

## **TOWN OF VILLENOVA TOWN BOARD**

### **Resolution of the Town Board of the Town of Villenova Adopting Local Law No. 3 of 2019**

**WHEREAS**, the Town Board of the Town of Villenova (the “Town Board”) has completed the State Environmental Quality Review Act (“SEQRA”) process anew, following the decision of *McGraw et al. v. Town Board of the Town of Villenova et al.*; Index No. EK12018001343 (the “*McGraw* matter”); and

**WHEREAS**, Ball Hill Energy LLC (“Ball Hill”)’s application to modify the Project Special Use Permit, the Wind Energy Facility Law of the Town of Villenova, and the Wind Overlay District created for the Ball Hill Wind Energy Project (the “Project”) was properly referred to the County of Chautauqua Planning Board for a recommendation, which has been received and considered by the Town Board; and

**WHEREAS**, the Town Board held the required public hearing on Ball Hill’s application, including the supplemental draft environmental impact statement, special use permit amendment request, a local law to amend the wind energy facilities law, and a local law to amend the Wind Overlay District for the Project; and

**WHEREAS**, the Town Board has issued a SEQRA Statement of Findings and Decision with respect to the Project;

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of Villenova as follows:

1. The Town Board hereby adopts Local Law No. 3 of 2019, which is attached hereto and incorporated herein by reference, for the reasons set forth in the Town Board’s SEQRA Statement of Findings and Decision, adopted on October 30, 2019.
2. This Resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED BY THE TOWN BOARD OF THE TOWN OF VILLENOVA** on the 30th day of October 2019.

LOCAL LAW NO. 3 OF 2019  
OF THE TOWN OF VILLENNOVA

**A LOCAL LAW TO AMEND THE ZONING MAP OF THE TOWN OF VILLENNOVA TO  
CREATE A WIND OVERLAY DISTRICT**

*Be it enacted by the Town Board of the Town of Villenova as follows:*

Section 1. The official map of the Town of Villenova is amended amend the wind overlay zone, as shown on the attached map.

Section 2. Effective Date.

This local law shall take effect upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.