

Minutes  
Planning & Economic Development Committee  
**January 21, 2026, 6:00 pm, Legislative Chambers**  
**Livestreamed on YouTube**  
**Gerace Office Building, Mayville, NY**

Members Present: Harmon, Penhollow, Johnson, Merritt, DeJoy

Others: Chagnon, Lee, Swan, Zafuto, Engstrom

**Complete video of meeting can be viewed on YouTube**

Chairman Harmon called the meeting to order at (6:02 p.m.)

**Approval of Minutes (12/10/25)**

MOVED by Legislator Penhollow, SECONDED by Legislator DeJoy to approve the minutes

*Unanimously Carried*

**Privilege of the Floor**

Karen Engstrom, Village of Mayville, Town of Chautauqua. I was at the Chautauqua Energy watch. Concerned citizens of Cassadaga wind and concerned citizens of North Harmony wind. We have concerns for our communities related to industrial wind and battery energy storage system installations. Fourteen people spoke to the county health board this last week regarding the impacts, the human health effects and the public safety hazards related to the proposed 600-foot wind turbines and the many proposed battery energy storage systems in our county. 600-foot wind turbines are proposed in the Towns of Stockton and Ripley, North Harmony, Sherman, Westfield and Ellery and there are other Towns yet unnamed. Many Town trustees are currently under taking a difficult task of writing protective wind laws because of the potential hazards of industrial wind. In 2019, the county health board put out a recommendation because of these health impacts which included this statement “the board urges local municipalities to pass a proper wind law that restricts industrial wind turbines to a minimum of 1.5 miles from property lines and a 35 or fewer decibel sound frequency and Legislator Pavlock mentioned in the last committee that he was forced to move because of the noise that he suffered from the wind turbines. We’ve also offered to the health board, the testimony of Henry Spliethoff, a New York State Department of Health expert to the New York Board of Electric Generations Sighting and Environment and I put a quote in here but I will provide the full 20 page document to you and he says that “it is recognized that health related effects of audible noise include annoyance, sleep disturbance, cognitive performance reduction, effects on social behavior, cardiovascular effects and psychophysiological effects caused by the noise of industrial wind turbines. More important though is our second concern which is battery energy storage systems which are being proposed in many of our Towns. In the case of the hazards of battery energy storage system, we have seen a number of fires lithium ion, thermal runaway fires and explosions throughout this state, throughout the world and throughout the United

States. These fires admit hydrogen fluoride which becomes hydrofluoric acid and hydrogen arsenic along with a number of heavy metals. BESS is being proposed in close proximity to school, hospitals, homes and could be catastrophic to our communities. The County Legislature could consider a Countywide pause or a Countywide moratorium while our Towns look at the potential hazards and create the laws that will protect us and we are hoping these laws will include certain aspects that will protect us within our communities. Number one, suggested is no PFAS/PFOS which are forever chemicals in the components of all industrial wind BESS and solar panels. Two, all components be required to be recycled to ensure that the valuable and toxic parts which become toxic waste, are not wasted by relegating them to landfills and three, all components be manufactured in the United States. I am including a number of documents in email, I didn't include them here, but we're hoping that the county will either make a recommendation or an attempt to pause this rapid effort. We know the one in Dunkirk is 3 blocks from the High School, six blocks from the Hospital and close to the rail and highway corridor as well as the public nursing home and SUNY Fredonia. So, thank you very much for the information and I'll bring you more information. Have any questions?

Legislator Penhollow: Yes, I do. Karen, thank you for coming here on a continuous basis the last couple years, bringing to light these concerns. Just one of my questions, you might not be able to answer it but, there are so many related health concerns regarding the 600-foot towers, the wind turbines, battery storage. New York State continues to push these on our communities. Why would they want to continue to do these things when the scientific documentation says there's harmful effects, long-term effects on us?

Karen Engstrom: They have options, they're talking about other alternatives now, nuclear and possibly reactivating NRG. I don't think that's going to happen in the right direction, the dual cycle gas that was possible there, is being upstaged by a number of other options that he might be able to tell us about.

Legislator Penhollow: You know, and one other point, here we have a testimony by a New York State Department of Health employee which completely contradicts what the current government and administration in New York State wants to do with these types of alternative energy and you know, you can't have your cake and eat it too and this seems like they negate each other but it was just a general question to you because I find you to be a credible source and you communicate very well and you represent a lot of other people's concerns and you bring that to us, thank you.

Karen Engstrom: I hope that the economic developments that are currently in progress may change the picture but, in the meantime, we have to protect our communities and a pause a moratorium is most of these towns have done but, they're short and they're temporary and in my very own town, we almost missed a deadline. A moratorium came to an end and that developer was right there with these proposals. They called a special session of the town board to get that moratorium extended. If you could just tell your towns moratoriums extend moratoriums and write laws with very viable protections, environmental protections.

Legislator Penhollow: That's a very time-consuming process.

Karen Engstrom: Writing the law?

Legislator Penhollow: Well, yeah, writing the laws and a town representation and town and boards getting together and legal counsel and so on.

Karen Engstrom: Well, there are laws already existing. There are 6 towns that have banned BESS. Six very large towns within the State of New York and I usually provide that quote from the law (*inaudible*) and then there's Duaneburg, they both have banned battery energy storage system because of the hazards, the health hazards and the dangers to their community. The same with wind turbines. There are ten communities who have put in protective wind laws just (*inaudible*) and ours isn't the only health department that did that, there were six in Western New York that did the same recommendation and we're hoping that they'll reissue that recommendation possibly even with more because if your wind turbines continue to rise 1.5 miles, doesn't make sense beyond you know, you have a 4 and a 50 mile foot turbine and then now you have a 600 foot one, you may need to consider a larger setback from property lines for people because the people in Arkwright, Cassadaga and Villanova have suffered a great deal and they are now committing their testimonies to our health department. The ones in Arkwright are restricted by a lawsuit, 200 people will not talk because they think their attorney and I just don't understand that, has informed them that they shouldn't tell us that they're suffering the annoyance of wind turbine noise.

Legislator Penhollow: (*Inaudible*) signed contracts and that's the consequence of signing a contract for economic gain.

Karen Engstrom: Well, I think the towns, I think these 6 towns are working hard to do the right thing and any help they can get from legislators and citizens is worthwhile. Thank you.

Legislator Harmon: Thank you, Karen, for your time, we appreciate it, thanks.

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Local Law Intro 1-26 – A Local Law Amending the Chautauqua County Charter – Presented by Chairman Chagnon, Chairman of the Legislature

*Discussion Item Only*

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MOVED by Legislator Penhollow, SECONDED by Legislator Johnson to adjourn.  
*Unanimously Carried (6:32 p.m.)*

Respectfully submitted and transcribed,  
Olivia L. Lee, Clerk of the Legislature/Kristi R. Zink, Deputy Clerk