

LIVINGSTON ZONING BOARD

November 14 2023

The regular meeting of the Livingston Zoning Board was held 14 Nov 2023 and opened at 7:01pm with the Pledge of Allegiance.

In Attendance:

Thomas Alvarez
Charles Schneider
Charles Dickens
Stan Yarian
Sara Price
David Kimball
Attorney Andrew Howard

Absent:

None

Correspondence: None

Reading of the October meeting minutes by Eileen Yandik. Motion to accept minutes from 10 Oct 2023 was made by Stan Yarian, 2nd by Charles Schneider. All in favor. Motion approved.

Motion to resume the public hearing for ZB-3, an area variance application, was made by Charles Schneider, 2nd by Sarah Price. All in favor, motion approved.

Public hearing resumed at 7:13pm.

ELP Solar LLC is seeking an area variance for setback variance changed from 200' to 199' at 3289 US Route 9 151.-1-4.3. The installed panels encroach upon the 200' setback requirement of the rear and side (right) yard, up to 0.90' feet.

Applicant provided notification receipts in paper form. Shared a paper copy of the survey maps that were stamped by a LS to board members. Asked applicant to point out on map where the

variance is requested. Applicant drew on the map to point out the 2 areas. No questions from the public.

Board asked why the survey does not show full boundary of the property. How are we supposed to determine the variance setbacks? The applicant stated that they provided what was affected.

Motion to close the public hearing was made by Sarah Price, 2nd by Stan Yarian. All in favor. Motion approved. Public hearing closed at 7:19pm.

Attorney Howard shared proposed resolution.

[ELP Solar Resolution 20231114](#)

Motion to accept the resolution was made by Sarah Price, 2nd by Stan Yarian. All present voted AYE. Motion approved.

Vote as follows:	
Thomas Alvarez	Aye
Charles Schneider	Aye
Charles Dickens	Aye
Sarah Price	Aye
Stan Yarian	Aye
David Kimball	n/a, did not vote

Motion to open the public hearing for ZB-7, an area variance application, was made by Stan Yarian, 2nd by Sarah Price. All in favor. Motion approved.

Public hearing opened at 7:28pm.

Dale Baker presented his area variance application for outdoor wood boiler setback variance changed from 175' to 90' on sides, per § 4.28(3) of the town zoning code at 2135 County Route 8 Elizaville 182.-1-45.100.

Charles Schneider asked if we could pull up the address map on Google Earth and present on the smart board. We did do that and reviewed the property map. Stan Yarian asked how efficient these wood boilers are. Dale Baker commented that these new wood boilers have almost no environmental impact anymore. Very little smoke and ash. It takes about 40% of the

wood used in older models to generate the same amount of heat. Can only burn good, dry wood.

Applicant provided notification receipts to abutting neighbors. No questions from the public. No additional questions from the board.

Motion to close the public hearing was made by Charles Schneider, 2nd by Sarah Price. All in favor, motion approved. Public hearing closed at 7:31pm.

Attorney Howard shared proposed resolution.

[Baker Resolution 20231114](#)

Motion to accept the resolution was made by Charles Schneider, 2nd by Charles Dickens. All present voted AYE. Motion approved.

Vote as follows:	
Thomas Alvarez	Aye
Charles Schneider	Aye
Charles Dickens	Aye
Sarah Price	Aye
Stan Yarian	Aye
David Kimball	n/a, did not vote

There being no further business a motion to adjourn was made by Sarah Price, 2nd by Stan Yarian. All present voted AYE. Motion passed. Next scheduled meeting will be held 12 Dec 2023.

Meeting closed at 7:35pm.

Respectfully submitted,

Eileen Yandik
Secretary Livingston Zoning Board