

WEST TISBURY ZONING BOARD OF APPEALS
MINUTES –THURSDAY January 26, 2017
2ND FLOOR TOWN HALL AT 5:05 PM

PRESENT: Nancy Cole (Chairman), Tony Higgins, Larry Schubert, Julius Lowe, Roger Hubbell and Robert Schwier.
ALSO PRESENT: David Smith, Bob Fuller, from Fullers Energy (agents for William Callahan) and Scott Young.
ABSENT: Toni Cohen

Hearing:

5:10 PM – A continuation of a hearing on an application from Fullers Energy, agent for William Callahan, to install two 24 panel ground mounted solar trackers, taller than 12 feet, under 8.10-4 of the zoning bylaws, Map 8 Lot 24, 16 Red Coat Hill Road, RU district.

The board conducted a site visit today (Thursday- 1/26/17) at 4:30. At the previous (January 19, 2017) hearing the board asked Dave Smith, from Fuller Energy, to stake where the two solar trackers were to be placed so the board could see what impact it might have on the abutters. The site plan presented was compared to what the board observed at the site visit.

Scott Young told the board he has a purchase & sales agreement pending on an adjacent property (Tisbury side- R50 1.3) and was concerned about the visual impact and potential noise from the unit. Bob Fuller said the tracker runs on a hydraulic pump with a minimal amount of noise; Mr. Young would not hear it from his property. The unit moves approximately every 13 minutes and follows the sun. The tracker system keeps the natural underbrush and a minimal of trees would be removed. Mr. Young stated he supports solar alternatives but would prefer to see a roof mounted or a ground mounted stationary system rather than a tracker system. Bob Fuller said the house is SIP (structural insulated panels) construction and the contractor advised Mr. Callahan not to use roof mounted panels. Tucker said in his experience as a builder that he had installed roof solar panels on SIP construction. A brief discussion regarding the differences in scope, size and efficiency between a stationary ground mounted systems versus the tracker system ensued. Dave Smith said the Callahan's (family of five) would use average approximately 1200 to 1400 kw's per year for the two-bedroom dwelling under construction. If a second larger dwelling was to be built any excess electricity produced could be metered to another account under "Schedule Z" or it could be metered to other properties he owns. A lengthy discussion ensued on the amount of kilowatts produced from each tracker unit; and the average usage per household. There was a difference of opinion on the amount of kilowatts needed to power the two bedroom dwelling which is under construction. Larry and Tucker agreed that one unit would be more than adequate to power the two bedroom dwelling.

Larry discussed the factors the Zoning Board (under 8.10-4) considers when reviewing solar panels; one factor being "visual impact"; he asked if there were any types of camouflaging available for the backside of the units. Dave Smith said there is material they could be used to eliminate the visual impact of the unit. The board discussed the fact the property is on Red Coat Hill Road a special way and if they could shield the trackers to lessen the visual impact from the road. Tony H. suggested they be moved further down the hill which would have less impact on the neighbors. Nancy asked about moving the units closer to the house. They would be approximately 82 feet from the house and three times the height of the house. Nancy asked if they could move the units further down the hill and to the west. Bob Fuller told the board his client would prefer to have the units further up the hill but would make concessions as to the location within reason. Nancy suggested there have been enough concern raised by the neighbors that the applicant should come in with a new proposal showing the units moved and the use of camouflage for the trackers including screening between the driveway and Red Coat Hill Road. The discussion continued as to where the driveway would be and the impacts on the visuals from the road. Tucker expressed his support for solar energy but voiced his concerns regarding the trade-off on the visual impact that two tracker units would have on the neighbors. He suggested that the board look at this application based on the house that is under construction. One tracker would be sufficient for powering that home (the plot plan shows only one dwelling on the property). If another dwelling was to be built in the future another type of system could be used which would not have such an impact on the neighbors. The Town worked very hard on creating the solar bylaws to fit within the West Tisbury agricultural community and not necessarily have residents create energy to be sold at a profit. It was not the intent of the bylaw to create mini power plant. Are two trackers necessary for the house currently under construction? The intent of the solar bylaw was not necessarily to net-meter to "other" properties and over producing energy in excess of the need on the property. The ZBA has a responsibility to consider the impact of these systems on the neighbors.

Bob Fuller said he explored other solar options and his client chose a tracker system. A larger number of trees would be eliminated to produce the same amount of the power if a ground-mounted system was used. Dave explained it was cost effective for the client to do the trenching and installation for both trackers at the same time including incentives which are offered at this time. The discussion returned how the board can help mitigate the concerns of the neighbors. The board agreed that the bylaw may need to be revisited particularly in reference to tracker array systems. The board members were mixed regarding their opinion as to limiting the property to just one tracker unit.

The discussion returned to the topography of the property and what type of solar array system would work the best on the property. Bob Fuller, agent for Mr. Callahan, told the board he would discuss the suggestions made in terms of moving the units, camouflaging and screening from the road. Bob Schwier suggested that the owner may want to speak to the Planning Board to discuss the condition of the road. Another site visit will be scheduled for February 2nd at 4:30. Larry moved to continue this hearing till February 2, 2017, at 5:05. Julius seconded the vote was unanimous.

Business/Finance Committee

Nancy told the board she and Clare met with the Finance Committee to discuss two issues; Legal line and the Personnel line of the FY 2018 budget. Nancy explained that to the Fincom the history of why the Zoning Board needs access to its own legal line in the budget. The personnel hours will be reduced from thirty-five to thirty-two starting on July 1, 2017. The posted public office hours will be Monday thru Thursday 8:30 to 2:30, with the administrator working on Fridays up to thirty-two hours per week. Larry moved to amend the FY 2018 budget to reflect the change in the administrators hours reduced from 35 hour to 32 hours per week. Julius seconded, the vote was unanimous.

Discussion:

A brief discussion ensued on referring an applicant to the Zoning Inspector to clarify any questions regarding zoning bylaws and how it may pertain to the building department. Clare told the board when assisting the public on questions pertaining to zoning questions and/or applications she will refer them to the appropriate town department depending on the application. This gives the applicant the full picture as to what other permits may be required from the Town for the project.

Meeting adjourned at 6:25 pm.

Respectfully submitted,

Clare A. Harrington
Board Administrator/ZBA