

Town of Bristol

Inter Municipal Meeting

June 19, 2013

Representatives from: Bristol, East Bloomfield, Canadice, Richmond, Canandaigua, Victor

Also attending: Donald Young, Boylan & Code representative

The meeting was held at the Canandaigua Town Hall on Routes 5 & 20. At the May 8th meeting we looked at the Town of Dryden's Road Use Law, Road Use Agreement, and the primer for road use inventory. It was agreed that of all we have looked at so far this would be the closest to being a workable document for our towns. The goal of this meeting is to provide Mr. Young with as much information as possible as to what each town expects to get out of these meetings and why, this must be done on a reasonable basis and not emotion .

The point was raised that all the towns already have heavy trucks **using** their roads at present. How do we want to treat them? Do we have them stop their use altogether or do we use the road use agreements and road use laws to bring them into compliance over a reasonable period of time? If a business and its activities are grandfathered that should be respected and ask them to come into compliance with the road use laws over a reasonable time frame. However, if they wish to expand this business that portion of the expansion would need to be in compliance with the new laws right away.

Road Use Laws recognize heavy truck traffic and these should be agreed upon by as many as the municipalities as possible. The purpose of this group is not to deal specifically with HVHF but look at all natural resource extraction or other forms of heavy industry. If a town wants to ban HVHF specifically they may do so as a precedent has been set by both the towns of Middlefield and Dryden New York. Mr. Young felt that even if the decisions were appealed to a higher court the decisions would probably be upheld as they have passed two courts to date. The town of Dryden has taken the additional step to create a road use agreement and laws. It is still important for this group to continue on establishing road use laws and zoning for all heavy industry, or we will be readdressing the problem the next time another form of heavy industry comes into play.

Both the towns of Richmond and Bristol have the gas industry in place. It should be noted that all but the town of Canadice have existing regulated wells as seen on the DEC map. In establishing the zoning aspects of this issue we need to draw a distinction between what is in place and what would not be allowed through the Comprehensive Plan and Zoning regulations. Some of the ways this can be accomplished is:

- Rezoning

- Creating Overlay districts-
- Floating Zones-is created on paper but not included on the zoning map. It would require a legislative decision to actually allow a use in the zone. A special use permit would be necessary and would deal with the pros and cons of the use. It would need to be clearly defined in the zoning laws as to what would be considered an allowed use.

With regard to the Comprehensive Plan- ours only deals with light industry and does not address heavy industry. The term heavy industry would need to be clearly defined and then an addendum could be added stating that it is clear heavy industry is not compatible with the Town of Bristol Comprehensive Plan. However, under Future Land Use we could cover the already existing businesses with regard to drilling and detail how it could be expanded or modified. The Town of Canandaigua is already working on their Comp Plan and has gotten some outside help. They have a document that details preexisting and non-conforming uses and have offered to share this information with us by the next meeting.

The Bloomfield representative mentioned he would like to see definition and verbiage describing recharge areas and well heads as well as heavy industry.

Questions were raised by Don Young and directed to all present:

- Do we want to allow vertical drilling? Most answered yes.
- What are our thoughts on non-hydro horizontal drilling? Most found this to be a confusing question.
- Do we want to allow low volume Hydrofracking? Most answered yes.

The group asked Mr. Young if the Dryden ban referred to both high and low volume drilling? He said he would get us the answer. They also asked for more information regarding overlay districts and floating zones.

The next meeting will be scheduled by Tim Jensen and Donald Young and they will advise all of us when it will be.

Sandra Riker

Inter-muni committee member