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**IN THE MATTER**

**Of**

**AMENDING SECTIONS OF LOCAL LAW  
2016-8 REGARDING SOLAR  
PHOTOVOLTAIC SYSTEMS INCUDING  
DEFINITIONS AND VARIOUS OTHER  
MODIFICATIONS**

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**LOCAL LAW 2020-\_\_\_\_\_**

**CALLING FOR PUBLIC  
HEARING**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 11<sup>th</sup> day of March, 2020, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Waters	Councilor

Absent:

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law 2020-\_\_\_, entitled “**A LOCAL LAW AMENDING CHAPTER 155, ARTICLE IV OF THE CODE OF THE TOWN OF MANLIUS,**” the text of which is as follows:

**LOCAL LAW 2020-\_\_\_, A LOCAL LAW AMENDING  
CHAPTER 155, ARTICLE IV, SECTION 127.2 TO ADD  
CERTAIN DEFINITION RELATED TO THE UNIFIED  
SOLAR PERMIT AND FURTHER AMENDING THE CODE  
OF THE TOWN OF MANLIUS:**

**Section 1. Chapter 155, 127.2(B) shall be amended to add the definition for Unified Solar Permit as follows:**

**SOLAR-BASED ARCHITECTURAL ELEMENT**

A structural/architectural element that provides protection from weather that includes awnings, canopies, porches or sunshades and that is constructed with the primary covering consisting of solar photovoltaic cells and may, or may not, include additional solar photovoltaic related equipment.

**NEW YORK STATE UNIFIED SOLAR PERMIT**

The permit issued pursuant to the application prepared by the New York State and set forth in this Local Law as Exhibit A and filed in the office of the Manlius Planning and Development Department. Where the term “building permit” is used in this Section, it will mean the Unified Solar Permit.\*

**UNREGULATED YARD AREA**

Area not within a building and not in a defined setback or yard area.

**Section 2. Section 127.2C. shall be amended as follows:**

C. Applicability.

(1) This section applies to all roof-mounted and/or ground-mounted PVSs installed and constructed after the effective date of this section. Any building-mounted photovoltaic systems mounted on any vertical side of a structure are not allowed within the Town except for BISs. In addition, it does not apply to other types of systems that convert solar energy, including concentrated solar power systems and hot water systems.

\* Underline indicates new language

(2) After the effective date of this section, any upgrade, modification or structural change that materially alters the size or placement of a PVSs constructed prior to the effective date of this section shall comply with the provisions of this section.

(3) The Town of Manlius hereby adopts the Unified Solar Application for the construction or placement of Solar Photovoltaic Equipment and will use the Unified Solar Permit in place of a Building Permit.

**Section 3. Section 127.2D.(1)(a) shall be amended as follows:**

D. Permitted locations. No PVS or device shall be installed or operated in the Town of Manlius except in compliance with this section, state and local laws and, if applicable, in compliance with NYSERDA, New York State PSC and the local utility company.

(1) Small and medium GMSs, accessory use.

(a) Small and medium GMSs are permitted based on the requirements for accessory structures in the property's zoning district subject to the following conditions:

[1] ~~Building permits~~\*\* The Unified Solar Permit shall be required for the installation of all GMSs.

[2] The location of the GMS must meet all applicable setback requirements for accessory structures in the zoning district in which it is located.

[3] GMSs shall be screened through the use of architectural features, earth berms, landscaping or other means. This screening should harmonize with the character of the property and the surrounding area and minimize the view of the solar energy system from a public right-of-way and from neighboring properties.

[4] Intentionally Omitted. ~~Proper security of the site for GMSs is required. This can be accomplished with a security fence, or by other means proposed by the applicant as part of an overall security plan to be accepted by the Town Board.~~

[5] The minimum distance between the ground and any part of the solar panel must be at least two feet.

[6] It is required that solar panels shall not exceed a total height of 20 feet measured from the ground to the top of the highest point of the panel.

[7] Small GMSs shall not be allowed as a principal use.

\*\* ~~strikeout~~ shall mean deleted language

**Section 4. Section 127.2D.(4)(a) shall be amended as follows:**

**(4)** Roof-mounted solar photovoltaic energy systems, accessory use.

**(a)** RMSs may only be mounted on lawfully permitted principal or accessory structures. RMSs shall be considered a modification to an existing structure in the Town of Manlius subject to the following requirements:

[1] Unified Solar Permits are ~~Building Permits~~ is required for installation of all RMSs.

**Section 5.** This Local Law shall be filed in the office of the Secretary of State within 20 days of its approval.

**WHEREAS,** the Board hereby **FINDS and DETERMINES** that the consolidated Uniform Solar Application and Permit will streamline the process for obtaining a permit to install Solar Photovoltaic Systems and Equipment;

**WHEREAS,** the Board further **FINDS and DETERMINES** that encouraging renewable energy through the installation of such Solar Photovoltaic Systems is a desired policy of the Town Board;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Manlius hereby calls for a public hearing on Local Law 2020-\_\_\_\_, to be held at Town Hall, 301 Brooklea Drive, Fayetteville, New York \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 2020; and be it

**FURTHER RESOLVED,** that the Town Clerk shall publish notice in the official Town newspaper of said public hearing at least five (5) days before the date the public hearing is to be held.

**I, ALLISON WEBER**, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 11<sup>th</sup> day of March, 2020; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I FURTHER CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 11th day of March, 2020.

**DATED: March 11, 2020**  
**Fayetteville, New York**

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**Allison Weber**  
**Town Clerk of the Town of Manlius**  
**Onondaga County, New York**