



Town of Griswold



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GRISWOLD ZONING BOARD OF APPEALS REGULAR MEETING MINUTES

SEPTEMBER 2, 2009

GRISWOLD TOWN HALL

I. REGULAR MEETING/PUBLIC HEARING(S) (7:00 P.M.)

1. Call to Order

Theodore Faulise, Chairman, called this meeting of the Griswold Zoning Board of Appeals to order at 7:00 p.m.

2. Roll Call

Present: Theodore A. Faulise, Dorothy Doucette, Ronald Anthony, Ronald Jodoin, Alternate, Louis Demicco, III, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: William Przylucki Alternates Maryann Manning Jeffrey Petersen,

3. Determination of Quorum

T. Faulise appointed L. Demicco to sit for W. Przylucki. There was a quorum for this regular meeting of the Zoning Board of Appeals.

4. Matters Presented for Consideration

- A. ZBA 04-10 Heely, Cheryl, 34 Old Bethel Road, Griswold, CT.** Requesting relief from Town of Griswold Zoning Regulations Section 10.4. to reduce the left side yard requirement from 30 ft. to 10 ft. in order construct a 54 ft. x 8 ft 4 inch ground mount solar array. The property is zoned R-40.

T. Faulise asked if the applicant was present. Cheryl Heely was present and David Cohen, Alteris Renewables presented the application to the board. T. Faulise asked how many were mailed. D. Cohen stated six were mailed. He presented the certificate of mailing to the board. There was discussion of this matter.

D. Cohen explained the solar array location on the lot and stated that this location was the most suitable location on the site for a photovoltaic array. He showed photographs of the site. R. Jodoin stated that there were high arborvitae and asked and how high it is. D. Cohen stated that it was seven feet tall. He stated that the system would supply 100 percent of the power with 33 modules. R. Jodoin stated that he thought that it was the only location for it. T. Faulise asked if it was a flag lot. D. Cohen stated yes and that it had 50 feet of frontage.

D. Cohen stated that the right solar exposure was necessary to make it viable and the CT clean energy fund provides incentives based on the system function for the most power to be back fed to the utilities.

D. Doucette asked if this would provide enough power for her use. D. Cohen explained that the power that was not used would be back fed into the grid and the meter records what is bought and sold. D. Doucette asked if this was leased. D. Cohen state yes and explained that there is a leasing program and an purchase program for energy incentives.

R. Jodoin asked dif more energy is produced than used the State buy it. D. Cohen explained that the excess energy is purchased back by the utility company and explained how that worked. There was discussion of this matter.

R. Anthony asked what happens when the lease is over or the applicant doesn't want to renew the lease and what does that do the property. D. Cohen stated that the lease is for a term of least 5 years so the federal tax credit can be realized; the terms of the lease is an initial 15 years and afterward the systems are appraised and the market value is determined and the applicant can renew the lease, purchase the system at fair market value or have the system removed. There was discussion of this matter.

T. Faulise asked if there were any other questions. L. Demicco asked if there were regulations on solar panels. P. Zvingilas state that was why he was here tonight to determine the array as a whole structure. L. Demicco asked about the back fee to the greed and what happens when they are working on the road. D. Cohen stated that the company has an agreement with the utility and that you are on the grid as a generator the lease company is in agreement with the utility company. The utility company has a ac disconnect that is lockable and they can open the breaker and lock it and it will be labeled where it is and the system identified. He stated that when power is lost, the system shuts down for safety reasons to keep the grid stabilized.

R. Anthony asked how big it was. D. Cohen stated that it was 54 ft long and 8.5 feet high. D. Doucette asked if there were pictures of this array. D. Cohen showed pictures of what the array would look like. There was discussion of this matter including where other solar arrays were located in town.

T. Faulise asked if it would be mounted on piers, sono tubes. D. Cohen stated that it would be mounted on sono tubes and Simpson anchors so there is no direct contact.

T. Faulise asked if there was anyone else to speak in favor. He asked if there was anyone opposed. He stated that there was no correspondence in the file for or against the project. He asked for any other questions. T. Faulise closed the public hearing.

T. Faulise stated that he looked at the property and state property abuts in the back and that there is a natural barrier of trees. He stated that it did not affect the public health or property values or the public safety. He asked for a motion.

R. Jodoin made a motion to grant the variance as presented. D. Doucette seconded the motion. All were in favor. The ayes carried. T. Faulise explained the 15 day appeal period after it appears in the newspaper.

B. ZBA 05-10 Dziadul, Ken, 596 Bethel Road, Griswold, CT. Requesting relief from Town of Griswold Zoning Regulations Section 10.3 to reduce the front yard requirement from 50 ft. to 10 ft. and Section 10.4 to reduce the right side yard requirement from 30 ft. to 10 ft. in order to construct a 49 ft 5 inch by 10 ft, 3.5 ft, ground mount solar array. The property is zoned R-60.

T. Faulise asked if Ken was present and asked if David Cohen was representing him. Ken Dziadul stated yes. T. Faulise read the letter authorizing David Cohen to represent Ken Dziadul for the record.

David Sorensen stated that he had received a letter telling him that the meeting was to be on Tuesday, September 2, 2009. He stated that he was here on Tuesday and that he was upset. D. Doucette asked if D. Cohen sent the letters. D. Cohen stated that someone from his office sent

the letters. T. Faulise stated someone should offer an apology for the wrong date; but that since Mr. Sorensen is here, he is aware that there is a public hearing for this matter. David Cohen apologized for the incorrect date on the letter.

David Cohen explained where this array on the flag lot would be located. He stated that this is the only location on the property that has the best exposure. D. Doucette asked if there were other locations. D. Cohen stated that it is the shortest run to the electrical service and doesn't need cutting of trees.

He explained the design factor for the site is 97 percent which is almost perfect. He explained that behind the house that creates a hindrance for the array to the west there are two features where the lot comes down and drops to the north and east. He stated that the tree line blocks the array from a significant amount of sunlight. He stated that to put the array in another location it would require a significant clear cutting of trees of approximately a acre and impact to the wetlands. He stated a large part of this is minimizing the environmental impact

D. Cohen explained that the array is 8.9 inches high. He showed photographs of the site of different perspectives of the array. He showed a view from the road and the array is on the other side of the swale that already blocks half of the house. There was discussion of this matter.

T. Faulise asked D. Cohen to show where the array would be located. D. Cohen showed the location on the down side of the swale. T. Faulise stated that the variances 10 feet because it is a flag lot. R. Anthony asked if this would heat the house. D. Cohen stated no and that it is for electricity.

T. Faulise asked if there was anyone else to speak in favor. He stated that there is a letter in the file. D. Doucette asked David Sorensen if she could read the letter for the record. David Sorensen stated that she could read it for the record. T. Faulise asked D. Sorensen to show where his house was located. D. Doucette read the letter of opposition for the record.

D. Sorensen voiced his concerns for the location of the solar array. He stated that he was concerned for the safety of his grandchildren and neighbors' children climbing on the array or getting electric shocks. He stated that he didn't want to look at the array when the leaves were off the trees. He submitted photographs of an array that was located in Stonington. He submitted a photograph of the site showing a clearing in the back and that there is plenty of sunlight back there for the array, so that it can be in another location since the best light is from 9 am to 5 pm. D. Cohen asked if there were trees in the photograph.

T. Faulise asked how far D. Sorensen's house was from the array. D. Sorensen stated that it was 100 to 150 feet away. D. Cohen stated that it is 300 feet from the road to west edge of the array. D. Cohen stated that the array is going down this slope. T. Faulise asked if it were moved over five feet for the safety of the children and if he would object if it was moved 5 feet over. D. Sorensen asked if it would break a regulation. D. Doucette stated that it was moved 5 feet, then the applicant wouldn't need a variance.

P. Zvingilas suggested that the array be fenced in for protection of the children and animals. He stated that a 50 foot right of way, the front yard is where the house is. T. Faulise stated that it is 300 feet from the road. T. Faulise stated that it is in the 50 foot right of way. There was discussion of this matter.

L. Demicco asked what the hardship was. T. Faulise stated that it was up to the board to determine the hardship. D. Sorensen stated that this was his personal objection since he moved to the country to enjoy the country. D. Doucette asked where the septic was located. D. Cohen showed where the septic was located and he stated that a large amount of tree clearing would be necessary. R. Anthony stated that we should be concerned for the environment.

T. Faulise asked if there was anyone in favor. He asked if there was anyone else opposed. T. Faulise stated that only the abutter was present. T. Faulise stated that the board members should look at it.

D. Cohen explained the perspective from the neighbor's property is that the array is at an angle that is about 8 feet wide. He stated that the frame is pressure treated and the modules are 2 inches thick and aluminum legs and the profile of the array is narrow. D. Doucette asked how dangerous it is. D. Cohen stated that all the wiring is secured. P. Zvingilas asked about raising it up and if would it lose the sun's energy. D. Cohen stated that it couldn't be raised high enough to get past the trees. There was lengthy discussion of this matter.

T. Faulise asked for other questions or comments. P. Zvingilas asked that if he planted trees and it blocked the array would he get sued if he blocked the sun. D. Cohen stated that in California there were laws about solar exposure and reducing someone's solar exposure. There was discussion of this matter.

R. Anthony asked if there were any laws about safety for solar panels. D. Cohen stated that they are tempered glass and shatter like a windshield. T. Faulise stated that you can tell what it is going to look at and what it looks at from the back. T. Faulise stated that the applicant has nine acres of land; he doesn't have a small lot.

T. Faulise closed the public hearing. P. Zvingilas suggested that they continue the public hearing to accept more information after looking at the site. D. Doucette made a motion to continue the public hearing to the next meeting on October 7, 2009. L. Demicco seconded the motion. The ayes carried. He asked the board members to look at the property.

5. Old Business

A. Approval of the minutes from August 5, 2009.

T. Faulise asked if there were any corrections or omissions. D. Doucette made a motion to accept the minutes as presented. R. Anthony seconded the motion. All were in favor. The motion was carried.

6. New Business

There was no new business.

7. Correspondence

There was no correspondence.

8. Adjournment

R. Anthony made a motion to adjourn. L. Demicco seconded the motion. All were in favor. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Donna M. Szall
Recording Secretary