

TOWN OF HENDERSON ZONING BOARD OF APPEALS MEETING

12105 TOWN BARN ROAD, HENDERSON, NY

March 18, 2020 AT 5:00 PM

**Committee Members: Jerry Tackley, Chairman and Robert Aliasso, Fredrick Caswell Jr., Joan Treadwell Woods,
Dean Witmer-Alternate**

CALL TO ORDER

ATTENDANCE and PLEDGE: Dean Witmer absent

ANNOUNCEMENT

All matters heard by this Zoning Board of Appeals are in the form of a public hearing. Everyone desiring to be heard will be heard. Before speaking, you are asked to state clearly your name and address. There are two types of matters that come before this Board. They are Variances and Interpretations. The application will be denied unless the applicant has proven his/her case.

Town Board Resolution adopted September 10, 1992 - NOW, THEREFORE, BE IT RESOLVED, that the Town of Henderson hereby agrees that the following actions shall be considered to be of a local rather than of inter-community or county-wide concern and shall therefore be exempt from referral to the County Planning Board pursuant to General Municipal Law, Section 239m: All area variance for lot size or lot width, if the required lot line setbacks can still be maintained; All single and two-family residential set-back variances (including those for manufactured homes, modular homes) unless the requested setback is adjacent to either a State or County property line, exclusive of State or County highways; All front, rear, and side lot line set back variances for accessory structures (i.e. garages, sheds, decks, etc.) unless the requested setback is adjacent to either a State or County property line, exclusive of State or County highways; All use variances for single and two-family residences; All use variances for home occupations.

The hearings shall begin at the designated day, time and place as advertised. A presentation of the project will be made. After the presentation, written correspondence will be identified and read. Thereafter public comments will be entertained. All those who wish to speak must sign in. There will be a limit of three (3) minutes. You will be called in the order you signed in. All comments should be preceded by the person giving their name and general address. There will be no interruptions or cross-conversations in the audience.

If one or more Board member(s) is/are absent all applicants are offered to wait for a full Board if they are more comfortable or may decline the offer.

HEARING #1

Request of Jeffrey & Milagros Smith represented by Fourth Coast, Inc

Located at 10932 Sawyers Bay Rd.

On Parcel # 105.18-1-26.1

In Lakefront

Bordering Property Owned by Rockney Maxson, Susan Veley, Donald & Carol
Jerry and Richard & Sharon Phillips

For proposed installation of a 20,160-watt ground mounted solar PV array with
a variance request of an additional 12” for the height of the system.

DISCUSSION: Peak height of racking to be 10' (ten feet) which would require a 24" variance as requested. The home located on parcel #105.18-1-32 will be consuming the energy created from the solar array. The array is well screened and position and meets all setbacks. Some changes to EFA were made concerning the address of the project.

PUBLIC COMMENTS: None

COMMENTS FROM ZEO: None

SEQR MOTION by Robert Aliasso second by Joan Treadwell Woods declares the proposed action to be an unlisted / uncoordinated action review of SEQR Part II and III were conducted finding a negative declaration.

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Joan Treadwell Woods

CLOSE PUBLIC HEARING MOTION by Joan Treadwell Woods second by Robert Aliasso to close the Public hearing

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Joan Treadwell Woods

MOTION to grant the 24" variance in the height of the ground mounted solar PV array.

Roll Call voting yes: Robert Aliasso, Jerry Tackley, Fredrick Caswell, Joan Treadwell Woods

ADOPTION OF PREVIOUS MINUTES:

MOTION by Robert Aliasso, second by Joan Treadwell Woods accepts the January 15, 2020 meeting minutes.

Roll Call voting yes: Robert Aliasso, Jerry Tackley, Fredrick Caswell, Joan Treadwell Woods

BUSINESS: Next possible Meeting April 15th

Tug Hill Government Days March 26th cancelled

Matthew Owen was appointed to Town Board Member and the opening on ZBA will be advertised.

MOTION by Robert Aliasso second by Fredrick Caswell adjourns the meeting.

Roll Call voting yes: Jerry Tackley, Fredrick Caswell, Robert Aliasso, Joan Treadwell Woods

Respectfully Submitted

Wendy Flagg