

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF SHELBY**

**Introduction of Proposed Zoning Law Amendment
Related to Wind Energy Conversion System (WECS)**

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Scott Wengewicz has introduced for consideration Local Law No. 2 of 2025 entitled “A Local Law Amending Certain Provisions of the Town of Shelby Zoning Local Law Related to Wind Energy Conversion System (WECS)” (the “Proposed Local Law”); and

WHEREAS, the purpose of the Proposed Local Law is to amend the Zoning Local Law of the Town of Shelby, Orleans County, New York (the “Zoning Law”) to regulate the development of Large Wind Energy Conversion Systems within the Town based on changes in the wind energy industry; and

WHEREAS, the Town Board of the Town of Shelby (the “Town Board”) believes that the proposed modifications with respect to Large WECS in the Town of Shelby (the “Town”) in the Proposed Local Law are in the best interests of the Town to protect the health, safety and general welfare of its residents and are consistent with the Western Orleans Comprehensive Plan; and

WHEREAS, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law; and

WHEREAS, the Town desires to comply with the requirements of the New York State Town Law and shall schedule a public hearing to be held to allow the public to comment on the Proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law; and

BE IT FURTHER RESOLVED that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon; and

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Proposed Local Law to the Orleans County Planning Board for its review pursuant to General Municipal Law Section 239; and

BE IT FURTHER RESOLVED that the Town Clerk shall refer the Proposed Local Law to the Town of Shelby Planning Board for its review and report thereon pursuant to Section 112(C) of the Town's Zoning Law; and

BE IT FURTHER RESOLVED that the Town Clerk shall provide notice of the Proposed Local Law to the clerks of neighboring municipalities pursuant to General Municipal Law Section 239; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to receive comments about the proposed amendments on July 2, 2025 at 6:00 pm; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of such public hearing to be published in the official Town newspaper in accordance with all legal requirements.

The adoption of the foregoing Resolution was moved by Councilman Seitz, seconded by Councilman Schiffer, and duly put to vote, which resulted as follows:

Schiffer-aye
Seitz-aye
Limina-aye
Zelazny-aye
Wengewicz-aye
Motion carried

The resolution was thereupon declared duly adopted.