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KATHY HOCHUL
GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE

December 6, 2022

Town of Leyden
6606 School Rd
Boonville NY 13309

RE: Town of Leyden, Local Law #2 2022, filed on 11/28/2022

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

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

Local Law Filing

(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.

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Leyden

Local Law No. 2 **of the year 20**22

A local law to Regulate the Installation of Solar Energy Systems within the Town of Leyden
(Insert Title)

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

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
(Select one:)

of Leyden **as follows:**

A true copy of Local Law 2 of 2022, consisting of (11) pages is annexed hereto in its entirety

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(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. 2 of 2022 of the (County)(City)(Town)(Village) of Leyden was duly passed by the Town Board on November 9, 2022, in accordance with the applicable
(Name of Legislative Body)
provisions of law.

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 _____ 20[ ][ ], in accordance w ith 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 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)*

* 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 one above.

(Seal)

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

Date: November 20, 2023

Section 1. Authority

This Solar Energy Local Law is adopted pursuant to the authority and power granted by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Town Law Sections 261-263, which authorize the Town of Leyden to adopt zoning provisions that protect the health, safety and welfare of the community, and "to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefore."

Section 2. Purpose

A. This Solar Energy Local Law is adopted to advance and protect the public health, safety, and welfare of the Town of Leyden residents by creating regulations for the installation and use of solar energy generating systems and equipment, with the following objectives in mind:
   1. To support energy independence and community resiliency by taking advantage of a safe, abundant, renewable, and non-polluting energy resource,
   2. To mitigate the impacts of Solar Energy Systems on environmental resources such as important agricultural lands, forests, open space, wildlife, and other protected resources, and
   3. To create collaborations between solar and the potential impact on the environment, neighbors, and the community;
   4. To identify the ideal locations for solar energy development and to avoid conflict with other land use goals, regulations, and long-term plans;
   5. To decrease the cost of electricity to the owners of residential and commercial properties, including single-family houses;
   6. To increase employment and business development in the Town, to the extent reasonably practical, by providing a defined framework for review of Solar Energy System projects.

Section 3. Definitions

A. Contains definitions for technical terms related to solar energy, electricity, and power generation.

1. *Agricultural Solar Energy System:* An on farm, solar energy system that provides no more than 110% of the energy required to operate a farm operation as defined by New York State Agriculture and Markets Law 305-a.

2. *Building-Integrated Solar Energy Systems:* A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

3. *Farmland of Statewide Importance*: Land, designated as "Farmland of Statewide Importance" in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)'s Soil Survey Geographic (SSURGO) Database on Web Soil Survey, that is of state wide importance for the production of food, feed, fiber, forage, and oilseed crops as determined by the appropriate state agency or agencies. Farmland of Statewide Importance may include tracts of land that have been designated for agriculture by state law.

4. *Glare:* The effect by reflections of light with intensity sufficient as determined in a commercially reasonable manner to cause annoyance, discomfort, or loss in visual performance and visibility in any material respects.

5. *Ground-mounted Solar Energy System*: A Solar Energy System that is anchored to the ground via a pole or other mounting system, detached from any other structure, that generates electricity for onsite or offsite consumption.

6. *Kilowatt (kW):* A unit of power equal to 1,000 watts. The nameplate capacity of residential and commercial solar energy systems may be described in terms of kW.

7. *Large Solar Energy System:* Any solar energy system that cumulatively on a lot meets one of the following provisions:
   A. Is intended to supply energy principally into a utility grid for the purpose of off-site consumption, or
   B. Has a total ground surface area of greater than 4,000 square feet and is not an agricultural solar energy system (as defined by this law).

8. *Megawatt (MW):* A unit of power equal to 1,000 kW. The nameplate capacity of larger solar energy systems may be described in terms of MW.

9. *Mineral Soil Groups 1-4 (MSG 1-4):* Soils recognized by the New York State (NYS) Department of Agriculture and Markets as having the highest value based on soil productivity and capability, in accordance with the uniform statewide land classification system developed for the NYS Agricultural Assessment Program.

10. *Nameplate Capacity:* A solar energy system's maximum electric power output under optimal operating conditions. Nameplate Capacity may be expressed in terms of Alternating Current (AC) or Direct Current (DC).

11. *Native Perennial Vegetation:* Native wildflowers, forbs, and grasses that serve as habitat, forage, and migratory way stations for pollinators and shall not include any prohibited or regulated invasive species as determined by the New York State Department of Environmental Conservation.

12. *Pollinators*: Bees, birds, bats, and other insects or wildlife that pollinate flowering plants, and includes both wild and managed insects.

13. *Prime Farmland:* Land, designated as "Prime Farmland" in the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS)'s Soil Survey Geographic (SSURGO) Database on Web Soil Survey, that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these land uses.

14. *Roof-mounted Solar Energy System:* A Solar Energy System located on the roof of any legally permitted building or structure that produces electricity for onsite or offsite consumption.

15. *Small Solar Energy System:* Any solar energy system that cumulatively on a lot meets any of the following provisions:
    A. Is an accessory use or structure designed and intended to generate energy primarily for a principal use located on site, and has a total ground surface area no larger than 4,000 square feet.
    B. Is an agricultural solar energy system (as defined by this law).

16. *Solar Access*: Space open to the sun and clear of overhangs or shade so as to permit the use of active and/or passive Solar Energy Systems on individual properties.

17. *Solar Energy Equipment*: Electrical material, hardware, inverters, conduit, storage devices, or other electrical and photovoltaic equipment associated with the production of electricity.

18. *Solar Energy System*: The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. The area of a Solar Energy System includes all the land inside the perimeter of the Solar Energy System, which extends to any interconnection equipment. A Solar Energy System is classified Small or Large.

19. *Solar Panel*: A photovoltaic device capable of collecting and converting solar energy into electricity.

20. *Storage Battery*: A device that stores energy and makes it available in an electrical form.

21. *Public Environmental Benefit:* An investment, improvement, program, contribution, project or other action taken by a Large Solar Energy System Project developer that contributes to greenhouse gas reduction, energy efficiency, multimodal transportation, ecological diversity or habitat preservation as determined by the Planning Board.

Section 4. Applicability

A. The requirements of this Local Law shall apply to all Solar Energy Systems permitted, installed, or modified in the Town of Leyden after the effective date of this Local Law, excluding general maintenance and repair.

B. Large Solar Energy Systems constructed within the Town of Leyden will require site plan approval pursuant to this local law and Section 230 of the Town of Leyden Zoning Law and shall meet all dimensional requirements specified in that law. Issuance of permits and approvals by the Planning Board/Zoning Board and Codes Enforcement Officers shall include review pursuant to the State Environment Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617).

Section 5. Permitting for Small Solar Energy Systems

A. Small Solar Energy Systems (to include Agricultural Solar Systems) as well as general maintenance of such systems do not require site plan review or special use permit approval and shall be considered accessory structures. Such systems shall be required to obtain a zoning permit from the Town of Leyden prior to placement and operations unless the Town exempts farm structures for requiring building permits and the system is an integrated component of a farm structure or the system is less than one square yard used individually for charging of batteries and powering small equipment or devices (such as lighting). Small Solar Energy Systems shall also meet all other requirements pertaining to accessory structures, to the extent they are applicable.

1) The following conditions shall be met.

a) Roof-mounted Solar Energy Systems shall be installed parallel to the roof surface on which they are mounted and shall not extend higher than the highest point of the roof surface on which they are mounted or the top of the surrounding parapet, or more that 24" above the flat surface of the roof, whichever is greater.

b) Ground-mounted systems to be placed in side or rear yards only. No panels to be placed in front yards.

c) All solar panels shall have anti-reflective coating.

d) Building-integrated Solar Energy Systems shall be shown on the plans submitted for any building permit application for the building containing the system.

A. Solar Energy System installations for which a valid building permit has been issued before the effective date of this local law shall not be required to meet the requirements of this law.

B. All Solar Energy Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards as referenced in the NYS Uniform Fire Prevention and Building Code ("Building Code"), the NYS Energy Conservation Code ("Energy Code"), and the Town of Leyden Code.

Section 6. Permitting for Large Solar Energy Systems

A. Solar Energy Systems producing 25MW or more are required to seek a permit through the State-level siting process administered by the Office of Renewable Energy Siting (ORES).

B. All Large Solar Energy Systems shall be permitted subject to receiving site plan approval by the Town of Leyden Planning Board pursuant to Section 310 of the Town of Leyden Zoning Law. All procedures including, but not limited to, sketch plan review, public hearing, and time frames pursuant to the zoning law shall be met. The Town of Leyden Planning Board's review of all Large Solar Energy Systems shall include but not be limited to; consideration of the visual effect of the proposed solar installation on scenic and historic resources and viewsheds; impacts on community character; compatibility with agriculture and farmlands, managing stormwater runoff, and the effect of the proposed installation on ecologically sensitive land or water resources; and recreation and wildlife in the vicinity.

C. The application materials as required in Section 430 of the Town of Leyden Zoning Law shall be supplemented by the submission of the following materials and information.
    1. If the property of the proposed project is to be leased, legal consent between all parties, including easements and other agreements. Application shall include annual ground lease payment amount, if any; annual ground lease escalator, if any; NYISO zone; utility company; community or market transition credit, if any; community adder, if any.
    2. Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect. Plans shall show the proposed layout of the entire Solar Energy System along with a description of all components, whether on site or off site, existing vegetation, existing or proposed access, gates, parking areas, mounting systems, inverters, panels, fencing, proposed clearing and grading of all sites involved, and proposed buffering and screening.
    3. Stormwater runoff calculations, drainage plan, clearing and grading plan. The clearing and grading plan shall include methods to stockpile, reduce erosion of, and reuse all topsoil from the site. If one acre or more of land is to be disturbed, the applicant shall be required to submit a preliminary Stormwater Pollution Prevention Plan consistent with New York State Department of Environmental Conservation (NYSDEC) or local (Municipal Separate Storm Sewer Systems) MS4 requirements. All clearing and/or grading activities are subject to review by the Planning Board and shall not commence until the issuance of site plan approval.
    4. Photo simulations shall be included which show the proposed Large Solar Energy System in relation to the building site along with elevation views and dimensions and all other components. Additional photo simulations may be requested by the Planning Board for specific roads or other public areas that may be impacted. During review the Planning Board may require the applicant to submit a viewshed analysis that meets

the procedures identified within the NYSDEC's State Environmental Quality Review Act (SEQRA) publication entitled "Assessing and Mitigating Environmental Impacts."

5. Identification of wildlife species that may use the parcel including potential wildlife travel corridors, migration paths (to include both ground and aerial pathways), or critical habitats. Any waterbody within ½ mile shall also be identified on the site plan.
6. Details of any proposed noise that might be generated by inverter fans or other noise generating equipment that may be included in the proposal. The Planning Board may require a noise analysis to determine potential adverse noise impact to surrounding areas.
7. Part 1 of the Full Environmental Assessment Form filled out, unless deemed a Type II action pursuant to Part 617 State Environmental Quality Review (SEQR).
8. Property Operation and Maintenance Plan to describe continuing photovoltaic maintenance and proper property upkeep, such as mowing, trimming, fence maintenance and any proposed use of pesticides or herbicides. Occasionally soils testing may be required to prevent contamination by damaged equipment. Any damaged or unused components of the system shall be removed from the premises within 30 days and disposed of legally. All maintenance equipment and spare parts shall be kept in a designated storage area which is fenced and screened.
9. Landscaping and screening plans shall describe the methods and types of screening that are proposed, including but not limited to, existing vegetation, topography, fencing and structures. Plans will detail the number, location and species of vegetation to be planted on the site and the size and extent of berms. An additional plan showing the appropriate performance criteria specifying minimum plant sizes and measures to be taken in the case that the proposed vegetation fails to survive, flourish or meet said performance criteria will be submitted.
10. The location map of the connection point to the grid will be provided along with a description of any easements or rights-of-way, clearing, infrastructure, appurtenances, and equipment that might be necessary or required to connect to the grid.
11. Proof of application for grid interconnection shall be provided.
12. To ensure that the proper removal of Large Solar Energy Systems, a Decommissioning Plan will be required to be submitted at the time of the application. Compliance with this Decommissioning Plan will be made a condition of the approval under this Section. The Decommissioning Plan must specify that after the Large Solar Energy System can no longer be used, it shall be removed by the applicant or any subsequent owner. The Decommissioning Plan must include:
    a. Provisions describing the triggering events for decommissioning of the solar energy facility;
    b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;
    c. Provisions for the restoration of the soil and vegetation. Plan shall demonstrate how the removal of all infrastructure and remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction;

d. A Town of Leyden Planning Board approval of a timetable for site restoration;
e. An estimated cost of the decommissioning as prepared and certified by a Professional Engineer. The cost estimate shall consider inflation. Removal of Large Solar Energy Systems must be completed in accordance with the Decommissioning Plan;
f. Financial Assurance, by security deposit, escrow account, bond or in any other manner acceptable to the Town of Leyden, shall be secured from the Owner or Operator, and held by the Town of Leyden's financial institution, for the purpose of adequately performing the Decommissioning Plan. The amount to be equal to the certified Professional Engineers estimate of the removal and decommissioning costs. This financial assurance will be made available for review by the Town of Leyden's Attorney at any time upon request and reviewed at least every five years to ensure that adequate funds are maintained;
g. Identification of and procedures for the Town of Leyden access to Financial Assurances;
h. A provision stating that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator or any of their successors, assigns, or heirs;
i. A provision that the Town of Leyden, its officials, employees, agents or contractors shall have the right of access to the site, pursuant to reasonable notice, to effectuate or complete removal and decommissioning.

13. The removal of machinery, equipment, tower, and all other materials related to the project is to be completed within one year of decommissioning. If the Large Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system, restore the property, capture the bond, or associated financial assurance and impose a lien on the property to cover these costs to the municipality.
14. If in the course of delivery, installation, maintenance, dismantling, removal or transport of the solar energy system or any components thereof, the property of the Town of Leyden, including but not limited to, roadways, shoulders, drainage structures, signage, guide rails, etc., is damaged by the efforts of the applicant or any of its agents, the applicant shall within 30 days of completing construction, completely replace or repair all damages in consultation with the Town of Leyden Highway Superintendent and Town of Leyden Board.
15. If the applicant does not complete construction of the project within 18 months after beginning construction, this may be deemed as abandonment of the project. The Town of Leyden may require the operator and/or the owner to complete construction and installation of the facility within 180 days. If operator and/or owner fails to comply, the Town of Leyden may require the operator and/or owner to implement the decommissioning plan.
16. Upon cessation of activity of a constructed facility for a period of one year, the Town of Leyden may require the owner and/or operator of the facility to implement the

decommissioning plan. Within 180 days of notice being served, the owner and/or operator can either restore operation equal to 80% of approved capacity or implement the decommissioning plan.

17. If the owner and/or operator fails to fully implement the decommissioning plan within the required time period, the Town of Leyden may, at its discretion, provide for the restoration of the site in accordance with the decommissioning plan and may recover all expenses incurred for such activities from the defaulted owner and/or operator. The cost incurred by the Town of Leyden shall be assessed against the property, shall become a lien and tax upon the property, and shall be enforced and collected with interest by the same officer and in the same manner as other taxes.

D. The following design and siting standards shall be required for Large Solar Energy Systems:

1. *Anti-glare:* All solar collectors and related equipment shall be surfaced, designed, and coated with anti-reflective materials, and sited to minimize glare reflected onto adjacent residences and roadways.

2. *Height and Setbacks:* In addition to the dimensional requirements listed in the Town of Leyden Zoning Law, all ground-mounted solar energy systems shall:

   a. Not exceed 20' (feet) in height when oriented at maximum tilt.
   b. Be located at a minimum of 60' (feet) from the road right-of-way of any State Road or at least 40' (feet) from the road right-of-way of any County or Town road.
   c. Be located at a minimum of 100' (feet) from side or rear lot lines.
   d. Have panels placed no less than 350' (feet) from an occupied residence not involved in the project unless the owner of the residence agrees that the requirement should be waived. Property-line setbacks are only applicable to nonparticipating parcels.
   e. Have inverters and battery systems placed near the center of the project, when practicable, in order to reduce noise propagation from the site.

3. *Fencing:* All Large Solar Energy Systems will be enclosed by fencing to prevent unauthorized access. Fencing shall extend at least 8' (feet) above grade and 2' (feet) below. Warning signs with the owner's contact information shall be placed on the entrance and perimeter of the fencing. Fencing type to be approved by the Town of Leyden Planning Board. Solar equipment will not be used for displaying any advertising.

4. *Screening*: All large solar energy systems will be required to provide landscaping to ensure the site is screened and harmonious with the character of the property and surrounding area. Appurtenant structures such as inverters, batteries, equipment shelters, storage facilities, transformers, should be screened from adjoining residences. Proper landscaping and/or site design features, including both the maintenance of the existing natural vegetation and the introduction of new plantings shall consist of a naturally appearing blend of deciduous and coniferous species. Any

existing tree or group of trees which stands within or near a required planting area may be used to satisfy the screening and tree planting requirements. The Planning Board may waive this requirement if sufficient justification is provided by the applicant.

5. *Stormwater Management:* The solar energy system shall be designed with the ground cover as pervious to the maximum extent practicable so that stormwater infiltrates as sheet flow across the system. Solar panels constructed in such a manner as to promote effective infiltration of rainfall will be considered pervious for stormwater pollution prevention purposes. Other structures such as, but not limited to, transformers, buildings, or paved entrance roads shall still be considered impervious. Criteria used to establish a solar energy system as pervious cover will be as follows;
    a. Panels must be positioned to allow water to run off their surfaces;
    b. Adequate vegetation cover must be maintained under and around panels with adequate area around panels to allow for proper vegetative growth.
6. *Wetland Protection:* Solar energy systems shall avoid designated wetlands as defined by the NYSDEC to the extent practicable. Impacts not practicable to avoid must be properly permitted or allowed by the applicable regulatory authority.
7. *Protection of Critical Environmental Areas:* No solar energy system shall be installed on Critical Environmental Areas (CEA'S) as defined by the NYSDEC.

E. Construction standards for Large Solar Energy Systems will include all standards required for Small Solar Energy Systems. In addition, the following will also be required.
    1. Vegetation shall be maintained below the solar panels. The ground within the fenced perimeter shall not be tamped, compressed, or similar other treatment to inhibit the growth of natural vegetation.
    2. All roadways associated with the Large Solar Energy System shall remain unpaved and of pervious surfaces.
    3. The Town of Leyden Planning Board may require a traffic impact assessment to evaluate potential adverse impacts on public roads. This may include New York State Department of Transportation (NYSDOT) review if the project is accessed from a state highway.
    4. Artificial lighting of Large Solar Energy Systems shall be limited to only lighting required for safety and operational purposes and shall be directed downward and not spill onto adjacent properties to the extent practicable.
    5. Where feasible, all utilities serving the site shall be underground. If solar batteries are included in the solar energy system, the batteries must be placed in a secure container or enclosure meeting the requirements of the International Building Code, International Fire Prevention Code and NFPA 70. When the batteries are no longer in use, they shall be disposed of in accordance with the International Building Code, International Fire Prevention Code and NFPA 70 as well as the local laws of the Town of Leyden and any other applicable laws or regulations.

6. The manufacturers or installer's identification, contact information, and appropriate warning signage shall be posted at the site and clearly visible.
7. Following construction of the Large Solar Energy System, All disturbed areas where soil has been exposed shall be reseeded with grass and/or planted with low level vegetation capable of preventing soil erosion and airborne dust. Pollinator-friendly vegetation is preferred.
8. When any Large Solar Energy System is installed and before it becomes active, the owner of the site and/or the solar energy system, must contact the Town of Leyden's emergency responders' departments to make arrangements for a meeting at the site to review the components of the array and to be educated on safety issues and procedures for emergency response. This meeting shall include detailed discussion related to the location of labeled warnings, access to the site and information on emergency disconnection of the system. In addition, the Town of Leyden Board may require a plan for installation regarding the location of placards which provide mutual aid responders with sufficient information to protect them when responding to calls on the site.
9. The Town of Leyden Planning Board may impose conditions on its approval of any site plan under the Town of Leyden Zoning Law in order to enforce the standards referred to in this Section, or in order to discharge its obligations under the State Environmental Quality Review Act (SEQRA).
10. If ownership of a solar energy system changes, the site plan approvals shall remain in full force and effect. All conditions of the permit, including bonding, letters of credit or continuing certification requirements or obligations, including maintenance, continue to be the obligations of successor owners. The change in ownership shall be registered with the Town of Leyden Clerk and copied to the Town of Leyden Code Enforcement Officer. The Town clerk shall notify the Town of Leyden Board.

SECTION 8. Review of Costs

A Solar Energy System application shall be accompanied by a fee per the fee schedule as established by the Town Board of the Town of Leyden. All costs that may be associated with the review of this project by the Town of Leyden above this fee shall also be borne by the applicant. If the Planning Board determines that a review will require additional engineering, legal, environmental, or planning costs, they will provide a cost estimate to the applicant for such services. Subsequently, an escrow account shall be established and the applicant shall pay into such escrow account sufficient funds to cover those costs. Such payments will be required to be made prior to commencement of any further Planning Board review.

SECTION 9. Enforcement

Any violation of the Solar Energy Local Law shall be subject to the same enforcement requirements, including civil and criminal penalties, provided for in the zoning regulations of the Town of Leyden.

SECTION 10. Severability

Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 11. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.