

Local Law 1 of 2023

A local law to amend Lake Success Code chapter 105 entitled “Zoning.”

BE IT ENACTED by the Board of Trustees of the Village of Lake Success as follows:

Section One. Lake Success Code §105-35 is hereby amended by adding a Section C entitled “Rooftop Solar Power Systems” to read as follows:

§105-35 Disapproval of application for building or alteration permit.

C. Rooftop Solar Power Systems.

1. Applicability.

The Planning Board shall have jurisdiction over all applications for rooftop solar power systems.

This section applies to all rooftop solar power systems proposed to be constructed after the effective date of this section.

2. Administration.

a. The fee for any rooftop solar power system application shall be the same as for a building permit.

b. Applicant shall submit 10 sets of a roof plan, drawn to scale, depicting the array of panels, tiles or slates on the roof. The plan must be in color and must identify the existing or proposed roof materials, and proposed panels, tiles or slates on the roof.

3. Purpose.

No rooftop solar power system shall be erected or installed unless the system is designed to comply with the installation requirements noted below and meets all standards of the Village and the New York State Building Code. The applicant shall appear before the Planning Board before a permit shall be issued by the Building Inspector.

4. Installation.

Installation of any rooftop solar power system shall conform with the following requirements:

a. Placement shall be flush or flat mounted as close as practicable on a gabled, hipped or mansard roof, not to exceed six inches, with no extension above the roof.

The Planning Board shall consider the geometry, massing and overall aesthetic of the roof with regard to placement of the proposed panels, tiles or slates.

b. Heat-storing masses and ground-mounted solar collector systems are prohibited.

c. All panels, tiles or slates are to match the color of the roof or wall to which they are attached to the greatest extent possible.

5. Enforcement/Continuing Jurisdiction.

Upon completion of the rooftop solar power system installation, the applicant shall schedule an inspection with the Building Department. The Building Inspector shall inspect the premises to confirm that the solar panels and/or other materials were installed in accordance with the approved plan.

The Planning Board shall retain jurisdiction over the project. In the event the rooftop solar power system is not installed in accordance with the approved plan, the applicant shall appear before the Planning Board to obtain a modification of the approved plan. If the modification does not conform with the standards of section 4, above, the Planning Board may deny the application for modification and direct the applicant to remove the rooftop solar power system or reinstall it in accordance with the approved plan.

Section Two. This local law shall take effect immediately upon filing with the Secretary of State.