

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

LOCAL LAW INTRODUCTORY NO. 1-2024

**A LOCAL LAW TO AMEND THE ZONING LAW OF THE VILLAGE OF
CROTON-ON-HUDSON, CHAPTER 230, TO PROVIDE FOR THE
ADMINISTRATION AND REGULATION OF GEOTHERMAL ENERGY
SYSTEMS**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One: The Zoning Law of the Village of Croton-on-Hudson, Chapter 230, is hereby amended to add a new Section 230-48.3 entitled “Geothermal Energy Systems” to read as follows:

§ 230-48.3 **Geothermal energy systems.**

- A. Legislative intent and purpose. The purpose of this section is to allow and encourage non-solar renewable energy systems that harness geothermal energy within the Village according to certain safeguards and conditions. The intent is to balance the desirability and demand for geothermal energy systems with maintaining the aesthetics of the Village and minimize the potential for any negative impact by these systems and to protect the health, safety and welfare of the residents of the Village.
- B. Definitions. As used in this section, the following terms shall have the meanings indicated.

GEOTHERMAL ENERGY SYSTEM

An energy system that uses heat or power from underground for heating, cooling, or generating other types of energy.

GEOTHERMAL ENERGY EQUIPMENT

Any device, supply lines, return lines, control valves, wiring, meters, switches, modules, inverters or other equipment associated with the installation or function of a geothermal energy system.

- C. General design standards for geothermal energy systems and equipment.
 - 1. Any aboveground geothermal energy equipment shall not be located in any front yard, and shall be subject to side and rear yard setback requirements for accessory structures.
 - 2. At the discretion of the Village Engineer, outdoor aboveground geothermal energy equipment shall be screened from adjacent properties by landscaping, fencing, or other methods to minimize the aesthetic impact of the geothermal energy equipment on adjacent properties.

3. All underground components of geothermal energy systems, including borings, loops, and other equipment shall be set back at least five feet from side and rear lot lines.
4. All borings and loops shall be set back at least 10 feet from the foundation of any structure, unless the foundation is a concrete slab, in which case all borings and loops shall be set back at least 5 feet from the foundation of any structure.
5. Geothermal energy systems shall not encroach on any public or private utility or right-of-way easement.

D. Procedure.

1. Site plan approval. Site plan approval is not required for any geothermal energy system except where Planning Board review is specifically required by § 230-67.
2. An application with plan shall be submitted to the Village Engineer as a requirement for the issuance of a building permit for any geothermal energy system. Such plan shall indicate all existing and proposed grading, excavating, filling, paving, fencing, tree removal, wetlands, utilities, easements, erosion and sediment control devices, and screening as it may relate to the proposed geothermal energy system. The plan shall also indicate the location of all property lines and shall comply with the requirements and standards of this section.

Section Two: Severability.

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three:

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.