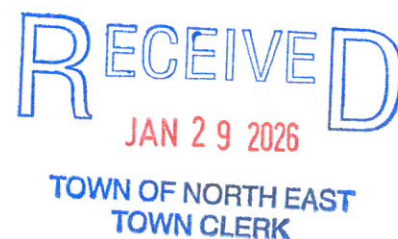


**TOWN OF NORTH EAST  
ZONING BOARD OF APPEALS  
MINUTES OF DECEMBER 18, 2025**



The regularly scheduled monthly meeting of the Town of North East Zoning Board of Appeals, ("ZBA") took place on Thursday, December 18, 2025, at 7:00pm in the North East Town Hall, 19N Maple Ave., Millerton, NY. ZBA members present were Chair Edith Greenwood, Julie Schroeder, Patti Lynch-VandeBogart, Karen Pitcher and Judy Carlson, secretary to the Board. Jeffrey Stark was absent. Present in the audience were Henry Smedley, Sarah Rigano and David A. Berger.

**Tracey Altman and David A. Berger  
Special Permit for a ground mounted solar array  
1566 Route 83 in the A5A Zoning District  
Tax Parcel # 7070-00-136686**

7:00pm - Chair Greenwood entertained a motion to continue the public hearing on the application of Evolution Energy, NY on behalf of Tracey Altman and David A. Berger for a ground-mounted solar array. Lynch-VandeBogart so moved; Pitcher seconded; all voted in favor and the motion passed.

Chair Greenwood put on the record that the Board received a letter from David A. Berger on December 15, 2025, which is a rebuttal of the letter that Joshua Mackey of Mackey, Butts and Whalen had sent the Board on December the 11, 2025 listing his arguments as to why a survey was not needed by a licensed surveyor.

Schroeder asked Berger to give a summary of his letter to the Board. Berger expressed that there was no legal requirement for a licensed survey for a Special Permit.

Chair Greenwood asked if there were any further comments from the audience or the Board. Schroeder said that the requirement for a solar farm (which is a larger requirement) is for a site plan by a licensed surveyor or architect. Nothing like a licensed survey is needed.


Chair Greenwood made a motion to close the Public Hearing. Schroeder so moved; Lynch -VandeBogart seconded; all voted in favor and the motion passed.

Schroeder made a motion to open the regular meeting. Lynch-VandeBogart so moved; Pitcher seconded; all voted in favor and the motion passed.

Chair Greenwood asked for a motion to grant the applicant a special permit for a ground-mounted solar array, as proposed. The Board waives the requirement for site plan approval by the Town of North East Planning Board as the application has been referred to the planning board who responded that it had no concerns. This approval is conditioned on receiving no substantive comments from NY State Parks, Recreation & Historic Preservation, Division for Historic Preservation (SHPO). Lastly, this motion authorizes the Chair of the ZBA to file the decision with the Town Clerk. Schroeder so moved; Pitcher seconded; all voted in favor and the motion passed.

7:09 pm - Schroeder made a motion to close the regular meeting. Pitcher so moved; Lynch-VandeBogart seconded; all voted in favor and the motion passed.

Respectfully submitted,



Judith A. Carlson

Secretary – Town of North East ZBA

Minutes approved: 1/15/26