

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF  
RUSH REGARDING LOCAL LAW NO. 4 OF 2019 TO  
AMEND SECTION 120-74 OF THE ZONING LAW OF THE  
TOWN OF RUSH REGARDING SOLAR ENERGY SYSTEMS**

**WHEREAS**, the Town Board of the Town of Rush (the “Town Board”) has determined that it is in the interests of the Town of Rush to amend Section 120-74 of the Zoning Law regarding solar energy systems; and

**WHEREAS**, on October 23, 2019, the Town Board determined that the adoption of Local Law No. 2 of 2019 is a Type I action pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”); that the proposed local law does not present a potential significant adverse impact on the environment; and that a Negative Declaration as that term is defined by SEQRA should be issued (the “SEQRA Resolution”); and

**WHEREAS**, on or about July 24, 2019 and August 15, 2019, the Town referred the Proposed Action to the Monroe County Planning Department together with a full statement on the Proposed Action as required by Section 239-m of the General Municipal Law; and

**WHEREAS**, a public hearing on Local Law No. 2 of 2019 was held on August 14, 2019, October 9, 2019, October 23, 2019 and October 25, 2019, in accordance with the requirements of the New York Municipal Home Rule Law and New York Town Law, and notice was posted as required by law; and

**WHEREAS**, all persons at the hearing desiring to speak on the matter were heard, all correspondence on the matter was read and these statements were considered by the Town Board, and

**NOW, THEREFORE, BE IT RESOLVED**, upon due consideration by the Town Board, the SEQRA Resolution is incorporated by reference as specific findings of this resolution and shall have the same effect as the other findings herein, and Local Law No. 4 of 2019 (a copy of which is incorporated by reference) is hereby adopted and that Section 120-74 of the Zoning Law of the Town of Rush shall be amended as reflected in Local Law No. 4 of 2019; and

**BE IT FURTHER RESOLVED** that notice of the Resolution shall be filed and circulated to the extent required by any applicable provision of the Code of the Town of Rush and/or any relevant statute or regulation; and

**BE IT FURTHER RESOLVED** that said Resolution and Local Law No. 2 of 2019 shall take effect immediately upon its filing in the Office of the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

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

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Councilman Daniel Woolaver	[ ]	[ ]	[ ]	[ ]
Councilwoman Rita McCarthy	[ ]	[ ]	[ ]	[ ]
Councilwoman Jillian Coffey	[ ]	[ ]	[ ]	[ ]
Councilman Gerald Kusse	[ ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.