

**MINUTES OF SPECIAL STAFFORD TOWN BOARD MEETING OF DECEMBER 18, 2006**

**PRESENT:**

R. Clement               -Supervisor  
R Panek                   -Councilman  
M Mouery               -Councilman  
R. Pacer                 -Councilman  
D. Vicary                 -Councilman

DRAFT COPY

**OTHERS PRESENT:**

Jeffrey Briggs

Supervisor Clement called the meeting to order at 702 p.m.

**Status of Town & County Plan Board Approvals:**

Supervisor Clement began by reading the favorable approval forms received from the Town and County Planning Boards to extend the Wind Energy Moratorium in the Town of Stafford for an additional 6 months.

**PRESENT RESOLUTION ADOPTING Local Law Nbr. 3-2006:**

Supervisor Clement presented the following Resolution for adoption of Local law Nbr. 3-2006 to enact a second Moratorium Extension regarding wind Energy Conversion system in the Town of Stafford.

**RESOLUTION ADOPTING LOCAL LAW No. 3 OF 2006**

**WHEREAS**, proposed Local Law No. 3 of 2006 of the Town of Stafford entitled “A Local Law to Amend the Town of Stafford Zoning Law to Enact a Second Moratorium Extension Regarding Wind Energy Conversion Systems”, which proposed Local Law in its final form was presented to the Town Board at the meeting held on November 13, 2006, and a copy thereof was kept with the Town Clerk and copies were both laid upon the desks of the members of said Town Board and mailed to each member of the Town Board not in attendance at said meeting, at least ten (10) days, exclusive of Sundays, prior to its final passage; and

**WHEREAS**, ten (10) days written notice of any proposed regulations, restrictions or boundaries of districts within the Town and amendments thereto was given by mail by the Town to each person or persons required to be notified pursuant to New York State Town Law Section 264(2); and

**WHEREAS**, a public hearing on the advisability of enacting said proposed Local Law was held on December 11, 2006, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

**WHEREAS**, all required referrals to the Genesee County Planning Board and the Stafford Town Planning Board, as well as all required publications and postings, have been properly completed; and

**WHEREAS**, the Town of Stafford is presently engaged in the preparation of a comprehensive plan; and

**WHEREAS**, the current draft of the comprehensive plan has not thoroughly addressed the topic of Wind Energy Conversion Systems (WECS); and

**WHEREAS**, it is the intent and desire of the Town Board of the Town of Stafford to utilize the ongoing comprehensive plan process in order to investigate and determine whether or not large scale Wind Energy Conversion Systems and Wind Farms are beneficial, and after said investigation to determine whether or not to amend the Town of Stafford Zoning Law to either prohibit such development within the Town of Stafford or to specifically identify criteria and requirements to be followed if such uses are to be allowed; and

**WHEREAS**, the Town Board of the Town of Stafford, New York previously adopted a six (6) month moratorium for similar purposes, which will expire on December 31, 2006, and

**WHEREAS**, the Town Board of the Town of Stafford, New York originally adopted a nine (9) month moratorium, which expired on May 25, 2006, and

**WHEREAS**, a Citizens Committee formed by the Town Board to study the issue of Wind Energy Systems has recently completed and submitted to the Town Board a comprehensive report with recommendations contained therein, and

**WHEREAS**, it will take approximately four (4) to six (6) additional months to complete the public hearings and the process of making final amendments to the comprehensive plan and drafting a and adopting any needed amendments to the Zoning Law, and

**WHEREAS**, the Town Board of the Town of Stafford, New York concludes that an extension of the moratorium until June 30, 2007, is a reasonable period of time to investigate this issue, complete the comprehensive plan process, and enact any amendments to the Zoning Law, if necessary; and

**WHEREAS**, the Town Board of the Town of Stafford, New York concludes that the benefits to the community of such moratorium extension far outweigh the potential burden, if any, to landowners and perspective developers within the Town of Stafford; and

**WHEREAS**, the moratorium extension provides for an exclusion of Wind Energy Conversion Systems consisting of a single wind tower and related equipment to be used primarily to benefit the landowners, thereby insuring that the moratorium is not absolute; and

**WHEREAS**, the Town Board of the Town of Stafford, New York, is of the opinion that adoption of said proposed Local Law No. 3 of 2006 is in the best interests of the Town of Stafford, New York,

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Stafford, New York that said proposed Local Law No. 3 of 2006, be and the same hereby is adopted, and such Local Law shall be entered in the minutes of the Stafford Town Board; and

**BE IT FURTHER RESOLVED**, that certified copies of said Local Law No. 3 of 2006 be filed with the New York State Secretary of State in accordance with Law; and

**BE IT FURTHER RESOLVED**, that a summary of the provisions pursuant to Local Law No. 3 of 2006 be published once in The Daily News and that an affidavit of publication thereof be filed with the Town Clerk; and

**BE IT FURTHER RESOLVED**, that this Local Law shall become effective as provided by law upon its filing in the Office of the Secretary of State

MOVED BY: Councilman Vicary

SECONDED BY: Councilman Pacer

Approved on Roll Call as follows:

Supervisor Robert S. Clement	Yes
Councilwoman Michelle Macon-Mowery	Yes
Councilman Robert Pacer	Yes
Councilman Ronald T. Panek	Yes
Councilman David G. Vicary	Yes

**MOTION** made by Councilman Pacer and seconded by Councilman Mouery to adjourn at 7:06 PM.

**Motion** was carried and meeting was thus adjourned.

Dated Dec 18, 2006

*Approved at Jan 8, 2006 Town Board Meeting*

Walter Kershenski, Town Clerk