

Town of Greenville
Zoning Board of Appeals
Town Hall, Pioneer Bldg.
PO Box 38,
Greenville, NY 12083

November 10, 2020

Attendees: Tom Vance, John Ingalls, Sandy Garden, Jean Thomas and clerk: Hope Nugent.

Guests: Michael Sheridan & Ethan Winter from Cypress Creek, and 4 audience members

Pledge of allegiance @ 7:02 pm

Motion to open meeting made by Sandy Garden at 7:02 pm.

Seconded by: Jean Thomas. All in favor: 4, Opposed: 0, Motion carried.

Old Business: *Motion to accept the minutes from October 13, 2020 made by Sandy Garden.*

Seconded by: Jean Thomas. All in favor: 4, Opposed: 0, Motion carried.

Tom stated that the Board was here tonight for a Public Hearing for Cypress Creek, Red Mill Solar, they seeking the variance for 2 areas that do not meet the 500' setback requirements according to the zoning law.

Motion to open Public Hearing made by Sandy Garden at 7:04 pm.

Seconded by: Jean Thomas. All in favor: 4, Opposed: 0, Motion carried.

Tom stated that the first variance was for the setback of one structure on the NW corner of the project which 340' away and the setback in the zoning law is 500'. The second variance is for the setback from the creek which is at 150', which again should be 500'.

Ethan Winter and Doug Warden who are representing Cypress Creek recapped the project for the Board. They stated that they have had a lease with James Weeks since 2016. They also stated that they have a fully vested interconnect with Central Hudson since 2017. They are now before the ZBA due to the Town taking a pause and redoing the Solar Law which changed some of the parameters of the project. The project layout has not changed but now they need to ask for 2 variances for setbacks that do not meet the 500' requirement.

Mr. Vanucci who is a landowner across from the project asked what the setback was to his house and also about the setback to the creek.

Mr. Winter stated that the distance to the Vanucci residence is 520', and the set back that they will have from the creek is 150' even though DEC only requires 50' the Town is requiring 500'.

Doug Warden stated to all present that they will need the 2 variances for final approval and that the main review of the project is done with the Planning Board. Mr. Warden also reviewed the balance test for the Board and audience as well as what has been submitted as far visual impact studies and the analysis, copies of the signed lease, and SWIPP to be applied to the questions on the balance test.

Mr. Winter stated that they are a public utility, a public necessity and that solar is important to NYS. Being a public utility it feeds right into the grid which is a very compelling reason to use the location of Mr. Week's property.

Mr. Vanucci and his son stated that they are not happy. This project would be an eyesore looking from their house and that they were upset that Mr. Weeks had not come to them and discussed this first as it is visual pollution.

Tom asked if there were any more questions. No questions from the audience.

Mr. Winter did give the Board a copy of the view shed with 4 new pictures that had been taken.

John stated that the concerns the Vanucci's have need to be addressed to the Planning Board as they are the governing body for this project's approval.

Motion to close Public Hearing made by John Ingalls at 7:30pm. Seconded by: Sandy Garden. All in favor: 4, Opposed: 0, Motion carried

Tom stated that the ZBA will now defer Cypress Creek back to the Planning Board until they declare a Neg. Dec. from the SEQRA. Once a Neg. Dec. is reached then Cypress Creek will return to the ZBA for their ruling on the variance.

Motion to close meeting made by John Ingalls at 7:31 pm. Seconded by: Sandy Garden. All in favor: 4, Opposed: 0, Motion carried.