

Mr. Budney recused himself. Michael Fingar, the applicant, appeared before the Zoning Board. He began by stating that he had attended the Ulster County Planning Board meeting and would appreciate any feedback from the Board regarding the UCPB comments. He added that he did not believe that the UCPB received a

"complete packet" of material for consideration. He said he is aware that the amount of land requested in the variance for clear cutting was the biggest issue, however he still does not think that the number of trees they would like to cut would impact views in the area. Mr. Arluck said he has not had time to review the UCPB comments completely because they were just received. Mr. Hoyt then stated that he was not aware that the UCPB supplied special meetings with applicants. Mr. Fingar stated that after the UCPB determination at their open public meeting, they stated that they were not supplied with all the studies that were done for the site. Mr. Hoyt then asked Mr. Fingar if he got the impression that the Ulster County Planning Board's decision was Final or Advisory to which Mr. Fingar replied he felt it was advisory. Mr. Arluck asked the applicant why he could not cut this project in half to accommodate to the zoning. Mr. Fingar stated that due to costs, labor, etc. there would not be enough yield if the project was smaller to compensate for the cost of the project if it were cut in half. He said he has made it as small as possible while still able to make profit from the project. He asked the board if there were any amount of relief they would consider and if this variance is not going to happen, please let him know so that he can rework the size of the system. Mr. Hoyt then stated that the EAF states they will have 32 inverters, but the noise study says 15. He also stated that the July EAF states there will be 18.8 acres of disturbance whereas the variance is asking for 19.6 acres of forest removal. Mr. Fingar stated that with all the changes made there have been a lot of different numbers and perhaps some things need to be revised or corrected as it stands. Mr. Hoyt then referred to a Memo from MHE from April or March of 2025 regarding impervious surface and asked Mr. Fingar if his project team had responded to that memo. Mr. Fingar said he will investigate it and didn't have record of that with him tonight. He did state that any stormwater plan would go through the DEC and for any version of the project they would accommodate for all of that properly. Mr. Hoyt passed out a booklet containing memos to USLE over the months and years which he believed were not responded to during this project's application and the variance requests. Mr. Fingar said he believed that some memos were responded to and would have to check. Mr. Fingar said he wants to work with the Town and respond to the memos presented tonight. Mr. Hoyt stated he will look forward to USLE's engineer's comments to MHE's memo. Mr. Arluck asked if anyone else had any further questions or comments to which no one replied.

Mr. Hoyt stated that the applicant will submit responses to memos by September 8, 2025. The Hearing will be closed but the written submittals will be entertained until September 8, 2025.

Mr. Arluck then called for a motion to close the Public Hearing. A motion was made by Mr. Wallner and seconded by Ms. Damon to close the Public Hearing. Vote: Mr. Budney – Abstain, Ms. Wiand – Aye, Ms. Damon – Aye, Mr. Wallner – Aye and Mr. Arluck – Aye.

A motion was made by Mr. Arluck and seconded by Ms. Wiand to adjourn the meeting at 7:44 PM. Vote: All Ayes.

Respectfully submitted,

Julie Pawson
Zoning Board of Appeals Secretary