

TOWN OF CONCORD TOWN BOARD MEETING  
Public Hearing  
Wind Energy Moratorium Local Law #4 of 2023

October 5, 2023  
6:30 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR

ROLL CALL: PHILIP DROZD, SUPERVISOR  
CLYDE M. DRAKE, COUNCIL MEMBER  
KENNETH D. ZITTEL, COUNCIL MEMBER  
WILLIAM F. SNYDER, III, COUNCIL MEMBER  
KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

ALSO PRESENT: DARLENE G. SCHWEIKERT, Town Clerk  
BARRY A. EDWARDS, Hwy Supt.  
BRIAN F. ATTEA, Town Attorney  
CAROLYN ROBINSON, Dog Control Officer  
THOMAS ROBERTS, Code Enforcement Office

GEORGE DONHAUSER	MARY CAROL DEARING
GWEN ALEGRE	TRACY DROZD
MARSHA REDING	JOHN REDING
JULIE McINDOO	DAN McINDOO
CHRIS GREENE	CAMIE GREENE
ED ABDO	HOLLY WASIELA
ASHLEY LOWRY	WAYNE LUTHER
ELIZABETH LUTHER	JOHN BARONICH
LYNETTE NISBET	KELLI WILSON, Buffalo Solar

Supervisor Drozd opened the Public Hearing at 6:30 p.m. regarding the proposed Local Law imposing a temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for any wind energy systems in the Town of Concord.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Concord will hold a Public Hearing on proposed Local Law #4 of the Year 2023: A local law imposing a temporary moratorium on the issuance of applications and the granting of permits, licenses or approvals for any wind energy systems in the Town of Concord. Said hearing will take place on Thursday, October 5, 2023 at 6:30 p.m. at the Concord Town Hall, 86 Franklin Street, Springville, New York 14141. Any and all interested persons will be heard. Copies of said proposed Local Law are available for review at the Office of the Town Clerk, 86 Franklin Street, Springville, New York, during regular business hours.

The Notice of the Public Hearing was published in the Springville Journal on September 21, 2023 and was also posted on the Town's signboard at 86 Franklin Street, Springville, New York, and the Town's website [www.townofconcordny.com](http://www.townofconcordny.com) on September 18, 2023. The Erie County Referral was sent to the Department of Environment & Planning on August 28, 2023 and the County responded on 2023, noting "No Recommendation; proposed action has been reviewed and determined to be of local concerns."

Supervisor Drozd began the Public Hearing regarding the proposed Local Law #4 of 2023:

Town of Concord  
Local Law No. 4 of the Year 2023

### Section 3. Moratorium.

A. During the effective period of this Local Law, neither the Town Board, the Planning Board, the Zoning Board of Appeals, nor the Code Enforcement Office shall grant any approval or issue permits that would result in the siting, location, development, construction, establishment, placement, installation, enlargement, or erection of wind energy systems, or related facilities or structures within the Town of Concord, New York.

B. The Town Board of the Town of Concord reserves the right to direct the Town Code Enforcement Officer to revoke or rescind any building permit or certificate issued in violation of this Local Law.

C. No portion of any applications for construction or for approval of a site plan, subdivision, variance, special use permit or any other permit affected by this Local Law shall be considered by any Board or Officer or Agency of the Town of Concord while this moratorium imposed by this Local Law is in effect.

### Section 4. Term.

This Local Law shall be in effect for a period of three (3) years from the effective date of this Local Law, unless earlier terminated by another local law, duly adopted.

### Section 5. Validity.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given in effect without such invalid provision.

### Section 6. Effective Date.

This Local Law shall take effect immediately upon filing within the Secretary of State of the State of New York.

Supervisor Drozd then asked if anyone in attendance wished to address the Board on this matter.

Residents from neighboring towns spoke:

Ann Moritz, North Collins resident, addressed the Board. Their Board had their last meeting last week and they are better than 2/3 of the way through their new law which be shared with the five neighboring towns. They are pretty comfortable with the language into it. They have mapped out the aquaphors that affect all the municipalities and they are hoping to keep all five towns working together there is a reasonable chance of making companies think twice about doing business in the towns. Two weeks, Kevin Campbell, the Project Manager of the Collins wind project, said they were having a hard time getting leases signed. Their next Planning Board meeting is set for October 20<sup>th</sup> and to fine turn the local law and as soon as they have it ready, they will invite everyone to come look at it and provide feedback. She feels if our towns are more uniform, when the state goes to a 94-c project, the wind energy companies will be looking for variances and try to pit one town against the other. All the reasons that they are putting in the law are environmentally based. It is up to the landowners to be careful and informed. Council Member Krzemien and Supervisor Drozd had attended a meeting in North Collins a few weeks ago and there were a lot of people in attendance at that meeting; he stopped counting at 350 people. Julie McIndoo, Langford resident, addressed Mrs. Moritz about the mailer that was to be done; there are residents that are not aware of this matter. Mrs. Moritz noted that the mailer is coming.

Resident Mary Carol Dearing addressed the Board. She lives on Genesee Road near where this proposed project is located. She feels very neutral on the project; she is in favor of renewable energy but also feels very strongly that we need to think about climate first, conversation and community and what she has been hearing from her limited exposure is that there has not been a lot of community input. The proposed EDF Genesee Road solar project has had meetings about that project and in this wind project.