

**TOWN OF DARIEN  
GENESEE COUNTY, NEW YORK 14040**

PLANNING BOARD  
MEMBERS PRESENT:

April 18, 2016  
Joe Satkowski, Pam Trowbridge  
Larry Stabell, Shawn Shanahan, Jay Blatchley  
Tom Dougherty, Brandon Calmes

MEMBERS ABSENT:  
OTHERS PRESENT:

Jerry Yoder, Padma Kasthurirangan,  
Thomas Fleckenstein, Jeffery Kerl

The meeting was called to order at 7:30pm. Everyone present recited the pledge to the flag. The minutes from the March 21, 2016 meeting were read. Joe Satkowski made a motion to approve the minutes. Shawn Shanahan second. All ayes. The minutes were approved.

Miller/NWS: Niagara Wind and Solar submitted an application for a site plan review on behalf of Daniel Miller for the property located at 10021 Simonds Road, Darien, NY Tax Map #8-1-13. Public hearing was opened at 7:45pm. The Genesee County Planning Board decision recommending approval was read. The planned wind energy system is 700' past the current wind mill that is standing. Jerry Yoder discussed the definition of a small wind energy system and wind energy conversion unit which has a more comprehensive set of requirements that are taken care of under the Ag exemption. It can generate no more than 110% of the farm's usage to qualify for Ag exemption. This usage is regardless of whether location is onsite; it is inclusive of the total farm operation. This will bring production to 78-79% of farm's usage. NYSERDA requirements are met which over qualify this application for the Town of Darien's requirements. This is not a commercial use unit, the farm is not selling back, however there is a clause to include future growth. Mr. Yoder has explained that just because the applicant's are afforded graces in the application process it does not alleviate them from their responsibilities. It was further discussed that the eagle while not threatened or endangered is still a protected species The Protection Act leaves it to the land owner to choose how to comply. Regulations are site specific and this is being handled by NWS. Jay Blatchley made a motion to close the public hearing. Shawn Shanahan second. All ayes. Hearing closed at 8:03pm. Larry Stabell made a motion for a negative declaration on the SEQR. Joe Satkowski second. All ayes. Larry Stabell made a motion to approve the site plan review. Jay Blatchley second. All ayes. Site plan review approved.

Kerl: Jeffrey Kerl submitted an application for a special use permit for a home occupation to run a home based business at the property located at 557 Broadway Road, Darien Center, NY 14040. Tax map #9.-1-15.12. It was discussed this will be a small automotive restoration and collision shop. He will not be storing vehicles outside, very low volume is anticipated with only one vehicle at a time. He also intends to comply with all safety measures and disposal procedures where necessary. Larry Stabell made a motion to forward the application to County Planning. Jay Blatchley second. All ayes. The application will be forward to County Planning. There will be a public hearing on May 16, 2016 at 7:45pm.

Jay Blatchley made a motion to adjourn the meeting. Pam Trowbridge second. All ayes. The meeting was adjourned at 8:06p.m.

Respectfully submitted  
Brooke Finkney, Secretary

Procedural Note:

As per Tom Dougherty, in accordance with Section 817, the Miller approval is forwarded to the Town Board for their consideration.