**Town of Manheim**

**Zoning Board of Appeals**

**RESOLUTION NO. of 2021**

**Dated: June 22, 2021**

**RESOLUTION REFERRING AREA VARIANCE APPLICATION TO THE PLANNING BOARD FOR REVIEW**

MOTION made by , seconded by

**WHEREAS,** SunEast Flat Hill Solar LLC (“Flat Hill”) has submitted an application to the Zoning Board of Appeals (“ZBA”) for an area variance to construct and operate an approximately 20 MW alternating current ground mounted solar photovoltaic array system near the intersection of Bidleman Road and Dockey Road (Tax Map Parcel Nos. 115.4 – 1 – 29.2, 115.4 – 1 – 61 and 115.4 – 1– 88) in the Town of Manheim, New York (the “Project”); and,

**WHEREAS,** Flat Hill’s application for an area variance is supplemental to the pending special use permit application for which the Planning Board is required to perform a review, make a recommendation, and provide an advisory opinion to the Zoning Board of Appeals in connection with the pending Flat Hill Project; and,

**WHEREAS,** the Planning Board should review and provide a recommendation and advisory opinion to the ZBA for the area variance application as part of its review of the pending special use permit application, and

**Now Therefore Be It RESOLVED** that the Town of Manheim Zoning Board of Appeals, refers the SunEast Flat Hill Solar area variance application to the Planning Board for review as part of the pending SunEast Flat Hill Solar project.

Roll Call Vote:

Bruce Lyon, Chairman Aye Nay Abstain\_\_\_\_\_\_\_\_\_\_ Absent\_\_\_\_\_\_\_

Andrew Chlus Aye Nay Abstain\_\_\_\_\_\_\_\_\_\_ Absent\_\_\_\_\_\_\_

Vacant seat Aye Nay Abstain\_\_\_\_\_\_\_\_\_\_ Absent\_\_\_\_\_\_\_

Susan Koziol Aye Nay Abstain\_\_\_\_\_\_\_\_\_\_ Absent\_\_\_\_\_\_\_

Wilbur Hills Aye Nay Abstain\_\_\_\_\_\_\_\_\_\_ Absent\_\_\_\_\_\_\_

IN WITNESS WHEREOF, I have affixed my name as Clerk/Secretary on this day of June, 2021.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Marie Gressler, Clerk/Secretary