

Minutes
Cayuga County Committee for Review under NYS GML §§239-l, m & n
March 12, 2013

The meeting was called to order at 9:33 AM in Conference Room on the 5th floor of the County Office Building at 160 Genesee Street in Auburn, New York.

The following committee members were present:

Director of Planning and Development: **Steve Lynch**
Director of Environmental Health: **Eileen O'Connor**
Environmental Engineer: **Bruce Natale**
Superintendent of Highways: **Steve Koon** (designee)
Director of Soil and Water Conservation: **Doug Kierst**

A quorum was thereby established.

Others present: Gabriel Holbrow (staff)

MINUTES:

Approval of past minutes was postponed until the next regularly scheduled meeting.

The following municipal matters were submitted to the Committee for consideration pursuant to New York State General Municipal Law §§239-l, m, & n:

1. Town of Scipio – Local Law Extending Gas Drilling Moratorium

The Committee carefully considered the materials provided by the Town related to the proposed local law extending the moratorium on natural gas drilling and supportive activities. The committee discussed the basis for land use moratoria in case law. The committee noted that the text of the moratorium was the same as the moratorium passed last year, and noted the differences between Scipio's moratorium and other proposed gas drilling moratoria in Cayuga County. The committee discussed the current and possible future situation of gas drilling in Cayuga County and New York State.

MOTION BY EILEEN O’CONNOR: The action appears to have no intermunicipal concerns and to be of local concern only. The committee makes the following comments:

Comment #1: Courts have upheld challenges to land use moratoria that extend beyond two years. Scipio is approaching this timeframe.

Comment #2: The definition of natural gas drilling and extraction at Section 3.1 A would more accurately describe natural gas trapped “within” shale, rock or other natural formations, rather than “behind” these formations.

Comment #3: The proposed moratorium could restrict the hooking up of two existing natural gas wells off Cork Street drilled into the Queenston sandstone formation. The two wells, known as Lacey 1 (API well number 31011260240000) and Grady 1 (API well number 31011260260000), have not been connected to gathering pipelines as of this date.

SECOND BY STEVE KOON: All vote AYE.

Motion Approved and Carried.

Motion to adjourn by Eileen O’Connor. Seconded by Steve Lynch. All approving.
Adjourned at 9:53 AM.

The next regularly scheduled meeting is 9:00 AM on Thursday, March 21, 2013.