

TOWN OF NORTH EAST ZONING BOARD OF APPEALS MINUTES OF MAY 19, 2022

The regularly scheduled monthly meeting of the Town of North East Zoning Board of Appeals, ("ZBA"), took place May 19, 2022 at 7:00PM in the Town of North East Town Hall, 19N Maple Ave., Millerton, NY. ZBA members present were Chairman Julie Schroeder, Edith Greenwood, Patti Lynch-VandeBogart, Karen Pitcher and Judy Carlson, Secretary to the Zoning Board. Jon Arnason was absent. Also present were Alex Martin from Kasselmann Solar, Ben Drexel from Empire Solar, Scot C. Galliher, and Jon Willmott.

Kasselmann Solar – Michael Eckblad – Owner

Special Permit – Solar Array

Tax Parcel: 7169-00-222875

Cooper Road

At 7:00 PM Carlson read the public hearing notice on the application of Michael Eckblad for a special permit in order to erect a ground mounted solar array into the record.

Chair Schroeder asked for a motion to open the public hearing. Lynch-Vandebogart so moved; Pitcher seconded; all voted in favor and the motion passed.

Alex Martin of Kasselmann Solar, representing Michael Eckblad, made a presentation of the application to the Board.

- The solar array is 14.4 kilowatts and ground-mounted.
- The array is 668 square ft. and its panels are arranged 6ft. x 5 ft.
- The array is exclusively for onsite consumption and (energy offset).
- An accessory use for the homeowner.
- Location of the solar array: behind barn and in the center of the parcel.
- Minimally seen.
- The Board discussed the fact that there had been no correspondence or objection submitted to the Board about the solar array being reviewed.

Greenwood and Chair Schroeder read and reviewed Section **180-72.1** Solar Systems from the code.

Addressing Section **180-72.1 (D) 7a**, Martin requested a waiver of the soil map required by the Dutchess County Soil and Water Conservation District. Martin went on to explain that there would not be any clearing of trees. Greenwood stated that the ZBA was not requiring a view shed analysis and that the ZBA would consider the visual impact.

Scot Galliher, a neighbor, reviewed the map of the property. He stated that he had no problem with the solar array location.

Chair Schroeder entertained the motion to close the public hearing; Greenwood so moved; Lynch-VandeBogart seconded; all voted in favor and the motion passed.

Chair Schroeder asked for a motion to open the regular meeting; Lynch-Vandebogart so moved; Pitcher seconded; all voted in favor and the motion passed.

The Board reviewed **SEQR**. Chair Schroeder stated that this is a **Type 2 action** under section **617.5 Type II** actions and does not require further review.

Chair Schroeder stated that under the code **180-26 General standards for special permits** the Board shall take into consideration the safety health and general welfare of the public in general and that of the immediate neighborhood in particular. Greenwood stated that the Zoning Board is allowed to make conditions as needed.

Since there was no problem with adjoining properties, Pitcher made the motion to approve the application for a ground mounted solar system made by Michael Eckblad on Cooper Rd. The application is approved as applied for. The requirement of the site plan approval by the N.E. Planning Board and the requirement for a soil map are hereby waived; Lynch-Vandebogart seconded; all in favor and the motion passed.

7:30pm – Motion to recess meeting moved by Greenwood; Pitcher seconded; all in favor and the motion passed.

Empire Solar – Jonathan Willmont – Owner
Special Permit – Solar Array
Tax Parcel: 7069-00-404471
Moadock Road

Chair Schroeder made a motion to open the public hearing on the application of Willmont for a special permit; Pitcher seconded; all in favor and the motion passed.

Carlson read the Public Hearing notice into the record. Ben Drexel, from Empire Solar made a presentation of the application to the Board. Empire Solar is proposing a 19.44 KW ground mounted solar array with (48) LG405 watt panels. The manufacturer is Solar Edge Systems. The trenching is 500' from the residence to the system. The solar array is located near the back of the property. It is surrounded by trees. The tree line will shield the solar array from the neighbors. There are no plans on adding trees or tree removal.

There has been no correspondence objecting to the project. Greenwood read a letter from Jennifer Dowley, a neighbor, of 43 Moadock Road. She spoke favorably of the project. "North East is a Climate Smart community and the more our residents can do to decrease greenhouse gases, the better for all of us. This installation will make a significant positive impact on conserving energy".

The Board went over the solar energy systems standards **180-72.1**. Drexel asked for a waiver of the soil map and site plan for the Planning Board. Greenwood stated that we had received feedback from the Planning Board that the project is acceptable. The applicant presented the required blue prints and specification sheets. The Board considered the visual impact of the proposed solar installation, including the visual impact on scenic and historic resources. They have adequate access in case of fire.

The Board reviewed Section **180-25** of the code for a Special Permit. The general harmony of the neighborhood was not affected. There was access for fire and police protection. It meets the prescribed area and bulk requirement.

Greenwood made a motion to close the public hearing and re-open the regular meeting. Lynch – Vandebogart seconded; all voted in favor and the motion passed.

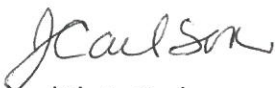
The Board reviewed SEQR. Chair Schroeder stated that this was a **Type II action number (9) under SEQR, Section 617.5**. No further review is required.

Greenwood made a motion to accept the special permit request for tax parcel 7069-00-404471 in order to erect a ground-mounted solar array as follows: To grant a special permit to the Willmont property of Moadock Road for a ground-mounted solar installation as applied for. The requirement for a soil map and site plan approval by the North East Planning Board is hereby waived; Pitcher seconded; all in favor and the motion passed.

Minutes reviewed: Greenwood made a motion to accept the minutes of April 21, 2022 with one minor correction; Pitcher seconded; all voted in favor and the motion passed.

8:15 pm – Greenwood made a motion to adjourn the meeting; Pitcher seconded; all voted in favor and the motion passed.

Respectfully submitted,



Judith A. Carlson

Zoning Board Secretary

Town of North East Approved: 7/21/22

RECEIVED
JUL 25 2022
TOWN OF NORTH EAST
TOWN CLERK