

Town of Lyme
Joint Meeting of the Town Board and Planning Board
July 26, 2012
6:30 p.m.

Supervisor Aubertine called tonight's Joint Meeting to order at 6:30 p.m.

Present at Tonight's Meeting: Supervisor Aubertine, Councilwoman Harris, Councilmen Bourquin, Villa and Henderson, Planning Board Chairman Frank Congel, and Planning Board Members Sue Warner, Maria Millington, Scott Discount, County Planning Members Andy Nevin, and Hartley Bonisteel, Attorney Mark Gebo and 4 others.

Supervisor Aubertine started by thanking Planning Board Chairman Frank Congel and the Town Planning Board for doing an excellent job on the proposed DRAFT Wind Law.

Frank started the meeting by introducing the wind overlay district maps and explained the difference between Map's A, B and C. and how they came to determine what map they felt was best suited for the Town of Lyme. Wind Overlay Map C was the final choice with two-mile setbacks from Lake Ontario and Chaumont Bay. At tonight's meeting it was also decided that two-mile setbacks would be added to the Chaumont River as well. This would leave a fewer than 259 acres available for wind development in the Town of Lyme. There will be minimal modifications made to map C with the addition of the two-mile setbacks to the Chaumont River. There was the discussion of utilizing the Comprehensive Plan's Wind Overlay Map but everyone decided that Map C would be corrected and used as the Wind Overlay Map with the proposed Wind Law Draft.

The Planning Board took Attorney Gebo's comments and incorporated them into the new DRAFT Wind Law.

The Town Board and Planning Board methodically went through each page of the document addressing only a few areas of concern.

Attorney Gebo suggested that parts of the Draft looked more like a licensing law rather than a zoning law and he expressed concerns with sections of the Draft. Attorney Gebo also stated that sections of this proposed law does not comfortably fit into a zoning or a licensing law and he felt that the Town

was treading on somewhat new ground. As a result, some necessary changes were made after all involved had a thorough understanding of the content and the Boards moved forward.

Attorney Gebo also directed everyone's attention to pages 25-28 and indicated that there was no due process for developers. Mark will take a look at some case studies to see if the Town can keep the content of the proposed administrative process.

Some changes had to be made in order to comply with Attorney Gebo's recommendations. All Board Members were in agreement with any changes addressed at tonight's meeting.

Attorney Gebo, County Planning and the Town Board all agreed in the end that there had not been substantial changes made to the Proposed Wind Law Draft, so they can proceed comfortably and legally with the process. Once Frank makes the suggested changes brought up at tonight's meeting the new DRAFT will be sent to the Town Board and Attorney Gebo's office for final review.

RESOLUTION 2012 - 119: Motion by Councilman Bourquin and seconded by Councilman Villa scheduling a Public Hearing on August 11, 2012 to be held at the Three Mile Bay Fire Department at 9:00 a.m. followed by a Special Meeting to vote on the adoption of the new Wind Law. Five ayes. Motion carried.

Attorney Gebo reminded the Town Board that they would have to do a Long Form SEQR before the adoption of the new law.

At 8:55 p.m. the Town Board moved on to the discussion of Town Policies, specifically the Law Enforcement Policy.

Attorney Gebo will send the Town a copy of the State Police Policy. Mark said that the Town's existing policy is "dated" and needs to be updated. Mark also suggested that the Town ask the new officer to critique what he sends us as a new proposed Law as they may have suggestions of their own.

On August 10, 2012 at noon, Attorney Gebo, Councilmen Bourquin and Villa will meet at the Town Office to discuss the Teamsters negotiations.

RESOLUTION 2012 - 120: Motion by Supervisor Aubertine and seconded by Councilman Henderson scheduling a Work Session of the Town Board on August 29, 2012 at 6:30 p.m. to discuss Town Policies and any other business that may come before the Board. Five ayes. Motion carried.

Wilson Property

Councilwoman Harris indicated that Leo would like something done with the property and at this point in time he would take any amount of money for rent.

Councilman Villa worked out a budget and figured that it would take roughly \$200.00 a month for minimal utilities and operating costs.

Councilwoman Harris is anticipating opening in May or June of next year.

Julia Gosier suggested that a structural inspection be done to check out the structural integrity of the building.

At 9:37 p.m. Supervisor Auberetine made a motion to adjourn with a second from Councilman Villa five ayes. Motion carried.

The Minutes of Tonight's Meeting are Respectfully Submitted by,

Kim Wallace
Town of Lyme Clerk