

Focus Panel
February 28, 2012

Panel Present: Nate Harvey, Tom Stevens, Judy Salsburg Taylor, and Sandy Riker

Meeting held at Bristol Volunteer Fire Department Hall

The meeting was opened at 7:00 pm by Nate Harvey. There were many residents of the Town present for the open forum meeting this evening with regard to proposed revisions to the Moratorium for High Volume Hydro fracturing Drilling in the town of Bristol.

Nate informed the public that the purpose of the Focus Panel is to gather information to assist the Town Board with ongoing matters regarding Hydro fracturing in the town.

The residents were given the opportunity to share their thoughts with the Focus Panel.

Penny Cox spoke first. She said after much research she had found the Moratorium proposed by the town of Caroline New York and thought it would be a good match for the town of Bristol to use. The Moratorium was drafted by the lawyer for the town of Caroline, Guy Krough with the help of David Slottje. Some of the points that impressed her were the Title, the number of definitions, the fact that there is a “grandfather clause” to protect Honeoye Storage, and the start date is effect immediately upon filing with New York Department of State. She said she had spoken with Krough and he did not have a problem with our town using a similar document.

Mary Mahoney advised the group that David Slottje is the Senior Attorney with the Community Environmental Defense Council, in Ithaca New York. She was of the opinion that he would do work with a town or attorney for the town pro bono to help with establishing zoning laws effecting the high volume drilling. She also agreed with Penny that the Caroline document looked good for the town of Bristol. In conclusion she advised the group that the towns of Dryden and Middleton’s law suits had been decided in favor of the towns.

Carol Hackenhauer also agreed with Penny regarding the Caroline document.

Pat Ferguson spoke with regard to our current proposed moratorium and said that it had areas that she felt needed addressing. She felt that Plain Language needed to be used and adding definitions would be appropriate. With regard to fines and penalties she wanted to see them increased to at least a 6 figure \$ amount per day. She added that the current moratorium appears to be more concerned with economic growth and development than with protecting our environment, residents and infrastructure. She does not want to see our current Comprehensive Plan changed in any way. She also feels the Caroline document would be a good fit for the town of Bristol. In conclusion she asked that the Town Board request David Slottje be asked to assist/consult/ and review a moratorium and zoning issues.

Scott Battle thanked the Focus Panel for their efforts in helping with revisions to the current moratorium, and also likes the Caroline document. At looking at our document he would like

all mention of the Comprehensive Plan be removed and on page 2 would like the wording "and restrict" be removed regarding halting expansion and development.

Lynn Cronise thanked the panel for their work. She also felt the Caroline document was a good choice and David Slottje should be considered to help with our zoning and moratorium. She would like to see our Town Board and Focus Panel at the South Bristol meeting on March 7th when Slottje will be speaking. The Comprehensive Plan should not be changed in her opinion.

Joe Calley resident of Bristol is pro the Caroline document.

Dwayne Wilker a Rochester resident spoke as a friend of the Concerned Citizen group, he thinks the moratorium should be put in place as soon as possible and not wait until SGEIS is passed that way work could be started on changes in zoning. A moratorium can be extended for reasonable cause.

Luann Waden felt the moratorium should start as soon as possible and the town should take advantage of free legal advice from David Slottje. She would like the fines and penalties increased to 6 figure \$ amounts to make the gas companies as uncomfortable as possible.

Scott Battle said he had recently read about a farmer in Sanford New York that had leased 1500 acres @ \$2400 an acre so he agreed that the fines and penalties should be raised.

Lon Chase said he felt that the town was still lacking in information and felt an unbiased geologist report was needed and if the town grouped with others in the area the funds could be provided to pay for such a report. A consortium formed coordinating with the Watershed group of Canandaigua Lake because what one town does will affect others around them.

Scott Battle asked the Panel to look at the SGEIS. He said it contained unbiased information. Mary Mahoney injected that there was controversy as to its information including inadequate setbacks for the Finger Lakes. Penny added the Moratorium should be independent of DEC findings.

Helen Fox spoke in support of the Town Board suggesting the residents of the town should have more faith in their judgement. She made mention of the purchase of the present Town Hall building back in 1930 and that is a historical site and therefore when the Monroe County Water Authority wanted to have the property condemned in the 1960 for the flooding of the Valley to provide another water source for Rochester, it was not allowed.

Nate then told the group the Panel would meet again tomorrow evening to ingest the new comments from this evening. Tom Stevens told them the schedule for providing the Town Board with the proposed changes for the Moratorium for their review. He said we will prepare our data for Town Board review before the next Town Board meeting on March 12th. Unfortunately we have missed the deadline for submission to the County Planning Board and

will not be on their agenda until April which again is after the regular Town Board meeting. The earliest the Moratorium could be in place would sometime in April.

Pat Ferguson asked if the Panel was in favor of the Town of Caroline's moratorium. Tom replied it was obvious this is what the residents here this evening wanted.

Mary Mahoney asked if the Panel could officially ask the Slottjes for help. Nate told her that would be up to the Town Board.

There were several comments made regarding the activity in Horseheads and Bradford Pa. **Bill Clark** mentioned the AP warehouse in Horseheads was filled with pipeline, trucks and other equipment to facilitate the drilling when permitted. Nancy Keech said she knew families in Bradford City, Pa and they were having problems with regard to polluted water and ill health as a result of the drilling. She said they obviously had not enough information before signing leases permitting well drilling on their property. She wanted to know if anything was being done to notify the community of all the adverse effects of the drilling. A meeting was mentioned for March 1 at the Congregational Church in West Bloomfield addressing such issues. Penny Cox said she had a couple more meetings lined up to do the same.

Lynn Cronise suggested that baseline water testing for chemicals be done prior to any drilling. **Penny Cox** asked if it would be possible to get grant money for water testing. She had spoken with Anderson Water Company and they would be glad to work with the town for water testing.

Pat Ferguson asked if the Town could procure grant money for advertising to get the information out to the public. Tom Stevens told her it would not be likely and the best way is to talk with your neighbors.

Nate then wrapped up the meeting.

Respectfully,

Sandra Riker
Focus Panel