NEW YORK STATE DEPARTMENT OF STATE
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Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~**County**~~
~~**City**~~
of **Goshen**
~~**Village**~~
Village

Local Law No. 6 **of the year** **2026**

A local law entitled "Data Centers Moratorium"
(*Insert Title)*

Be it enacted by the **Village Board**
(*Name of Legislative Body)*
of the
~~**County**~~
~~**City**~~
of Goshen as follows:
~~**Village**~~
Village

Section 1. TITLE

A local law entitled "Data Centers Moratorium"

Section 2. PURPOSE AND INTENT

The purpose of this Local Law is to protect the public health, safety and welfare of the residents of the Village of Goshen and to maintain the *status quo* as to those facilities more commonly described as "Data Centers," as defined herein, because the present zoning regulations in the Village do not address this type of use. The moratorium will stop the processing of applications for, and the issuance of any permits, certificates of occupancy and approvals for said Data Centers for a period of one (1) year from the date of the adoption of this local law, allowing the Village Board to analyze and determine potential appropriate revisions and amendments to the Village of Goshen Zoning Code concerning this use.

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SECTION 3: LEGISLATIVE FINDINGS.

The Village of Goshen Village Board does hereby find that without a temporary halt on the processing, permitting, and approvals for Data Centers there is the potential that such uses could be located in unsuitable areas within the Village and/or on particular lots or parcels of land without adequate regulations in place. The potential for the unsuitable location of, and lack of proper regulations for such use would have materially adverse and irreversible impacts on the Village.

The Village Board further finds that it is in need of time to perform the necessary analysis of the potential impacts of Data Centers in the Village. By maintaining the *status quo* regarding such uses the Village Board can provide for the planned orderly growth and development of the Village.

In order to properly address the potential growth and development of Data Centers within the Village of Goshen, the village must undertake an analysis of the potential impacts of such use as aa well as evaluate the need for development of a comprehensive zoning ordinance so as to form specific rules for the location and installation of Data Centers in an effort to guide development of these facilities. The scale, operational characteristics, and infrastructure requirements distinguish Data Centers from typical commercial and industrial uses. It is in the public interest to establish comprehensive land use regulations that will serve to protect the Village's natural resources. ensure compatibility with surrounding land uses, promote sustainable and resilient development practices; mitigate potential impacts related to noise, heat, visual character, water and energy consumption; consider opportunities for energy efficiency, renewable energy integration, and resource management; and promote safe, secure, and efficient facility operation. There is a need for further development of the issue of the impacts of Data Centers, and the Village must take reasonable measures, temporarily, to protect the public interest and welfare until a comprehensive zoning ordinance, if deemed appropriate and necessary, is adopted.

Accordingly, the Village Board of the Village of Goshen finds it prudent and necessary to enact a moratorium applicable to Data Centers on the approval of certain kinds of land applications and/or development pursuant to new land use applications such as those for site plans, subdivision maps, land divisions, variances, change of zoning district classifications Data Centers. This moratorium is intended to take reasonable measures temporarily to protect the public interest and welfare until an ordinance is finally adopted and to ensure that no approvals for such land use application(s), as aforesaid, including said change of zone applications, be granted until this Board may complete its planning studies and have opportunity to consider and enact a comprehensive zoning ordinance, as appropriate.

SECTION 4: MORATORIUM IMPOSED

For a period of time of one (1) year following the effective date of the adoption of this Local Law, which period may be extended as provided hereinafter, no application in any village zoning district may be processed, and no permits, certificates of occupancy, approvals, denials, determinations or interpretations may be issued or granted for any Data Center and/or land uses relating to Data Centers.

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For purposes of this local law Data Centers shall be defined as all principal and accessory buildings, structures, facilities, campus of facilities, or portions thereof, including all associated equipment, systems, utilities and infrastructure, that is primarily used to house, operate and maintain computer systems, servers, data storage devices, AI processing, cloud computing, web hosting, streaming support, large-scale computation and similar digital services, and related network and telecommunications equipment for the processing, storage, transmission, research and management of digital information. Nothing herein shall be construed to include customary accessory server rooms or network closets, telecommunication rooms for onsite operations for office buildings.

This Local Law shall be binding on the Village Board, Planning Board, Zoning Board of Appeals, Building Inspector, all Village officials and employees, and any applicant or real property owner in the Village desiring to apply for or receive a permit, certificate of occupancy or approval in the Village of Goshen.

During the period of the moratorium, the Village Board shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the Village of Goshen Code. During the period of the moratorium, no applications will be accepted, nor permits, certificates of occupancy or approvals issued, which would authorize development within the Village for land uses relating to solar energy as described above.

SECTION 5: TERM

This moratorium shall be in effect for a period of one (1) year from its effective date.

This Local Law shall be subject to renewal for a cumulative period of up to an additional six (6) months, if necessary, by Resolution(s) of the Village Board.

SECTION 6: EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation, or parts thereof, are in conflict with the provisions of this Local Law, including all provisions of the New York State Village Law concerning special use permit, site plan, building permit and certificate of occupancy procedure and requirements, this Local Law shall control and supersede such law ordinance, rule or regulation.

SECTION 7: HARDSHIP WAIVER

A. Should any owner of property affected by this Local Law suffer any unnecessary and extraordinary hardship due to the enactment and application of this Local Law, then the owner of said property may apply to the Village Board of the Village of Goshen in writing for a variance from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary or extraordinary hardship shall not be:

a. the mere concern that regulations may be changed or adopted; or

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b. the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special permit, site plan, subdivision, or other permit during the period of the moratorium imposed by this Local Law.

B. An application for an exception based upon unnecessary or extraordinary hardship shall be filed with the Village Clerk no earlier than the effective date of this Local Law, including a fee of one thousand and five hundred 00/100 Dollars ($1,500.00) for each tax map parcel claimed to be subject to unnecessary or extraordinary hardship, by the landowner or the applicant upon the consent of the landowner. The application shall provide a recitation of the specific facts that are alleged to support the claim of unnecessary or extraordinary hardship and shall contain such other information and/or documentation as the Village Board, shall prescribe as necessary for the Village Board to be fully informed with respect to the application.

C. Procedure. Upon submission of a written application to the Village Clerk by the property owner seeking a hardship waiver from the provisions of this Local Law, the Village Board shall, within forty-five (45) days of receipt of a completed application, schedule a Public Hearing on said application upon five (5) days' written notice in the official newspaper of the Village of Goshen. At said Public Hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Village Board shall, within thirty (30) days of the close of said Public Hearing, render its decision either granting, denying, granting in part or denying in part, the application for a hardship waiver from the strict requirements of this Local Law. If the Village Board determines that a property owner will suffer an unnecessary or extraordinary hardship if this Local Law is strictly applied to a particular property, then the Village Board shall vary the application to this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law.

D. Standard of Review. In reviewing an application for an exception based upon a claim of necessary or extraordinary hardship, the Village Board shall consider the following criteria:

a. The extent to which the proposed development activity would cause significant environmental harm, adversely impact surrounding natural resource areas, public health, comfort or safety concerns and/or have a negative impact upon the Village.

b. Whether the moratorium will expose a property owner or applicant to substantial monetary liability to a third person or would leave the property owner or applicable completely unable, after a thorough review of alternative solutions, to have a reasonable alternative use of the property.

SECTION 8: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

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SECTION 9: EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with New York Municipal Home Rule Law.

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