

Town of Claverack
Zoning Board of Appeals
P.O. Box V
Mellenville, NY 12544
Minutes: September 24, 2014

APPROVED 10/22/14

Chairman Frank Clegg called the Town of Claverack Zoning Board of Appeals meeting to order at 7:30 p.m. Members in attendance: Chairman Frank Clegg, Steven Melnyk, Kim Keil, John Porto, David Graziano, Chris Post, engineer Paul McCreary, attorney Rob Fitzsimmons and secretary Jodi Keyser

Absent: Oliver Milot

Correspondence: Town of Claverack Building Department Stan Koloski rebuttal of a letter from Tom Runyon regarding the Ginsberg's Food project.

Members reviewed the minutes of the August 27, 2014 meeting. Minor corrections were made.

Motion to approve the August 27, 2014 corrected minutes was made by David Graziano with a second from Kim Keil. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 9/24/14:

None

NEW APPLICATIONS FOR 9/24/14:

Roberts, Susan Special Exception and Rear Yard Setback Variance: Tax Map #(SBL) 112 . – 1 – 66 Located at 683 Fish & Game Rd. Special Exception for Accessory Use and Rear Setback Variance for the installation of ground mounted solar panels.

Ms Roberts was present for the application. Ms. Roberts informed the Board that she is proposing to erect a ground mounted solar array at the northern end of her property. Ms. Roberts reviewed photos for the Board members of the sight impact and the knoll that the array would sit behind. David Graziano asked if the pole mounted arrays would be visible from the roadway. Ms. Roberts then reviewed a photo showing a 10 foot step ladder which is actually 14 feet in height to demonstrate the height of the solar panels. Kim Keil asked what the difference is between pole mounted and ground mounted. Ms. Roberts stated that ground mounted solar arrays are 10 feet high and pole mounted are 15 feet high. Ms. Roberts continued that a ledge near the placement makes a ground mounted system difficult. David Graziano asked how many panels. Ms. Robert stated that the arrays have 2 rows of 16 solar panels and there are two arrays so it would be 64 panels. Ms. Roberts continued that the arrays would be 15 feet high by 48 feet total. Kim Keil asked if there is a time frame for completion. Ms. Roberts answered that her contractor wants to begin work in early November. David Graziano informed the applicant that the Site Plan was not drawn to scale and this is a requirement for the Zoning Laws. Ms. Roberts stated that she submitted a scaled survey. David Graziano answered that the TOC Zoning Code requires that all Site Plans are drawn to scale showing the technical details. David Graziano then copied the Site Plan Requirements from the TOC Zoning Code for Ms. Roberts which state that detailed map drawn to scale; screening, setbacks, etc. are required for the Site Plan Map. Ms. Roberts informed the Board that the area is very private so the solar arrays would not be visible. David Graziano informed the applicant that she needs to provide the TOC ZBA a detailed map drawn to scale prior to the next meeting. Ms. Roberts asked if the application could be set up for a public hearing because the timeframe to receive the federal and state incentives is running out at the end of the year. Paul McCreary asked the Board members if they would want the screening shown on the maps also. Steven Melnyk stated yes. Paul McCreary asked Rob Fitzsimmons if the applicant needs to provide a newly surveyed map. Rob Fitzsimmons answered yes with proposed distances shown. Paul McCreary informed the applicant that the wetland buffer needs to be shown also. Ms. Roberts stated that she was directed by Stan Koloski to provide two survey maps but will do whatever the Board is requesting. Paul McCreary suggested that since the Boundary lines have not changed then the existing survey could be replicated and on the details drawn to scale could be drawn

onto this document. Mr. McCreary continued that the scaled copy needs to be labeled clearly with the sentence “the scaled drawings depicting the existing screening and placement of the solar panels is drawn to scale on a replicated copy of the original survey and the detailed placement of the solar panels with regard to the boundary lines and the detailed placement of the underground power lines are drawn to scale.” Rob Fitzsimmons asked Ms. Roberts if she has applied for the Special Exception with the TOC Planning Board. Ms. Roberts stated no and that she was confused as to why she needed to do. Rob Fitzsimmons stated that pole and ground mounted solar arrays require Special Exception Permit approval from the TOC Planning Board. Continued to the October meeting and set public hearing. Ms. Roberts was instructed to obtain a public hearing sign from the TOC Town Clerk at least two weeks prior to the October meeting.

Kiss, Uwe & Selina Area Variance: Tax Map #(SBL) 141 . – 1 – 7 Located at 240 Schoolhouse Rd. Area Variance for side yard setbacks of 10 feet for construction of a garage.

Mr. & Mrs. Kiss were present for the application. Mr. Kiss explained that he is seeking to construct a 2-car garage on his property and only has a side yard setback of 10 feet. Mr. Kiss continued that due to the configuration of his property and the placement of the septic system this is the only spot he can build the garage. Chairman Clegg stated that the driveway is also only 10 feet from the property line. Mr. Kiss stated that the driveway has existed since the 1960’s. Chairman Clegg set the application for public hearing for the October meeting. Mr. Kiss was instructed to obtain a public hearing sign from the TOC Town Clerk at least two weeks prior to the meeting.

Motion to adjourn the meeting was made by Chris Post with a second from John Porto. All members were in favor. Motion carried. Meeting adjourned at 8:12 p.m.

Respectfully submitted,
Jodi Keyser, Secretary