

A public hearing was held by the Town Board of the Town of Ballston on Tuesday evening, June 9, 2015 at the Town Hall on Charlton Road, Ballston Spa, New York.

PRESENT	Patrick Ziegler	-----	Supervisor
	William Goslin	-----	Councilman
	Kelly Stewart	-----	Councilwoman
	John Antoski	-----	Councilman
	Carol Shemo	-----	Clerk
	James Walsh	-----	Counsel
ABSENT:	Timothy Szczepaniak	-----	Councilman

Supervisor Ziegler opened the public hearing at 6:25 p.m. The purpose of this public hearing is to offer residents, especially those living in a rural agricultural zone, an opportunity to go before the Zoning Board of Appeals for an area variance for the location of solar collection system on their property. Dr. Dumeler came before the Town Board to ask for assistance with the location of his solar collection system. We are not changing the code but we are offering residents the ability to go before the Zoning Board of Appeals for a variance.

The Town Clerk read the following legal ad for the public hearing.

TOWN OF BALLSTON NOTICE OF PUBLIC HEARING  
REGARDING LOCAL LAW 2 OF 2015

PLEASE TAKE NOTICE that pursuant to the Town Code of the Town of Ballston §89-4 (D) (3) and the New York State Town Law §§ 261-c and 264, the Town Board of the Town of Ballston will conduct a public hearing on June 9, 2015 at 6:20 p.m., Ballston Town Hall, 323 Charlton Road, Ballston Spa, New York 12020 to consider the change to the Local Law, Town of Ballston allowing the Town Zoning Board of Appeals to grant a variance with respect to solar collections systems placement. All persons are welcome to offer their oral and/or written comments at the above time and place.

By order of the Town Board of the Town of Ballston dated April 14, 2015. For further information, please contact Patrick Ziegler, Supervisor, at (518) 885-8502 Ext. 13.

Carol R. Shemo  
Town of Ballston Town Clerk  
PO Box 67, Burnt Hills, NY 12027  
Dated April 21, 2015

Mr. Mark Bomba from Positive Energy NY LLC said Dr. Duemler has a petition with his neighbors' signatures that they are not affected by the solar system location and the placement of the solar collection system will not affect their view.

Councilwoman Stewart told Mr. Bomba to make sure Dr. Duemler forwards that information to the Zoning Board of Appeals.

Town Attorney Walsh said it became clear that our solar collection system code requires installation of a solar collection system at the rear or side of the property so as not to interfere with the esthetics and the enjoyment of the neighboring property owners. The way this property is situated, the solar collection system would be located toward the front to the property. It would be hitting the same intent of the code since it is behind other houses and would not be visible from the road. The Building Department could not issue approvals for this system since the code specifies the location is at the rear of the property. The Town Board, through this local law, decided to grant the Zoning Board of Appeals the authority to issue an area variance for the solar collection system.

No one else wished to speak. The Public Hearing was closed at 6:30 p.m.

Respectfully submitted,

Town Clerk