

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

March 10, 2020

Minutes of the Zoning Board of Appeals meeting held on March 10, 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, Dave Taplin, Jim Craig, Esq., Town Attorney and Kim Caron, Recording Secretary.

Acting Chairman Leupold led the Pledge of Allegiance.

Business Meeting

Kasselman Solar/Crosby

Acting Chairman Leupold stated that revised information has been received from the applicant's representative. Acting Chairman Leupold inquired what kind of maturity the plants were in the vegetation pictures provided.

Scott Stevens, Kasselman Solar representative, stated that the vegetation would be 5-10 foot Junipers that will mature to 20 feet. Mr. Stevens stated that he assumes that the applicant will get grown trees versus seedlings.

Mr. Taplin stated that the Board is requesting grown trees be placed as screening.

Attorney Craig stated that the Board could make that a condition of approval if that is what the Board wants.

Mr. Stevens stated that he believes that the applicant will comply with whatever the Board requests.

Mr. Leupold stated that there are only three trees shown on the plan.

Mr. Stevens stated that in the summertime the array will be heavily hidden.

Acting Chairman Leupold stated that the wintertime is a concern.

Mr. Stevens stated that they will provide screening required that will keep the view of the array from people. Mr. Stevens stated that they can add 2 or 3 more if required.

Mr. Taplin stated that 3 on either side of the big maple would give appropriate screening from the road.

Mr. Stevens stated that they do not want to clog the entire area with Spartan Junipers.

Mr. Potts inquired if the sizes of the trees that are there today are the same as proposed.

Mr. Stevens stated yes, 12 foot trees.

Mr. Potts stated that placing two trees north of the existing tree shown on the plans looks like the maximum that could be put there.

Mr. Stevens stated that they might have mislocated 2 trees when they reduced the size of the array. Mr. Stevens stated that the reduction changed the tilt and dropped the array three inches. Mr. Stevens stated that they will get the same production.

Attorney Craig suggested specifying the minimum number of trees, the height of the trees and the general locations of the trees as acceptable to the Zoning Inspector.

Acting Chairman Leupold stated that the Board is not trying to create a barrier all the way through. Acting Chairman Leupold suggested a minimum of 5-6 trees spread out to the best judgment.

Mr. Potts stated that if they have to put in 5-6 it would be more like a wall. Mr. Potts stated that he is fine with 3 as the minimum.

The Board looked over the plans and agreed to the placement of the trees.

Mr. Taplin suggested 4 trees/shrubs and if the Zoning Inspector requires more than that can be done.

The Board agreed that a minimum of 4 Spartan Juniper trees already growing is acceptable.

Mr. Potts confirmed that the new variance request is 70 feet.

Acting Chairman Leupold inquired when the work would begin if approved.

Mr. Stevens stated that as soon as the ground starts to dry up they would begin. Mr. Stevens stated that the company, Solar Foundations, determines the start date.

Acting Chairman Leupold inquired as to the life of the array.

Mr. Stevens stated that they are basically a customer forever. Mr. Stevens stated that if there are issues, they replace any bad parts and the panels come with a 25 year warranty. Mr. Stevens stated that everything is replaceable.

Acting Chairman Leupold inquired as to the process timeframe.

Mr. Stevens stated that it would be weather dependent. Mr. Stevens stated that from install to hookup is usually a couple weeks.

Mr. Taplin inquired as to the flexibility of adding on panels if more kilowatts are needed.

Mr. Stevens stated that if it is necessary, they go in and install an expansion.

Acting Chairman Leupold stated that the approval will be subject to the following conditions:

- the trees will be Spartan Junipers with a minimum of 4 trees;
- the minimum starting height of the trees will be 6 feet; and
- the trees will be located 3 south of the existing tree and one to the north of the existing tree.

Mr. Potts made the motion to approve the variance request of 70 feet for the location of a solar array with the following conditions:

- the trees will be Spartan Junipers with a minimum of 4 trees;
- the minimum starting height of the trees will be 6 feet; and
- the trees will be located 3 south of the existing tree and one to the north of the existing tree.

Mr. Taplin seconded the motion. All were in favor.

Motion carried.

Minutes

Acting Chairman Leupold stated that the meeting minutes from the February 11, 2020 meeting need to be approved. Acting Chairman Leupold stated that due to the lack of quorum, the minutes would be voted on at the next meeting.

New Business

Acting Chairman Leupold stated that a new application for a Special Use Permit has been received. Mrs. Caron provided copies of the application to the Board members. The Board will meet next month.

Mr. Potts made the motion to close the meeting. Mr. Taplin Glavin seconded the motion. All were in favor.

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary