

**TOWN OF MACEDON
ZONING BOARD OF APPEALS
February 21, 2024**

The Town of Macedon Zoning Board of Appeals meeting was held on Wednesday, February 21, 2024, at the Town Hall. Present were Chairman Mike Mosher, members Deborah McEwen, Brian Frey, Town Engineer Scott Allen and Board Clerk Stacy Nisbet.

Chairman Mike Mosher called the meeting to order at 7:30pm. He then read the Legal Notice as it appeared in the newspaper and explained the purpose for which the Board serves.

PUBLIC HEARINGS:

Z-02-24 – Macedon CSG LLC- 1945 Walworth Road – Area Variance – 300-187-G - Property line setback less than 200 feet for commercial solar array

Motion made by Deboah McEwen to open the public hearing, seconded by Brian Frey. All in favor; motion carried.

Hayley Effler and Ella Kitterman from Dimension Renewable Energy and Bryan Bayer from CNS Communications were present address the application as well as the property owner Greg Smith. Hayley explained that they would like to put a 6.77 megawatt solar project on 24 acres. The remaining land will be used as the homeowner wishes. Dimensions is the owner and operator of solar throughout the North since 2018. The setback of the panels will meet the 1,000 feet setback requirements but they are seeking a variance for the property line setback less than 200 feet. Bryan Bayer from CNS in Syracuse has worked with Dimension and done the civil plans for this project. They did the stormwater prevention plan and submitted it to the Army Corps of Engineers. The wetlands meet the less than 10% requirements for the access road.

Fish and Wildlife and DEC had no concerns with endangered species. Surveys are all complete. They did submit the topography analysis. They also have a landscaping proposal to beautify the roadway. Evergreen and shrubs that the deer won't eat so they will remain looking good.

The Mullards were present to speak out against the variance. She believes this does not set a good precedence. The pole for the driveway of the project will be right near her driveway.

Town Engineer Scott Allen reminded everyone that this meeting was only to address the variance. Other concerns could be addressed at the Planning Board if his project gets approved through the Zoning Board. There will be two other Public Hearings.

Alfred Forsay was also present to speak against the Variance, he didn't want the fence that would be around the solar that close to his property.

Scott again reminded everyone that this meeting was to address the variance.

No one else was present to speak for or against.

BOARD DISCUSSION:

Z-02-24 – Macedon CSG LLC- 1945 Walworth Road – Area Variance – 300-187-G - Property line setback less than 200 feet for commercial solar array

Deb McEwen asked why the panels could not be moved to the west which would not require the variance. The answer was if they move everything to the West there would be too much earthwork due to the steep hill.

Scott asked them to show everyone where the variance was needed. The closest the fence would be is only 14' from the property line. The question was asked how wide the array is. It is 400' wide at its widest point. What drives the size of the array? The utility tells them what the maximum would be. A Board Member asked about any other locations they have done. They have done projects in Avon and Caledonia at the Purina Factory. They have two more starting in Geneva. They currently have ten projects in NY state.

A Board Member asked how long they will be there and who is responsible for decommissioning them. The answer was 25 years, and they are responsible for restoring the land. They do monitor 24/7.

Mike Mosher feels this is a substantial decision and wants the entire Board present to make the decision.

Mike Mosher made a motion to table the decision until March 20th, seconded by Brian Frey. All in favor; motion carried.

MINUTES:

A motion to approve the 01/24/24 minutes was made by Deb McEwen, seconded by Mike Mosher. All in favor; minutes approved.

ADJOURNMENT:

A motion to adjourn the meeting was made by Mike Mosher, seconded by De McEwen. All in favor; meeting adjourned at 8:14 p.m.

Respectfully submitted,

Stacy Nisbet
Clerk to the Board