

Organization Town of Champion

Board Town Board

Date and Time Tuesday, October 24 2006 at 8:00 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

The Town of Champion met in special session on Tuesday, October 24, 2006 at 8:00pm to review proposed amendments to the Town Zoning Law, providing certain regulations regarding the setbacks and other requirements relative to wind power generating facilities, in conjunction with the Town Planning Board. Present were Supervisor Buckley, Councilmen Stewart, Watkins, Buzzell, and Peck, members of the Planning Board and D. Koster, Zoning Officer.

Supervisor Buckley called the meeting to order at 8:00pm. Planning Board Chairman, P. LaBarge, discussed the special use permit process. Supervisor Buckley moderated a line by line review of the proposed amendments.

Discussion included, but was not limited to, the following: the definition of "private use"; the sale of excess electrical power; maximum tower height; setback requirements; interference with television signals; non-tower owner property rights; noise issues; fencing; and infrastructure marking requirements.

J. Peck suggested that "including rotor radius" be added to Article 6. Section 692C. Members agreed by consensus.

H. Watkins questioned the 1000' state road setback requirement. P. LaBarge stated that the setback was recommended to address highway safety. There were no changes made to the recommended setbacks.

S. Buzzell expressed concern that wind towers may interfere with television signals. T. Buckley responded that the issue has been addressed with the installation of additional equipment. P. LaBarge added that the issue has been considered and reflected in the law.

H. Watkins and S. Buzzell emphasized the protection of non-wind tower owner property rights. P. LaBarge stated that special use permit process gives the Planning Board a great deal of latitude to address issues of concern.

F. Koster discussed how the recommended setbacks naturally situate towers primarily in ARD zones. H. Watkins advocated a 500' setback on all roads. S. Buzzell stated his concerns with noise issues. P. LaBarge stated that Article 6. Section 535G.2 allows the Planning Board to modify setbacks as deemed necessary. T. Buckley and P. LaBarge supported the section, as written, to provide flexibility for a case by case determination.

P. LaBarge discussed the authority of federal and state regulating agencies in the location of any tower.

T. Buckley recommended deleting Article 6. Section 535G.3, which would shorten the setback from a residential structure with agreement from the property owner. Recognizing that the ownership of a residence is subject to transfer, Supervisor Buckley stated that minimum setbacks should be uniformly enacted. The section was deleted by consensus.

Members of the respective boards reviewed the requirements for fencing, landscaping and noise. With respect to the provisions for noise, members agreed, by consensus, to add "at the tower owner's expense" at the end of the section. Article 6; Section 535G.8 was corrected to read "prior to final approval". Section 535G.11 was deleted in its entirety by consensus. "Special Use Permit" was added to Article 4; Section 405.

S. Buzzell recommended that language be added to require tower owners to join DigSafely NY. Other meeting participants disagreed that the Town should be the enforcing authority for underground infrastructure identification. P. LaBarge stated that the Planning Board has no enforcement authority in regards to UFPO. J. Peck recommended that the Clerk be directed to contact the Public Service Commission (PSC) to determine the agency responsible for enforcing the provisions of utility infrastructure locating. T. Buckley suggested adding the membership requirement to Section 535G.8 and directed the Clerk to contact the PSC for information.

Motion by J. Peck, seconded by H. Watkins to adjourn. The meeting adjourned at 9:34pm.

Christina Vargulick
Town Clerk