

Hawthorn Solar Area Variance Overview

Hawthorn Solar, a 20 MW proposed solar project that is set to be located along Pine Valley and Fords Road in Hoosick, NY, is requesting multiple area variances for side and rear setbacks between internal property boundaries of the project. All required setbacks from non-participating properties, roads, and from the front property boundaries, will adhere to the Hoosick Zoning Law requirements. The requested variances will include three side variances, and two rear variances. The requested side variance would reduce the required 20-foot setback to 0, and the requested rear variance would reduce the required 10-foot setback to 0. In total, this is a minimal change, and the variance would not result in any impact to project neighbors or the neighborhood as a whole. This variance would minimize the project footprint and allow the project to consolidate across the participating, adjoining properties. We believe this would result in a reduction of the overall impact that the project would have on the properties it will be built on and the surrounding properties.

- The benefit to the applicant if the variance is granted, weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.
 - The variance will benefit the applicant by allowing a more cost and land-efficient design of the project, as allowing panels and fence lines to cross internal property lines will reduce construction costs and reduce overall land-use requirements. The variance should incur no detriment to the health, safety and welfare of the neighborhood or community by the grant. The project will adhere to setbacks from all non-participating properties and the grant of the variance shall also provide benefit to the neighborhood as the grant of the variance will reduce the project's total affected footprint.
- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
 - The project can be designed to comply with the code without granting of the area variance, though at increased cost to the applicant and increased overall impact from the project. Therefore, granting the variance, as it will allow the project to be designed with a smaller overall footprint, will not create any undesirable changes in the character of the neighborhood or a detriment to nearby properties.
- Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue, other than an area variance.
 - The benefit sought here, achieving a more cost and land-efficient design for the project to be economically feasible with the least overall footprint, cannot be achieved by any other method. The variance is the only way to allow for consolidation of the panels such that panels and fence lines can cross over property boundaries. While the project can be designed without the area variance,

the alternative would be a less efficient design that would require additional total land.

- Whether the requested area variance is substantial.
 - The requested area variance is not substantial. The grant of variance will only impact the participants of the project and will function effectively to minimize the overall impact of the project. The setbacks that the variance will apply to range from 10 to 20 feet, and the granting of the variance would result in an overall reduction of approximately 1.61 acres of side setbacks and .73 acres of rear setbacks. This approximately 2.34 acres compared to the total, approximately 130 acres of the project, is insubstantial.
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district
 - The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the area. The project will proceed through site plan review and SEQR to ensure that the project will not have a significant adverse environmental impact, and the proposed variance can only serve to reduce overall impact of the project.
- Whether the alleged difficulty was self-created.
 - The underlying lot lines that the applicant is requesting a variance from were established prior to the siting of the project and without oversight or influence from the applicant. Because the variance that the applicant is requesting is related to the existing lot lines, the alleged difficulty, inefficiency associated with adherence to the side and rear setbacks in multiple locations throughout the project area, was not self-created.