

Town of Alexander  
PLANNING BOARD REGULAR MEETING  
June 25, 2007

Present: David Kelsey-Chairman, Michael Schmieder, John O'Neil, Linda Higley  
Laura Schmieder-Recording Secretary  
Absent: Robert Kelsey  
Guests: David DiMatteo, Town Attorney (8:15 pm)

The Chairman called the meeting to order at 7:00 p.m. On motion by Linda Higley, seconded by Michael Schmieder, and carried, the minutes from the 4/20/07 workshop were approved as written. 4 – Yes 0 – No Motion carried

On motion by John O'Neil, seconded by Michael Schmieder, and carried, the minutes of the 4/23/07 regular meeting were approved as written. 4 – Yes 0 – No Motion carried

Copies of the minutes from the 5/30/07 workshop held in combination with the Town Board and the Wind Energy Committee were distributed.

**Unfinished Business**

1. The Clerk gave an update on the proposed local law to change wording in the zoning ordinance and to change the zoning map. The proposal has been submitted to the County Planning Board for their meeting in July.
2. On motion by Michael Schmieder, seconded by John O'Neil, and carried, to finalize the land separation request from Jantzi/Bontrager, tax map #14-1-1, as all paperwork has been submitted and filed. 4 – Yes 0 – No Motion carried
3. Town Attorney David DiMatteo had sent a memo to the Planning Board with some wording changes in the local law that deals with wind energy that resulted from the Town Board meeting on June 11, 2007. The 4 areas were discussed at length.

**Resolution** offered by Michael Schmieder, seconded by John O'Neil and carried, that based on the work done by the Planning Board with input from the Wind Energy Committee, the Planning Board recommends the proposed changes to the Wind Energy Local Law as follows:

**#1. Wellhead Protection**

Article VI Supplementary Regulations, subsection J, add #7:

Wellhead Protection – All foundations for wind energy conversion facilities shall be located at least five hundred (500) feet from any wellhead.

Under Article VII, Section 808 C., specifically No. 3 – Site Plan Review Criteria, the Planning Board will request an analysis of the aquifer to analyze if there will be an impact on the same due to the construction of a proposed wind energy conversion facility.

**#2. Property Values**

After discussion on this area, it was decided we wouldn't pursue this type of language.

### **#3. Setback Requirements**

#### Section 617. I. Setbacks

Delete the third sentence: the setback specifications contained in this paragraph may be waived or modified by the Town Board, in its discretion, should an applicant demonstrate by its site plan that the purpose and policy to be served by setbacks can be satisfied by setbacks that are different from those contained in this section.

Change – #1. From 1.1 to 1.5 times the total height of the structure...which shall be measured from the highest vertical point of the wind turbine when the turbine blade is in a vertical position perpendicular to its base.

Add this to sentence in #2: ..unless waived in writing in the form of an easement that is recorded in the Genesee County Clerk's Office by the abutting landowner and an area variance is granted by the Zoning Board of Appeals.

### **4. Demolition**

#### Section 617. K. 3. Removal if Not Operational

Change time limit to nine (9) months, instead of twelve (12).

On call of the roll, 4 – Yes 0 – No Resolution approved

Motion offered by Michael Schmieder, seconded by John O'Neil, and carried, to recommend to the Town Board that they compose a letter to State officials stating the Town's objections to the Article X bill which was drafted by Governor Spitzer's energy team. 4 – Yes 0 – No Motion carried

Motion made by Linda Higley, seconded by John O'Neil, and carried, to adjourn the meeting at 8:50 p.m.

Respectfully submitted:

Laura Schmieder  
Recording Secretary

Town Board Meeting: July 9, 2007  
Public Hearing: July 18, 2007  
Planning Board Meeting: July 23, 2007