

TOWN OF AMSTERDAM TOWN BOARD

A RESOLUTION ISSUING A SEQR DETERMINATION AND ADOPTING LOCAL LAW NO. [INSERT] OF 2025 TO AMEND THE TOWN OF AMSTERDAM ZONING LAW RELATING TO UTILITY-SCALE SOLAR ENERGY SYSTEMS

Whereas, on September 18, 2024, by adoption of Local Law 5 of 2024, the Town Board of the Town of Amsterdam adopted a four (4) month moratorium on applications for permits, site plans, or other land use approvals for utility-scale solar energy systems, which moratorium was subsequently extended for one additional period of three (3) months; and

Whereas, on February [INSERT], 2025, the Town of Amsterdam Planning Board issued a report having been referred the proposed zoning text amendments as stipulated by Art. XII of the Town zoning law, and on [INSERT DATE], the Montgomery County Planning Board issued their report, finding that local consideration shall prevail, having been referred the proposed amendments; and

Whereas, the revised proposed local law was introduced to the Town Board on [INSERT DATE OF LEGAL NOTICE]; and

Whereas, the Town Board held a duly noticed public hearing on February 19, 2024 concerning adoption of the revised proposed local law, at which all interested parties were afforded an opportunity to be heard; and

Whereas, the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district is a type 1 action in accordance with the SEQR regulations at 6 CRR-NY 617.4(b)(2), and the Town Board has caused a Full Environmental Assessment Form Part 1 (FEAF Part 1) to be prepared pursuant to SEQR (ECL Article 8 and 6 NYCRR Part 617) for the proposed adoption of Local Law No. [INSERT] of 2025; and

Whereas, on December 18, 2024, the Town Board declared their intent to seek lead agency status under SEQR in connection with a coordinated review, potential involved and interested agencies were contacted on January 14, 2025 with the proposed local law, and the Town Board has identified no other potentially involved agencies pursuant to SEQR; and

Whereas, the Town board has carefully considered the contents of the FEAF Part 1 for the adoption of Local Law No. [INSERT] of 2025 in accordance with Title 8 of the Environmental Conservation Law and 6NYCRR Part 617 for potential significant adverse environmental impacts as a result of the action; and

Whereas, the Town Board has prepared Part 2 of the FEAF and compared the proposed action against the criteria listed in 617.7 (c) (i – xii), has considered the potential long-term, short-term, direct, indirect and cumulative impacts as per 617.7 (2), and has also assessed the likely consequence of the action in connection with the criteria of 617.7 (3) (i-vii);

now, therefore, be it

RESOLVED, that, with respect to SEQR, the Town Board hereby:

1. Reaffirms its classification of adoption of Local Law No. [INSERT] of 2025 as a type 1 action under SEQRA and hereby declares itself lead agency for purposes of conducting the required review under SEQRA;

2. Determines that, based on the environmental assessment and review, adoption of Local Law No. [INSERT] of 2025 will not have any significant adverse impact on the environment and that a negative declaration, pursuant to Part 3 of the FEAF, is hereby adopted;

3. Authorizes the Supervisor to sign Part 3 of the FEAF indicating thereon that an Environmental Impact Statement will not be prepared, and hereby directs the Town Clerk to cause the Notice of Determination of Non-Significance attached to be filed as required by law; and

be it further

RESOLVED, that the Town Board of the Town of Amsterdam hereby adopts Local Law No. [INSERT] of 2025 and directs the Town Clerk to file the necessary paperwork with the Secretary of State.

Dated: February 19, 2025

Sponsored by:

Seconded by:

ADOPTED- -AYES- -NOES