



BEAR CREEK TOWNSHIP

PLANNING BOARD

Chairman

Joseph Yenchik

Vice Chairman

Anthony Ciliberto

Board Members

Richard Kresge, Jr.

Michael Parri

Ed Benkoski

January 16, 2006 Planning Board Meeting Minutes

The meeting began at 7:17 pm and all Board Members were present.

The prior meeting (November 2005) minutes were approved with a motion by Ed Benkoski, and a second by Tony Ciliberto.

The board held its reorganization session. A motion was made by Tony Ciliberto to retain Joe Yenchik as Chairman; Mike Parri provided a second. A motion was made by Joe Yenchik to nominate Tony Ciliberto as Vice Chairman; Mike Parri provided a second. Ed Benkoski abstained from both motions.

Agenda Item: Mangan Subdivision

Greg Schumacher was in attendance representing this agenda item.

The condition approval of this subdivision expired based upon Jack Varaly not receiving the HOP number by 11/23/05 and the actual permit itself by 11/28/05 (the next Supervisor's meeting).

Greg Schumacher provided the board with the permit and a milar for signature at this meeting. All Board members were in agreement and approved the subdivision. The Chairman and Secretary signed the maps at the meeting.

Agenda Item: Laurel Brook Subdivision

George Albert was in attendance representing this agenda item.

This subdivision is the result of a lot line adjustment between Laurel Brook and Bear Creek Village.

This agenda item was previously approved and Mr. Albert is in attendance to have his maps signed. The Chairman and Secretary signed the maps at the meeting.

Agenda Item: Energy Unlimited, Inc.

Walter Poplowski was in attendance for this agenda item. EUI would like the Planning Board to agree that the nine conditions imposed in 2003 have been met.

Joe Yenchik question Mr. Poplowski as to whether or not the package submitted is to be considered final plans for the project and if any other adjustments were made to the maps besides the 9 requested by the Board in 2003. Mr. Poplowski responded they are not final plans but preliminary plans without conditions. No other major changes have been made to the project.

Joe Yenchik asked why the name has changed three times on the project and the name on the maps submitted are now different than that submitted in 2003. Is the project in a different location? Boundary? Mr. Poplowski explained:

- 26 Turbines approved in 2003 – EUI reduced this by 1 turbine. Now only 25 turbines (#6 deleted – 6-26 were renumbered).
- Permits and approvals received and provided in the documentation submitted.
- 20 ft. contours now 5ft.
- Substation relocated on the Hutter/Lewis property from the lower to upper end. Another HOP requested but not yet received. Moved to minimize environmental impact.
- Boundary now closes
- Distance to property lines labeled
- HOP received for Blossom & Waltz Lea Road
- Gates for security secured
- 1500 ft radius to nearest property line verified. No turbine will be closer than 1500 ft.
- Approval from agencies provided (E&S, MPDES, rare plant studies, etc.)

Joe Yenchik asked Mr. Poplowski about the removal bond that was requested at the October 2005 Planning Board Meeting. Bob White (AES Power Company) explained why a removal bond would not be necessary. (AES will ultimately own this project.)

Ed Benkoski asked the representatives if there have been any changes made to the plans that would cause this to be considered a new submission. The representatives stated this should not be considered a new submission.

David Lamm explained to the Board that the concern over Blossom Drive was discussed with the residents on this road (Linda Evans & Richard Kresge Sr.). EUI made a commitment to maintain the road and will fund the paving of the road after construction. Future repaving will be partially funded by the residents along the road. Copy of the letter provided to the residents was provided to the Board.

A discussion began around the removal bond requested by the Board. Mr. Lamm explained the lifespan and value of the turbines and his reasons for not obtaining a bond of this nature. Tony Ciliberto and Joe Yenchik informed Mr. Lamm that they would still like this bond in place. The area in question is conservation land and wants the security of knowing the turbines will not sit on the project area abandoned.

Joe Yenchik informed the representative of the difference he and the Board members noticed between the map provided in 2003 and the one submitted for this meeting:

- Fedak property is now included in the project
- Turbine locations have changed
- Number of turbines have changed
- Turbine height has changed
- Electrical power was underground in original submission, now above ground
- 30 pipes installed on the current map, none on original
- Substation relocated on Hutter/Lewis property
- Road changes

Joe Yenchik stated these changes may be for the betterment of the project and Bear Creek Township, however, these changes create a substantial amount of additional questions that will remain unanswered if not a new submission.

Tony Ciliberto asked the representatives why the Bear Creek Twp. Board of Supervisors were provided a different map than that provided to the Planning Board. Mr. Lamm stated the name changed to avoid confusion between different turbine sites and not to offend residents.

Mr. Lamm stated that lots of money has been spent to comply with the conditions imposed by the Planning Board. It is not fair for what we have done and that he needs this project to move forward. The bulk of the changes are a solid effort to improve the project. This is the same project with less impact.

Joe Yenchik responded that the original maps provided were poor. He agreed that the changes are good ones but the two maps are no longer comparable. Mike Parri agreed that significant changes were made and that they need to also discuss these changed items.

After a brief break in the meeting, David Lamm asked the Board if they could not render a decision this evening and give EUI the opportunity to discuss the changes with the Board and Engineer before the next meeting.

Bill Vinsko responded to Mr. Lamm by stating that the Board is unable to compare the original and newly submitted maps due to the changes made. The changes are substantial and the Board is concerned about how this project will be handled. An additional meeting is not a problem, however, it must be a public meeting. David Lamm said he had no problem with a public meeting but that he wants a dialogue and this could take hours.

Bill Vinsko asked Mr. Lamm if EUI is willing to allow the Board to expand on the 9 conditions due to the changes. Mr. Lamm insisted on having dialogue first to discuss the changes.

Joe Yenchik and Tony Ciliberto asked Mr. Lamm why EUI never asked for dialogue with the Planning Board since the 2003 conditional approval. Mr. Lamm stated that EUI wanted to submit a completed plan.

Rich Kresge stated that EUI needed approval in 2003 and the Planning Board was willing to help. At that point the Planning Board was locked out of asking further questions on this project. Many concerns were not and have not been addressed. Why can't you submit as a new plan now?

David Lamm explained that there are many factors that could additionally be brought up that could take substantial amounts of time.

Mike Parri asked the representatives to explain the icing effect of the turbine. Bob White explained that residents would have a better chance of getting hit by lightening than they do of being hit by ice from a turbine blade. Additionally, to avoid the problem the turbines can be stopped during these times. No specific studies have been done. In the event ice is thrown, it will be small particles by the time it reaches the ground.

Bob White also noted that the noise from turbines has been virtually eliminated with new designs and lights on the turbines are not on the blades they are on the top of the turbine. The lights will be staggered based on FAA regulations.

Bill Vinsko mention to the Board and EUI that a decision must be made at the February 2006 Planning Board meeting.

A motion was made by Joe Yenchik to table the decision until the February 2006 Planning Board meeting, seconded by Tony Ciliberto.

The meeting closed at 9:30 pm.