

APPROVED
JOINT TOWN / VILLAGE OF CLAYTON
PLANNING BOARD MINUTES
FEBRUARY 3, 2011

At 7:00 P.M., Chairman Bud Baril opened the regular meeting of the Joint Town / Village of Clayton Planning Board with the following members present:

Bud Baril, Larry Aubertine, Ron Duford, Preston Lowe, Paul Heckmann, and Alternate Duane Hazelton sitting in for John Kehoe. John Kehoe and Twyla Webb were absent.

Others present: ZEO Henry LaClair, Assistant ZEO/Code Enforcement Officer Richard Ingerson, Recording Clerk Kelly Hamlin.

Townspeople: Pam McDowell, Jenny Burke, Dan Murdie, Douglas Ward, Cindy Grant, Karl Bach, Supervisor Justin Taylor, Jill Bach, Nancy Madson, and Cary Brick.

The minutes from the December 2, 2010 meeting were reviewed. Motion by Larry Aubertine and seconded by Ron Duford to accept the minutes with corrections. All in favor, Motion carried. The minutes from the January meeting were reviewed and a Motion to accept the minutes as amended was made by Larry Aubertine and seconded by Paul Duford. All in favor, motion carried. Motion to accept the Special Planning Board minutes as amended was made by Preston Lowe and seconded by Duane Hazelton. All in favor, motion carried.

7:03 pm- Applicant Atlantic Wind LLC has presented a Draft Environment Impact Statement (DEIS). Jennie Burke from Iberdola presented this to the Board. There are 3 volumes to each set. Ms. Burke is asking Planning Board to review DEIS. Discs will be available when Planning Board accepts that the DEIS is complete and will be made available to the public. According to Ms. Burke all studies are complete to date. A supplement will be updated in March 2011. A map included in this document has corrected 3 incorrect names of roads on original application. The Planning Board will be the Lead Agency. After the DEIS is accepted by the board, it will be released to the public for comments. According to Doug Ward, attorney for the Atlantic Wind LLC, accepting the DEIS does not mean approval.

7:14 --- Town --- Karl and Jill Bach NYS RTE 12, Tax Map No. Part of 20.11-2-12.1 in the Agricultural-Rural Residential. Public Hearing for Site Plan Review for Recreational Facility and Special Use Permit for a small Commercial Enterprise for same property.

A letter was received from Mils Motel was read in favor of the application. A phone call was received by ZEO Officer Henry LaClair from George Bowes in favor of the application. No further questions, phone calls, or letters were received. There will be a beauty parlor and a retail store in one building. Mr. Bach is working to see what size septic system will be required. There will be approximately 4 people working at this facility. Site work will be done by Mr.

Bach's company. Mr. Bach will have shrubs and landscaping done. There will be 10 candle watt lighting for the put-put course. All lights will be turned off when facility is closed except for security lighting. Mr. Bach is hoping that this project will be completed by summer. Hours of operation will be from 10am-10pm in season, seven days a week. Mr. Bach will be submitting a SWEPS to DEC. Mr. Bach has been approved for a 75 foot variance on East and West side from the Zoning Board of Appeals. A master sign plan can be done at a later date. Parking is according to Plans with a little greenery around the area. Chairman Baril asked for a motion to make this a negative declaration. **MOTION** was made by Larry Aubertine and seconded by Preston Lowe, motion carried. Chairman Baril asked for a motion to close the public hearing. **MOTION** to close the public hearing was made by Larry Aubertine and seconded by Duane, motion carried. There was discussion of downcast lighting, buffering in front of parking lot, and the hours of operation. Board member Preston Lowe wanted it understood that the main lights will be turned off at 10:00 pm. Security lighting can be used after 10:00pm. A **MOTION** was made by Larry Aubertine, and seconded by Ron Duford to approve the site plan with the following conditions, there will be landscaped buffering in front of the parking lot on NYS Route 12, hours of operation will be 10:00 AM until 10:00 PM and there will be downcast lighting on all lights facing NYS Route 12 with the only lights on after 10:00 PM will be security lights.

Aye: Bud Baril, Duane Hazelton, Ron Duford, Preston Lowe, Larry Aubertine, Paul Heckman.
Absent: Twyla Webb and John Kehoe Nay: None Abstain: None

7:42 pm—Town Attorney Joseph Russell is here to discuss the rules of SEQR process. The lead agency needs to be determined to move forward. Once this board decides if they want to be lead agency, the other agencies will be notified of that decision. The other agencies, which are DEC, PSC, and JCIDA will need to sign off. The Town Attorney would take care of this notification. The next step is to determine if the DEIS is complete. This does not mean acceptance. This only means that all areas of the DEIS that needed to be addressed, have been addressed. Chairman Baril has asked Cary Brick, Duane Hazelton, Joe Russell, and Supervisor Taylor, to formulate how to proceed correctly. If something in the EAF is questioned then board can check with the applicants. There are no State Regulated Wetlands affected. There will be 100- 200 jobs created during construction of the turbines. After construction there will be approximately 5-7 jobs. Solid waste generated during construction will be about one ton per month, which will be taken to the landfill. There will be no waste after construction is complete. The EAF will be used to declare a lead agency. The board does not have to agree with the EAF. The EAF is information that the applicant produced. When the board feels that the DEIS is complete, which does not mean that the board is in agreement, it can be released for public review. The timeline for what comes next would be to start Public Hearings 15-60 days after acceptance of DEIS. There would be special meetings that could be split up in to topics. After the document is reviewed and it is determined to have required elements, Supervisor Taylor would like the document to be released to the public as soon as possible. Chairman Baril would like the board members to take home the DEIS and review and bring back to the next meeting to make a determination if all elements are addressed. Before this happens, it needs to be decided if this board will be lead agency.

