

**Town of Lyme
Public Work Session / Zoning Laws for Wind Generating Facilities
June 29, 2010
6:30 P.M.**

Supervisor Aubertine called tonight's Work Session to order at 6:30 p.m. Present at tonight's Meeting: Supervisor Aubertine, Councilmen Johnson, Harris and Bourquin, Attorney Gebo, Clerk Wallace and approximately 24 others. Councilman Countryman became a grandfather today and he was not present at tonight's meeting.

Councilman Harris spoke about the survey that was done in 2007 and the concerns with the clarity of some of those questions. She is requesting the Town Board have the original survey resent with the original questions being stated more clearly, for a better understanding. So hopefully, when answering the questions of the new survey the residents will feel more confident in their responses. The Town Board was not in favor of this.

After much discussion the Town Board decided they would send a two-question survey to the residents of the Town. As to having a third question added to the survey simply stating whether people were in favor or not in favor of wind turbines was decided against due to the remarks Attorney Gebo had made in regard to "exclusionary zoning". The Town Board members (other than Councilman Harris) were concerned that if a resolution were passed banning wind farms completely in the Town of Lyme, the Town would end up in court once again.

RESOLUTION 2010 – 78: Motion by Councilman Johnson and seconded by Supervisor Aubertine approving a two question survey to be sent exactly as proposed by Supervisor Aubertine as follows:

- 1. _____ I am not in favor of wind farms, but understand we cannot exclude them and prefer the more restrictive setbacks that were proposed in the original wind law.***
- 2. _____ I am in favor of wind farms located north of NYS Route 12E and prefer the less restrictive setbacks.***

Roll call vote

<i>Councilman Bourquin</i>	<i>Yea</i>
<i>Councilman Johnson</i>	<i>Yea</i>
<i>Councilman Harris</i>	<i>Nay</i>
<i>Supervisor Aubertine</i>	<i>Yea</i>


Three Ayes. One Nay and the Motion was carried.

Councilman Johnson suggested that the meeting adjourn for this evening and the Town Board schedule the next meeting after the receipt of the surveys. He also suggested contacting a sound consultant because no matter what version of the law the Board adopts they will need to look at sound levels.

Councilman Harris thanked Supervisor Aubertine and appreciates the fact that he would be willing to do another survey.

A Motion was made by Supervisor Aubertine and seconded by Councilman Johnson adjourning tonight's meeting at 7:26 p.m.

Tonight's Meeting Minutes Respectfully Submitted by,


Kim Wallace
Town Clerk