

TOWN OF GAINES PLANNING BOARD MEETING
NOVEMBER 18, 2011 5:00 P.M

Enter Executive Session

On a motion of Member Preston, seconded by Member Theodorakos, the following was

Carried Ayes 5 Ahlberg, Davy, Preston, Stilwell, Theodorakos
Nays 0

The board will go into executive session at 5:39 pm for legal matters and to talk with Attorney Spitzer.

Exit Executive Session

On a motion of Vice-Chairman Davy, seconded by Member Preston, the following was

Carried Ayes 5 Ahlberg, Davy, Preston, Stilwell, Theodorakos
Nays 0

The board will leave executive session and resume the regular meeting at 6:36 pm.

TOWN OF GAINES PLANNING BOARD MEETING
NOVEMBER 18, 2011 5:00 P.M

**Kirby: Resolution Issuing a Negative Declaration of Environmental Significance
On a motion of Vice-Chairman Davy, seconded by Member Stilwell, the following was**

**Carried Ayes 5 Ahlberg, Davy, Preston, Stilwell, Theodorakos
 Nays 0**

The following Resolution was passed:

Resolution of the Planning Board of the Town of Gaines
Issuing a Negative Declaration of Environmental Significance
For the Proposed Wind Tower at 14684 Ridge Road, Town of Gaines

WHEREAS, the Town Planning Board of the Town of Gaines has reviewed a site plan for the placement of a 152.5 foot tall wind turbine to generate electrical power for the use of a farm at 14684 Ridge Road, Town of Gaines

WHEREAS the Planning Board has reviewed the Short Environmental Assessment Form and considered the potential environmental impacts of the wind turbine, which is an Unlisted Action pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED by Town Planning Board of the Town of Gaines as follows:

1. The Board finds the proposed wind tower will not have a significant adverse impact on the environment. The tower installation requires a very minimal impact on land and no impact on water or groundwater resources. The turbine is an as of right use on a farm if up to 120 feet tall, and the marginal increase in height, necessary for the operation of the turbine, does not present a significant visual impact, nor does the tower itself, as wind turbines are typical uses on agricultural properties. Noise levels and tower falling concerns are mitigated by the required setbacks, and noise levels are typical of agricultural operations.
2. This Resolution is effective immediately.

PASSED AND ADOPTED the 18th day of November 2011.

In regards to all of the site plan approvals it's the understanding of the board that the 140 foot refers to the height of the tower but the board has also considered that there is a 12 ½ foot blade that goes above that, the board is aware of what the total height is.

TOWN OF GAINES PLANNING BOARD MEETING
NOVEMBER 18, 2011 5:00 P.M

**Kirby: Resolution Approving the Site Plan For the Proposed Wind Tower
On a motion of Vice-Chairman Davy, seconded by Member Preston, the following was**

**Carried Ayes 5 Ahlberg, Davy, Preston, Stilwell, Theodorakos
 Nays 0**

The following Resolution was passed:

Resolution of the Planning Board of the Town of Gaines
Approving the Site Plan For the Proposed Wind Tower at 14684 Ridge Road, Town of Gaines

WHEREAS, the Town Planning Board of the Town of Gaines has reviewed a site plan for the placement of a 152.5 foot tall wind turbine to generate electrical power for the use of a farm at 14684 Ridge Road, Town of Gaines

WHEREAS the Planning Board has reviewed the Short Environmental Assessment Form and considered the potential environmental impacts of the wind turbine, which is an Unlisted Action pursuant to the State Environmental Quality Review Act and issued a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by Town Planning Board of the Town of Gaines as follows:

1. The Board waives any part of the application required by Section 1003 of the Zoning Code not submitted because the site plan required herein is under an exemption for wind turbines in the Code on farms, except for turbines over 120 feet. The exemption only imposes one requirement, that of a setback from property lines, and the additional information is not required to review this application.
2. The Site Plan is approved because
 - a) there is no impact on vehicular traffic or pedestrian traffic, nor does the application involve off-street parking, storm water and drainage facilities, water or sewer facilities. It does not interfere with emergency access or involve solar access.
 - b) No landscaping is necessary.
 - c) The separation of the tower from the property line by the distance required by the setback adequately protects the neighboring properties from impacts, including noise and visual impacts
3. This Resolution is effective immediately.

PASSED AND ADOPTED the 18th day of November 2011.

TOWN OF GAINES PLANNING BOARD MEETING
NOVEMBER 18, 2011 5:00 P.M

Vice-Chairman Davy secluded himself from discussion and voting on all resolutions regarding David Kast.

**Kast: Resolution Issuing a Negative Declaration of Environmental Significance
On a motion of Member Stilwell, seconded by Member Preston, the following was**

**Carried Ayes 4 Ahlberg, Preston, Stilwell, Theodorakos
 Nays 0**

The following Resolution was passed:

Resolution of the Planning Board of the Town of Gaines
Issuing a Negative Declaration of Environmental Significance
For the Proposed Wind Tower at 2911 Densmore Road, Town of Gaines

WHEREAS, the Town Planning Board of the Town of Gaines has reviewed a site plan for the placement of a 152.5 foot tall wind turbine to generate electrical power for the use of a farm at 2911 Densmore Road, Town of Gaines

WHEREAS the Planning Board has reviewed the Short Environmental Assessment Form and considered the potential environmental impacts of the wind turbine, which is an Unlisted Action pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED by Town Planning Board of the Town of Gaines as follows:

1. The Board finds the proposed wind tower will not have a significant adverse impact on the environment. The tower installation requires a very minimal impact on land and no impact on water or groundwater resources. The turbine is an as of right use on a farm if up to 120 feet tall, and the marginal increase in height, necessary for the operation of the turbine, does not present a significant visual impact, nor does the tower itself, as wind turbines are typical uses on agricultural properties. Noise levels and tower falling concerns are mitigated by the required setbacks, and noise levels are typical of agricultural operations.
2. This Resolution is effective immediately.

PASSED AND ADOPTED the 18th day of November 2011.

TOWN OF GAINES PLANNING BOARD MEETING
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Vice Chairman Davy will now participate in discussion and voting again.

Member Stilwell stated that she feels it's unfortunate that these issues have been dropped in the Planning Boards laps and she sympathizes with Dr. Neilans. While looking for another option to place the tower on Watt's property she can't see where it could be moved to.

**Watt: Resolution Issuing a Negative Declaration of Environmental Significance
On a motion of Member Preston, seconded by Vice-Chairman Davy, the following was**

Carried	Ayes 4	Ahlberg, Davy, Preston, Stilwell
	Nays 1	Theodorakos

The following Resolution was passed:

Resolution of the Planning Board of the Town of Gaines
Issuing a Negative Declaration of Environmental Significance
For the Proposed Wind Tower at 3121 Oak Orchard Road, Town of Gaines

WHEREAS, the Town Planning Board of the Town of Gaines has reviewed a site plan for the placement of a 152.5 foot tall wind turbine to generate electrical power for the use of a farm at 3121 Oak Orchard Road, Town of Gaines

WHEREAS the Planning Board has reviewed the Short Environmental Assessment Form and considered the potential environmental impacts of the wind turbine, which is an Unlisted Action pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED by Town Planning Board of the Town of Gaines as follows:

1. The Board finds the proposed wind tower will not have a significant adverse impact on the environment. The tower installation requires a very minimal impact on land and no impact on water or groundwater resources. The turbine is an as of right use on a farm if up to 120 feet tall, and the marginal increase in height, necessary for the operation of the turbine, does not present a significant visual impact, nor does the tower itself, as wind turbines are typical uses on agricultural properties. Noise levels and tower falling concerns are mitigated by the required setbacks, and noise levels are typical of agricultural operations.
2. This Resolution is effective immediately.

PASSED AND ADOPTED the 18th day of November 2011.

TOWN OF GAINES PLANNING BOARD MEETING
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In regards to voting on Christopher Watt’s site plan, Member Theodorakos believes there are valid concerns which may not necessarily be the Planning Boards call, but he is not comfortable voting in favor of approval with the concerns that are out there.

**Watt: Resolution Approving the Site Plan For the Proposed Wind Tower
On a motion of Vice-Chairman Davy, seconded by Member Preston, the following was**

**Carried Ayes 4 Ahlberg, Davy, Preston, Stilwell
 Nays 1 Theodorakos**

The following Resolution was passed:

Resolution of the Planning Board of the Town of Gaines
Approving the Site Plan For the Proposed Wind Tower at 3121 Oak Orchard Road,
Town of Gaines

WHEREAS, the Town Planning Board of the Town of Gaines has reviewed a site plan for the placement of a 152.5 foot tall wind turbine to generate electrical power for the use of a farm at 3121 Oak Orchard Road, Town of Gaines

WHEREAS the Planning Board has reviewed the Short Environmental Assessment Form and considered the potential environmental impacts of the wind turbine, which is an Unlisted Action pursuant to the State Environmental Quality Review Act and issued a Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by Town Planning Board of the Town of Gaines as follows:

1. The Board waives any part of the application required by Section 1003 of the Zoning Code not submitted because the site plan required herein is under an exemption for wind turbines in the Code on farms, except for turbines over 120 feet. The exemption only imposes one requirement, that of a setback from property lines, and the additional information is not required to review this application.
2. The Site Plan is approved because
 - a) there is no impact on vehicular traffic or pedestrian traffic, nor does the application involve off-street parking, storm water and drainage facilities, water or sewer facilities. It does not interfere with emergency access or involve solar access.
 - b) No landscaping is necessary.
 - c) The separation of the tower from the property line by the distance required by the setback adequately protects the neighboring properties from impacts, including noise and visual impacts
3. This Resolution is effective immediately.

PASSED AND ADOPTED the 18th day of November 2011.

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Attorney Spitzer will forward a copy of the approved resolutions to the Town Clerk and notify the County Planning Board and Town Board so that they can proceed as they see fit.

With no further business on a motion from Member Stilwell, seconded by Vice-Chairman Davy the meeting is adjourned at 6:49 P.M.

Respectfully Submitted,

Mary Pettit
Secretary, Planning Board