

**Minutes for a Ticonderoga Planning and Zoning Board Meeting held on
March 2, 2023, commencing at 6:00 p.m. with Public Hearings regarding
two Use Variance on Residential Solar Arrays**

Present: Chairman W.D. McTyier, Don Meserve, Walt Lender, Mike Powers, Ben Leerkes, Town Clerk Tonya M. Thompson

Others: Mike & Wendy Bush, Diana Grunewald, Joyce Cooper, Mark Wright, Garrett Lee, Olivia Powers

Chairman McTyier opened the meeting with the Reciting of the Pledge of Allegiance.

Public Hearings Area Variance

The Town of Ticonderoga Planning and Zoning Board will hold a public hearing on March 2, 2023, at 6:00 p.m. in the Community Building's Basement Conference Room, at 132 Montcalm Street, Ticonderoga, NY, regarding two separate Area Variances from New Leaf Solar; locations being the Bush property at 282 Shore Airport Road (140.3-1-4.130) and the Parent property at 1817 NYS Route 9N (139.2-2-6.112) both being in the Town of Ticonderoga regarding ground mounted solar systems. Any interested parties will be given an opportunity to be heard.

Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV

This application is in front of the Board for a Use Variance due to the height of the array along with the proposed placement being in the front.

Garrett Lee explained that it is a ground mounted solar array, normal placement is in the back yard there is no back yard so the only place is in the front. The height issue is the Town allows 10 feet for ground mounted, honestly this is unheard of because you would need to work to get it below 10 feet. A standard rack at grade is 13 feet, sometimes they do come in around 12. To do 10 feet you would have to cut columns out, the top row and make the array longer, more footings, more cost, it does not make sense to do that. This is rounded up at 12 feet.

Mr. Powers asked if you are looking for a minimum of 12 feet, but you have something here that says 15 feet would allow for pole mounts.

Mr. Lee agreed, on the side could be pole mounts and the average is at 15 feet, but if he has to be very flat, it would be at 9 to 10 feet. The rule of 10 feet cancels out any pole mount and it is a guaranteed variance and Site Plan Review. Makes business more difficult.

No more comments on the project.

Chairman McTyier asked about the neighborhood, are there neighbors?

Mr. Lee stated that the array would actually be under the road, the way the road travels and all the property around this project is owned by the applicant.

Mr. Leerkes stated that he feels this is a wonderful project, he believes this front yard business was for small ones where there were a lot of acres.

**Minutes for a Ticonderoga Planning and Zoning Board Meeting held on
March 2, 2023, commencing at 6:00 p.m. with Public Hearings regarding
two Use Variance on Residential Solar Arrays**

Chairman McTyier asked Mr. Garret what he said about the 10' height being unheard of.

Mr. Lee agreed, he has never had a Town that had that a 10' limit, but he has also not had a Town that allowed roof panels to be above 3' above the roof. That is unheard of. That is not relevant. He is participating through NYSERDA for this project and he if it is a roof mount it has to be parallel, there is no ramping them up.

Mr. Powers believes it was put in for some in order to get the angle.

Mr. Lee doesn't disagree, if he is not going through NYSERDA, then he could do that.

The board has no more questions.

Resolution #1-2023 brought by Ben Leerkes, seconded by Don Meserve to close the Public Hearing at 6:11 p.m. **5 – Ayes, 0-Nays. Carried.**

Resolution #2-2023 brought by Walt Lender, seconded by Doug McTyier to Grant the Area Variance with the proposed height of 11.7 and front lawn placement specified in the application for Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV. **5 – Ayes, 0-Nays. Carried.**

Parent – 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System

Mr. Garrett re-iterated the same discussion as above, this application basically duplicates the height and the placement of the front of the house as the Bush's application did. This was preferred on the roof, but the property owner did not want that, so the array is proposed in the front. The neighbors are the parents of the applicant and a relative lives to the side. This is more exposed than the previous application.

Chairman McTier noted on the application – page 5 – the 'x' should be in the proposed column instead of required. (change made)

Joyce Cooper asked how many panels are in this array.

Mr. Lee answered 48 total, it will 6 foot in height and 8 feet long.

Mrs. Cooper asked if there will be landscaping in the front.

Mr. Lee stated that we can put landscaping in the front, very low so it does not shade the array. You will still be able to see the array from the road.

Mrs. Cooper agreed, all the other arrays in the Town are set back away from the road.

Mr. Meserve asked how far off the road is this array?

**Minutes for a Ticonderoga Planning and Zoning Board Meeting held on
March 2, 2023, commencing at 6:00 p.m. with Public Hearings regarding
two Use Variance on Residential Solar Arrays**

Mr. Lee stated that that it is 90 feet from the back of the array, to the white line of the road. The barn is probably around 130 to 140 feet off the road. The driveway is at least 22 feet in depth and this will be put right on the side of the driveway.

Mr. Leerkes stated that he sees no problem with this project.

No more comments.

Resolution #3-2023 brought by Doug McTyier, seconded by Walt Lender to close the Public Hearing at 6:13 p.m. **5 – Ayes, 0-Nays. Carried.**

Resolution #4-2023 brought by Ben Leerkes, seconded by Walt Lender to grant the area variance for the Grant the Area Variance with the proposed height and front lawn placement specified in the application for Parent– 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System. **5 – Ayes, 0-Nays. Carried.**

Site Plan Review

Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV

Discussion was the same as what was in the Public Hearing above.

Resolution #5-2023 brought by Ben Leerkes, seconded by Doug McTyier to deem no public hearing is necessary for the Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV Site Plan Review application. **5 – Ayes, 0-Nays. Carried.**

Mr. Leerkes did comment on 5B of the application if the project is consistent with the Comprehensive Plan, he doesn't know if it is or not. Our Comprehensive Plan doesn't even mention it. It should be not apply. He also believes on the EAF that we should mention the bats. (Agreed)

Resolution #6-2023 brought by Walt Lender, seconded by Ben Leerkes to declare a Complete Application for Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV Site Plan Review application. **5 – Ayes, 0-Nays. Carried.**

Resolution #7-2023 brought by Walt Lender, seconded by Don Meserve to approve the Complete Application for Bush – 282 Shore Airport Road (140.3-1-4.130) 17.76 KW Ground Mount Solar PV Site Plan Review application and declare no Environmental Impact. **5 – Ayes, 0-Nays. Carried.**

Parent – 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System

Resolution #8-2023 brought by Ben Leerkes, seconded by Mike Powers to deem no public hearing is necessary for the Parent – 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System application. **5 – Ayes, 0-Nays. Carried.**

**Minutes for a Ticonderoga Planning and Zoning Board Meeting held on
March 2, 2023, commencing at 6:00 p.m. with Public Hearings regarding
two Use Variance on Residential Solar Arrays**

Discussion on screening.

Mr. Lender asked if some kind of screening can be planted to break up the array.

Mr. Garrett believes they can accommodate some screening to break of the aesthetics of the array.

Resolution #9-2023 brought by Walt Lender, seconded by Doug McTyier to declare a complete application for Parent – 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System. **5 – Ayes, 0-Nays. Carried.**

Resolution #10-2023 brought by Walt Lender, seconded by Mike Powers to approve the complete application for Parent – 1817 NYS Route 9N (139.2-2-6.112) 17.76 KW Ground Mounted solar PV System with the condition of adding some natural vegetative screening between the project and the road in an attempt to break up the visual effect and finding No Environmental Impact. **5 – Ayes, 0-Nays. Carried.**

Other Business

Resolution #11-2023 brought by Walt Lender, seconded by Doug McTyier to accept the Minutes from November 2, 2022 and December 6, 2022. **5 – Ayes, 0-Nays. Carried.**

Resolution #12-2023 brought by Ben Leerkes, seconded by Doug McTyier to close the meeting at 6:29 p.m. **5 – Ayes, 0-Nays. Carried.**

Respectfully submitted, Tonya M. Thompson, Town Clerk