

Pompey Wind Energy Ordinance Committee

Meeting Minutes

August 20, 2009

I. Call to order

Town Councilor Craig Smithgall called to order the regular meeting of the **Town of Pompey Wind Energy Committee** on August 20, 2009 at about 7 p.m. at the Town Hall, Town of Pompey.

II. Roll call

The following persons were present: Craig Smithgall, Lloyd Sutton, Victoria Lightcap and Renee Rotondo. Dan McClung arrived at 8:30 p.m.

III. Topics of Discussion

Renee had provided by email late today a copy of the draft that included the work of the Committee to date and her questions and revisions. The Committee also had a second draft with the town attorney's revisions and comments. It was noted that Lisa Abbe had also provided feedback on the draft. The Committee worked off of the Committee version, referencing the town attorney's version when necessary, going through each section and reviewing comments and revisions.

There is some concern that our ordinance will make it difficult to get NYSERDA grants because of the height limitations.

Lloyd questioned why this ordinance was written as a separate chapter in town law, instead of being incorporated into the town zoning law. Attorney's version is set up that way. Lloyd's concern is with the need to add certain language (eg. Enforcement) to the WECS ordinance if we do not include in the zoning law. Renee will call the town attorney to discuss this matter with him and have an answer for the Committee by the next meeting.

The following issues/sections were addressed by the Committee and revised where noted:

A. The property value bullet in **Section III – Findings** was toned down as the consensus of the Committee was that there have been no studies showing that WECS have had a negative impact on property values. Some people enjoy living next to a windmill and some people are deterred by it; it is very individual.

B. Committee agreed to the following changes to **Section IV – Definitions**:

1. Add definition of “vertically-mounted WECS”.
2. Add definition of “horizontally-mounted WECS”.

3. Delete “MET Tower” definition. It is more applicable to wind farms and does not appear at all in this document.
4. Keep definition of “Small WECS” even though town attorney had removed it in favor of “WECS” definition. Craig favors keeping both definitions. Need to ask town attorney about this.

C. The language in **Section V – Site Plan Requirements** was reworked.

1. The group agreed that we needed some introductory language to clarify that site plan approval was only required for free-standing WECS, including monopole, vertically-mounted and horizontally-mounted systems. Building-mounted WECS would not need site plan approval. This was the reason why we thought the horizontal and vertical WECS should be defined in Section IV. Language was proposed and will be added to the draft.
2. Town attorney’s additions to this section are extensive, mostly in an effort to ensure applicant demonstrates compliance with ordinance. Committee worried about how burdensome this will be.
3. Agreed to add licensed surveyor to group of those individuals whose site plan drawings would be acceptable.
4. Questioned need for digital elevation visibility map (in attorney’s draft). Doesn’t SOCPA (Syracuse-Onondaga County Planning Agency) do this? Should we leave this to Planning Board’s discretion?

D. Added introductory language to **Section VI – Standards**.

1. Much of the language of this section was reworked by the town attorney to complete the work of the Committee. A few safety provisions were added. Redundant language was removed.
2. With respect to site requirements and zones permitted, Lloyd was concerned that, if “R” zones were excluded and the WECS ordinance was passed as a separate chapter, property owners could seek a variance, just like now. If the WECS law were included in our zoning ordinance, there is already a chart to reference and it makes changes simpler; it seems cleaner to have it all in one document. It was pointed out that, even if WECS is part of zoning law, can still get variance if fits within the requirements.
3. With respect to “number per lot”, Dan proposed language to address how many turbines per building on a lot.
4. Committee discussed need for discretionary language that would let Planning Board have some flexibility without diluting the standards set forth in the ordinance.

E. Since no one on the Committee had had the opportunity to thoroughly

review both drafts before the meeting and given the lateness of the hour, it was decided to end this session at this point.

IV. Adjournment

Town Councilor Craig Smithgall adjourned the meeting with our next meeting scheduled for August 24, 2009. Committee members are to come prepared to finalize the draft. Renee will speak with the Town Attorney before the next meeting and make further revisions to the draft reflecting the Committee's work tonight.

Minutes submitted by: Renee M. Rotondo