



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 _____ of the year 20 26 _____

Local Law Title: Moratorium on Commercial Renewable Energy

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one)

of Greig _____ as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Town of Greig
Local Law 2026-01 Moratorium on Commercial
Renewable Energy Systems

A LOCAL LAW ESTABLISHING A MORATORIUM ON COMMERCIAL RENEWABLE ENERGY SYSTEMS, INCLUDING COMMERCIAL SOLAR ENERGY SYSTEMS, WIND ENERGY PRIMARY SYSTEMS (WEPS), BATTERY ENERGY STORAGE SYSTEMS (BESS), AND COMPRESSED AIR ENERGY STORAGE SYSTEMS (CAESS)

WHEREAS, the Town of Greig wishes to enact a twelve-month (12) moratorium on commercial renewable energy and energy storage systems including medium and large solar energy systems, battery energy storage systems (BESS), wind energy primary systems (WEPS) and compressed air energy storage systems (CAESS) to allow time to complete the development of the Comprehensive Plan to ensure any such regulations align with such plan and

WHEREAS, the New York State Energy Research and Development Authority has stated that “a comprehensive plan outlining the goals and policies for the installation, operation, maintenance, and decommissioning of battery energy storage systems must be adopted by the local governing board”, and

WHEREAS, the Town Board finds that time is necessary to await, develop, review, amend, and update multiple sections of the Town Code to ensure consistency with the Town’s proposed Comprehensive Plan; and

WHEREAS, as directed by Section 5 of NYSERDA’s Battery Energy Storage System Model Law, the Town Board finds that time is necessary to await, develop, review, amend, and update multiple sections of the Town Code to ensure consistency with the Town’s Comprehensive Plan, currently under development with anticipated adoption in spring of 2026; and

WHEREAS, it is in the public interest to halt the acceptance and approval of applications for medium and large solar energy systems, all BESS, and CAESS for twelve (12) months to ensure orderly and effective planning and code updates.

NOW, THEREFORE, BE IT ENACTED by the Town Board of the Town of Greig as follows:

Section 1. Moratorium

The moratorium on the construction, installation, and operation of commercial solar energy systems, BESS, WEPS, and Compressed Air Energy Storage Systems (CAESS) is established for a period of twelve (12) months from the effective date of this Local Law. During this period, no permits, approvals, or other authorizations shall be issued for such systems.

Section 2. Purpose

The purpose of this moratorium is to provide the Town sufficient time to:

1. Complete the comprehensive planning process thoroughly and thoughtfully with appropriate public outreach and input to ensure alignment with the overall constituents and legal requirements.
2. Review and amend the Town Code, including zoning and other regulations, to reflect the objectives of its developing Comprehensive Plan; and
3. Ensure that all commercial renewable energy systems are properly regulated to protect the health, safety, and welfare of the community.
4. This moratorium does not apply to any solar panel system or array installed by individual landowners, householders, or farmers for their own personal use or the use of a small business (on-site consumption).
5. This moratorium, likewise, does not apply to battery storage operations that are used for 100% on-site consumption and have a capacity of less than 600 kWh.

Section 3. Scope

This moratorium applies to all new applications or pending applications for permits, approvals, or authorizations related to medium and large solar energy systems, Tier 1 & 2 BESS, WEPS and CAESS within the Town of Greig.

Section 4. Enforcement

Any construction, installation, or operation of solar energy systems, BESS, WEPS or CAESS during the moratorium period is prohibited and may be subject to enforcement actions under the Town Code.

Section 5. Definitions

BATTERY ENERGY STORAGE SYSTEM (BESS):

One or more devices, assembled, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a small or large battery energy storage system as follows:

- A. Tier 1- also known as Small Battery Energy Storage Systems, which have an aggregate energy capacity less than or equal to 600kWh or are comprised of one storage battery technology in a room or enclosed area.
- B. Tier 2- also known as large battery energy storage systems, have an aggregate energy capacity greater than 600kWh, or are comprised of more than one storage battery technology in a room or enclosed area.

COMPRESSED AIR ENERGY STORAGE SYSTEM (CAES):

A system that stores energy by compressing air and storing it in underground caverns or above-ground tanks, which is later released to generate electricity. This includes any system designed for commercial energy storage and discharge, excluding small-scale systems used solely for on-site residential or agricultural purposes.

SOLAR ENERGY SYSTEM, LARGE:

Any solar energy system that cumulatively on a lot meets one or more of the following criteria:

- A. Has a rated direct current (DC) capacity equal to or greater than 25 kW,
- B. Is intended to supply energy for over 50% utilization into the utility grid for the purpose of off-site sale or consumption, or
- C. Has a total ground surface area of greater than 4,000 square feet.

SOLAR ENERGY SYSTEM, MEDIUM

A ground-mounted solar energy system that meets the following criteria:

- A. Has a rated direct current (DC) capacity of no more than 24.99 kW,
- B. The total ground surface area not exceeding 4,000 square feet,
- C. Is designed to produce energy for either on-site use or partial off-site consumption through net-metering or community solar arrangements.

Systems exceeding either the capacity or surface area threshold or producing energy for offsite use (excluding off-site use through net-metering or community solar arrangements) shall be classified as Large Solar Energy Systems.

Section 6. Environmental Review

This Local Law is subject to the requirements of the New York State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law, and its implementing regulations at 6 NYCRR Part 617.

The Town Board hereby determines that the adoption of this Local Law constitutes a Type II action under SEQRA §617.5(c)(30), as it involves the adoption of a moratorium on land development. Type II actions have been determined not to have a significant impact on the environment and therefore do not require further environmental review.

Section 7. Severability

If any part of this Local Law is held invalid, the remainder shall remain in full force and effect.

Section 8. Effective Date

This Local Law shall take effect immediately upon the Town Board's adoption and/or filing with the Secretary of State. It shall remain in effect for twelve (12) months unless amended or repealed by the Town Board.

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 1 of 2026 of the (County)(City)(Town)(Village) of Greig was duly passed by the Town Board on January 14 2026 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph ¹_____ above.

(Seal)



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

2/12/26

(Date)