



**M2THE TOWN OF PEMBROKE  
PLANNING BOARD  
1145 Main Rd., Pembroke, NY 14036  
Minutes for the regular meeting held on March 28, 2018**

**ATTENDANCE:**

- Jim Uebelhoer — Chairman
- Dave Knupfer — Vice Chairman
- Michael Bakos
- Cheyanne Seelau
- Philip Conti
- Greg Kuras
- Diane Denton, Acting Recording Secretary

**PUBLIC PRESENT: Yes**

MEETING called to order at 7:00pm.  
Jim Uebelhoer led the “Pledge of Allegiance”.

**MOTION TO APPROVE the Minutes from March 12, 2018** made by Mr. Kuras; Second to motion was made by Mr. Uebelhoer.

**Voice Vote: ALL AYES—MOTION CARRIED.**

**Amendment and Land Separation  
Special Use Permit and Site Plan Review  
Non-Commercial Wind Turbine/Buffalo Renewables/John Repecci  
8493 and 8483 Allegheny Rd., Town of Pembroke  
Tax Map# 15.-1-22.1 and 15.-1-22.2  
Zoning District: Interchange  
*Public Hearing opened and closed at February Meeting  
Genesee County Approved the Special Use Permit application***

- A Letter dated 3/15/18 was received from John Repecci, owner of the property at 8483 Allegheny Rd. and, also, of Maday Corporation dba Darien Lakes Econo Lodge, 8493 Allegheny Rd. where a 100 kW wind turbine is proposed to be installed. As shown in the submitted site plan, the base of the tower would be less than its total height of 159 ft. from the property line between the two parcels. The letter states that when there is a sale or transfer of the land at 8483 Allegheny Rd., it will be done such that a minimum of 159 ft. from the center of the tower in all directions be added to the property at 8493 Allegheny Rd.
- Mr. Repecci submitted an application dated 3/26/18 for a land separation from TM# 15.-1-22.2 to add land to TM# 15.-1-22.1 to create a fall zone for the proposed wind turbine. He is fine with the wind turbine going up before any land separation is completed.
- Most towns have a fall zone that is 1.1 times the height of the wind turbine. Town of Pembroke law currently doesn't include a fall zone minimum.

- The amendment to the original site plan has the wind turbine 124 ft. from the north lot line and 176 ft. from the south lot line (which is 1.1 times the height of the proposed wind turbine). The non-occupied shed to the west would be 140 ft. from the wind turbine.
- Tom Schneider has drafted non-commercial wind energy systems and sign text changes to be put before the Town Board.
- Buffalo Renewables have a funding deadline to meet, which is coming up soon. The board discussed whether the amendment to the site plan and land separation could be voted on in one motion so a building permit could be filed and construction begun. A stipulation could be put into the motion that required the separated piece from TM# 15.-1-22.2 to be merged with TM# 15.-1-22.11.
- A letter would no longer be needed from owner on the adjacent north property.

On **MOTION** made by Mr. Uebelhoer and seconded by Mr. Knupfer **to approve the Amendment to the site plan for the wind turbine to be 1.1 x its height/176 ft. from the south property line and 124 ft. from the north property line and the Land Separation as presented with the following stipulation:**

- Separated piece of TM# 15.-1-22.2 must be merged with TM# 15.-1-22.11.

**ROLL CALL VOTE:** Mr. Bakos-Aye; Ms. Seelau-Aye; Mr. Uebelhoer-Aye; Mr. Knupfer-Aye; Mr. Conti-Aye; Mr. Kuras-Aye  
**ALL AYES—MOTION APPROVED**

**Old Business:** None

**New Business:** Mr. Uebelhoer asked that everyone carefully review the text changes for wind energy systems and signs, and write down their suggestions and concerns. The board will discuss at them at its April Meeting and get it to the Town Board, so the changes will be in place by June 1<sup>st</sup>.

Mr. Kuras wondered about board members being sworn in at the beginning of each year. It was discussed and noted that it would probably be a good idea for each board member to be sworn in by the Town Clerk, if they hadn't been already.

**A MOTION** to adjourn the meeting was made by Mr. Bakos and seconded by Mr. Uebelhoer.

**Voice Vote:**

**ALL AYES—MOTION CARRIED.**

Meeting Closed at 7:30pm.  
 Respectfully Submitted,  
 Diane Denton  
 Acting Recording Secretary

Jim Uebelhoer, Chairman

*These minutes were approved by the Town of Pembroke Planning Board April 25, 2018*