

Minutes
Planning & Economic Development Committee
March 19, 2025, 6:00 pm, Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Harmon, Dickey, Larson, Johnson

Absent: Gustafson, Penhollow

Others: Chagnon, N. Quattrone, Zafuto, Sharp, Pender, Strandburg, Geise, Aldrich, McCoy, Tyler, Cosa, Henry, Bilskie, Bates, Engstrom, Dixon

Complete video of meeting can be viewed on YouTube

Chairman Harmon called the meeting to order at (6:00 p.m.)

Approval of Minutes (2/19/25)

MOVED by Legislator Larson, SECONDED by Legislator Dickey.

Unanimously Carried

Privilege of the Floor

Karen Engstrom: Karen Engstrom, Town of Chautauqua. But I am speaking tonight for the people of North Harmony who have an organization called Concerned Citizens of Industrial Wind in North Harmony. And I know that the legislators do meet with their constituents in the townships and do confer with them and are asked to help them with the issues that they face and industrial wind is a new issue again. I mean it was here eight years ago, but it's back. And we see that Bedrock Renewables has targeted at least seven of our small towns. And that includes Stockton, Ellery, North Harmony, Sherman, Clymer, Ripley, Westfield, Panama and others. A hearing was held last night in North Harmony and fifty people came to oppose it. The name of it is called Bedrock Buttercup Wind. And it will be on Baker Road, Open Meadows and nearby other roads. A sample of some of those people who were in attendance who were speaking. A resident spoke about being driven out of Ohio because of wind turbines. That he had built his beautiful home and he became ill as a result of the wind turbine syndrome caused by the infrasound that turbine blades create. He came here and built another home and now he is facing the same problem. There was, I'll let you read most of the cases, because I would like to go on to the tools that are provided. The most interesting one was that one, and then the workers who are obviously familiar with the fact that the wind turbines that were built in Arkwright, Cassadaga, and Villanova used out-of-town workers. They did not use local workers and the maintenance is done by out-of-town workers. So, there is no jobs provided by these projects. And the parts are discarded piece by piece within five years and they are discarded in waste disposal ways. There is no way to recycle wind turbine blades. So, there were even two small girls who came with their little dresses, they were probably five and seven, with their mother. And their mother asked

them to speak, and they said “well, killing birds, eagles, swans and butterflies is bad – is wrong”, they said is wrong. And then there was a grandmother also who came to tears when she thought about the fact that her children and her grandchildren would lose the right to the pristine place that she had created for them. So, the tools that this town, North Harmony, are using start with the first step which is a moratorium. And they did enact a moratorium that night on wind applications and on MET Towers which determine whether the wind is sufficient. That was a good thing for that town. But we have a number of other towns, we hope are using that so that they can determine what is best for their communities. In your packet you will find the tools that were provided by this legislature some years ago. One, was the no PILOT resolution for wind, where this legislature instructed the IDA not to issue payment in lieu of taxes – tax breaks – for things that are destructive and harmful in our community and do not provide jobs. The other document is the Chautauqua County Board of Health which issued a concern, letter of concern, along with six other board of health in Western New York. That the health affects are very real. And they determined that these potential human health effects mandated that they would recommend – it’s just a recommendation – but it’s a very good one. That no industrial wind factory be placed any closer than 1.5 miles from a property line. And we know the physical effects reach farther than that. Much farther than that. But that was a stipulation, a protection, that this particular county provided. And we appreciate that. Then the Town of Chautauqua is doing what it can do. It puts in moratoriums and extends them. A moratorium can be extended one year – one year – one year. It can be extended. They have just initiated a law that’s called the DRINKING WATER SOURCE PROTECTION LAW. It’s an umbrella law that can prevent chemical factories, hog farms, wind, solar and battery energy storage systems from being put into the water shed, into the drinking water areas that are so important. And the people that came to that meeting over and over said last night, we have wells and we are afraid that the wells will be harmed by any of this development that is proposed. So, the drinking water source protection law is, a piece of it is attached here, but the county, the clerk of Chautauqua, Town of Chautauqua can provide the actual documentation which I have here. Because it’s not quite a law yet. And every town can use this. And every town as my trustee told me today, is foolish not to put in a drinking water source protection law which may protect from these, as George Borrello calls them – grifters coming in again and taking money from our community, destroying our wetlands, our forests, our farmland. Our Chautauqua County farmland and agricultural protection board indicates that the properties that farmers are looking for to rent, to buy, have increased in cost five times over the last several years because of wind and solar. So, farmers are being ruled out of our community and the farmland we have is extremely valuable and should be guarded at all costs. So, our farmers are in jeopardy and especially our Amish farmers. In neighboring counties, I’m almost done – I’m sorry. There has been a petition filed by an attorney that has been fighting ally cat in Cattaraugus County and he has sent his petition to the federal agencies that claim they are no longer going to approve these destructive projects. And those agencies include the FAA, Army Corps of Engineers, the Office of Management and Budget and the Fish and Wildlife Department. If any one of those steps up and says, we are not going to rubberstamp these anymore because they have over the years. Then we can slow it down. It’s got to be stopped from the top because our state is not helping our people but simply causing it to get worse. One of the other things that’s happened is sixteen supervisors from a county, and I didn’t write it down, brought a lawsuit, it was an article 78, but it worked. The judge agreed with them that the real property tax that is used, excused for renewables, is unconstitutional. So, if that holds, and doesn’t go to a higher court or Hochul doesn’t overrule it, you will not be seeing as

many subsidies, and every CEO of every wind farm will tell you, 70% of their money comes from the State. And that's our tax money. So, those are the tools, and I hope you'll share them with your townships if they come to you and let you know that they are concerned with this situation. That meeting last night had four representatives from the wind company. They are big-time pushers. So, just like the marijuana guys that we just heard about in the last meeting, we want to provide the information that's needed to protect us. Thank you.

Legislator Larson: Mr. Chairman, I'd like to use the Privilege of the Floor. The couple of major economic development stories recently, The Post Journal this month *Powering Up Electrovia Ramps Up for April Opening*, hopefully, this will turn out to be a good economic development story, a good job development story. However, it is a very special circumstance. Electrovia is coming into a South County Industrial Park that was created over forty years ago by the then County Executive Joe Gerace. And the article indicates it's about a fifty-two-acre site. My memory had it about thirty-seven acres, but whatever it is, it's a large site. Electrovia is using an existing building of 137,000 square feet. It was built by a German company and last used by one of the German company subsidiaries MD Electronics that had 200 employees prior to closing a few years ago. Someday Electrovia may have about that number of jobs, we hope 200. But they are not a new addition to our community, they are replacing the 200 jobs that that building contained with MD Electronics. Until our sixty-four-acre parcel in the South County Industrial Park is shovel-ready, and hopefully tonight we'll hear a timetable on when that will happen, our county is not ready to locate another new company like Electrovia. We don't have another 37- or 52-acre site with 137,000 square foot one-story building for somebody else. I do want to give credit to Mark Geise so that nobody misunderstands where I'm coming from. Mr. Geise is the first economic development director/executive director of our county industrial development agency in the last twenty years to publicly state that Chautauqua County did not have shovel-ready sites for new business. In fact, for eight years we had an economic development director who said in my presence at a public legislature committee meeting, industrial parks are passe. So, that wasn't good. So, my concern about Electrovia since this article came out, is that Electrovia is a Canadian company. And I'm concerned about the impact of Trump tariffs on any Canadian company that will be moving materials or equipment back and forth between their home base in Canada and a facility like ours is to be here in New York State in the United States of America. I'm concerned about that also concerned in the story; part of their financing is from the United States Export/Import Bank. And I have no idea whether the Export/Import Bank is on Mr. Musk's chopping list – his chainsaw list – or not. The other major story was a solar farm in the Town of Busti. The story indicates that our county industrial development agency, Chautauqua County Industrial Development Agency, is giving this Texas firm 3.3 million dollars in tax breaks. It breaks it down on these seventy acres in Busti that the Texas company apparently controls, that it's a \$19,600,000 project. \$2,100,000 of property tax breaks over twenty-five years. The twenty-five-year PILOT caught my eye. I wasn't familiar that we did more than ten or fifteen. Ten was normal for a long time. Fifteen I believe is the relatively new tourist destination PILOT. But apparently promising a lock-in of payment in lieu of taxes for twenty-five years, I was not familiar with that length of time. And a \$1,200,000 sales tax break. What I learned back in January when the IDA put on a little seminar for new legislators. I was told at the time that the IDA's fee for these tax breaks is 1% of the total project. So, if the total project accurately described as \$19,600,000, we can get clarification tonight if we could if our county IDA got a fee of \$196,000 to award the PILOT for twenty-five-years and \$1,200,00 sales

tax break. Probably not as controversial as wind farms, these solar farms. But I have some concern about it when somebody starts putting a solar farm within a mile or two in the Town of Busti for example, the Cummins Engine plant, or our South County Industrial Park where Southern Tier Brewery is among other businesses. And we are not in control of any land adjacent to those developments. I'd hate to see a solar farm take possession twenty acres, forty acres, seventy acres and we are then landlocked with major employers that may need to expand at some point. So, thank you for letting me comment on those two big economic development stories. Thank you.

Jeff Molnar: Mr. Chairman, members of the committee, my name is Jeff Molnar, I am the Mayor of Bemus Point. And the reason I'm here tonight, I don't know where it is on the agenda, but I'll be very brief. I'm just here to support County Executive Wendel's and Legislator Chairman Chagnon's resolution that is before you regarding the urging the DEC to pump the breaks a little bit on the Wetlands Regulation. As you might think, our constituents and our residents are very concerned about this. And as a result, last night at the Bemus Point Village Board Trustees meeting we passed a resolution in support of this resolution by County Executive Wendel and Chairman Chagnon. Thank you.

Proposed Resolution - Confirm Reappointment - Chautauqua County Industrial Development Agency – Presented by Mark Geise, Deputy County Executive for Economic Development

Unanimously Carried

Proposed Resolution – Authorizing Public Hearing Regarding a Potential Application for 2025 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding – Presented by Mark Geise, Deputy County Executive for Economic Development, Nathan Aldrich, Economic Development Coordinator, Milan Tyler, Partner in Phillips Lytle Law Firm, Rosemarie Strandburg, Project Manager, Brian Pender, Partner of North Lake Development

Unanimously Carried

Proposed Resolution – Authorizing Public Hearing Regarding 2025 Agricultural District Inclusions – Presented by Lauren Sharp, Junior Planner with the Department of Planning & Development

Unanimously Carried

Proposed Resolution – Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2025 – Presented by Lauren Sharp, Junior Planner with the Department of Planning & Development

MOVED by Legislator Dickey, SECONDED by Legislator Johnson to Amend by Substitution in bold (as shown below) - Unanimously Carried to Amend

TITLE: Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2025

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservations (NYS OPRHP) New York State Snowmobile Trails Grant-in-Aid Program (Program); and

WHEREAS, the Program requires individual participating snowmobile clubs to collect global positioning system (GPS) data of their trails at a minimum of every three years; and

WHEREAS, the Program recommends that snowmobile clubs stagger their GPS data collection efforts, resulting in reroutes/changes every year to be processed by the Department of Planning and Development; and

WHEREAS, the State Environmental Quality Review Act (SEQR) requires reroutes or expansions of the existing trail system to have an environmental assessment; and

WHEREAS, the following trails are being updated, with anticipated SEQR completion if modifications are being made to the existing trails or clubs are applying for new trail funding;

Trail	Snowmobile Club	Municipality
C1	Cherry Creek Sno -Goers, Inc.	Arkwright, Charlotte, Cherry Creek, Hanover, Sheridan, Villenova
C1A	Cherry Creek Sno -Goers, Inc.	Cherry Creek, Ellington, Hanover, Villenova
C4	Cherry Creek Sno -Goers, Inc.	Arkwright
S11	Cherry Creek Sno -Goers, Inc.	Hanover, Sheridan
S11A	Cherry Creek Sno -Goers, Inc.	Hanover
S12	Cherry Creek Sno -Goers, Inc.	Cherry Creek
S14	Cherry Creek Sno -Goers, Inc.	Hanover
S19	Cherry Creek Sno-Goers, Inc.	Charlotte
S19A*	Cherry Creek Sno-Goers, Inc.	Charlotte
S19B*	Cherry Creek Sno-Goers, Inc.	Charlotte
C1D	Lake Effect Trail Breakers, Inc.	Ellicott, Ellington, Gerry
S13* addition	Lake Effect Trail Breakers, Inc.	Poland
S17	Lake Effect Trail Breakers, Inc.	Ellington
S18A*	Lake Effect Trail Breakers, Inc.	Ellington, Gerry
S18B*	Lake Effect Trail Breakers, Inc.	Charlotte
TBA – Conti*	Lake Effect Trail Breakers, Inc.	Poland
TBA – Country Fair*	Lake Effect Trail Breakers, Inc.	Gerry
TBA – Ellington Rod & Gun*	Lake Effect Trail Breakers, Inc.	Ellington
TBA – Grandview*	Lake Effect Trail Breakers, Inc.	Ellington
C1B	Southern Tier Snowdrifters, Inc.	Hanover
S11B	Southern Tier Snowdrifters, Inc.	Villenova

* new trails - applying for funding

; and

WHEREAS, NYS OPRHP recommends obtaining a SEQR determination prior to receiving approval for trails submitted as part of Phase I of the Program, to avoid delays or rejection; and

WHEREAS, the environmental assessment is the responsibility of the agency which undertakes to be the lead agency in the SEQR process; and

WHEREAS, final SEQR determination(s) are required to be reviewed by the Chautauqua County Legislature prior to authorization by the County Executive for specific proposed action; therefore be it

RESOLVED, That Chautauqua County hereby agrees to act as the SEQR Lead Agency for the 2025-2026 program year and as such is authorized to comply with all SEQR requirements for all snowmobile trails within Chautauqua County applying for State funding, including any reroutes or changes to existing trails receiving State funding.

Unanimously Carried as Amended

Proposed Resolution – Urging the New York State Department of Environmental Conservation to Pause Implementation and Reverse the Freshwater Wetlands Regulations – *Presented by Paul M. Wendel, Jr., County Executive*

Unanimously Carried

Proposed Resolution – Accept New York State Environmental Quality Review Act (SEQRA) Findings for the Center Chautauqua Lake Sewer District Extension Phase 3 Project – *Presented by Pierre Chagnon, Chairman of the Legislature, Dave McCoy, Chautauqua County Watershed Coordinator*

Unanimously Carried

Proposed Resolution – Establish Chautauqua County as Lead Agency for North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project – *Presented by Pierre Chagnon, Chairman of the Legislature, Dave McCoy, Chautauqua County Watershed Coordinator*

Unanimously Carried

Discussion – 2024 in Review – CCIDA & CCPEG *Presented by Mark Geise, Deputy County Executive for Economic Development and Economic Develop Team*

MOVED by Legislator Larson, SECONDED by Legislator Dickey to adjourn.

Unanimously Carried (8:02 p.m.)

Respectfully submitted and transcribed,
Kristi Zink, Deputy Clerk of the Legislature/ Nancy Quattrone, Senior Stenographer