



Town of Nederland Board of Zoning Adjustment

MINUTES

Thursday, August 4, 2011 ~ 7:30 pm
Nederland Community Center
750 Highway 72 North

1) Call to Order

Chairman Stringfellow called the meeting to order at 7:37 pm.

2) Roll Call

Present: Chairman Mark Stringfellow; Board Members Debbie Davenport, Mark Moll and Ken MacFerrin; Alternate Board Member Roger Cornell; Trustee Liaison Joe Gierlach

Also present: Town Administrator Alisha Reis, Deputy Clerk Kristen Edwards.

3) Approval of minutes from July 14, 2011

A change in the minutes was noted: the motion for item 4d, was made by Board Member MacFerrin rather than Board Member Moll.

A motion to approve the minutes with the above-noted modification was made by Board Member Moll, seconded by Board Member Davenport and approved unanimously by a roll call vote with Alternate Board Member Cornell abstaining.

4) Scheduled Business

- a. Consideration of a height variance request by the Town of Nederland re: installation of a solar panel array on the Community Center roof (750 Highway 72 North).

Alisha Reis, Town Administrator, introduced the item. She explained that there is an existing solar array on site that is proximate and similar to the proposed array. Both the existing and

the proposed array are approximately 9'3" in height. The roof is right at the 35-foot height limit for the Town; a three-foot projection past the limit is permitted, so a variance for at least 6'3" is needed. Per Nederland Municipal Code 16-232(b) the Board is allowed to approve variances "for the purpose of considering access to sunlight for solar energy devices."

The Board discussed the proposal and agreed that the existing array made the proposed new array significantly less controversial. It was confirmed that public notice had been sent to neighboring properties and no complaints or concerns were received. The group agreed to make the amount of the variance greater than necessary so as not to cause any issues if the total height calculations weren't exact.

A motion to grant a 9-foot height variance to the Town of Nederland re: the installation of a solar panel array on the Community Center roof (750 Highway 72 North) was made by Board Member Moll, seconded by Board Member MacFerrin and approved unanimously by a roll call vote.

5) Other business


The Board discussed the importance of finding another Board Member to fill the currently vacant seat. Given the need for a concurring vote of four members to conduct most business, the empty seat is particularly problematic on a board with five members. The group discussed the merits of making the Trustee Liaison a voting member under certain circumstances.

A motion to recommend that the Town Attorney look at the dynamics of making the Trustee Liaison act as a 'second alternate' with voting privileges and draft a memo to that effect for the Board of Trustees to consider was made by Board Member Cornell, seconded by Board Member MacFerrin and approved unanimously by a roll call vote.

6) Adjournment

A motion to adjourn was made by Board Member Moll, seconded by Board Member MacFerrin and approved unanimously by a hand vote at 7:50 p.m.

TOWN OF NEDERLAND



Mark Stringfellow, Chair

ATTEST:



Kristen Edwards, Deputy Town Clerk