

SPECIAL BYRON TOWN BOARD MEETING

September 18, 2019

The Special Byron Town Board Meeting was called to order by Supervisor Roger Rouse at 7:00 p.m. with the following people present:

Supervisor.....	Roger Rouse
Councilmen.....	Sue Fuller
	Fred Klycek
	Jeff Thompson
Town Clerk.....	Debra Buck-Leaton
Absent.....	Jim Cudney

Public:

Invited Guests:

Paul Boylan, Esq.....MRB Group

John Sackett.....	Townline Road, Byron
Dale Tucker.....	Bank Street Road, Byron
Alvin Shaw.....	Rte. 262, Byron
Josh Kent.....	Iverson Road, Byron
Gayla and David Starowitz.....	Caswell Road, Byron
Garrett and Valerie Rusin.....	Cockram Road, Byron
Wendy Focht.....	Byron-Holley Road, Byron
Ben Raccuia.....	Warboys Road, Byron
Barbie Starowitz.....	Bank Street Road, Byron
Candace Hensel.....	Byron-Holley Road, Byron
James Lamkin.....	Tripp Road, Byron
David Leaton.....	Byron Road, Byron
George Squires.....	McElver Street, Byron
Steve Hohn.....	Cockram Road, Byron
Keddy Chandran.....	Next Era Solar
Laurel Smith.....	Mill Pond Road, Byron

PLEDGE TO THE FLAG:

Supervisor Rouse led the people in attendance in the Pledge of Allegiance.

**LEGAL NOTICE
SPECIAL MEETING
TOWN OF BYRON**

PLEASE TAKE NOTICE, that the Byron Town Board will hold a Special Meeting on Wednesday, September 18, 2019 at 7:00 p.m. at the Byron Town Hall, 7028 Rte. 237, Byron, New York. The purpose of the Town Board meeting will be to discuss the engagement of co-counsel to act on behalf of the Town in

conjunction with the Town Attorney, representing the Town before the Article 10 Siting Board and related matters. Secondly, hiring a technical consultant/engineering firm to advise the Town regarding technical matters related to the Article 10 proceeding with regard to Excelsior Energy Center. Also, to consider a Local Law amending the Zoning Ordinance in regard to solar energy facilities.

*Debra Buck-Leaton
Byron Town Clerk*

Town Attorney Paul Boylan – The first subject to come before the Town Board is the engagement of co-counsel to act on behalf of the Town in conjunction with the Town Attorney. Paul would recommend that the Town Board hire the Zoghlin Group from Rochester to act as co-counsel to act on behalf of the Town in conjunction with the Town Attorney. They have worked on 2 wind projects and are representing the Town of Rush in the Caledonia solar project.

The second subject to come before the Town Board would be to hire an engineering group. Paul would recommend that the Town Board hire MRB Group because they're familiar with the Town, have worked on other solar projects, and are extremely qualified.

A **motion** was made by Councilman Klycek to hire the Zoghlin Group to act as co-counsel to act on behalf of the Town in conjunction with the Town Attorney, representing the Town before the Article 10 Siting Board. Also, to hire MRB Group as a technical consultant/engineering firm to advise the Town regarding technical matters related to the Article 10 proceeding with regard to Excelsior Energy Center. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 3 Abstain: 1 (Councilwoman Fuller)

The last subject to be discussed is to consider a Local Law amending the Zoning Ordinance in regard to the solar energy facility. The current Town law 11.15 states that Solar Energy Systems are permitted in the Town (2013). The Excelsior Energy project would probably not be impacted by a Zoning Law change now, but it will state where the Town stands with regard to setbacks, etc.

Supervisor Rouse – he would like to send it to the Planning Board for review.

A **motion** was made by Councilman Klycek To have the Planning Board consider amending the zoning ordinance in relation to the solar project, and to come back to the Town Board to give a recommendation. The motion was seconded by Councilman Thompson and carried with the following vote:

Vote: Ayes: 3 Abstain: 1 (Councilwoman Fuller)

There was a discussion regarding land values, the Article 10 process and Town Zoning Laws. Resident concerns were heard.

Keddy Chandran – Studies have shown that there aren't meaningful negative impacts to property owners. They are at the beginning of the process and are meeting with adjacent landowners to address concerns. Their goal is to do more than what the Zoning Law requires. The Preliminary Proposal is being filed on September 23rd.

ADJOURN:

A **motion** was made by Councilman Thompson to adjourn the Special Meeting of the Byron Town Board at 8:14 p.m. The motion was seconded by Councilman Klycek and carried with the following vote:

Vote: Ayes: 4 Nays: 0

Respectfully Submitted,



Debra M. Buck-Leaton
Byron Town Clerk