

Committee Recommendation
Approved by Village of Altamont Board of Trustees July 9, 2020

VILLAGE OF ALTAMONT
ALTAMONT - GUILDERLAND REFFERAL

Date: June 18, 2020

To: Jacqueline Coons
Chief Building and Zoning Inspector
Town of Guilderland
P.O. Box 339
Guilderland, NY 12084

Case Number: 09-20

Applicant: Helios Energy New York 13, LLC
Address: 411 South Old Woodward, Suite 807
Birmingham, MI 48009

Property Location: 6580 Dunnsville Rd
Altamont, NY 12009

Project Description: **5MWAC Solar Farm**
Parcel Size: **56.7 Acres**
Parcel Number: **37.00-2-4**
Zoning: **RA-3**

Referring Agency: Town of Guilderland Zoning Board

Considerations: **Helios Energy is requesting a variance of 120 feet for a side setback on a 5.0 Mega Watt Commercial solar array. Guilderland Town Code requires a 150' side setback; Helios is requesting to have a side set back of 30' for their project.**

-See recommendation on the following page-

Recommendation:

The Altamont -Guilderland Referral Committee recommend that the application for a variance on the side setback be disapproved based on the following criteria:

- Size of Variance (120') Guilderland passed a new Local Law in March 2020 that specifically added an additional 100' to front, side, and rear setbacks for solar projects. This application is deficient and lacks information from a visual impact study to assess what, if any, of the solar facility, and more specifically the 30' side setback, would have on adjacent properties.
- The request for a variance is self-created; the majority of this project is not affected by the side set back. On the north- west side of the project, there are approx. 35 panels that would be affected by not having the 30' setback, a small fraction of the total project. The majority of the second row on that same side can meet the 150' setback code requirement. Through our calculations, the remaining panels that do not meet the required side setback could be included with a variance of 50' (100' side setback).

If the Lead Agency (Guilderland Zoning Board of Appeals) proceeds on this matter, we recommend that as a condition of going forward on this variance request, the following actions be taken:

- Visual impact study that encompasses the entire project; examining the impact on adjacent and surrounding properties during full and minimum foliage.
- Glare analysis study: to analyze any impact of the solar panels, including the tilt of the panels, on the adjacent and surrounding properties.