

Minutes of the Franklinville Town Board Public Hearing Meeting held on September 28, 2026, at 6:30 P.M., at the Town Hall, 11 Park Square, Franklinville, NY.

ROLL CALL:

- Catharyn Campbell.....Supervisor
- Sharon Hahn.....Councilwoman
- Terry McClory.....Councilman
- Dave Furman.....Councilman
- Mike Forward.....Councilman
- Andrea Stanbro Town Clerk

The meeting was called to order by Supervisor Campbell at 6:30 P.M.

The Pledge of Allegiance was recited.

Supervisor Katie Campbell opened the public hearing at 6:31 PM to discuss Proposed Local Law No. 3 of 2026, which regulates solar energy systems in the Town of Franklinville.

- The new law replaces the existing 4-2019 solar law to provide more comprehensive regulations and a defensible standard against New York State’s Article VIII siting process for major renewable energy facilities.
- The intent of the law is not to prohibit solar development but to protect residents, agricultural land, infrastructure, and taxpayers if development occurs.

Tiered Classification of Solar Systems

- Tier 1 covers rooftop and building-integrated solar for traditional residential or business needs. It is permitted as an accessory use in all districts and requires only a building permit.
- Tier 2 includes ground-mounted solar for on-site energy needs, generally limited to 110% of historical electrical consumption. Larger systems require planning board site plan approval and must meet standards for setbacks, height, and agricultural compatibility.
- Tier 3 applies to utility-scale or commercial solar for off-site sale. These are restricted to agricultural business and industrial zoning districts and require both a special use permit and site plan approval.

Protections for Agriculture, Infrastructure, and Residents

- Tier 3 projects must have substantial setbacks: 200 feet from property lines, 300 feet from non-participating residences, and 350 feet from public roads. Panels are limited to 15 feet in height.
- Developers must provide year-round vegetative screening at least 8 feet high and monitor agricultural soil restoration for at least three growing seasons.
- The law requires road impact studies and road use agreements. Developers are responsible for repairing any damage to town roads and bridges and may be required to provide financial security for construction.

- Applicants must establish escrow accounts to pay for the Town's professional consultants, including engineers, attorneys, and environmental experts.
- A decommissioning plan and financial security are required to ensure the Town can remove abandoned systems and restore the site if the owner fails to do so. The removal must occur within 12 months of abandonment.

Public Discussion and Community Concerns

- Resident Mr. Zendarski expressed concern regarding underground utility lines and the potential for developers to force easements across non-participating properties. Supervisor Campbell noted the law specifies lines should be underground "to the extent practicable," which may offer some protection. Councilman Dave Furman noted the law states under "Utility Notification" the applicant has to have approval from landowners to gain access to the grid. Councilman Terry McClory noted the law states under "Project Scale" the site needs to have minimum impact on neighboring properties.
- The board discussed the 30-year lifespan of solar panels brought up by resident Kathy Graham and the environmental risks of decommissioning, with mentioning that panels from other states are being buried in Idaho deserts.
- Resident Kathy Graham asked how this law affects Local Law 4 of 2025 regarding battery storage. Supervisor Campbell clarified that while battery storage is currently prohibited in Franklinville, she needs to check if state law could eventually override that local restriction.
- The board confirmed that the Town retains the right to select its own independent consultants for inspections and monitoring, with the costs borne by the developer.
- Supervisor Campbell asked the floor if there were any other questions or concerns for the 3rd time, the public hearing was closed at 7:06pm

SEQR Review and Law Adoption

- Following the public hearing, the board conducted an environmental review under the State Environmental Quality Review Act (SEQR).
- The board reviewed 18 environmental categories, including impacts on land, water, air, agricultural resources, and community character.
- Supervisor Campbell noted that the board's role was to assess the impact of adopting the law itself, rather than a specific future project.
- The board unanimously approved Resolution 69, issuing a negative declaration, meaning the adoption of the law will not result in significant adverse environmental impacts.
- The board unanimously approved Resolution 68 to adopt Local Law 3 of 2026.
- The meeting adjourned at 7:14 PM, by motion of Supervisor Campbell and seconded by Councilman McClory



Andrea L. Stanbro, Town Clerk
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: September 28, 2026

RESOLUTION NUMBER: 68 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Mr. Furman

TITLE: A RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2026, "A LOCAL LAW REGULATING SOLAR ENERGY SYSTEMS IN THE TOWN OF FRANKLINVILLE"

WHEREAS, the Town Board of the Town of Franklinville caused to be prepared Proposed Local Law No. 3 of 2026, entitled "**A Local Law Regulating Solar Energy Systems in the Town of Franklinville**," which would repeal and replace Local Law No. 4 of 2019 and establish updated regulations governing Solar Energy Systems within the Town; and

WHEREAS, the Town Board duly introduced Proposed Local Law No. 3 of 2026 and caused a public hearing to be scheduled and properly noticed in accordance with applicable law; and

WHEREAS, the Town Board conducted a public hearing on Proposed Local Law No. 3 of 2026 on **September 28, 2026**, at which time all persons wishing to be heard concerning the proposed Local Law were provided an opportunity to be heard; and

WHEREAS, the Town Board has considered the proposed Local Law together with the comments and information presented during the public hearing; and

WHEREAS, the proposed Local Law was referred to the Cattaraugus County Planning Board pursuant to General Municipal Law §239-m, and the requirements applicable to such referral have been satisfied; and

WHEREAS, the Town Board has completed its review of the proposed action pursuant to the State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617; and

WHEREAS, the Town Board, acting as Lead Agency, has issued a **Negative Declaration** determining that adoption of Local Law No. 3 of 2026 will not result in any significant adverse environmental impacts; and

WHEREAS, the Town Board finds that adoption of Local Law No. 3 of 2026 will further the public health, safety and general welfare by establishing standards for the siting, design, construction, operation, maintenance and decommissioning of Solar Energy Systems and by addressing potential impacts upon agricultural resources, neighboring properties, community character, natural resources, municipal infrastructure and Town taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby adopts **Local Law No. 3 of 2026, "A Local Law Regulating Solar Energy Systems in the Town of Franklinville,"** in the form presented to and considered by the Town Board; and be it further **RESOLVED**, that Local Law No. 4 of 2019 shall be repealed and replaced as provided in Local Law No. 3 of 2026; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file Local Law No. 3 of 2026 with the New York State Department of State and to undertake any other filing, posting or administrative actions necessary to effectuate its adoption; and be it further

RESOLVED, that Local Law No. 3 of 2026 shall take effect upon filing with the New York State Secretary of State, or as otherwise provided within the Local Law.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 28 day of September the year 2026 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Deputy Supervisor

Aye Dave Furman, Councilman

Aye Terry McClory, Councilman

Aye Mike Forward, Councilman

CERTIFIED: Andrea L Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: September 28, 2026

RESOLUTION NUMBER: 69 YEAR: 2026

MOVED BY: Mrs. Hahn SECOND BY: Mr. Furman

A RESOLUTION ISSUING A “NEGATIVE DECLARATION” PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO ADOPTION OF LOCAL LAW NO. 3 OF 2026, A LOCAL LAW ESTABLISHING REGULATIONS FOR SOLAR ENERGY SYSTEMS WITHIN THE TOWN OF FRANKLINVILLE

WHEREAS, the Town of Franklinville (the “Town”) has caused to be prepared a draft Local Law No. 3 of 2026, entitled “*A Local Law Repealing Local law No. 4 of 2019 and Establishing Regulations for Solar Energy Systems within the Town of Franklinville*”; and

WHEREAS, the Town has caused to be prepared a Full Environmental Assessment Form (“FEAF”) Part 1 with respect to an analysis of potential environmental impacts of the action of enacting the proposed Local Law No. 3 of 2026; and,

WHEREAS, Local Law No. 3 of 2026 has been introduced for consideration of the Town Board of the Town of Franklinville; and,

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the accompanying regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively “SEQRA”), the Town Board (the “Agency”) is required to make a determination whether an action may have a significant adverse impact on the environment; and,

WHEREAS, the Agency has determined that it must satisfy the applicable requirements set forth in SEQRA prior to making a final determination whether to adopt Local Law No. 3 of 2026 (the “Action”); and,

WHEREAS, the Project is a Type I Action, as that term is defined by the SEQRA regulations at 6 NYCRR 617.4(b)(2) and a coordinated review is required; and,

WHEREAS, upon review of the FEAF, the Agency has identified no other involved agencies but has coordinated its review with the following interested or potentially interested agencies:

1. Cattaraugus County Planning Board.

WHEREAS, no involved or interested agency has indicated its intent to serve as Lead Agency, despite being provided notice of the Town Board’s intent to serve as Lead Agency; and said Agency now desires to make its SEQRA determination of significance for the Action in accordance with the SEQRA regulations at 6 NYCRR § 617.7.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Franklinville as follows:

1. Based upon a thorough examination and analysis of the FEAF and review of the SEQRA regulations at 6 NYCRR §§ 617.3 and 617.7 and based further on the Agency's knowledge of the Action and its environmental effects as the Agency has deemed appropriate, the Franklinville Town Board finds as follows:
 - a. The Action of the adopting a local law concerning the establishment of regulations for solar energy systems within the Town of Franklinville is subject to review under SEQRA.
 - b. The Franklinville Town Board is deemed to be the Lead Agency pursuant to 6 NYCRR 617.6 (b).
 - c. The Franklinville Town Board has completed Parts II and III of the FEAF.
 - d. The Franklinville Town Board has reviewed the FEAF and considered the potential for significant adverse environmental impacts relative to the introduced Local Law No. 3 of 2026 under SEQRA.
 - e. The Franklinville Town Board has reviewed environmental impacts as may reasonably be expected to result from the Action compared against the criteria outlined in 6 N.Y.C.R.R. § 617.7(c)(1) with due consideration of reasonable causation and significance of consequences.
 - f. Proposed Local Law No. 3 of 2026 provides for furtherance of a comprehensive plan and is intended to promote the health, safety and general welfare of the Town of Franklinville by regulating the siting and development of Solar Energy Systems in a manner consistent with the Town's land use policies, agriculture preservation goals, and community character.
 - g. The Town has in existence Local Law No. 4 of 2019 which is hereby repealed and replaced with this Local Law No. 3 of 2026.
 - h. The proposed Local Law No. 3 of 2026 will neither negate nor modify the substantive requirements of the existing zoning regulations applicable within the Town of Franklinville.
 - i. The adoption of the same Local Law will not, in and of itself, reasonably cause any consequence to the environment by changing the use, appearance or condition of any natural resource or authorizing, without additional approvals, the construction or siting of any physical modification or structure.
 - j. Adoption of the same local law is not expected to significantly impact any currently existing land use within the Town.
 - k. The Franklinville Town Board determines that this Action will result in no significant environmental impacts and, therefore, is one which will not have a significant effect on the environment.

1. Therefore, the Town hereby determines that adoption of Local Law No.3 of 2026 will not have a significant effect on the environment, and the Franklinville Town Board will not require the preparation of an "Environmental Impact Statement" with respect to this Action.
2. Accordingly, the Franklinville Town Board directs the preparation of a "Negative Declaration" with respect to the Action and hereby approves and adopts the FEAF for proposed Local Law No. 3 of 2026 including Parts 1, 2 and 3 together with all supporting documentation.
3. A copy of this Resolution, together with any attachments, shall be filed with the Town Clerk and available for inspection during business hours and the Town shall make such additional filings and publication as required by law of the "Negative Declaration," including publishing notice in the Environmental Notice Bulletin and distributing to involved or interested agencies;
4. This Resolution shall take effect immediately.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 28 day of September the year 2026, the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor
Aye Sharon Hahn, Deputy Supervisor
Aye Dave Furman, Councilman
Aye Terry McClory, Councilman
Aye Mike Forward, Councilman

CERTIFIED: Andrea Stanbro 1 Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF CATTARAUGUS)

I, Andrea Standbro, the undersigned Town Clerk of the Town of Franklinville, **DO HEREBY CERTIFY:**

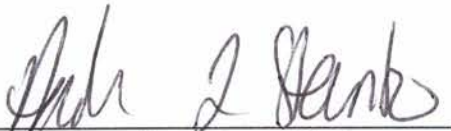
That I have compared the annexed extract of minutes of the meeting of the Town Board of the Town of Franklinville (the "Agency"), including the resolution contained therein, held on 28 September, 2026, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Town Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY that there was a quorum of the Town Board present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed, or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Issuer this 28 day of September 2026.



Andrea Standbro, Town Clerk