

## September 8, 2009 Zoning Board of Appeals Meeting Minutes

Minutes of the September 8, 2009 Zoning Board of Appeals Meeting Minutes held in the Meeting Room of the LaFayette Commons Office Building at 2577 Route 11 in the Town of LaFayette at 7:00 p.m.

Present: Stephen Beggs, Chairman  
Robert Drumm, Member  
Jerry Doolittle, Member  
Daniel Kuhns, Member  
Christine Keenan, Member

Recording Secretary: Mary Jo Kelly, Secretary

Others Present: John Langey, ZBA Attorney  
Kurt Watson, Applicant  
Bill Putzer

Chairman Beggs called the meeting to order at 7:35 p.m. Everyone introduced themselves.

Chairman Beggs asked for any corrections or additions to the March 10, 2009 Minutes. There were none.

**Members Doolittle moved and Drumm seconded the motion to accept the March 10, 2009 Zoning Board of Appeals Minutes as submitted by the Secretary. Motion carried.**

**CASE # 604 - Sketch Plan Conference for application by Kurt Watson for a height variance for a windmill on his property located on Route 11 in a Agricultural/Residential District approximately 1 mile north of the Route 11 and Route 20 intersection. (Tax Map No. 020.-04-18.1)**

Chairman Beggs said our ordinance allows 125' and the applicant is proposing 140' for this windmill.

Bill Putzer said the reason they need the 140' is that NYSERDA requires 10 mph windspeed to accept an application for their funding. They can't get this at the lower height. If you can't reach this windspeed, NYSERDA won't even look at your application for funding. NYSERDA would like to see the windmill 300' from a structure. They can be closer if the residents know there will be some noise from them. You aren't going to notice the difference between 125' and 140' for this location. The turbine will blend in with the back of the hill.

Member Kuhns asked about the setbacks.

John Langey said the requirement is that it has to have the extra fall zone. It's not supposed to cross the property line if it falls.

September 8, 2009 Zoning Board of Appeals Meeting Minutes

Bill Putzer asked if the neighboring property owners are willing to sign off, can he set it closer to the property line?

Member Keenan said that is not the way our ordinance reads.

Chairman Beggs asked what the noise level is.

Bill Putzer said it varies with the windspeeds.

John Langey said there will be a public hearing for this variance and Mary Jo will have to refer it to County Planning for their comments as the parcel is within 500 of a state road. We will need a site plan that we can send to County Planning. We have to have something that shows what the lots are, exactly where you propose to have the windmill with the distances for fall zones. We can use this for both the Controlled Site application with the Planning Board and the Variance for this Board.

Chairman Beggs said technical data is required to support this height requirement which the applicant has provided.

Member Drumm said the tower is 140' and the blades are 12 ½ feet above that so actually the fall zone would have to be about 152'.

Chairman Beggs said the height variance fall zone would be based on the 152'.

Bill Putzer said he will figure it at 170'.

John Langey said there's a Planning Board Meeting Tuesday where both of these windmills will be reviewed. The Planning Board will possibly schedule a public hearing for their October meeting. The Zoning Board of Appeals may wrap up their business with this application at their October meeting too.

The applicant will meet with Ralph Lamson to resolve the issue of two windmills on one lot.

Chairman Beggs said this will be scheduled for a public hearing at the October meeting.

**Member's Drumm moved and Keenan seconded the motion to adjourn.  
Motion passed unanimously.**

The Zoning Board of Appeals Meeting adjourned at 8:19 p.m...

Respectfully submitted,

Mary Jo Kelly  
Secretary

Adopted 10/13/2009