

SPECIAL MEETING

FEBRUARY 27, 2018

At the Special Meeting held on Tuesday, February 27, 2018 at the Hopkinton Town Hall at 6:30 p.m.

PRESENT: Supervisor Wood, Councilpersons Lyon, Parker, Pullano.

ABSENT: Councilman Sochia.

OTHERS PRESENT: Clerk French, Deborah Rust, Luke Martin, Douglas Witherell, Lori Witherell, Robert Blum, Sherry Blum, James Pullano, Janice Pease, Joe Pease, Beth Rosenbarker, Guy Rosenbarker, Ellen White, Natasha Wolpin, Anthony Platoni, Dolores Rice, Mary Witherell, Wayne Akley, Rachel Martin, Mathew Rosenbarker, Micah Rosenbarker, Mary Jane Toomey, Pat Walzer, John Mahoney, Amber Lindsey, Robert Panasci, Luke Daily, Tom Whitesell, Dan Murdie, Scott McDonald, Jody Wenzel, Frank Potenzano, Kathleen Potenzano, John Allen, Nathan Derushia, Kelly Johnson-Eilola, Anne Burnham, Leslie Hickman, Ann Slater, Joshua H., Mary Catherine Hickman, Thomas Farns, Madeline Pennington, Kristen Chevier.

Supervisor Wood called the meeting to order at 6:30 p.m.

Supervisor Wood told those present that this was going to be a work session for the Town Board to work on the Proposed Wind Energy Facility Law. That there are some issues that they need to work out and have been working on this for over a year and it was time to get it filed. She also told those present that there would be no public comment during this work session.

Supervisor Wood told the Board that the copies of the Proposed Law has all the changes that the County Planning Office approved with conditions noted in red.

The Board reviewed all of the changes.

Mr. Parker stated that Sound Pressure Levels: Statistical Sound Pressure Level was a duplicate paragraph.

**Page 10 Section 7.1.5:** Supv. Wood proposed increasing the fine from \$350.00 to \$2500.00.

**Page 14 Section 10.** Creation of Wind Overlay Zone: Supv. Wood stated that three of the five Wind Advisory Board members did not want to expand the overlay zone south of 72. She has also received petitions from persons living south of 72 that do not want the overlay zone expanded to south of 72. Therefore she is not in favor of expanding the overlay zone south of 72.

Mrs. Pullano agreed that the wind farm should not be south of 72. The Town Board has the power to determine the overlay zone not the wind company.

Ms. Lyon stated that she was in favor of the expansion to south of 72 until she saw the petition, therefore she is now not in favor of expanding the overlay zone.

The Board agreed to not allow the overlay zone to expand to south of 72.

**Page 26 Section 17 Noise Standards;** Mrs. Pullano felt more research needed to be done on this and she suggested lowering the dba from 40 to 30 or 35.

Mr. Parker commented that setbacks and noise go hand in hand along with the topography, and wind direction will all hold noise differently.

Supv. Wood, Ms. Lyon and Mr. Parker felt with a 2500 foot setback that a dba of 40 would be good.

**Page 29 Section 19;** WEF Real Property Value Protection Agreement. The County Planning recommended that the Town's legal counsel conduct a thorough review of this Section and assure the Town that is legal defensible. Supv. Wood reported that she had talked with the town attorney, Roger Linden, and there is no case law study that it would not stand up in court. Wind developer states it will not devalue property.

Supv. Wood asked Mary Jane Toomey, Wind Advisory Board Member, what the Wind Advisory Boards thoughts were on this matter.

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Mrs. Toomey stated that after talking with assessors and appraisers they agreed that it should be contingent on someone who has a sale of his property.

Robert Panasci, Young/Sommer LLC asked to speak on this matter since Mrs. Toomey spoke from the floor.

Supv. Wood told him that Mrs. Toomey was allowed to speak because she is on the Wind Advisory Board and they were not taking any other public input.

Be it enacted by the Town Board of the Town of Hopkinton with a motion by Ms. Lyon and a second by Mrs. Pullano to accept the changes to the Proposed Wind Energy Facilities Law and hold a Public Hearing on March 14, 2018 at 6:30 p.m. at the Hopkinton Town Hall on Proposed Local Law 2 of 2018, Wind Energy Facilities Law.

VOTE: Supervisor Wood Aye, Councilmen Parker Aye, Pullano Aye, Lyon Aye.

Ms. Lyon made a motion, seconded by Mrs. Pullano to adjourn the meeting.

Meeting was adjourned at 7:14 p.m.

Respectfully Submitted:

Vickie French  
RMC