

Zoning Board of Appeals
Town of Canaan
Columbia County, New York
April 30, 2019

Present: David Cooper, Heather O'Grady, Pat Liddle, Craig Dillon, Jack Steffek, Sandy Haakonsen

Board Chair David Cooper opened the meeting at 7:02 with 4 people in the audience. There are two public hearings on the agenda for tonight.

Motion was made by Jack to accept the special meeting minutes as submitted that was held on April 16th. Pat seconded. All in favor.

Motion was made by Pat to accept the meeting minutes of March 30th as submitted. Jack seconded. All in favor.

7:06 – Public Hearing for file #2019-2 Monolith Solar Associates for Canaan Self Storage located at 30 Flints Crossing Road, Tax ID#70-1-4.100. David read the public notice. Appellant submitted the record of notices to abutters for the file as well as the \$25 fee.

The appellant didn't have any additional information for the board. Ron, an audience member and residing at 27 Flints Crossing Road, shared concerns about noise levels, increased lighting, and overall effect on the neighborhood if the area variance is granted tonight. Matt from Monolith addressed the concerns and answered there will be no additional noise and lighting.

David asked Matt if the Planning Board added any unique conditions. Matt answered they didn't since the Town Board passed Local Law #1 of 2019 to facilitate our current solar law.

Motion was made by Pat to close the public hearing. Heather seconded. All in favor.

After brief deliberations, David made a motion to approve as submitted. Heather seconded.

The clerk polled the board:

David: aye

Heather: aye

Pat: aye

Craig: aye

Jack: aye

All in favor. Stands approved.

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7:20 - Public Hearing for file 2019-3 for Kasselmann Solar, LLC representing Robert Tebben of 117 Goetz Road, Tax ID # 48.-1.38. David read the public notice.

Scott from Kasselmann Solar submitted notices of abutters for the file. Appellant had no additional information for the file; they sent maps before the meeting.

David inquired about the possibility of alternatives of not having a ground solar mount. Appellant shared why a ground mount was chosen and why they felt it was the best option: didn't want solar panels on their roof, wouldn't see ground mount from road (Craig disagreed), and screening could be provided around the ground mount.

Craig sees the biggest issue as the 3-acre requirement as required by our zoning law. Appellant has 1 acre.

Owner shared that a ground mount was chosen due to the big trees that would shade part of his roof and with his sloped landscape, the ground mount wouldn't be seen from the road. He wants to help the environment by using solar energy. Owner also shared that his current neighbor offered to give a signed approval of the ground mount placement.

David mentioned that our current solar law with its restrictions on area for ground mounts acts as a safety valve. The purpose is not to disenfranchise those on smaller lots. When solar panels are on the roof and cover the roof, it still looks like a roof.

Motion made by David to close the hearing. Second by Heather. All in favor. Board has 60 days to reach its decision.

Deliberation followed. Craig asked if we approve 3 variances are we setting a strong precedence? David read a portion of the state law concerning area variance to help in the deliberation process. Pat said she wouldn't approve the setback at 10' as submitted tonight. Heather agreed with Pat – she has problems with the setbacks as well. Craig can't approve this due to lot size – even before we get to the set back issues. David suggest that the board continue deliberation.

David made a motion to continue deliberation at the next regular meeting. Pat seconded. All in favor.

8:48 - Craig made a motion to adjourn which was seconded by Pat. All in favor.

For the Board,

Sandy Haakonsen, Clerk pro tem