

**Town of Lyme  
Special Meeting  
May 6, 2008  
6:30 P.M.**

Supervisor Aubertine called a Special Meeting of the Town of Lyme Board to order at 6:30 p.m. Present: Supervisor Aubertine, Councilmen Countryman, Schreib, Madill, and Johnson, Attorney Mark Gebo and approximately 30 others.

The Meeting had been scheduled to continue the procedural step of the SEQR (State Environmental Quality Review) Part II. Part I of this form had been filled out at a Joint Work Session between the Town Board and Planning Board in April.

The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

The full EAF is comprised of three parts, tonight we will be concerned with the following two.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially – large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially – large, then Part 3 is used to evaluate whether or not the impact is actually important.

***RESOLUTION 2008 - Motion by Councilman Schreib and seconded by Councilman Johnson upon review of the information recorded on***

*this EAF (Parts 1 and 2), and any other supporting information, and considering both the magnitude and importance of each, it is reasonably determined by lead agency that this project will not result in any large and important impacts and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared. Five ayes. Motion carried.*

Attorney Gebo indicated to the Board that if they felt there were not any significant changes they could proceed tonight with the adoption of the wind Local Law.

**Councilman Johnson** – Does not feel changes are significant and there is no need of any further Public Hearings or Meetings.

**Councilman Schreib** – They have had the Work Sessions to make clarifications and word corrections. What has been modified and changed he does not consider to be significant.

**Councilman Madill** – All the changes have been identified in red and he feels they are not significant.

**Supervisor Aubertine** - Had received an email from Paul Carr and no changes are significant.

**Councilman Countryman** – felt no changes were significant.

**RESOLUTION 2008 -:** *Motion by Councilman Johnson and seconded by Councilman Madill stating that the language changes to the Wind Zoning Laws have not been significant. Five ayes. Motion carried.*

An issue of a Protest Petition dated 4/17/08 was discussed. The Assessor's did an analysis on the petition. They reviewed parcel numbers, owners of record and acreage. A database was created by using the data submitted on the Petition.

The invalid points of the petition were the following:

- 1.) Not owner on tax roll
- 2.) Not all owners of record on tax roll signed petition
- 3.) Parcel not in Town of Lyme
- 4.) Not valid parcel number
- 5.) Parcel not listed on petition

The town of Lyme consists of 35,920 acres, which is documented by the Atlas Map that was provided by Jefferson County Real Property Tax Services.

The petition stated that the Petitioners are 20 (twenty) percent or more of the property owners in the Town.

The results of the assessor's review show that 20 percent of the total acreage for the Town of Lyme would be 7,184 acres.

The Petition has 5,301.61 valid acres and 4,308.56 invalid acres, and therefore, does not meet the acreage requirements of 20% for this to be considered a valid petition.

Each sheet of the Petition should be witnessed by someone and notarized. There is no proof that the actual property owner signed the petition unless each sheet is witnessed and notarized.

Attorney Gebo had indicated that the petition was invalid due to the inadequacies mentioned above.

The Assessor's provided a copy of written results to the Town Board.

After reviewing the information and Attorney Gebo indicating to the Board and its attendees that we have given the Public every opportunity to comment with the number of Public Hearings we have had, it would not be inappropriate to proceed with the adoption of the Local Wind Law. Due to the inadequacies of the petition filed the Town Board does not have to have a Super Majority vote.

***RESOLUTION 2008 - Motion by Councilman Schreib and seconded by Councilman Madill: The Town Board of the Town of Lyme Local Law Wind Energy Facilities to be adopted as written.***

***Roll Call Vote***

<b><i>Councilman Schreib</i></b>	<b><i>Yes</i></b>
<b><i>Councilman Johnson</i></b>	<b><i>Yes</i></b>
<b><i>Councilman Countryman</i></b>	<b><i>No</i></b>
<b><i>Councilman Madill</i></b>	<b><i>Yes</i></b>
<b><i>Supervisor Aubertine</i></b>	<b><i>No</i></b>

***Three ayes. Two Nays. Motion carried.***

***Motion to adjourn by Councilman Countryman and seconded by Supervisor Aubertine.***