

Town of Bristol
Focus Panel
April 25, 2012

Members Attending: Nate Harvey, Tom Stevens, Scott Battle, Lon Chase, Jude Ellis, Judi Salzburg-Taylor, and Sandy Riker, secretary

Friday Trip: Nate reported that he had not heard back from the rep. At IOGA so there will not be a tour of a working well site. The holdup seems to be that the rep. is trying to coordinate us with other groups which happen to be the Town of Gorham and South Bristol. The rest of the Panel said they would still like to go and talk with people in the communities and then when the tour was arranged go back for that opportunity. It was agreed they would be going to Lawrenceville, Mansfield, and Elkland on Friday. The members will be working on lining up interviews with town's people, medical support and highway people. It was agreed that they will use the trip to put together a presentation for a future forum to share with other municipalities.

County involvement: Sandy spoke with David Baker, supervisor for the City of Canandaigua and head of the Environmental Quality Committee. Mr. Baker was quoted in the March 4th issue of the Daily Messenger as saying "the County can't zone" but it can provide a model law for its towns, village, and cities to use in their efforts to control and or ban Hydrofracking operations. The County has requested proposals from attorneys in the community to draw up such a law. He advised that they have had several responses and would be taking it to the Board of Supervisors to review and then determine the cost and whether the County would bear the expense or ask the localities to share in the expense.

Articles presented:

Nate provided an article from a Binghamton newspaper that included information stating the DEC has signaled that it would allow some local involvement in the permitting process. It will allow the municipalities to "raise a flag" if a permit application does not follow local land and zoning laws. It went on to say that if HVHF moves forward in New York, local governments will get advance notice of all applications and can comment on compatibility of such application with local land use laws and policies. The DEC will consider this in its review of the permit application and deny or condition a permit based on this information if it deems the action is appropriate based on the impacts. Commissioner Martens has repeatedly said the agency will not issue more permits than the agency can handle and with the 800 full time positions cut since 2008 the number would be small.

Scott provided the Panel with the minutes and the actual Ban adopted by the Town of Dryden as well as the Executive Summary put together by Greenplan Inc. The summary is the Tompkins County Community Impact Assessment on HVHF and suggested that all Panel members read through the documents. Scott mentioned he had contacted the Code Enforcement Officer of Dryden who said the vast majority of the residents were opposed to drilling which prompted

the Supervisor to write a letter to the Towns people prior to the Ban going into effect. He has read the letter and will share it with the Panel.

Jude Ellis reported she had attended the meeting at Hobart last evening. It was originally billed as a presentation by Helen and David Slotje on zoning laws related to HVHF but it was presented by David alone and was similar to the presentation he gave at the Bristol Fire Hall months ago. He emphasized the need for zoning laws to be in place before the SGEIS is accepted and the Moratoriums have expired providing added protection for the towns. He cited the Dryden and Middlefield Bans being up held by the Lower Courts of New York. He also said the Intent to Appeal has been filed but not an actual appeal as of yet with regard to Home Rule in these cases.

Recommendation from the County: Nate asked to have the review by the Focus Panel given to the Town Board before the next meeting.

Draft letter to the Community: Jude Ellis provided revision to the letter she had presented at the last meeting. The Panel reviewed it and suggested that a mailing address be added for residents to provide their comments to the Panel. It was agreed that the letter should go out closer to the time when the actual Forum meeting will be held so that the date, time and place can be included in the mailing.

It was agreed that all would meet at the Town Hall Friday morning 4/27/12 at 7:30 a.m. to begin the Research Trip.

Respectfully submitted,

Sandy Riker
Secretary
Focus Panel on HVHF
Town of Bristol