreage “inside the fence”, to be set by the Zoning Board.
- B. The public parkland benefit fee for park, playground or other recreational purposes may not be required until the Zoning Board has made a finding that a proper case exists for requiring a public benefit fee to be paid for a park or parks to be suitably located for playgrounds or other recreational purposes within the Town. Such findings shall include practical factors including whether there is a need for additional facilities in the immediate neighborhood and an evaluation of the present and anticipated future needs for park and recreational facilities in the Town, based on projected population growth to which the particular site plan will contribute.
- C. In the event the Zoning Board makes a finding pursuant Subsection B of this section that the proposed site plan presents a proper case for requiring a public parkland benefit fee, the fee will be assessed as detailed in Subsection A of this section. All funds collected pursuant to

this section shall be deposited into a trust fund to be used by the Town exclusively for park or other recreational purposes, including acquisition of property.

- D. This amended law shall take effect immediately upon being filed with the New York State Secretary of State

On April 11, 2023 at a Special Town Board meeting, following a Public Hearing, a motion was made by Kane and seconded by Juliano

To adopt Local law 2023-1 , Public Parkland Benefit Fee, which is an amendment to the town's Solar Ordinance 2021. All in Favor.

Barbara Boulia, Town Clerk

Town of Schuyler

Seal