Joint Public Hearing Town of Shelby Planning Board & Zoning Board of Appeals Shelby Town Hall 4062 Salt Works Rd Medina, NY 14103 October 6, 2020

Planning Board Members Present: Kirk Myhill

Chairman

Bradley Pask

Secretary

Larry Hill

Teresa Wilkins

Jerry Velesko Roger Wilkins

Alternate

ZBA Board Members Present:

Patti Bushover

Secretary

Larry Szatkowski Sharlene Pratt Marion Fry

Others Present: Applicants Michelle Kingdollar CFO and Timothy Winters Pres., CEO Western New York Energy 4141 Bates Rd Medina, NY. Also local citizens Edward Zelazny 11535 Harrison Rd Medina NY, James Zelanzy 11722 Harrison Rd Medina NY and Philip D. Keppler 4765 S. Gravel Rd Medina.

Call to Order: Planning Board Chairman K Myhill called the Public Hearing to order at 6:45 p.m.

Chairman K Myhill opened the Public Hearing with the reading of the Public Notice (see Att. 1) published September 25, 2020 in the *Batavia Daily* newspaper. P Bushover secretary ZBA stated the ZBA did not received any comments in writing. Chairman Myhill called for comments/ questions from the public. Ed Zelanzy wanted to know if the proposed towers will be using more corn. Timothy Winters explained that there would eventuality more corn needed.

Chairman Myhill called for more questions from the public, Planning Board and ZBA. Chairman Myhill when none were heard he asked for motion for closing the public hearing. Motion made by Larry Hill seconded by Roger Wilkins Public Hearing was close at 7:00.

Legal Notice

PLEASE TAKE NOTICE that the Planning Board and Zoning Board of Appeals of the Town Shelby will hold a joint Public Hearing on, October 6, 2020 at 6 45 p.m. at the Shelby Town Hall, 4062 Salt Works Road Medina, New York. On the application of Western New York Energy, LLC for a Site Plan Review and also an Area Variance from the requirements of Town of Shelby Zoning Ordinance Section 541 F and pursuant to Article X of the zoning regulations relative to property located 4141 Bates Road, Medina, New York. The applicant is seeking site plan approval for a property plan expansion and a 115 ft. variance for the erection of distillation towers at the plant site. The property is currently located in an Industrial Zone. The Proposed Action has been classified as an Unclassified Action under SEQRA.

At such Public Hearing, all persons, either for or against the same, shall be heard. In addition, comments may also be submitted in writing to Bradley Pask, Secretary Shelby Planning Board or Patricia Bushover, Secretary Shelby Zone Board of Appeals c/o Shelby Town 4062 Salt Works Road, Medina NY 14103, not later than 12 00 noon on Monday, October 5, 2020. The application and supporting information may be examined prior to the Public Hearing at the Town Hall during normal business hours.

By order of the Zoning Board

Patricia Bushover, Secretary

Shelby Zoning Board of Appeals