

Town of Shelby Zoning Board of Appeals  
Public Hearing  
Shelby Town hall  
4062 Salt Works Rd  
Medina, NY 14103  
December 6, 2016

Board Members Present:      Craig Lacy                      Chairman  
   Patti Bushover                Secretary  
   Larry Szatkowski  
   Thurston Dale

**Call to Order:** Chairman Craig Lacy called the Public Hearing to order at 7:00 p.m.  
Voice roll call was taken by P. Bushover. P. Bushover reported that there was a quorum present.  
Linda Fuller was excused.

**Others Present:** Jordan Levin /CIR Electric 400 Ingham Ave. Lackawanna, NY 14218, Applicant for variance 16-06. Acting on behalf of property owner.

**Old Business:** C. Lacy called for Old Business:  
No old Business.

**New Business:** C. Lacy called for New Business:

**First Order of New Business:** Public Hearing for variance 16-06. A request of a variance of 20' side yard setback and a 25' rear yard setback for the placement of a solar array for property owned by Jamie Bragg 12537 Barber Rd Medina NY. Secretary P. Bushover read the Legal Notice (see attachment 1) which had been published in *The Daily News* Batavia NY November 29, 2016

C. Lacy opened the meeting to comments. Board members asked Mr. Levin the reason that the solar array had to be in that particular area. He explained that due to shading from buildings and trees that are currently located on the property that the chosen site was the best area to receive the most sun light.

The ZBA Board Members had viewed the area and had received a site plan.

P. Bushover reported that the ZBA received no letters concerning this application however the neighbor, owning the land around this property, Mr. Alvin Smith stated he did not mind the placement of the solar array as long as it is at least 5' away from northern edge, and 10' from eastern edge of the property. (Letter on file with application.)

Chairman Lacy called for more questions hearing none T. Dale moved to adjourn L. Szatkowski seconded.  
Public Hearing closed at 7:27 p.m.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of Shelby will hold a Public Hearing on Tuesday December 6, 2016 at 7:00 p.m. at the Shelby Town Hall, 4062 Salt Works Road, Medina New York on the application of Jordon Levin/Cir Electric as agent for Jamie Bragg for an area variance from the requirements of Town of Shelby Local Law #1-2016 relative to the property located at 12537 Barber road Medina, New York. The applicant is seeking a 20' side yard setback variance and 25' rear yard setback variance for the placement of a ground mounted solar array. The property is located in the Agriculture/Residential District. The Proposed Action has been classified as a Type II under SEQRA.

At such Public Hearing all persons, either for or against the same, shall be heard. In addition, comments may also be submitted in writing to Patricia Bushover, Secretary Zoning Board of Appeals c/o Shelby Town Hall 4062 Salt Works Road, not later than 12:00 noon on Monday, December 5, 2016. The application and supporting information may be examined prior to the Public Hearing at the Town Hall during normal business hours.

By order of the Zoning Board

Patricia Bushover, Secretary

Shelby Zoning Board of Appeals.