

TOWN OF KENDALL  
PLANNING BOARD  
MEETING MINUTES

May 26, 2009 – 7:00 p.m.

CALL TO ORDER: Chairman Gray called the meeting to order at 7:00 p.m.

ROLL CALL, MEMBERS:

Paul Gray, chairman	- present
Tom Cole	- present
Phil D'Agostino	- present
Joyce Henry	- present
Walt Steffen	- present

ALSO PRESENT:

Paul Hennekey, Code Enforcement Officer II  
David Schuth, Town Board Representative  
Lynne Szozda, Town Councilwoman  
Bart Joseph, Town Councilman  
Dan Gaesser, Town Councilman  
Marianne Wilson, Recording Secretary

Skip Brennan, Iberdrola Renewables

APPROVAL OF MINUTES: Minutes from April 28, 2009 were reviewed. Joyce moved to accept with minor corrections. Seconded by Walt. All in favor. Phil and Tom abstained.

NEW BUSINESS: Paul opened by stating that a representative from Iberdrola Renewables wind energy systems had contacted Supervisor Gillman, who invited him to an informational exchange with himself, Assessor Massey, Larry Gurslin, and Paul Gray last week. Skip Brennan's attendance tonight was not planned and not on the agenda.

Skip introduced himself and outlined his company's interest in developing wind energy in the area. He states there are 2 MET towers in Hamlin; the one closer to the lake giving the best results, thus they are seeking to expand locations along the lake. Iberdrola is the largest owner/operator of wind generating systems in the world. Their biggest question in Kendall is the setbacks from homes and roads. The company has its own setback standards for "fall down zone": 1200ft from homes and 101% of tower height from roads. The towers are most likely going to buckle as they fall and almost never fall flat. They seek to install 2-meg towers, 465 ft tall being most optimal. Mr. Brennan states that Town of Kendall's regulations would only allow 3 towers. The wind farm in Pike is not Iberdrola's. He states they have 195 units operating at Maple Ridge in Tug Hill area. Six to seven years ago, units were installed in Madison; they now seek more units. The "overhang rule" would allow adjoining landowners sign on with them and the property setback is waived, thus allowing more units to be installed. The company's overhang standard is 145ft. for both "participating and non-participating owners". He showed a preliminary map, but stated he will return with revised maps. Cell towers have a 110% fall zone.

Power lines would be buried, including under roads. The final run to the grid would be 3 lines on new poles. Skip clarified that Iberdrola Renewables is a separate entity from the parent company that owns National Grid and NYSE. Energy derived here would most likely serve this part of the state and release 35 kilovolts; sources to the east could then be directed downstate. The process takes about 2 years. A

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minimal amount of reactive energy is required to start up and keep the control system running. Paul explained the procedure in Kendall, stating that no overlay district has been created. This board and the town board would consider all the facts before applying the overlay.

Life of the machines is about 20 years. This is no short-term relationship between Iberdrola and the Town. They would prefer more than 10 towers in total. It would be decided in 2010 if the project is viable. They would need sufficient signees. Engineering design in 2012 and construction completed by 2013. Money for decommissioning would be held in escrow; most likely would retrofit with newer technology. The average energy production expected is 30-35% here; if less than 28% it is not economical. A 100 meter tower is best choice.

Payment would be in lieu of taxes. The going rate in New York State in the pilot program is \$8,000 per megawatt per turbine; shared with school, county, and town. Twenty-five to 27 turbines would produce 50 meg. Town of Hamlin is currently in a state of flux with concern to wind energy. Iberdrola would like to cross over town lines to achieve the total number of units desired. His question to this board is to determine if there is room for negotiations in the current ordinance. Paul states it would require revisiting the wind energy law. Tom informed Skip of the LWRP which was adopted by Carlton, Yates and Kendall, and suggested he read it. Tom moved to table discussion until direction is received from the Town Board - seconded by Joyce. Paul stated we need a better technical understanding. He also states that no minutes were taken in the informational session held with the Supervisor last week, as it was not a public meeting. All in favor. Discussion tabled. Mr. Brennan departed.

**TOWN HEALTHCARE PLAN:** Dan Gaesser distributed copies of the new “cafeteria” plan for tax deferral of premium payments. It is required by the IRS that all employees be offered the option. It will be offered again January 1 with open enrollment in December.

**CODIFICATION:** Dave says the revised proposal has been received. Is there anything the Planning Board wants/does not want? Paul suggests the Town Board members look at Albion’s system on-line at [townofalbion.com](http://townofalbion.com) (also accessible from [orleansny.com](http://orleansny.com)): it includes procedures, policies, etc., not just zoning. It is a document control system. Copies were distributed. Dave suggests it be raised at this Thursday’s Town Board meeting. LWRP was not included in the original quote several years ago. The new basic quote is \$8,425 (down from several years ago) with \$1,400 for e-code system which would be available on-line, like Albion’s. E-code would be \$360 plus maintenance fees. Tom moved to recommend the basic plus LWRP and Master Plan. Seconded by Joyce. Joyce states she is working on data for the Master Plan update. Motion passed unanimously.

**NEXT MEETING:** Tuesday, June 23, 7:00 p.m.

**ADJOURNMENT:** Phil moved to adjourn. Seconded by Walt. Adjourned at 9:06 p.m.

Respectfully submitted,

Marianne Wilson  
Recording Secretary