

Town of Enfield  
Special Town Board Meeting Minutes  
Enfield Community Building  
Friday, March 25, 2016  
5:30 p.m.

Present: Town Supervisor Ann Rider, Town Councilperson Virginia Bryant, Town Councilperson Mike Carpenter, Town Councilperson Henry Hansteen, Town Councilperson Michael Miles, Town Clerk Alice Linton.

Supervisor Rider opened the special town board meeting at 5:35 p.m. by leading the assemblage in the Pledge of Allegiance to the Flag.

**Resolution on Draft Supplemental Environmental Impact Statement (DSEIS) for Black Oak Wind Farm:**

Supervisor Rider stated the town board passed a resolution on March 9, 2016 to schedule a public hearing, and in the notice section of the resolution it was stated that written notice would be given to land owners within 500' of the boundary of each proposed new wind turbine generator location at least seven days in advance of the public hearing. This notice was not given by the deadline. Since notice has to be given to cancel a public hearing, and there was not sufficient time to give this written notice, and in view of the fact that a board member had requested an extension of the comment period, it was suggested another public hearing be held with an extension of the comment period.

Councilperson Bryant moved, with a second by Councilperson Carpenter to adopt Resolution #2015-43.

**Resolution #2015-43                    RESOLUTION FOR ADDITIONAL PUBLIC HEARING AND  
EXTENDED COMMENT PERIOD FOR DRAFT  
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, a predecessor-in-interest of Black Oak Wind, LLC (the "Project Sponsor") filed a site plan application with the Town Board of the Town of Enfield (the "Town Board") pursuant to the Town of Enfield's Wind Energy Facilities Local Law #1 of 2009 for the development of a seven (7) turbine wind-powered generating facility (the "Project"); and

WHEREAS, on June 9, 2010, the Town Board passed a resolution accepting its role as Lead Agency pursuant to the New York State Environmental Quality Review Act and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"); and

WHEREAS, on June 12, 2013, a DEIS for the Project was accepted by the Town Board as complete; and

WHEREAS, on November 12, 2014, the Town Board accepted as complete a Final Environmental Impact Statement ("FEIS") for the Project; and

WHEREAS, on December 14, 2015, the Town Board issued a Findings Statement for the Project pursuant to SEQRA; and

WHEREAS, on June 24, 2015, the Town Board received a submission from the Project Sponsor outlining two (2) minor modifications to the Project; and

WHEREAS, on July 8, 2015, the Town Board determined that a supplemental environmental impact statement or modified findings statement was not required for the modifications submitted on June 24, 2015; and

WHEREAS, the Project Sponsor now proposes to potentially re-locate two (2) of the approved wind turbines to 2 of 3 proposed locations, as well as relocate a substation, add a new permanent wind measurement tower just south of Turbine 4, and relocate approximately 8,400 linear feet of buried collection line but, except as noted, the Project would otherwise remain as consisting of seven (7) wind turbines generating 16.1 megawatts (MW) of electricity utilizing the GE 2.3-107 model wind turbines; and

WHEREAS, the Project Sponsor has prepared a Draft Supplemental Environmental Impact Statement (“DSEIS”) assessing the potential significant adverse environmental impacts associated with the proposed modifications to the Project as summarized above; and

WHEREAS, on March 9, 2016, the Town Board passed a resolution accepting the DSEIS as complete; establishing a public written comment period extending from March 12, 2016 to April 12, 2016; and scheduling a public hearing on March 28, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN BOARD OF THE TOWN OF ENFIELD AS FOLLOWS:

Section 1. Pursuant to the SEQRA regulations, the comment period during which the public and involved and interested agencies may submit written comments to the Town Board relating to the DSEIS shall be further extended to April 22, 2016. The Town Board shall also hold an additional public hearing at the Enfield Elementary School on April 12, 2016, commencing at 7:00 p.m., and shall duly publish notice of the hearing at least fourteen (14) days prior to the public hearing being conducted. In addition, notice of the public hearing shall be given first class mail to all property owners located within 500 feet of the boundary of each proposed new wind turbine generator location at least seven (7) days in advance of the public hearing.

Section 2. The Town Board further directs that notice of this resolution shall be filed and circulated to the extent required by any applicable ordinance, statute or regulation.

Section 3. This Resolution shall take effect immediately upon adoption.

Discussion: Councilperson Carpenter asked how the property owners would be notified of the public hearing.

Marguerite Wells of the Black Oak Wind Farm stated she will take the tax map numbers of properties with turbines located on them to the Tompkins County Assessment Office and they will provide her with names and addresses of adjoining property owners. She will then send notice of the public hearing to those property owners as required by the resolution.

Councilperson Miles asked if it would be possible to extend the comment period until April 30.

Councilperson Bryant asked what would be the problem of an extension until April 30.

Supervisor Rider stated this would drag the process on for ten more days. She asked what would be the difference to the Wind Farm Advisory Committee.

Councilperson Carpenter stated the Wind Farm Advisory Committee was set up by the town board to advise them on this issue and so far most of their recommendations have been overlooked and not considered.

Supervisor Rider stated she needs the committee's recommendations to be given to her in writing.

Councilperson Miles stated the committee hasn't given any written reports to the town board yet, but they have been working aggressively and will present their report at the April 13 regular town board meeting. That is a tight time frame for writing reports and there won't be much time to review the DSEIS at the same time.

Councilperson Bryant stated the written report should be completed by the date it is due.

Councilperson Carpenter stated no end date has been given to the committee. Black Oak Wind Farm was given all the time they needed to put their document together and questioned why the town board has to act so fast. He suggested other town board members should attend committee meetings to see how hard they are working and see how complicated the problems are.

Councilperson Miles stated most of the members on the committee felt an extension of time for comments was needed. Some felt a ten day extension would be adequate, but about half felt a thirty day extension was needed.

Councilperson Carpenter asked for the extension to April 30 so town board members had more time to put their comments in writing. He then questioned if the town board wanted the committee to continue with their service.

Councilperson Miles stated their goal is to provide an executive summary and possible recommendations and mitigation measures.

Councilperson Hansteen said he is looking forward to reading the summary and recommendations from the committee.

Supervisor Rider stated that appointing an advisory committee did not give them the authority to set the time line.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

Supervisor Rider went over the procedures that will be used at the public hearing on Monday, March 28, 2016.

### **Acceptance of Paint Bid on Enfield Town Hall:**

Supervisor Rider stated five bids were received for painting the town hall.

Councilperson Carpenter stated he would like to look at references before making a final decision. He also wanted to be sure all bids were complete and responded to the scope of work requested.

Supervisor Rider will contact Wright Bros. Painting and First General Services of Southern NY, Inc. for references. Councilperson Bryant will contact Marchuska Brothers Construction, LLC for references.

Supervisor Rider will contact all bidders to advise them bid results will not be announced until April 7, 2016 at 9 a.m. The bids can then be further discussed at the April 6, 2016 Special Town Board meeting and a decision made.

**Adjournment:** Councilperson Hansteen moved, with a second by Supervisor Rider to adjourn at 6:35 p.m.

Vote: Councilperson Bryant aye, Councilperson Carpenter aye, Councilperson Hansteen aye, Councilperson Miles aye, Supervisor Rider aye. Carried

Respectfully submitted,

Alice Linton, Enfield Town Clerk