

TOWN OF FARMINGTON
ZONING BOARD OF APPEALS
MEETING

September 16, 2024

Present for the online web conference were Chair Schoenhorn, Commissioners Callahan, Cloud, Gemski, Grady-Benson, Walsh and Alternate Commissioners Dess-Santoro and Subramanian. Assistant Town Planner Daigle and Clerk Michaud were also present. The meeting was called to order at 7:24 p.m. due to technical difficulties.

Assistant Town Planner Daigle, Clerk Michaud and Commissioners were present in the Council Chambers. Commissioner Callahan and Alternate Commissioner Subramanian were present online. Alternate Commissioner Mastrobattista was absent.

PUBLIC HEARING

James Yow, Trustee and JWY Ohana Living Trust – 115 Town Farm Road

Application for variance to locate a ground mounted solar array in other than the required yard at 115 Town Farm Road, R40 zone. Mr. Yow presented his request to install the ground mounted solar array. He stated his home is located to the rear of his property and his septic system is located in the back yard prohibiting him from located the array behind the house. The east/west orientation of the roof on his home also does not provide enough solar energy needed for his home. In addition, there is a heavily wooded area to the south his house that would require removal of approximately three-quarters of an acre of trees and there still would be mature trees on the adjacent property that would restrict the ability of the solar system to generate enough energy for his home. Mr. Yow added he has worked with the solar company for some time to determine the best location for this alternate source of energy. The closest corner of the proposed solar array is shown at 227'-8" from the front property line. The array will be installed in two phases. The first phase includes thirty-five panels and the second phase is for fifteen future panels. The total of fifty panels would be 62'-9 1/2" wide, 15'-8 1/2" deep and 11'-4" tall. Photos provided with the application show the southern property line has a six-foot fence along the property line and evergreen trees. The northern property line is also lines with evergreen trees and the frontage of the property also has a row of evergreen trees. Commissioners asked clarifying questions about the location, number of panels required and confirmation on the hardship. Some Commissioners expressed concern with the number of solar panels. Assistant Town Planner Daigle reviewed photos included in the application packet for clarification of the proposal.

Written Correspondence:

Joanna Kuszaj, 118 Town Farm Road, email dated September 9, 2024 in support of this application.

Pawel & Iwona Hader, 113 Town Farm Road, letter in support of this application.

Ron & Sheila Llewellyn, 116 Town Farm Road, letter in support of this application.

Arthur & Kathryn Berry, owners and tenant Evelyn Stewart, 114 Town Farm Road, joint letter in opposition to the application.

In-person:

Donna Baily, 14 Salisbury, asked for clarification regarding tree clearing.

David Blake, 117 Town Farm Road, spoke in opposition to the application.

The Commission asked the applicant if he would be amendable to a condition of approval to plant evergreen for screening. Mr. Yow responded yes.

The public hearing closed at 8:35 p.m.

A motion was made and seconded (Cloud/Grady-Benson) to approve the James Yow, Trustee and JWY Ohana Living Trust application for variance to locate a ground mounted solar array in other than the required yard at 115 Town Farm Road, R40 zone as presented and on file in the Planning Office with the condition of approval the applicant work with staff to install a 2-3 foot berm with arborvitae to screen the array from the abutting property owner at 117 Town Farm Road.

Upon a motion made and seconded (Gemski/Grady-Benson) it was unanimously

VOTED: To amend the previous motion to approve the James Yow, Trustee and JWY Ohana Living Trust application for variance to locate a ground mounted solar array in other than the required yard at 115 Town Farm Road, R40 zone the installation of thirty-five solar panels as proposed for the initial installation on Site Layout Sheet PV-2 dated August 29, 2024, with the condition of approval the applicant work with staff to install a 2-3 foot berm with evergreen planted 6' on center, with a minimum height of 6' to screen the array from the abutting property owner at 117 Town Farm Road.

The Commissioners agreed the applicant sufficiently demonstrated a hardship but that the additional "future" solar panels would need to come back to the Zoning Board of Appeals at a future date if it is determined they are necessary.

NEW BUSINESS

2025 Meeting Schedule

Upon a motion made and seconded (Grady-Benson/Walsh) it was unanimously

VOTED: To adopt the 2025 Zoning Board of Appeals meeting schedule as presented.

MINUTES

Meeting Minutes

Upon a motion made and seconded (Callahan/Walsh) it was unanimously

VOTED: To approve the April 16, 2024 Zoning Board of Appeals meeting minute with the correction on Page 2, Paragraph 2 to change the word "agrees" to "agreed".

The meeting was adjourned at 8:51 p.m. (Gemski/Walsh)

SJM