

**ZONING BOARD OF APPEALS  
MINUTES OF AUGUST 24, 2021**

A meeting of the Zoning Board of Appeals was held on August 24, 2021. The meeting was called to order by Chairman Fred Howard at 7:01 PM.

**PRESENT WERE:**

Frederick Howard, Chairman  
David Schmidt  
Randy Hall  
Colton Hill  
Scott Reiter  
Colleen Thomas, Secretary

**Approval of Minutes**

A motion was made by Member Randy Hall to approve the minutes of June 22, 2021 as written with Member Colton Hill seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**New Business**

1. Application for an Area Variance by Gary and Michelle St. Jock for property located at 9 Axe Factory Road, North side between Axe Factory Road and the Hoosic River, Tax Map No. 23.2-1-2. The applicants wish to keep chickens on this 1.29 acre parcel. Such usage requires an Area Variance since the parcel is less than 10 acres in area as required for maintaining farm animals such as chickens under the provisions of the Town's land use regulations. Gary St. Jock presented his project to the Board. He stated that when they purchased the property the chicken coop was already on the property. That is why they have chickens. Chairman Frederick Howard asked if they received any complaints from the neighbors. Gary responded that they had not. Chairman Howard questioned how many they had. Gary responded that they had 5 ducks and about 10 to 12 chickens. Chairman Howard stated that the most they could have with the variance would be a dozen. Gary responded that he would make sure they would only have 12. He knows people will take them especially if they are free. Gary stated that the chickens are in a fenced in area to the side of the house. Chairman Howard stated that the application for the variance will state the amount of chickens will be 12. Member Randy Hall made the motion to schedule a public hearing on this matter for September 28, 2021 at 7:00 PM with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
  
2. Request by Borrego Solar for modification of the implementation schedule for the Tamarac Solar farm, which was given Special Use Permit conditional approval on March 5, 2019. Greg Gibbons, PE, presented the project before the Board. He stated that when National Grid did the preliminary on this project had shown they had adequate hosting capacity. However, when they received detailed information back from the study

## **Borrego Solar (continued)**

National Grid stated that there had to be substantial substation upgrades before it could accept the power generated by this project. This isn't typical.

Usually the applicant pays to have the upgrades done but National Grid had planned on upgrading already so they were taken care of the upgrade costs. Because of this, they have to wait on National Grid to complete the upgrades. Greg stated that the applicant are paid in full on their part of the upgrade. Steve Long has taken over the project from Lindsey McEntire. Greg referred to documents that were distributed at the meeting (see attached).

Chairman Frederick Howard questioned when this project be put back on the front burner 2023? Steve Long responded yes probably the first quarter of 2023. Chairman Frederick Howard stated that once the project is approved they have 2 years to construct. Intent to construct would be required in a letter. Town Attorney, Stacey Goldstein once final approval is given 2 year time line starts to tick. Steve Long questioned how long the conditional approval could be extended. Town Attorney, Stacey Goldstein responded if the Zoning Board knows your intentions, they could extend. They need to keep Bill Film, from the County Tax Services, Matt Curley, Town Board Supervisor, and Zoning Board Chairman, Frederick Howard updated on the process. Let Town Supervisor Matt Curley know to expect a call from Bill Film from the County. Keep the communication open for the Zoning Board.

Chairman Frederick Howard made the motion to extend the conditional approval for this development through December 2022. At that time PV Engineers must provide a summary of important actions that have taken place related to the project and a projected schedule for project implementation.

Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

## **Old Business**

1. Application for an Area Variance by Lawrence J. Meracle, Jr. for property located on the South side of Edelman Lane west of 48 Edelman Lane, Tax Map No. 64.-3-12.111 withdrawn. Planning and Zoning chairs met with Brian Holbritten, owner's representative, and it was agreed that the 60' access path leading the remaining property could be shifted slightly to allow the creation of two lots that conform to the requirements of the Land Use Plan. The Zoning Board is no longer needed on this project.

The next regular meeting of the Zoning Board is scheduled for September 28, 2021 at 7:00 PM at the Town Hall.

## **Adjournment**

Member Dave Schmidt made the motion to adjourn with Member Colton Hill seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Colleen Thomas  
Zoning Board Secretary

Approved:     /S/ Colleen Thomas     Date:     9/28/21