

Minutes
Town of New Scotland
Zoning Board of Appeals
April 24, 2018
7:00 PM

Zoning Board Members:

Jeff Baker, *Chairman*,

Lance Moore, Steve Crookes, Edie Abrams, Michael Barton,

Lori Saba, Planning Board Secretary, Jeremy Cramer, Building Inspector

Crystal Peck, Zoning Board Attorney, Garrett Frueh, Town Engineer (Stantec Engineering)

No Public Hearings:

Old Business:

- 1) **Variance Application # 522:** Application submitted by Ray Signs to request relief from Article II, Section 190-32 (B-1) of the Town of New Scotland Zoning law to allow for two attached signs for a new commercial use on an existing commercial building. The applicant is seeking 10.05 square feet of relief to allow the two attached signs to total 60.05 feet in area. The proposed signs are located on a lot owned by Chris and Melanie Frueh, leased to Xylem Dewatering Solutions, is located in the Commercial Hamlet District of Feura Bush at 1373 Indian Fields Road, and is identified as New Scotland tax parcel id # 107.2-2-61.

Application will be reviewed by Albany County Planning.

Mr. Baker referred this application to the May 1, 2018 Planning Board meeting and scheduled a public hearing with the ZBA on May 29, 2018.

ZBA requested the following from the applicant two weeks prior (5/15) to the ZBA meeting:

- Clear information as to which sign is being moved from Selkirk.
- What is the cost of building a compliance sign that does not require a variance?

New Business:

- 1) **Variance Application # 523:** Application submitted by US Solar to appeal a determination by the building inspector. U.S. Solar has proposed for a large scale solar project on a parcel that contains prime soils. Siting considerations identified in Part 2 G, Section 4.xiii of our Solar law prohibits large scale solar facilities on any site that is prime farmland or which contains prime soils. The applicant is seeking an appeal of the determination and requesting an interpretation of this section of the law to determine if large scale solar projects are prohibited on any site or parcel that is prime farmland or has prime soils or are they allowed to be located on the site as long as the proposed project is not located within the prime farmland or on prime soils areas of a site or parcel. The proposed solar project is located on lots owned by Martha Oden and Donald Baker, to be leased to US Solar Corp, are located in the R-2 Zoning District at 331 New Scotland South Road, and are identified as New Scotland tax parcels id # 84.-1-40.11 and 84.-1-38.

Mr. Baker referred this application to the Planning Board and scheduled a public hearing for the May 29, 2018 ZBA meeting.

- 2) **Variance Application #524:** Application submitted by Pat Cherko and Associates requesting relief from Article II, Section 190-15 (B) of the Town of New Scotland's Zoning Law to allow for a second story addition and front porch to be constructed within the rear set back on a corner lot. The parcel is located within the "RH" district at 189 New Salem South Road. The parcel is owned by Sasi Chucuvo, is identified as New Scotland Tax parcel i.d.#82.-4-42. The "RA" district has a rear

setback of 30 feet. This request is for 22.5 feet of relief to allow for the structure to be located 7.5 feet from the property line.

Mr. Baker referred this application to the May 1, 2018 PB meeting and then to the ZBA for a public hearing on May 29, 2108.

Regular Meeting:

Discussion/Action minutes of March 27, 2018. Mr. Moore moved to approve the February 27, 2018 minutes with corrections and Mr. Crookes seconded the motion; Mr. Barton abstained; all in favor; motion so carried.

Vote: 4-1-0

Motion to adjourn: At 8:10 p.m. Mr. Moore moved to adjourn and Ms. Abrams seconded the motion; all in favor; motion so carried.

THE NEXT TENTATIVELY SCHEDULED MEETING May 29, 2018

Respectfully submitted,

Lori Saba