

*Town of Lexiaton*  
**Zoning Board of Appeals**  
**Regular Monthly Meeting**

<b>Date:</b>	March 22, 2023
<b>Time:</b>	6:00pm
<b>Place:</b>	Main Room, Lexington Town Hall Lexington, NY

Zoom Meeting: Town of Lexington Zoning Board of Appeals Monthly Meeting  
Time: Mar 1, 2023 18:00 Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6104392541?pwd=MjEraW1ERUkzTVNyT0gwanh5Qk1JZz09>

Meeting ID: 610 439 2541

Passcode: 643442

One tap mobile

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**Agenda**

<b>Name</b>	<b>SBL</b>	<b>Reason</b>

- 1. Meeting Called to Order by sarah, second by nancy at \_6:06\_\_\_\_\_pm**
- 2. Pledge of Allegiance**
- 3. Roll Call**

Sarah Pellizzari, Chair      ( X ) Present ( ) Absent  
Nancy Wyncoop-Bower      ( X ) Present ( ) Absent  
Ron Lipton                      ( ) Present ( X ) Absent  
Kim McGalliard, Secretary ( X ) Present              ( ) Absent

**Quorum of \_\_\_\_2\_\_\_\_ members present**

**4. Minutes from previous meeting**

- Nancy moved to approved, Sarah seconded. Minutes approved.

**5. Communications**

- Summary of relevant issues raised at Town Board meeting
  - Moving forward, Sarah will put together a list of applicants with a quick synopsis of relevant issues to present to the TB on a monthly basis.
- Summary of relevant issues raised at Planning Board meeting:
  - Sarah met with Jen Cawein, chair of the planning board to discuss the communication between the two boards
  - Nancy talked to Carl and informed him that the ZBA & Planning Board are working on a hand out with links and steps for applications to come before the boards.
- Summary of Timberlake Camp solar project:
  - The application send to the ZBA was incomplete. Email communication between Sarah and Mike Snizik on March 10:

“The application before the Zoning Board is incomplete. There is no request made as to what kind of variance you are requesting. There is no description regarding hardship involving the proposed solar array in regard to the solar law of Lexington.

There was no complete site plan submitted to the Zoning Board. There was an overlay of what looks like a solar array over a forest. No boundary lines of the parcel or setbacks were provided. There was no “as built” or existing structures on the parcel. The solar law specifically outlines the perimeters in which a solar array must comply and what should be depicted on any site plan being submitted. The law also refers all applicants to the Planning Board.

If an applicant is under site plan review with a Planning Board and down the list of the site plan checklist it is possible for a variance to be needed an applied for with the Zoning Board. However in the case of solar array there are many requirements set forth in the local law that need to be accounted prior to any variance considerations by the Zoning Board of Appeals.

It is my understanding you have already reached out to the Planning Board. My suggestion is you do a formal application and a formal site plan and get on their agenda for April.

Planning Boards and Zoning Boards such as ours in the Town of Lexington all require complete application packets submitted prior to meeting dates to ensure space on an agenda.”

- Based on solar law for Lexington, it’s clear that this project would have to go to planning board first for site plan review since it is a commercial property.

**6. Old Business**

- Deb Scotto application:
- The ZBA secretary got the response from Greene County Planning Board stating that no action was required. Response from the County is attached to the

minutes. Sarah made a motion to set a public hearing for the Scotto variance at next meeting in April, Nancy seconded. Public meeting will be held on Wednesday, April 26.

- Secretary will send certified notices to five abutters, and will publish the legal notice. Cost for certified mail and the public notice will come back to the applicant. Abutters will be 500 ft from property line. Public notice ad has to run for at least one day and be posted in the Municipal Building. Secretary will work with Charlotte to follow normal standard for public notice.

## **7. New Business**

- Gretchen Walker attended the meeting to get information about applying for a variance to build a pre-fabricated home on .75 of acre on Rt. 13 in North Lexington. Catskill Mountain Housing qualifies for single wide manufactured home. In Lexington, since minimum lot size is 3 acre, she would need a variance to build on the parcel. The secretary will send her the zoning board application to request a variance on the lot size. ZBA would potentially give the variance dependent on DEP approval of well and septic. She will need 10 days before the next meeting to be put on the agenda.
- An email was received from Gabi Moritz regarding the camping structure on a parcel of land owned by Lexington Arts & Science regarding the zoning of the parcel and whether it is zoned Hamlet where camping is not allowed. It was decided that she should send a letter to the ZBA requesting determination of zoning district. The letter must also include a letter of notarization from the LLC operating partner that she have permission from the owner to seek a determination.

## **8. Other Business**

- None

## **9. County Liaison Report**

- None

**10. Meeting Adjourned at \_\_\_\_\_ 6:25 \_\_\_\_\_ pm**