

Minutes of the regular monthly meeting of the Jerusalem Town Board held on December 21, 2016 at 7:00 P.M. PRESENT were: Supervisor Killen, Councilors Anderson, Dinehart, Jones, Parson, Town Clerk McMichael, Highway Superintendent Martin, Town Engineer Ackart.

GUESTS: Art Hunt, Ray Stewart, Carrie Wheeler, Tim Cutler, Taylor Fitch, Elden Morrison, Ed Bronson, Jamie Sisson, Matt Kelly, Suzanne Hunt.

Supervisor Killen called the meeting to order with the Pledge to the Flag at 7:00 P.M.

CHANGES TO THE AGENDA

A resolution to hold the staff Holiday Party was added.

RESOLUTION #210-16

APPROVAL OF MINUTES

On a motion of Councilor Dinehart, seconded by Councilor Parson, the following was

ADOPTED	Ayes	5	Anderson, Dinehart, Jones, Killen, Parson
	Nays	0	

Resolved that the minutes of the November 16, 2016 meeting be approved as read.

RESOLUTION #211-16

AUDIT OF CLAIMS

On a motion of Councilor Parson, seconded by Councilor Dinehart, the following was

ADOPTED	Ayes	4	Anderson, Jones, Killen, Parson
	Nays	0	

Resolved that the bills be paid as presented in the following amounts:

General:	\$11,773.88
Outside Village	\$ 5,730.29
Highway DB:	\$24,753.61
Sewer:	\$56,267.68
Water:	\$48,056.87

November Utilities:

General:	\$ 2,841.83
Outside Village:	\$ 215.85
Sewer:	\$ 1,902.33
Water:	\$ 808.56
Trust:	\$156,116.52

RESOLUTION #212-16

SUPERVISOR REPORT

On a motion of Councilor Jones, seconded by Councilor , the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Resolved that the Supervisor's Report on the Town's finances for the month of November 2016 be accepted as presented.

CERTIFICATE OF GOOD CITIZENSHIP

The Certificate of Good Citizenship presentation to Greg and Jeffrey MacDonald for maintaining the USA Field will be made at the January 18, 2016 meeting.

TOWN OFFICIALS

HIGHWAY SUPERINTENDENT

- Written Budget Highway report on file in the Office of the Town Clerk.
- Winter work is underway. The Ford F550 truck purchased this year is working well.
- The 2017 John Deere Model 672GP grader (Resolution #140-16) is scheduled for delivery December 27th.

TOWN ENGINEER

- Notes of the December 8, 2016 KPSW meeting on file in the Office of the Town Clerk.
- The Indian Pines Force Main Replacement Project contract has been signed. We anticipate the project to start in January. The original documents will be filed with the Town Clerk.
- The Water Study will be completed by February 2017.

ASSESSOR

Supervisor Killen will request timely receipt of the monthly reports. Data collection is 43% complete.

COUNCIL

- A block ad will be placed in the *Chronicle Express* reminding residents to keep their sidewalks cleared of snow and ice.
- 2016 has been another busy year for the Code Enforcement Officer as we near 300 permits.
- Clarification was provided that Supervisor Killen is the interim IT Liaison. SCT was not able to perform monthly maintenance on all computers this month due to staff absences.

SUPERVISOR

Councilors Jones and Anderson will serve on a Noise Ordinance Subcommittee. Supervisor Killen will resend information gathered to date.

RESOLUTION 213-16

SCHEDULE STAFF HOLIDAY PARTY

On a motion of Councilor Dinehart, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
Nays 0

Resolved the Town staff be excused from duty to attend the Holiday Party at 1:30 P.M. on December 22, 2016.

RESOLUTION #214-16

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW TO REZONE A PARCEL ON RITCHEY BOULEVARD TO GENERAL BUSINESS"

On a motion of Supervisor Killen, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
Nays 0

WHEREAS, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law to Rezone a Parcel on Ritchey Boulevard to General Business"; and

WHEREAS, the Town Board of the Town of Jerusalem has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Jerusalem to proceed in accordance with the Code of the Town of Jerusalem and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on January 18, 2017, at 7:05 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Jerusalem sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Jerusalem for its consideration.

RESOLUTION #215-16

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW TO AMEND THE TOWN OF JERUSALEM ZONING ORDINANCE TO ADD REGULATIONS PERTAINING TO SOLAR ENERGY SYSTEMS

On a motion of Councilor Anderson, seconded by Councilor Jones, the following was

ADOPTED	Ayes	5	Anderson, Dinehart, Jones, Killen, Parson
	Nays	0	

WHEREAS, the Town Board of the Town of Jerusalem, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law entitled "A Local Law to Amend the Town of Jerusalem Zoning Ordinance to Add Regulations Pertaining to Solar Energy Systems"; and

WHEREAS, the Town Board of the Town of Jerusalem has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "3" and deems it in the best interests of the Town of Jerusalem to proceed in accordance with the Code of the Town of Jerusalem and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on January 18, 2017, at 7:10 p.m. at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "4"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Jerusalem sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Jerusalem for its consideration.

Resolution #216-16

Provisional Appointment - KPSW Account Clerk Typist

On a motion of Supervisor Killen, seconded by Councilor Dinehart, the following was

ADOPTED Ayes 4 Anderson, Dinehart, Killen, Parson
 Nays 1 Jones

Whereas the position of Account Clerk Typist for the Keuka Park Water and Sewer Departments has recently become vacated by the resignation of Carrie Wheeler,

And whereas Yates County Civil Service Commission has provided the Town with a list of nine qualified applicants and their applications for said position,

And whereas the Water and Sewer Committee has interviewed all nine applicants on December 5 and 6, 2016,

And whereas the Water and Sewer Committee has unanimously found Virginia A. Fenton to be the most qualified for said position,

And whereas the Yates County Personnel Department does not have a current eligible list for the position of Account Clerk Typist, but has an exam scheduled for January 21st, 2017,

Now therefore it be Resolved that Virginia A. Fenton be provisionally hired for the position of Account Clerk Typist for the Keuka Park Water and Sewer Districts of the Town of Jerusalem with a starting pay rate of \$14.76 per hour,

And be it further resolved that the provisional hiring is contingent upon her taking the January 21st, 2017 account clerk typist exam offered by Yates County Personnel Department and that to retain the position she must qualify within the top three scores on the exam,

And be it further resolved that training for this position be conducted by Carrie Wheeler at times as she and Virginia can agree, providing that said training may require flexible scheduling to allow evening or weekend training but not to exceed the regular 40 hours per week previously approved for this position,

And be it further resolved that the Account Clerk Typist position shall be under the following reporting structure that the KPSW account clerk typist is under the supervision of KPSW Department Head, Lee Hardy, who reports to the KPSW Committee, and the Jerusalem Town Board,

Resolution #217-16

Modify propane tank purchase from Fingerlakes Propane

On a motion of Supervisor Killen, seconded by Councilor Dinehart, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Resolved Resolution #206-16 to purchase the propane tank from Fingerlakes Propane be modified from \$2200 to an amount not-to-exceed \$2250.

Resolution #218-16

Schedule 2017 Organization Meeting

On a motion of Supervisor Killen, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Resolved the Organizational Meeting be scheduled on January 4, 2017 at 6:00 P.M.

Resolution #219-16

Grinder Pump Repair Contract Renewal - Dean Roberts

On a motion of Supervisor Killen, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Resolved the Supervisor is hereby authorized to sign the Contract with Dean Roberts for calendar year 2017 for the Maintenance and Repair of Town owned Grinder pumps for KPSD #2 as amended.

RESOLUTION #220-16

ADVERTISE FOR PLANNING BOARD VACANCY

On a motion of Councilor Anderson, seconded by Councilor Jones, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Whereas Ed Pinneo's term on the Planning Board will expire on December 31, 2016; and

Whereas Mr. Pinneo represented the agricultural community and is not seeking reappointment; now, therefore, be it

Resolved an ad be placed in the Town's official newspaper seeking applicants to fill the Planning Board vacancy for a 7-year term January 1st, 2017 to December 31st, 2023.

Resolution #221-16

2016 Budget Transfers

On a motion of Supervisor Killen, seconded by Councilor Parson, the following was

ADOPTED Ayes 5 Anderson, Dinehart, Jones, Killen, Parson
 Nays 0

Resolved the standard 2016 budget transfers be accepted as follows:

General A fund

From : 1990.4-Contingent	\$ 6,443.00
To: 1010.1 Town Board	\$ 2,001.00
1110.4 Justice	\$ 200.00
1220.1 Supervisor	\$ 0.50
1340.1 Budget	\$ 0.50
1410.1 Town Clerk	\$ 0.10
1910.4 Insurance	\$ 640.00
5010.1 Highway Super.	\$ 0.50
7510.1 Historian	\$ 0.15
8160.1 Clean-up	\$ 45.25
8810.4 Cemeteries	\$ 3,555.00

General B fund

From : 8020.4 Planning	\$ 3,540.15
To: 4020.1 Registrar	\$ 0.15
8010.4 Zoning	\$ 3,540.00

From: 2555-License/Permits	\$13,250.00
To: 8010.1 Zoning	\$13,250.00

Highway DB fund

From : 9789.7 Interest	\$ 1,480.00
To: 9789.6 Principal	\$ 1,200.00
5140.4 Brush	\$ 280.00

Water fund

From : 1990.4 Contingent	\$ 650.00
To: 8310.2- Admin. Equipt.	\$ 25.00
8340.1-Transmission/Distribution	\$ 625.00

Sewer fund

From : 1990.4 Contingent \$ 4,800.00
To: 8120.1 Sanitary Sewers \$ 4,800.00

From: Interfund Transfer \$20,700.00
To: 8189.4 Grinder Pump \$20,700.00

Intermunicipal Agreement between Jerusalem and Milo

The proposed Intermunicipal Agreement between Jerusalem and Milo will be further discussed at the January KPSW Committee meeting. Schedule A needs to be done as an attachment to the agreement as drafted by Attorney Graff. The Milo Town Clerk provided their Schedule A that will be amended to reflect 2017 rates when approved at their Organization Meeting.

COUNTY-WIDE ASSESSING

It was noted the assessor in several Yates County towns will be retiring in the near future.

ASSEMBLY AVENUE/SKYLINE DRIVE SEWER LINES

Supervisor Killen and Town Engineer Ackart continue to work on the process to take over the private sewer lines on Assembly Avenue and Skyline Drive.

PUBLIC COMMENT

Yates County Legislator Elden Morrison requested information on the parking issues at Keuka College. Supervisor Killen will share this information.

Draft local laws will be available at www.jerusalem-ny.org under the municipal code banner or by contacting the Town Clerk.

Suzanne Hunt offered to share her expertise with the Town on integrating new technology, such as the proposed solar energy, into our landscape.

With there being no further business, on a motion of Supervisor Killen, seconded by Councilor Parson, the meeting was adjourned at 8:43 P.M.

Sheila McMichael, Town Clerk

Exhibit 1
Local Law No. A of the year 2017

A Local Law to Rezone a Parcel on Ritchey Boulevard to General Business

Section 1. The Zoning Map of the Town of Jerusalem, made a part of the Town of Jerusalem Zoning Ordinance by §160-8 thereof, is hereby amended by changing the zoning district classification of a parcel of land in the Town of Jerusalem identified as Tax Map No. 61.24-1-27 located on the southwest side of Ritchey Boulevard from R3 (Residential – Indian Pines District) to B1 (General Business District).

Section 2. Paragraph D. (Residential-Indian Pines (R3) Boundaries) of Section 160-7 of the Town of Jerusalem Zoning Ordinance is hereby amended by adding to the end of the existing Paragraph D. the following:

Excepted from this district by Local Law ___ of 2017 is Tax Map No. 61.24-1-27 located on the southwest side of Ritchey Boulevard.

Section 3. Paragraph E. (General Business (B1) Boundaries) of Section 160-7 of the Town of Jerusalem Zoning Ordinance is hereby amended by adding to the end of the existing Paragraph E. the following:

Added to this district by Local Law ___ of 2017 is Tax Map No. 61.24-1-27 located on the southwest side of Ritchey Boulevard.

Section 4. Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Exhibit 2
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Jerusalem on January 18, 2017, at 7:05 p.m., at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, regarding the adoption of a Local Law of the Town of Jerusalem for the year 2016, which would approve the changing of the zoning district classification of a parcel of land in the Town of Jerusalem identified as Tax Map No. 61.24-1-27 located on the southwest side of Ritchey Boulevard from R3 (Residential – Indian Pines District) to B1 (General Business District) and would order the amendment of the Official Town Zoning Map to show such change.

Any resident of the Town of Jerusalem shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for public review at the Town of Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York.

Exhibit 3
Local Law No. B of the year 2017

A Local Law to Amend the Town of Jerusalem Zoning Ordinance to Add Regulations Pertaining to Solar Energy Systems

Section 1. The Town of Jerusalem Zoning Ordinance is hereby amended with the addition of a new Article XXV to read as follows:

Article XXV: Solar Energy Systems

§ 160-153 Authority.

These supplemental regulations are adopted pursuant to sections 261-263 of the Town Law of the State of New York, which authorize the Town of Jerusalem to adopt zoning provisions that advance and 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 therefor.”

§ 160-154 Statement of Purpose.

The purpose of these supplemental regulations is to advance and protect the public health, safety, and welfare of Town of Jerusalem, including:

- 1) Taking advantage of a safe, abundant, renewable, and non-polluting energy resource;
- 2) Decreasing the cost of energy to the owners of commercial and residential properties, including single-family houses; and
- 3) Increasing employment and business development in the region by furthering the installation of Solar Energy Systems.

§ 160-155 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM: A Solar Energy System consisting of a combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for onsite consumption.

LARGE-SCALE SOLAR ENERGY SYSTEM: A Solar Energy System that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption.

QUALIFIED SOLAR INSTALLER: A person who has skills and knowledge related to the construction and operation of solar energy equipment and installations and has received safety training on the hazards involved. Persons may be deemed to be qualified solar installers if the Town of Jerusalem determines such persons have had adequate training to determine the degree and extent of the hazard and the personal protective equipment and job planning necessary to perform the installation safely. Such training shall include the proper use of special precautionary techniques and personal protective equipment, as well as the skills and techniques necessary to distinguish exposed energized parts from other parts of electrical equipment and to determine the nominal voltage of exposed live parts.

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A solar energy system located on the roof of any legally permitted building or structure for the purpose of producing electricity for onsite or offsite consumption.

SOLAR ENERGY EQUIPMENT: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

SOLAR ENERGY SYSTEM: An electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment.

SOLAR PANEL: A photovoltaic device capable of collecting and converting solar energy into electrical energy.

§ 160-156 Applicability

The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair and Building-Integrated Photovoltaic Systems.

§ 160-157 Solar Energy System as an Accessory Use or Structure.

A. Roof-Mounted Solar Energy Systems.

1) Roof-Mounted Solar Energy Systems that use the electricity produced onsite or offsite are permitted as an accessory use in all zoning districts when attached to any lawfully permitted building or structure.

2) Height Solar Energy Systems shall not exceed the maximum height restrictions of the zoning district within which they are located and are provided the same height exemptions granted to building-mounted mechanical devices or equipment.

3) Aesthetics. Roof-Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements:

a. Panels facing the front yard must be mounted at the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of the system.

b. Panels on flat roofs must be mounted on modules fixed to frames, which can be tilted toward an optimal angle.

4) Roof-Mounted Solar Energy Systems that use the electricity produced onsite shall be exempt from site plan review under the local zoning code or other land use regulations.

B. Ground-Mounted Solar Energy Systems.

1) Ground-Mounted Solar Energy Systems that use the electricity produced primarily onsite are permitted as accessory structures in the Agricultural-Residential and Residential Districts.

2) Height and Setback. Ground-Mounted Solar Energy Systems shall adhere to the height and setback requirements of the underlying zoning district.

3) Aesthetics. Ground Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements:

a. Panels must be mounted in such a way as to protect the Viewshed of Keuka Lake.

b. Solar Energy Systems must be situated in such a way that they minimize the visual impact from public roads.

4) Lot Coverage Systems are limited to 10% of the lot. The surface area covered by Ground-Mounted Solar Panels shall be included in total lot coverage.

5) Ground-Mounted Solar Energy Systems where more than 50% of the electricity produced is used onsite shall be exempt from site plan review under the local zoning code or other land use regulations.

§ 160-158. Approval Standards for Large-Scale Solar Systems as a Special Use.

A. Large-Scale Solar Energy Systems are permitted through the issuance of a special use permit within Agricultural-Residential District subject to the requirements set forth in this Section, including site plan approval. Applications for the installation of a Large-Scale Solar Energy System shall be reviewed by the Code Enforcement Officer and referred, with comments, to the Town of Jerusalem Zoning Board of Appeals for its review and action, which can include approval, approval on conditions, and denial.

B. Special Use Permit Application Requirements. For a special permit application, the site plan application is to be used as supplemented by the following provisions.

1) If the property of the proposed project is to be leased, legal consent between all parties, specifying the use(s) of the land for the duration of the project, including easements and other agreements, shall be submitted.

2) Blueprints showing the layout of the Solar Energy System signed by a Professional Engineer or Registered Architect shall be required.

3) The equipment specification sheets shall be documented and submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.

4) Property Operation and Maintenance Plan. Such plan shall describe continuing photovoltaic maintenance and property upkeep, such as mowing and trimming.

5) Decommissioning Plan. To ensure the proper removal of Large-Scale Solar Energy Systems, a Decommissioning Plan shall be submitted as part of the application. Compliance with this plan shall be made a condition of the issuance of a special use permit under this Section. The Decommissioning Plan must specify that after the Large-Scale Solar Energy System can no longer be used or ceases to be used, it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a Professional Engineer or Contractor. Cost estimations shall take into account inflation. Removal of Large-Scale Solar Energy Systems must be completed in accordance with the Decommissioning Plan. The Town Code Enforcement Officer, after suspecting that a Solar Energy System may be abandoned, shall notify the owner of such assessment and the owner may produce data or records to the Town Zoning Board of Appeals to prove that the Solar Energy System is active or has been active within the year prior to the notice.

If the Large-Scale Solar Energy System is not decommissioned after being considered abandoned pursuant to Section 7 hereof, the municipality may remove

the system and restore the property. The actual cost of such decommissioning, removal of the system and restoration of the property, plus a service charge of 10% thereof to cover the cost of supervision and administration, shall be certified by the Town Code Enforcement Officer to the Town Supervisor and such certified amount shall thereupon be charged and assessed against the owner, tenant or occupant of the property that was the subject of the violation. The expense, so assessed, shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town taxes and charges.

C. Special Use Permit Standards.

1) Height and Setback. Large-Scale Solar Energy Systems shall adhere to the height and setback requirements of the underlying zoning district.

2) Lot Size. Large-Scale Energy Systems shall be located on lots with a minimum lot size of five (5) acres.

3) Lot Coverage. A Large-Scale Solar Energy System that is ground-mounted shall not exceed 15000 sq. ft. (0.35 acres). The surface area covered by Solar Panels shall be included in total lot coverage.

4) Any application under this Section shall meet any substantive provisions contained in local site plan requirements in the zoning code that, in the judgment of the Town of Jerusalem Planning Board, are applicable to the system being proposed. If none of the site plan requirements are applicable, the Town of Jerusalem Planning Board may waive the requirement for site plan review.

5) Aesthetics. Large-Scale Solar Energy System installations shall incorporate, when feasible, the following design requirements:

a. Panels must be mounted in such a way as to protect the View Shed of Keuka Lake.

b. Solar Energy Systems must be situated in such a way that they minimize the visual impact from public roads.

6) The Town of Jerusalem Zoning Board of Appeals may impose conditions on its approval of any special use permit under this Section in order to enforce the standards referred to in this Section or in order to discharge its obligations under the New York State Environmental Quality Review Act (SEQRA).

§ 160-158. Abandonment and Decommissioning.

Solar Energy Systems are considered abandoned after 1 year without electrical energy generation and metered use thereof and must be removed from the property. Applications

for extensions are reviewed by the Town of Jerusalem Planning Board for a period of two (2) years.

Section 2. Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 3. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Exhibit 4
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Jerusalem on January 18, 2017, at 7:10 p.m., at the Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York, regarding the adoption of a Local Law of the Town of Jerusalem for the year 2017, which would amend the Zoning Law of the Town of Jerusalem, to add new definitions and regulations pertaining to solar energy systems.

Any resident of the Town of Jerusalem shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for public review at the Town of Jerusalem Town Hall, 3816 Italy Hill Road, Branchport, New York.