

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK

September 26, 2017

Present: Pat Liddle, Sandy Haakonsen, Bill Wallace
Absent: David Cooper, Jack Steffek, Christy Ransford

Chairman Cooper was not in attendance, so Sandy Haakonsen is acting as chairman.

Sandy opened the meeting at 7:00 PM with 6 people in the audience. There is one item on the agenda, which is a Public Hearing for Malcolm Drummond located at 189 Old Hudson Turnpike, Tax ID # 49.-2-44, for a Special Permit for a Ground Mount Solar array.

Motion made by Pat Liddle with a 2nd from Sandy Haakonsen to accept the August minutes as submitted. All in favor.

7:02 Public Hearing

Sandy read the Legal notice and received the receipts from the notice to abutters.
Mr. Drummond will go to the Town Clerks Office to pay the \$25.00 Special Permit fee.

When asked, Malcolm stated that he had nothing further to add to the file. Sandy then asked the Board if they had any questions, and Bill Wallace asked if the project was still going to be just 9'x20' and the answer was yes. Bill said that there had been a lot of information given and it was all pretty clear and straightforward.

Pat asked if the sun reflecting off the panels would be a problem for neighbors, and Andrew Petersen from Monolith Solar stated that the panels absorb light and don't reflect it. Pat stated that she had solar panels that had metal around them and at various times it does reflect. Andrew pointed out where the high and low ends of the panels would be. Malcolm stated that there was plenty of screening. He went on to say that the trees on the west side would reflect it away and that the angle was pretty sharp.

Sandy then explained to the Board and the audience that for the record, Jack Steffek had told chairman Cooper that there may be a conflict because he had a personal relationship with Mr. Drummond, and he didn't want to jeopardize anything by not disclosing the information. David took the information to the Town Supervisor, and also to the head of the Canaan Ethics committee, and they both appreciated the disclosure and thought the action showed Jack's integrity. They were confident that Jack could put aside any personal feelings.

Sandy read the draft SEQR parts 2 and 3 that chairman Cooper had filled out. All of the answers were of little or no impact on part 2. Part 3 reads as follows: Project is to install and use a ground mount solar array for residential use. It is very modest in scale, scope and character, however it does require approval of a special permit and also a site plan. NYSDEC Mapper tool identified a critical habitat for Northern Long-eared Bat, and there are restrictions on cutting and removing trees that the appellant

needs to made aware of. The project is quite modest and tree removal may not be an issue, but the proximity of the caves on the ridge on the easterly side of Old Hudson Road should be kept in mind with regards to cutting possible nesting trees. (With in this habitat area from April 1-Oct 31 trees are not to be cut down or removed. Trees may be cleared and removed without restrictions November 1-March 31. Individual trees that are a danger to life and property may be removed any time.

Sandy explained that the Board would not be able to deliberate on the Public Hearing until a Site Plan was approved by the Planning Board. If the Planning Board approved the Site Plan at their October meeting then the Zoning Board would deliberate at the October 31st meeting.

The audience was asked if anyone wanted to speak, and Tom Johnson said he would like to. He said that he lived across the street from Malcolm, and that he could see no reason for this project to not be approved. He thought that putting the panels on the ground and not on the roof was a good idea, and he would like solar too, if only he didn't have to cut down trees to do so. He didn't know why this project was having to go through all the Boards. Bill explained that this is common with many towns, to make sure there were not going to be solar fields. Roof mounted solar would be different.

Malcolm Drummond said that as he stated in the last meeting this is a Global initiative and shouldn't be so hard to get.

No one else in the audience asked to speak, and Bill made a motion to close the hearing with a 2nd from Pat. All in favor.

Public Hearing closed at 7:21

Sandy made a motion to adjourn with a 2nd from Pat. All in favor 7:22.

For the Board,
Heather O'Grady