



The *Zoning Board of Appeals* of the Town of Schaghticoke met, in accordance with the Governor's Executive Order, via videoconferencing/ teleconference utilizing the Zoom Application on Thursday, April 1, 2021.

PUBLIC HEARING

There were no public hearings scheduled.

REGULAR MEETING

7:32 P.M. Kristin Pratt, Deputy Town Attorney, explained the Zoom Application. Attorney Pratt stated that the Zoom meeting notice was posted in the newspapers, that the meeting was being recorded, would be available on the Town of Schaghticoke website and would be transcribed at a later date. In addition, Atty. Pratt stated that minutes were being taken and recommended the use of the chat feature, should any technical questions arise during the meeting. Any comments were encouraged to be spoken in order to be recorded.

Chairman McDonough opened the meeting at 7:30 p.m. with roll call.

Present:

Ed McDonough, Chairman
Rich Geddis
Kristin Griswold
Jason Shover

Absent:

Lettie Saheim

Kristin Pratt, Deputy Town Attorney, and Elizabeth Hale, Clerk, were present.

The Board reviewed the minutes from the meeting of March 4, 2021. Kristin Griswold made a motion to approve the minutes as submitted. Rich Geddis seconded.

Ayes: McDonough, Geddis, Griswold, Shover

Nays: None

Chairman McDonough stated that he received an inquiry from Joe Carlo. Mr. Carlo owns a catering business on a 9 ½ acre parcel located in an RA district on Madigan Road. Mr. Carlo is considering the expansion of his residence to better incorporate his business. Mr. McDonough stated that he advised Mr. Carlo to consult with the Building Inspector, Scott Frisino.

Ed McDonough made a motion to suspend the regular meeting and open the public hearing for the application of Stillwater Renewables. Jason Shover seconded.

Ayes: McDonough, Geddis, Griswold, Shover

Nays: None

PUBLIC HEARING

7:35 P.M. Stillwater Renewables Solar Farm (Tax Map # 22-1-7.1). Ed McDonough read the Notice of Hearing for Application #1-21 of of Stillwater Renewables, LLC of 101 Summer Street, Boston, MA 02110 for property located at 36 Stillwater Bridge Road, Schaghticoke, New York 12154, Tax Map #22-1-7.1, located in the Residential Agricultural zoning district for an area variance, required pursuant to the Town Zoning Law as amended by Local Law No. 1 of 2017 which imposes a maximum average height for solar panel arrays at 12 feet. The Applicant is seeking an area (height) variance of five (5) feet to permit solar panel arrays at a maximum height of seventeen (17) feet. The Applicant received site plan approval and a special use permit from the Town of Schaghticoke Planning Board to construct a 3,570 kilowatt solar energy facility on June 17, 2020.

Dallas Manson, Business Development Representative for Nexamp, Inc. appeared before the Board and presented the application for an area variance for a 3 megawatt solar facility, Stillwater Renewables Solar Farm located in an RA district on the Clifford and Gary Viall property on Stillwater Bridge Road. The 16 acre project with 12' high solar panels was approved by the Planning Board. Due to COVID19, the project was delayed and it was discovered that the planned racking system for the solar panels was not suitable for the 15% sloped topography of the project, and that the out-dated racking system would cause more environmental disturbance. A new racking system, which supports the panels, was located; however, the height of the new racking system will increase the height of the panels to a maximum height of 16'4", tilting east and west. The Town Zoning Law as modified by the Solar Law limits the maximum panel height to 12' for large scale solar projects. Ms. Manson stated that an appeal for an area variance of 5' was requested to allow for the greatest possible tilted height of the panels at 17'. While the panels will not remain at 16'4" for the entire day, utilizing the new product will require the panels to be at this height for a portion of the day. There were no public comments during the meeting, nor were any comments received via e-mail or through the postal system.

Ed McDonough made a motion to close the public hearing at 7:42 p.m. The motion was seconded by Kristin Griswold.

Ayes: McDonough, Geddis, Griswold, Shover

Nays: None

REGULAR MEETING

7:42 P.M. The Board held a discussion and concluded that the members had no further questions. Chairman McDonough noted that the project received the Planning Board approval, that the Rensselaer County Economic Development and Planning left the decision to local consideration, and that there were no concerning issues or major impacts.

Ed McDonough made a motion to grant the requested area (height) variance of five (5) feet to permit solar panel arrays at a maximum height of seventeen (17) feet. Jason Shover seconded.

Ayes: McDonough, Geddis, Griswold, Shover

Nays: None

Ms. Manson was advised to re-visit the Planning Board in order to amend the original site plan and to hold a brief discussion with regard to SEQRA. Atty. Pratt suggested that the creation of a draft take place to include the granting of the area variance and the amendment to the originally Planning Board approved Special Use Permit and site plan review.

Ed McDonough made a motion to close the meeting at 7:48 p.m. Jason Shover seconded.

Ayes: McDonough, Geddis, Griswold, Shover

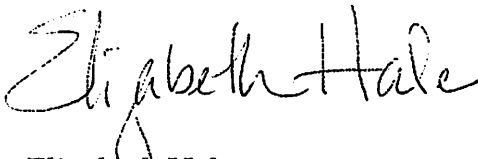
Nays: None

Abbreviations

RA – Residential/Agricultural District SEQRA – State Environmental Quality Review Act

Respectfully submitted,

date: May 14, 2021



Elizabeth Hale,
Zoning Board of Appeals, Town of Schaghticoke