

**Town of Charlton  
Zoning Board of Appeals  
Business Meeting Minutes  
And Public Hearing Minutes**

**May 8, 2018**

Minutes of the Zoning Board of Appeals meeting held on May 8, 2018.

Chairman Albert Smith called the agenda meeting to order at 6:45 p.m. at the Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019.

Roll Call attendance was taken.

Present: Albert Smith, Chairman, Mark Chotkowski, Rick Potts, Joseph Marchesiello, Jim Leupold, Robert Van Vranken, Town Attorney and Kimberly Caron, Recording Secretary.

**Agenda**

**Richard Snyder Case No.: 2018-01**

Chairman Smith acknowledged receipt of an explanation from Joe Grasso pertaining to the calculations on the proposed plot plan. Board member Chotkowski stated that he has found that the corner stake of the lot near the telephone pole (a piece of rebar with a flag attached), measuring from there straight back to the closest part of the proposed solar array resulted in 109 feet. This does not coincide with the calculations done by Mr. Grasso. The front line appears to be marked with a stake in the center of the rock wall. The site plan does not appear to be accurate if you are using the stakes to calculate the setbacks. Mr. Chotkowski stated that engineering was not provided showing that the proposed location of the solar array is the best placement. Shading reports should be provided to show that this proposed location will be the best producing location as past applicants have done. Mr. Chotkowski stated that he believes that this is a request for a 45% variance, not 35%. GIS mapping shows that there is room to push the solar array back.

After reviewing the plot plan and the aerial photos provided by the applicant, the Board agreed that the plot plan provided does not accurately depict what is actually there. The Board agreed that there needs to be engineering evidence provided to show that the proposed location is the best location. The proposed plot plan also needs to be revised to show the footprint, accurately depict what is existing on the parcel and the proposed solar array with accurate dimensions.

Attorney Van Vranken suggested having an informal meeting with the applicant prior to the Business Meeting.

Mr. Leupold made a motion to close the agenda meeting at 7:10 p.m. Mr. Marchesiello seconded the motion. All were in favor

Agenda meeting closed at 7:10 p.m.

### **Business Meeting**

Chairman Smith called the meeting to order at 7:45 p.m. on May 8, 2018 and asked everyone to stand for the Pledge of Allegiance.

Chairman Smith introduced the Board members and staff.

Attorney Van Vranken stated that the meeting has been convened following a 40 minute conversation with the applicants regarding issues with the application and in order to clarify information documentation that has been provided to the Board. Following the discussion, the applicants indicated willingness to update the data that they have given the Board regarding the location of the solar array and a more precise location in terms of distance and the applicants have agreed that they will do that.

### **Public Hearing (7:48 p.m.)**

#### **Richard Snyder Case No.: 2018-01**

Following the informal discussion with the applicant, the Public Hearing was opened. There was no one in attendance other than the Board members and the applicants. The Public Hearing was closed at 7:48 p.m.

### **Deliberations**

The Board and the applicants have agreed that a new plot plan with engineering to support the decision of placement of the solar array is required to proceed. The Board requested that the information be provided 10 days prior to the June 12<sup>th</sup> meeting for review.

### **New Business**

None.

### **Minutes**

Mr. Chotkowski made a motion to approve the draft of the January 9, 2018 meeting minutes, seconded by Mr. Leupold. All were in favor.

Mr. Leupold made a motion to approve the draft of the April 10, 2018 meeting minutes, seconded by Mr. Marchesiello. All were in favor.

Mr. Chotkowski made the motion to close the meeting. Chairman Smith seconded the motion. All were in favor.

Meeting adjourned at 9:00 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary