

The ***Zoning Board of Appeals*** of the Town of Schaghticoke met at the Town Hall, 290 Northline Drive, Melrose NY 12121 on Thursday, August 3, 2023

REGULAR MEETING

Rich Geddis made a motion to open the meeting at 7: 08 p.m. Kristin Griswold seconded.

Ayes: Shover, Geddis, Griswold

Nays: None

Roll call took place.

Present:

Jason Shover, Vice Chairman
Rich Geddis
Kristin Griswold

Absent:

Ed McDonough
Lettie Saheim

Kristin Pratt, Deputy Town Attorney, was absent. Elizabeth Hale, Clerk, was present.

As there wasn't a quorum of members present at the meeting, the Board was unable to consider or approve the minutes of the July 6, 2023 meeting. The minutes will be reviewed by the Board at the September meeting.

There was no new business at hand; no inquiries were received.

The hearing for Application #3-23 of ActiveSolar Development Schaghticoke Solar I, LLC for area variances necessary to construct a proposed solar facility and to be located at 131 Stillwater Bridge Road, scheduled for the August 3, 2023 meeting, was postponed at the request of the applicant due to a title issue that the applicant is working through. A hearing will be re-scheduled and newly created Notices of Hearing will be posted and published and mailed to those residing within 500' of the proposal.

There were four people who appeared in anticipation of the ActiveSolar hearing.

A woman, Ms. Smith, of Matala Drive, was present. She expressed her fear that she will not be able to sell her father's house, should the project be approved. In addition, she was interested in the Town's financial gain and monetary benefit and its use from the proposal. She asked if the electricity

produced would be used locally and if the citizens of the Town would realize a discounted rate for electricity from National Grid.

James Schaeffer, 127 Stillwater Bridge Road, appeared. He stated that he did not receive a Notice of Hearing although his residence is adjacent to the proposal.* The Clerk recorded Mr. Schaeffer's name and address and assured him that a notice will be mailed to him when another hearing is scheduled for the proposal.

Jim Czub, Verbeck Avenue, was present. He is the owner of a solar farm located at Westwind Farms, on Verbeck Avenue. He stated that his wife requested that he "stop by" to attend the hearing. Mr. Czub expressed concerns about the lack of setbacks requested by the applicant, ActiveSolar Development.

With regard to the request for no setbacks, Mr. Shover stated that compromise or mitigation may or may not occur during the public hearing for the application. Mr. Shover explained that in the absence of a hearing, the outcome is unknown.

Jim Jensen, former ZBA Chairman and a resident of Stillwater Bridge Road, appeared. Mr. Jensen stated that he didn't live close enough to the proposal to receive a notice of hearing. Mr. Jensen explained that he reviewed the Zoning Law text regulating the mailing of the notices for a hearing. He stated that those residents to be noticed reside within a perimeter of 500' from the property lines of the proposal and that the notices should be received by the residents 5 days prior to the hearing.

Mr. Jensen asked if other solar farms in the Town, such as the Viall Solar Farm, have requested 0' setbacks. In addition, Mr. Jensen reminded the Board that it was customary for the ZBA to listen to the nearby landowners, to consider the neighbors' concerns and to encourage neighboring residents to attend the hearing.

Mr. Jensen stated that he attended a workshop focused on solar facilities. He presented a newspaper article concerning solar projects. Mr. Jensen stated that solar panels have a 20 year lifetime, and that a high percentage of the panels are not recycled, but are transported as refuse to landfills. He added that as the panels break down, various metals, including aluminum and copper are deposited into the earth, compromising the soil and destroying its potential for productive farming.

Kristin Griswold made a motion to adjourn the meeting at 7: 45 p.m. Rich Geddis seconded.

Ayes: Shover, Geddis, Griswold

Nays: None

Abbreviations

ZBA - Zoning Board of Appeals

Respectfully submitted,

date:

Elizabeth Hale, Clerk

**The Clerk found that James Schaeffer's name and address was included on the certificate of mailing, showing proof that a Notice of Hearing was certifiably mailed to Mr. Schaeffer from the Clifton Park Postal Office.*