

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

<b>Date:</b>	April 26, 2023
<b>Time:</b>	6:00pm
<b>Place:</b>	Main Room, Lexington Town Hall Lexington, NY

Topic: Town of Lexington Zoning Board Meeting  
Time: Apr 26, 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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Meeting ID: 610 439 2541

Passcode: 643442

Find your local number: <https://us02web.zoom.us/j/kdHPrgnjf1>

**Agenda**

<b>Name</b>	<b>SBL</b>	<b>Reason</b>
Deb Scotto	Garage variance	Public hearing
Moritz	Review request	Zoning determination request
Timberlake	Joint ZBA & Planning	Solar installation

Deb Scotto present.

Public Meeting for Scotto variance – called at 6:03. There were no neighbors or other members of the public to speak or comment about the variance.

According to conversation Tal had with Sarah, the board does not need to wait the full 15 minutes if there isn't anyone from the public present to speak or comment.

Sarah moved to close public hearing.

Nancy seconded.

1. Meeting Called to Order at 6:10 pm
2. Pledge of Allegiance
3. Roll Call

Sarah Pellizzari, Chair      ( x ) Present ( ) Absent  
Nancy Wyncoop-Bower      ( x ) Present ( ) Absent  
Ron Lipton                      ( x ) Present ( ) Absent (joined at 6:21)  
Kim McGalliard, Secretary ( x ) Present ( ) Absent

Open regular public meeting motion by Sarah. Seconded by Nancy  
Sarah asks for motion to accept last month's minutes. Nancy seconded.  
Since there were no public comment on garage variance, are there any questions or comments from the board? No questions from the board. Nancy made a motion to accept application and grant the variance. Sarah seconded.  
All in favor.

### Old Business

- Moritz zoning determination

Gabrielle Moritz and Sam Bargetz had requested a review of whether the parcel 144.00-2-45 where they have their off-grid STR structure is in the hamlet of Lexington where camping is not allowed per current zoning.

Sarah presented the current zoning maps and explained the process for the determination of the hamlet borders since there was some confusion about which map was current. There is a survey from 2015 that defines the border of the hamlet, and the Town board adopted the zoning district in 2005. County planning helped facilitate that. There is no new zoning map since 2005. There is a lot of mapping of the area, but for the town, the zoning was determined in 2005. That is what the town is charged to operate from. Other maps like the DEP map does not have anything to do with zoning so those maps do not apply. GIS does not have the zoning districts as an overlay yet.

Sarah moved that parcel is in the hamlet and hamlet zoning applies.

Nancy seconded.

All in favor

Sarah made a motion to close monthly meeting at 6:41pm

Nancy seconded.

### Joint Meeting with Planning Board Re Timberlake Solar

Sarah moved to begin the joint meeting with planning board and zoning board to discuss Timberlake solar project.

Introductions (6:42)

Members of the planning board present:

Jen Cawein

Casey S Scieszka

Beverly Dezan

Carl Giangrande

Beth Martin

Bill Schmitt from Genie Energy and Stephen Hughes from Greenwich Energy presented the current plan.

The meeting was convened as a process meeting to discuss what would be required from planning and zoning to move forward with the project.

One issue is that when the town solar law was passed, this sort of project was not envisioned. Some parts of the project that would need ZBA variance, and some would need waiver from the planning board.

Zoning role will be to hear hardships that are not self inflicted and grant variances where requested and allowed.

The process will be to go through site plan with the planning board, then if necessary, go through zoning board to hear hardships to show distances and other items that need variances.

Per Tal, Town engineer needs Lamont to review the structure, or at least review any existing plans. There needs to be an Escrow account of approximately 10k to cover fees.

They need to have safety assurances (roof, installation etc.) and Carl will also inspect the building as well. The ZBA can't give a variance to DEP requirements.

They need to put together a site plan with all measurements all requirements as stipulated in the current solar law

They would need to get application to the planning board first, then 10 days notification for the ZBA meeting.

Bev motioned to close joint meeting. Sarah seconded. Meeting adjourned at 7:35