

Town of Ballston
Zoning Board of Appeals

**TOWN OF BALLSTON
ZONING BOARD OF APPEALS**

Regular Monthly Meeting: June 4, 2014

ATTENDEES: Michael Lesniak, Chairman
Marilyn Bell, Vice Chairman
Ellen Brown
Robin Kane
Fred Rogner
Daniel Russell
Jan VanDeCarr
Stephen Merchant, 1st Alternate
Daniel Mertzlufft, 2nd Alternate
Peter Reilly, Attorney
Thomas Johnson, Building
Inspector
Members of the General Public

Chairman Lesniak called the June 4, 2014 meeting at 7:30pm and Ms. Kane led the Pledge of Allegiance. The chairman asked for corrections to the May 7, 2014 minutes.

Page 2) change grant to "granted" Under MOTION "Change Planning to "Zoning"

MOTION: Ms. Kane made a motion to accept the May 7, 2014 minutes as amended. Mr. Russell seconded the motion and all present voted in favor. **CARRIED.**

Mr. Lesniak reviewed the agenda for this evening - Dolomite and DiDonato were removed from agenda.

NEW BUSINESS:

Karin & Brian Skarka, 265 Middleline Road, Ballston Spa, NY 12020;227.-1-31.1 Special Use Permit §89-4(D) - Installation of (4) solar panels. Greg Pullen and Johannes Courtens with Lotus Energy were present on behalf of the applicants.

Chairman Lesniak read the applicants narrative requesting the installation of a solar power system.

Mr. Pullen added the applicants desire to reduce their dependence on non-sustainable energy sources and keep the farm financially viable.

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The monthly electric consumption is typically 67% farm related and 33% household. The annual electric bill for 2013 was \$6,500.00. January 2014 - \$500.00, February 2014 - \$500.00 and March 2014 - \$706.00. The applicants are a small farm with a slim profit margin; cattle need water to drink, regardless of the outside temperatures.

Mr. Courtens said an efficiency evaluation was performed and since the array attracts the sun (least reflective) will take up significantly less space on the property - 24 panels on one pole.

Mr. Courtens said a structural engineering review was performed and determined the only other location was to move the solar array closer to the road. This was not an option due to the required setbacks. The proposed location is 100' from the Petersen property and 120' from the north and not visible from the road.

Mr. Courtens spoke with Mr. Petersen about the proposal.

Chairman Lesniak asked the overall size of all the panels. Mr. Courtens said 20' wide (20' x 20') - when the pole is "sleeping" at night, it's essentially 10'.

Mr. VanDeCarr asked for size clarification. Mr. Courtens said total (20' x 20'). Mr. VanDeCarr said that totals 400 sf.

Mr. VanDeCarr asked the size of a typical billboard. Mr. Courtens said, "It's doubled."

Mr. VanDeCarr said the height is a minimum of 10' and are proposing a maximum of 17'.

Mr. Courtens said the design is 6' below the ground. Mr. VanDeCarr asked, "Why can't it be a maximum height of 10'." Mr. Courtens said the number of panels would need to be reduced.

Mr. VanDeCarr asked the annual savings to the applicant. Mr. Courtens said \$2,500.00.

Mr. VanDeCarr asked the annual savings at 10'. Mr. Courtens said \$2,000.00.

Mr. VanDeCarr said, "What if it were the same exact system that was proposed and were set in the sleep position." Mr. Courtens said the cost benefit in investing in a tracking system would not be beneficial. Mr. VanDeCarr asked, "why can't it be smaller." Mr. Courtens said, "These panels are the most dense and cannot make them any smaller." Mr. VanDeCarr asked, "The only other panels that are available are more expensive than what are being proposed." Mr. Courtens said the panels proposed are the most efficient. Mr. Pullen said quotes from other vendors were greater because "twice the amount of solar panels are used." Mr. VanDeCarr asked if the proposal was 15' x 15' and had 8'

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above that same system would be used. Mr. Courtens said less solar panels could be used, but would be a similar height because when you condense the panels, the height stays the same. Mr. VanDeCarr asked if the post is 5', could it not exceed 10'. Mr. Pullen said if the applicant reduces the number of panels, it would reduce the amount of electricity that is covered, which is less incentive to use solar power - it's viable to cover 100 percent usage for their customers. Mr. VanDeCarr said if the proposal saves the applicant \$2,500.00 annually and \$2,000.00 for a smaller system and meets all the height restrictions, then other options need to be considered.

Chairman Lesniak said that Mr. Petersen was concerned about essentially a large system in their view shed.

Chairman Lesniak asked if the applicant were to use smaller panels would a "bigger" area be needed. Mr. Courtens said the panels take up an area of .001 acres. Mr. Pullen said three to five poles would be needed if the proposal was for smaller panels.

Mr. VanDeCarr asked would the homeowner be Net metering. Mr. Courtens replied, yes. Mr. VanDeCarr asked, "What will be made on that." Mr. Courtens said the applicant is not spending money, it's the utility company. Mr. VanDeCarr said what if their output from the solar panels exceeds their usage- how much money will be made. Mr. Courtens said at the end of the year the credit will be paid out by the utility company. Mr. VanDeCarr said it's more than 100 percent - "money can be made." Mr. Courtens said no - the utility company only pays a wholesale rate. Mr. VanDeCarr said, "If you are producing more than you are using, then they are getting paid the difference at a wholesale rate." Mr. VanDeCarr said the applicant is creating a scenario where the size does not fit the need - it's too big. Mr. Courtens said historic usage is 66 percent and 100 percent projected usage.

Ms. Bell asked is there any noise associated when the panels track/move. Mr. Courtens said it's comparable to the sound of a computer fan. Ms. Bell asked can this be heard at 100' away. Mr. Courtens replied, no.

Ms. Bell asked the height of the stationary track mounted panels. Mr. Courtens said 14'.

Mr. Russell asked the number of neighbors informed of the proposal. Mr. Courtens said he spoke with Mr. Petersen.

Mr. Russell asked if this will be seen by other residents. Mr. Courtens said he does not believe so - there are very large pine trees and a barn. Mr. Russell asked about planting trees along the boundary of the property. Mr. Courtens said that would be a much more economical viable option rather than changing the design. Mr. Russell said the board has to look at the community as a whole - impacts and alternatives.

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Mr. Courtens said another viable option would be a 350' wind turbine causing a low decibel noise.

Mr. Pullen said if the applicant cannot reduce their energy with renewable sources, they cannot continue as a farm. Mr. Courtens said, "This is the only solution."

Mr. VanDeCarr asked if part of the proposal is to install panels mounted on the roof of the home or roof of the barn. Mr. Courtens said, no - it was an option, but are not suitable - the structural value of the buildings are not up-to code and there is not enough space on the house roof - too much weight.

Ms. Kane asked, "Is it a cost factor that it cannot go in a wetland and cannot bring in fill." Mr. Courtens said, "More conduit and having to trench farther." More tiling's would be an option. Chairman Lesniak said the applicant said that trees could be planted.

Chairman Lesniak said a comment was received from Saratoga County Planning Board. "Construct a PhotoVoltaic array of 24 panels on one stand to provide supplemental electric power for operations of existing dairy farm. The stand and panels operate with a 2-axis movement that creates varying heights according to daily and seasonal sun-tracking." **Decision:** No Significant County Wide or Inter Community Impact. **Comment:** In accordance with the Memorandum of Understanding (MOU) between the Town of Ballston Zoning Board of Appeals and the Saratoga County Planning Board (SCPB), the above-noted special use permit has been reviewed and has been deemed to present no countywide impact. The PV panels will be located on one stand (panels being 41" in width, with an overall 423 sq. ft. with a minimum panel height of 11 ft. and a maximum height of 20 ft.) and from one location, with very substantial yard setbacks, move to reflect the tracking of the sun.

Chairman Lesniak opened the public hearing at 8:24 p. m.

Kevin Petersen, 259 Middleline Road distributed a petition of 11 neighbors who agree that the proposal is not in the best interest of the neighborhood. Mr. Petersen said the proposed solar panel array is the size of a "billboard". Mr. Petersen said the applicant stated the size of the panels were 41" x 61" - equating to 20' to 25' high. Mr. Courtens said the proposal is 25' wide (horizontal).

A further discussion was held on the size of the proposed solar array.

Mr. Petersen said he has passive solar panels on the roof of his home and has never had an issue.

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Mr. Petersen asked if the board received his email expressing valid concerns about the proposed solar array. Chairman Lesniak replied, no. Mr. Petersen handed copies to the board.

A further discussion was held on placement of the solar array.

Todd Hildreth, 513 Randall Road said his property borders the Skarka property and is concerned about the location of the solar array placement. Mr. Hildreth approached the board to show the location of his property.

Chairman Lesniak said a home could be built, which is bigger than a solar panel.

Robert Kiehl, 523 Randall Road said they have had problems with this neighbor who placed on box camper on their lot about 10 years ago and set off illegal fireworks.

Mr. Hildreth said, "It looks like a billboard" - would much rather see the panels on the roof of the house.

Ms. Brown asked about the existing outdoor wood burning furnace. Mr. Courtens said the design included switching to high efficiency heat pumps at a later date.

Chairman Lesniak asked how long will the financial return take on their investment. Mr. Courtens said three years.

A further discussion as held on noise.

Chairman Lesniak closed the public hearing at 8:42 p. m.

Ms. Bell asked, "If a stipulation be made to plant trees around the entire solar array, could they be planted far enough and grow tall enough, would it block the view of the solar array and still be functional as a solar panel." Mr. Courtens said trees could be planted at the same height to cover the entire back side. Ms. Bell asked if that were something the applicant would agree to, and would the applicant have to get permission from the homeowner. Mr. Courtens said, "If an agreement was made, would discuss with the homeowner."

Mr. Rogner said, "He would love to table this case" after just receiving the email from Mr. Petersen who has the following concerns - smell, sound, impact on ground water, it could look like a desert in Arizona covered with solar panels, health, safety and high winds. Mr. Rogner has nothing against solar panels, but would need to go back to the site and take a second look at how much of an impact it would be on Mr. Petersen and anyone else. Mr. Rogner said, "Some of these things sound crazy, but some could make sense."

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Mr. Courtens has discussed all the concerns with Mr. Petersen. Mr. Courtens said studies have been performed in Vermont. "A solar array was erected in a protected wetland - no health impact, no smell and they do not rust." Other than trenching conduit to the actual meter, there are no other ground impacts.

Mr. Russell agrees with Mr. Rogner - new information was just received. The neighbors have not been contacted, a list of 11 neighbors have concerns and would prefer to table the application until the board has more answers allowing the applicant to speak to the neighbors to discuss the proposed vegetation, address the decibel level of the equipment that is being used rather than making comparisons of pieces of equipment.

Mr. Rogner said, "He cannot believe the number of neighbors that agree with Mr. Petersen because they will never see the solar array." Chairman Lesniak agrees.

Chairman Lesniak said, "There is a state wide/country wide push for solar panels" - The board needs to show a good reason not to approve the application especially when the applicant is agreeing to the screening.

Mr. Reilly said there may be reasons to table the application, but the only issue before the board is the height variance. The town board has already implemented legislation on solar collection systems.

Mr. VanDeCarr asked, does the applicant have the authority from the homeowner to make a decision based on screening. Chairman Lesniak said screening is part of the stipulation.

Ms. Brown read the five criteria for an area variance:

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Mr. Rogner - no
Ms. Kane - yes
Ms. Brown - no
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - no,
Chairman Lesniak - no

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- 2) Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.

Mr. Rogner - no
Ms. Kane - no
Ms. Brown - no
Mr. VanDeCarr - no
Mr. Russell - no
Ms. Bell - yes
Chairman Lesniak - yes - there are other options.

- 3) Whether the requested area variance is substantial.

Mr. Rogner - no
Ms. Kane - no
Ms. Brown - no
Mr. VanDeCarr - yes - 80 percent greater than what is permitted.
Mr. Russell - no
Ms. Bell - no
Chairman Lesniak - no

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood of district.

Mr. Rogner - yes
Ms. Kane - yes
Ms. Brown - yes
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - yes
Chairman Lesniak - yes

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Mr. Rogner - yes
Ms. Kane - yes
Ms. Brown - yes
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - yes
Chairman Lesniak - yes

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MOTION: Ms. Bell motioned to name The Town of Ballston Zoning Board of Appeals be the Lead Agency in the SEQR process. Ms. Kane seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Ms. Bell motioned to declare this an **unlisted action** under the SEQR process therefore will declare this a Negative Declaration under the SEQR process. Ms. Brown seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Ms. Bell made a motion pursuant to §89-D4 for a total height not to exceed 20' - a 10' variance at 265 Middleline Road, Ballston Spa, NY 12020. Not fewer than four Evergreen trees (non deciduous) be planted - not under 6' tall on the north and south side - 15' (N) and 50' (S). Ms. Brown seconded the motion. Ms. Bell - yes, Mr. Russell - no, Mr. VanDeCarr - no, Ms. Brown - yes, Ms. Kane - no, Mr. Rogner - yes and Chairman Lesniak - yes. **CARRIED.**

Michael Palma, 92 Connolly Road, Ballston Lake, NY 12019;239.10-2-10 - Area Variance (lot width and front setback), 280A-Relief - Construct a new single family dwelling. Michael Palma was present for the request of 280-A Relief and an area variance pursuant to §138-11.1 for the construction of a single family dwelling and a detached garage.

Chairman Lesniak said the applicant is proposing to remove the existing mobile home and construct a new single-family dwelling, detached garage, drilled well and an engineered septic system.

The applicant is seeking variances - 85' lot width, 40' front setback from Connolly Road and 280-A Relief.

Chairman Lesniak said setbacks are needed for the proposed detached garage.

Chairman Lesniak said a building permit cannot be issued until the litigation with the railroad is settled.

Chairman Lesniak said at the last meeting, Mr. Reilly stated, "Issuance of Building Permits for the lots for which this relief has been granted contingent upon the following: to confirm the alternative access arrangement provides a suitable safe and reliable means of access."

1. The proposed access arrangement for the new lot shall be consistent with that as specified by order dated 11/15/2013 in case #308153 issued by the NYSDOT Office of Mobil Safety and Security, insofar as it allows the use of Connolly Road as a principal means of access.

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2. In the event Connolly Road is not used as the principal means of access to the newly created lot, the Town of Ballston Zoning Board of Appeals shall be given the opportunity to review any such alternative access arrangement, and required improvements

Chairman Lesniak reiterated that a building permit cannot be issued until the railroad issue is settled.

Mr. Palma said an easement is needed from three property owners on Powers Lane.

Chairman Lesniak opened the public hearing at 9:21 p. m.

Chairman Lesniak closed the public hearing at 9: 22 p. m.

No one wished to speak.

MOTION: Ms. Bell motioned to name The Town of Ballston Zoning Board of Appeals be the Lead Agency in the SEQR process. Ms. Kane seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Ms. Bell motioned to declare this an **unlisted action** under the SEQR process therefore will declare this a Negative Declaration under the SEQR process. Ms. Brown seconded the motion and all present voted in favor. **CARRIED.**

Ms. Bell said there is a road association that maintains the ingress and egress to Connolly Road, however given the current litigation pending with the railroad and homeowners and residents of Connolly Road contingent upon the following:

1. The proposed access arrangement for the new lot shall be consistent with that as specified by order dated 11/15/2013 in case #308153 issued by the NYSDOT Office of Mobil Safety and Security, insofar as it allows the use of Connolly Road as a principal means of access.

2. In the event Connolly Road is not used as the principal means of access to the newly created lot, the Town of Ballston Zoning Board of Appeals shall be given the opportunity to review any such alternative access arrangement, and required improvements

MOTION: Ms. Bell moved to grant 280-A contingent upon Connolly Road remaining open and that crossing gates be installed. If not, the applicant needs to come back in before the board for other alternate access (ingress/egress). No building permit be issued until the resolution of the railroad or some other means of alternate ingress/egress. Mr. Russell seconded the motion and all present voted in favor. **CARRIED.**

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A further discussion was held on setbacks for the proposed single-family dwelling.

Mr. Johnson said site plan review is needed for placement of the proposed single-family dwelling.

Mr. Reilly said building permits are not being issued subject to the resolution of the railroad litigation.

MOTION: Ms. Bell moved to table the setback variance request for proposed single-family dwelling and detached garage for 92 Connolly Road until after the applicant has received site plan review and approval from the Planning Board. Ms. Kane seconded the motion and all present voted in favor. **CARRIED.**

Denise Volpe, 3 Willem Way, Ballston Lake, NY 12019;249.-2-53.1 - Area Variance (front setback) - Construct a new single family dwelling. Denise Volpe was present requesting a front setback variance pursuant to § 138-21.1.

Chairman Lesniak read the applicants narrative - "I Denise Volpe am applying for a variance for a front setback due to an error I made relating to a misunderstanding relating to the code.

I determined the foundation location by taking a measurement from the actual "physical" road sideline (Willem Way/private road) and I was within the 60' setback with room to spare. I then started construction of the dwelling and ordered a "foundation location survey" to be prepared. This was when I realized the error of my ways. I didn't realize that the 60' setback measurement was to be taken from the "Road easement" rather than the physical road sideline. I am greatly sorry for my error and hope you can understand that this was truly a misunderstanding on my part and unintentional. I appreciate and all consideration that you can give to my variance request."

Ms. Volpe said she apologizes for the error. "The structure is built to a certain extent and have not performed anymore work until receiving the requesting variance."

Chairman Lesniak said, "The board likes to work with people, but this structure is on existing property."

Chairman Lesniak said a garage was added to the original plan.

Ms. Bell said the original plot plan did not depict a garage attached to the house. Ms. Volpe said the septic plan was provided showing the proposed home, well and septic system - not an as-built.

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Chairman Lesniak said the building permit was issued based on meeting the required setbacks.

Ms. Kane asked how many homes have been built in the subdivision. Ms. Volpe replied six.

Ms. Kane asked why the garage was added. Ms. Volpe said it was not an afterthought - "It's a misunderstanding to measure from where the home was originally staked out up to the physical driveway (private driveway) and had 70' physically to the driveway, 70' off of the garage and 100' off the main home."

Chairman Lesniak said, "This is flagrant" whether intentional or unintentional - there is no reason for it.

Ms. Brown asked when the error was realized, did you stop or continue construction. Ms. Volpe said construction stopped on the garage.

Ms. Volpe reiterated - this was not done on purpose.

Ms. Bell said could the land to the east be further developed. Ms. Volpe replied no - there are four approved lots of the 33 acres. The road will be extended approximately 800'. Mr. Johnson said the full build-out is shown on the map.

Ms. Bell asked if there is a potential to become a town road. Ms. Volpe said during the subdivision process the town did not want to take over the road and would be a financial burden to build to town specifications.

Chairman Lesniak asked the total number of homes proposed within the existing subdivision. Ms. Volpe replied, ten.

Mr. Russell asked to meet the setbacks, could the existing road be relocated. Mr. Johnson said it would require a Lot Line Adjustment - shifting the easement south.

Chairman Lesniak opened the public hearing at 9:52 p. m.

Chairman Lesniak closed the public hearing at 9:53 p. m.

No one wished to speak.

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Mr. Rogner read the five criteria for an area variance:

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Mr. Rogner - yes
Ms. Kane - yes
Ms. Brown - yes
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - yes
Chairman Lesniak - yes

- 2) Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance.

Mr. Rogner - yes
Ms. Kane - yes
Ms. Brown - yes
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - yes
Chairman Lesniak - yes

- 3) Whether the requested area variance is substantial.

Mr. Rogner - yes
Ms. Kane - yes
Ms. Brown - yes
Mr. VanDeCarr - yes
Mr. Russell - yes
Ms. Bell - yes
Chairman Lesniak - yes

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood of district.

Mr. Rogner - no
Ms. Kane - no
Ms. Brown - no
Mr. VanDeCarr - no
Mr. Russell - no
Ms. Bell - no

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Chairman Lesniak - yes

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Mr. Rogner - yes

Ms. Kane - yes

Ms. Brown - yes

Mr. VanDeCarr - yes

Mr. Russell - yes

Ms. Bell - yes

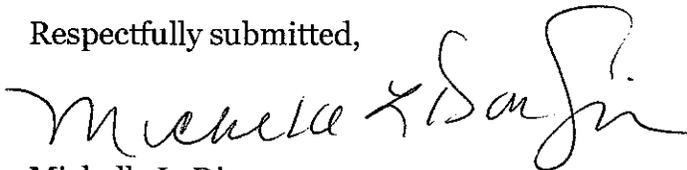
Chairman Lesniak - yes

MOTION: Mr. Rogner moved to grant an area variance pursuant to §138-21.1 for 3 Willem Way, Ballston Lake, NY for the construction of a single-family dwelling - a 24.7' front yard setback variance. Ms. Bell seconded the motion - Mr. Rogner - yes, Ms. Kane - yes Ms. Brown - no, Mr. VanDeCarr - yes, Mr. Russell - no, Ms. Bell - yes and Chairman Lesniak - no **CARRIED.**

MOTION: Ms. Bell moved to adjourn. Mr. VanDeCarr seconded the motion and all present voted in favor. **CARRIED.**

Meeting adjourned at 10:00 p. m.

Respectfully submitted,



Michelle L. Dingman
Zoning Board Secretary

Enclosures

To: Ballston Town Board

Concerning:

Proposed Solar panel Array directly in line with the Petersen Family Home.

I would like to see that the proposed Solar Array should be kept far away and out of sight and sound from our residence and all the other neighborhood residences so as not to detract from the value, safety, and peacefulness of this neighborhood.

Also to avoid any nuisance caused by sight (possible reflections), sound (every 10 minutes it turns a motor on), smell (if it malfunctions), or impact on ground water (from the sealed black silicone wafers in the event of a malfunction) that supplies the Petersen household. Our water comes directly from the existing water table in the form of a shallow well 14' deep.

Presently the Skarka's utilize a wood burning furnace without much consideration for any of the neighbors. Consistently the smoke from the furnace causes us to have to shut our windows even in the summer. It smolders unlike a woodstove that produces little or no smoke especially one with a catalytic converter. They have been warned by the DEC to not burn refuse that was piled next to the stove ready to be burned. It did produce quite a toxic smoke when it burned up one time while they were away. The burning styrofoam / fiberglass insulation filled the neighborhood with toxic smoke that burned our eyes and lungs.

The reason I bring this up is so the Town Board can realize the dangers and nuisance that exist to all the nearby neighbors because of the inconsiderate use of an "energy saving" device. If they had 150 acres and put the solar array out in the back where it didn't affect anyone it would be fine. Why would they not put it on their house, barn, on top of the existing silo that isn't being used, their lot across the street, or their front yard. Instead they propose to put it right outside our bedroom window and 130' from our pool and deck. ~~It is right in the sun's path to our house.~~ It will look out of place and create unnatural noises that will disturb the sleep (thus the health) and mental well-being (they are ugly and out of place in a beautiful outdoor environment) of all their neighbors. Who knows what ground water and air quality impact will occur if it ever malfunctions, which it eventually will. It could even burn up like their wood furnace did.

Facts:

Some of this information was obtained from a conversation with Lotus Energy Inc. who is the proposed installer of the system.

1. Aesthetically considered an eyesore. It looks unnatural on a pole in the middle of a field and deters property value. Would you want a moving billboard size mechanism put right outside your home?
2. If approved – The Town of Ballston could look like a desert in Arizona covered with solar panels on poles.
3. Health – Glass reflection to all those south, east and west of the panels. Sealed glass eventually unseals and who knows what comes out of it then. Hot silicone smell emitting from them??? That wouldn't be nice sitting out on my deck smelling that.

4. Noise – they turn on every 10 minutes to track the sun without regard to anyone nearby so they do make noise all day long. From the time the sun comes up until it goes down. Who wants that as an uncontrollable alarm clock??
It is very nice and quiet here especially early in the day and I know I will notice it when my window is open.
5. Lowers property value of surrounding homes because it looks bad in the middle of beautiful serene farm field.
6. Safety – In the event of high winds they can become a flying object especially if it malfunctions in a high wind. There have been three tornadoes through this very field since 1974.

Note:

Presently the Skarka's have been asked several times to turn off the music in the barn at night because it keeps people awake. Even in the summer we have to shut our windows so we don't hear it. They oblige for a time then leave it on again. On many occasions we have had to ask them to control the smoke that emits from the wood burning furnace. We are treated as the ones who are causing them the nuisance.

Solar electricity is great when installed with consideration of all the above things. I have a passive solar house that store up lots of energy utilizing a minimal impact on everything. Please consider my request to move the solar array to an agreed upon location other than where it's presently proposed to be installed.

Thank you,

Kevin and Catherine Petersen
259 Middleline Road
Ballston Spa, NY 12020

Also I am gathering a list of neighbors who also agree with me on these subjects.

List of Nearby Neighbour
Who Agree with Mr. Petersen

- 1 Lorena Rutkowski
- 2 Lee Grandjean
- 3 Lillian Grandjean
- 4 Marysue Morrison
- 5 Edward M Bobell
- 6 Jessica Jeff
- 7 Danielle Vitolo
- 8 Elia Hildebrand
- 9 William Hornum
- 10 Judith A. Korman
- 11 Robert Kehl