

TOWN of PAVILION PLANNING BOARD

Regular Meeting Minutes

February 14, 2017

Present: Deborah Free (Chairperson), Craig Prucha (Vice Chairperson), Don Brooks (member), Gary Kingsley (member), Liz Conway (member), Gary Freeman (member), Bill Fuest (member), Kelly Kinney (clerk)

Guests: Dan Lang (Zoning), Matt Mahaney (Zoning), Rob Lapoint (Town Board), Maureen Leddy (NYSERTA)

Public Hearing Attendees: Kris & Kraig Reamer, Ed Richardson, Nathan Fernaays, Mike Davis

The meeting was called to order at 7:00 PM by Chairperson Deborah Free. The first order of business was the Pledge of Allegiance.

Minutes from 01/10/17 were reviewed. Motion made to approve by Craig Prucha and seconded by Gary Kingsley. Voice vote was unanimous.

Review of agenda:

- Public hearings for Reamer and Vanderzell Wind Turbine application
- Review SEQR & site plan for each; Both have been approved thru Genesee County Planning and Town of Pavilion Zoning Board
- Maureen Leddy from NYSERTA would like to address the board

PUBLIC HEARINGS:

7:05 PM Reamer Windmill

10052 Hartwell Rd, Pavilion; tax map # 1.-4-45.112, 25.53 acres total parcel, the proposed windmill would affect less than one quarter acre. The proposed is a 140 foot windmill that will be used to fulfill the needs of the home owner, will take 4 to 6 weeks to erect and has a life expectancy of at least throughout the 20 year lease and may be released or purchased outright by the landowner at that time. A decommissioning bond is required.

One letter from an adjoining neighbor was received and read, in response to the notifications, and was very positive. No other responses were received. There were no other questions or comments.

7:10 Vanderzell Windmill

9732 Summit St, Pavilion; tax map #2.-1-37, 23.9 acres total parcel, the proposed windmill would affect less than one quarter acre. The proposed is a 140 foot windmill that will be used to fulfill the needs of the home owner, will take 4 to 6 weeks to erect and has a life expectancy of at least throughout the 20 year lease and may be released or purchased outright by the landowner at that time. A decommissioning bond is required. No letters were received in response to the neighbor notifications.

An attendee to the public hearing is questioning the notifications for the Town of Pavilion Zoning Board, as he is an adjoining neighbor and did not receive one, as well as the issue

of wetlands being within 1000 feet of the proposed windmill. He expressed concerns about decibel level and shadow flicker or reflection.
There were no other questions or comments.

Motion made for the Town of Pavilion Planning Board to table the Vanderzell windmill for further review in order to get clarification from County Planning Board and town ZBA.

Motion made by Don Brooks and seconded by Gary Kingsley

Vote Taken:

Gary Kingsley: Yes Gary Freeman: Yes Bill Fuest: Yes
Craig Prucha: Yes Don Brooks: Yes Deborah Free: Yes
Liz Conway: Yes

7:35 PM: The public hearings are now closed.

Actions made by the Town of Pavilion Planning Board:

1. Reamer Windmill

A. Town of Pavilion Planning Board seeks Lead Agency for SEQR review.

Motion made by Gary Freeman and seconded by Bill Fuest

Vote Taken:

Gary Kingsley: Yes Gary Freeman: Yes Bill Fuest: Yes
Craig Prucha: Yes Don Brooks: Yes Deborah Free: Yes
Liz Conway: Yes

SEQR Part 1 submitted by the applicant is reviewed.

SEQR part 2 completed for submission by Town of Pavilion Planning Board..

B. No further action required for environmental review. The SEQR Part 2 findings are that the windmill will not result in environmental impacts.

Motion made by Gary Freeman and seconded by Bill Fuest

Vote Taken:

Gary Kingsley: Yes Gary Freeman: Yes Bill Fuest: Yes
Craig Prucha: Yes Don Brooks: Yes Deborah Free: Yes
Liz Conway: Yes

C. Site Plan Review is approved contingent upon approval by the Town's attorney and insurer, proof of the performance bond and decommissioning bond and proper documentation from United Wind meeting the minimum requirements of liability insurance.

Motion made by Don Brooks and seconded by Craig Prucha

Vote Taken:

Gary Kingsley: Yes Gary Freeman: Yes Bill Fuest: Yes
Craig Prucha: Yes Don Brooks: Yes Deborah Free: Yes
Liz Conway: Yes

D. Special Use Permit is approved contingent upon approval by the Town's attorney and insurer, proof of the performance bond and decommissioning bond and proper documentation from United Wind meeting the minimum requirements of liability insurance.

Motion made by Don Brooks and seconded by Deborah Free

Vote Taken:

Gary Kingsley: Yes Gary Freeman: Yes Bill Fuest: Yes
Craig Prucha: Yes Don Brooks: Yes Deborah Free: Yes
Liz Conway: Yes

Guest speaker Maureen Leddy from NYSERTA

Maureen Leddy is from the New York State Energy Research and Development Authority and would like to discuss the board's view on the wind and solar energy large scale projects. She is offering to answer any questions about how to decide if large projects will help or hurt a small community as well as discuss what determinations and questions need to be asked and how a town needs to prepare. She suggests if such a project is proposed that technical assistance is available from NYSERTA.

9:05 PM Motion to adjourn by Don Brooks and seconded by Craig Prucha.
Voice vote was unanimous.

Submitted by: Kelly Kinney
02/17/17

Approved By:

Deborah Free Chairperson

Date