

**Town of Charlton
Zoning Board of Appeals
Business Meeting Minutes**

January 14, 2020

Minutes of the Zoning Board of Appeals meeting held on January 14, 2020.

Acting Chairman Jim Leupold called the meeting to order at 7:00 p.m. at the Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019.

Roll Call attendance was taken.

Present: Jim Leupold, Acting Chairman, Rick Potts, Jim Glavin, Dave Taplin, Jim Craig, Esq., Town Attorney and Kim Caron, Recording Secretary.

Acting Chairman Leupold led the Pledge of Allegiance.

Business Meeting

Minutes

Acting Chairman Leupold stated that the meeting minutes from the October 30, 2018 meeting need to be approved. Board Member Rick Potts made a motion to approve the meeting minutes dated October 30, 2018, seconded by Board Member Jim Glavin. All were in favor.

October 30, 2018 Meeting Minutes approved.

Kasselman Solar/Crosby

Attorney Craig referenced the printout of the five criteria the Board uses to make their decision that is attached to agenda. Attorney Craig read the five criteria aloud.

Scott Stevens and Lindsey Halse of Kasselman Solar appeared before the Board.

Mr. Stevens stated that they are looking for an area variance for the placement of a ground mounted solar array to be located at 4100 Jockey Street. Mr. Stevens stated that the system will have 54 panels using the max output of 26kW. Mr. Stevens stated that the array will be 567.7 square feet with a height of 13 feet in the rear and 2.7 feet in the front. Mr. Stevens stated that they use ground screws for the system instead of concrete. Mr. Stevens stated that the system could be installed in a day or two. Mr. Stevens stated that they are looking for a 96 foot variance for the location of the system. Mr. Stevens stated that they have

provided pictures showing the placement of the system. Mr. Stevens stated that they have programs that determine the best placement spot for the system. Mr. Stevens stated that all of their data showed that the location they have presented is the best location.

Board Member Glavin inquired if the trees surrounding the array were bare in the winter.

Mr. Stevens stated that it was not very bare but they could add additional screening if necessary.

Board Member Potts stated that he drove by the site and could clearly see the area where placement is proposed.

Mr. Stevens stated that they have advised the homeowner to work with the Town in terms of screening requirements.

The Board members inquired about various other spots on the parcel that would seem to be better placement for the system.

Lindsey Halse stated that there are significant trees on the property that provide a lot of shading. Ms. Hales stated that they have the reports for various other spots they looked into on the property. Ms. Halse stated that she could provide the additional information via email within the next few days.

The Board members also inquired about a roof mounted system.

Ms. Hales stated that the roof orientation would cause too much shading.

Board member Potts inquired about the size of the array.

Ms. Halse stated that the entire house is electric and would benefit greatly from solar power.

Board member Taplin inquired if trees would need to be removed for placement of the system in the proposed area.

Ms. Halse stated no trees were being removed.

Ms. Halse explained the size and height of the panels based on the stability requirements they are required to follow.

Board member Potts requested additional information on the proposed screening of the array to get a better understanding of the types and quantities.

Board member Taplin requested additional information on the efficiency numbers on a roof mounted array and the total output capabilities.

Ms. Halse stated that the information they received from their program deemed the roof an unsatisfactory option.

Board member Glavin requested the distance from the proposed array to the residence. Mr. Glavin also inquired if the array is in excess of what the homeowner needs, can the energy be sold back to National Grid.

Ms. Halse stated that they can only produce 110% of what is consumed. Ms. Halse stated that the homeowner is under the 110%.

Attorney Craig reminded the Board members that they are in possession of case law on area variances and Local Law #1 of 2015 pertaining to solar power. Attorney Craig stated that the applicant has provided a summary of their responses to the five criteria.

Board member Glavin stated that the aerial photos show that the neighboring property will have a direct view of the poles and structure. Mr. Glavin inquired what consideration was being given to that neighbor.

Ms. Halse stated that they are within their legal limits on that side of the property and a variance is not required for that setback. Ms. Halse stated that there are substantial trees between the two parcels covering a bulk of the array.

The Board discussed having a site visit to get a better understanding of the project.

Mr. Stevens stated that he can coordinate with the homeowner and provide dates to the Board.

Acting Chairman Leupold reviewed the Board's concerns and information the Board would like provided:

- screening details;
- roof efficiency reports; and
- location reports for each location used in determining placement of the array.

Board member Taplin made the motion to schedule the Public Hearing for February 11, 2020 at 7:00 p.m. Board member Potts seconded the motion. All were in favor.

New Business

Acting Chairman Leupold stated that no new applications have been submitted.

Board member Potts made the motion to close the meeting. Board member Taplin seconded the motion. All were in favor.

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary

APPROVED