

Meeting called to order at 7:02M by Chairman George Dowse was held in the Town meeting room at 56 Geneva St, Dresden NY.

Present: George Dowse, Ellen Campbell, Floyd Hoover, Robert Miller, Michael Warner

Others Present: Dwight James CEO, Gary McIntee, Kevin McAuliff, Abi Buddington, Gwen Chamberlain, Logan Rockcastle, Chris Kingsman, Carolyn McAllister, Timothy Dennis, Nancy Sarver, Hunter Critchlow, Allen & Eleanor Zimmerman, Muhammad Arif Riaz

Chairman led the Pledge of Allegiance.

Election of Officer : Chairman asked if anyone would like to serve as officer. Floyd offered a slate of officers as follows: George as Chairman Bob as Vice Chairman and Betty as Secretary.

Ellen made a motion to accept the slate of officers as presented, 2nd Mike, carried by all.

Meeting night 3rd Monday of month at 7:00PM.

Minutes Approve October 2023 minutes, motion Mike 2nd Floyd carried by all
Approve November 2023 minutes motion by Bob 2nd Ellen carried by all
Approve December 2023 minutes, Motion by Floyd 2nd Mike carried by all
Approve January 2024 minutes, Motion by Mike 2nd Floyd, carried by all.

New Business:

Site Plan Review SPR 24-1 Mohammed Arif Riaz property at 1702 Rte. 14 to renovate the former Torrey Station for use as a convenience store, with future plans to sell gasoline.

Mr. Riaz appeared to present his application. Presently rehabilitating and upgrading building for a convenience store. His plans are to add gas sales later.

George stated this is a Type II action so a SEQRA is not required.

Ellen asked why on the SEQRA part 1 completed by applicant question # 12 marked "yes" on Historic Preservation/Places. Also # 13 marked "yes" for nearby wetlands?

Dwight stated the NYS EAF mapping system has errors and auto fills this form .

George stated the Yates County Planning Board recommended approval on this application, as it has a positive countywide impact.

There being no further questions by board or audience, Floyd made a motion to approve this Site Plan 2nd Ellen, carried by all.

Special Use Application SUP 24-1 Allen Zimmerman 1179 Townline Rd would like to move his dry good store to new location 1522 Jensen Rd. He is building a 50' x 80' building at 1522 Jensen Road to operate a dry goods store. Question on driveway and parking space. Will use same driveway and has plenty of parking space area. Water for store will be supplied by present well on site and has been approved for use by Yates County Soil & Water.

Special Use Application SUP 24-1

George made a motion to recommend approval of this application to the Zoning Board of Appeal, 2nd by Floyd, carried by all.

Preliminary Sub Division Sketch Plan Review Logan Rockcastle appeared with a sketch plan to review a sub division of land for a campground and single-family housing, at the former gravel pit on Downey Rd. The gravel pit is under reclamation project. The gravel being drawn out of the pit will help defray the cost of reclamation. There is a roadway to the lakefront, no plans for docks. Campground plans are 8 RV sites 25 primitive campsites, 4 cabins. Golfcart rentals to take visitors to lakeshore and around campground.

Ellen questioned if allowing this campground will set a precedence for keyhole development.

Gary McIntee stated he has seen installation of docks change the character of the neighborhood. If not controlled, will creating congestion along the lake shoreline.

Dwight stated this is a seasonal campground not year-round. This is not a keyhole development. The DEC and the Department of Health will be involved all through the permitting process.

With this is a sketch plan review Mr. Rockcastle is seeking guidance from the Planning Board through their concerns and comments to make the needed if any, adjustments to the sketch plans.

Aurora Acoustical Study of Greenidge Data Centers, Per Planning Board request, a final acoustical survey was performed 12/8/2023 on the two western storage buildings known as Data Centers at the Greenidge Power Plant. This study was Conducted by Dan Prusinowski of Aurora Acoustical, 745 Warren Drive East Aurora NY.

The objective of this sound surveys was to determine whether the sound levels conform to the Town of Torrey zoning law limits to noise levels received at a property boundary, which are stated in law as: between 7:00AM and 9:00 PM seventy two (72) dB and between 9:00PM and 7:00 AM Fifty (50) dB. Additional objectives were to determine whether operations of the data centers noticeably or significantly increased the background sound levels which were measured without the data centers in operation. Sound levels were measured at 5 locations on the Greenidge property boundary and 3 community sites, Village of Dresden Gazebo, and two private residences on Arrowhead Beach Rd. Mr. Prusinowski presented charts and measurement graphs for each location surveyed. He explained sound measurement unweighted, and weighted. He gave weather and wind conditions on the day. He discussed environmental sound sources as the highway -truck and vehicle traffic, pole mounted transformers, industrial operations at Vibrantz (Ferro), periodic airplane/jets, and trains.

In his summary report it read: surveys determined the west end data centers were imperceptible and did not significantly increase the measured background sound levels at each representative survey location. The daytime measured unweighted average sound levels acceptably did not exceed the daytime sound level limit at several representative boundary locations. Daytime background noise sources caused exceptions at certain exposed locations. The nighttime measured unweighted average sound levels were dominated by the background sound sources, which alone caused exceedance to the nighttime sound level limit at each survey location. Nighttime data center operations did not significantly contribute to the nighttime ambient sound levels.

Hunter Critchlow stated his family owns property located across from the Greenidge property at mouth of the Keuka outlet. He stated that during the summer having windows open at night there is the hum that is a real annoyance. He asked why the sound study was performed in the winter. Why not in spring when the air is crisp.

Members and interested residents all concurred that leaves on trees would block/filter sound.

Question?? if Greenidge has submitted plans or has expansion In the future.

Mr. James stated there are no building or construction plans submitted by Greenidge at this time. He asked Kevin McAuliff- Attorney for Greenidge if he knew of any expansion plans at Greenidge, Mr. McAuliff shook his head no.

Mike Warner wanted to clarify that this sound survey was for data center buildings, not the plant itself, the survey results concluded that the data center noise is an acceptable level.

Dwight- Code Officer was at the data center with Dale Irwin last fall, they went into the building, the sound was deafening, they stepped back outside, once the door closed, they carried on a normal conversation. The sound level difference was amazing.

Mrs. Buddington stated she has worked with several acoustical engineers reviewing the study and thanked Mr. Prusinowski for his comprehensive study. Her concern is the sound impact on the employees at Greenidge. They are subjected to noise which is a detriment to their health. She voiced her concern for the health of the local residents hearing.

Dwight- Code Officer stated he and Floyd went on a tour of Greenidge, before entering they were given hard hats, eye and ear protection. On the tour they noted all employees were wearing the same protective gear as them, this is a mandated OSHA requirement.

Mrs. Buddington has some information on health and hearing she will send to Clerk to distribute to boards, also noise code website and measuring codes.

Brief discussion on town noise law may be too restrictive according to surveys. No action.

George introduced this resolution Greenidge Generation LLC Site Plan Noise Study

WHEREAS, on April 19, 2021, The Town of Torrey Planning Board granted site plan approval to Greenidge Generation LLC, as Owner, for the installation of four (4) structures each built on a concrete slab at the existing Greenidge Generation facility located at 590 Plant Road, Town of Torrey, Yates County New York (Tax Map No. 40.03-1-1.111) (the "Property"); and

WHEREAS, the Owner installed two of the four buildings and associated site improvements of grading and roads to accommodate the structures each built on a concrete slab (the "Project"). The structures house computer processing and networking equipment for data processing functions. Electrical equipment was installed both overhead and underground including poles, transformers and will connect the data processing facility to the Greenidge Generating facility; and,

WHEREAS, the Property is 139.2 acres and the total project area is 1.3 acres, including roads. Power for the data processing operation within the two structures is supplied solely by the on-site Greenidge Generation facility.

WHEREAS, the Owner agreed to implement certain noise mitigation measures for the Project including silencer baffles across each ventilation opening and acoustic insulation on the underside of the building ceiling decks and on available interior wall surfaces; and

WHEREAS, to demonstrate compliance with the Town Noise ordinance, the applicant submitted to the Planning Board a Community Noise Assessment from Aurora Acoustical Consultants Inc. as well as a proposal, accepted by the Planning Board, to measure noise levels at the property lines following the completion of construction and prior to the commencement of operation and report those findings to the Planning Board.

WHEREAS, on January 12, 2024, the Town of Torrey has received the acoustical noise study for the Project as agreed in connection with the 2021 site plan approval;

WHEREAS, the study, which was witnessed by the Town's Code Enforcement Officer, a Town Board member and the Town's Planning Board Chair, shows that noise impacts from the west end datacenters were imperceptible and did not significantly increase the measured background sound levels at each representative survey location; however, either with the miners on or off, the existing background, highway noise in this location does not comply with the current Town noise code.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the 2021 Site Plan approval for the Project, the Planning Board hereby makes the following findings and determinations:

- 1.** The Planning Board received the Report of Aurora Acoustical Consultants, Inc., dated January 12, 2024 (the "Report"), relative to whether the west end data centers violated the Town noise code; and
- 2.** The Report concludes that that noise impacts from the west end data centers were imperceptible and did not significantly increase the measured sound levels at each representative survey location; however, either with the miners on or off, the existing background, highway noise in this location does not comply with the current Town noise code; and
- 3.** The Planning Board accepts the Report and the conclusions set forth therein and requires no further mitigation measures in connection with noise from the west end data centers; and
- 4.** The Planning Board finds that the owner has complied with the conditions of the 2021 Site Plan Approval with respect to potential noise impacts.

BE IT FURTHER RESOLVED, that as required by the NYS Town Law, the Planning Board Clerk shall file a copy of this Resolution in the Town of Torrey Town Clerk's office within 5 days after this resolution has been adopted; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately

Bob made the motion to accept Aurora Acoustical Study on Greenidge Data Center, 2nd Floyd, Roll Call vote: Dowse- Aye, Hoover – Aye, Miller -Aye, Campbell- Aye, Warner- Aye 5 Ayes 0 Nays
Planning Board Bylaws Board members reviewed the Planning Board Bylaws and found no changes needed at this time. George mentioned the Comprehensive Plan will need to be updated.

The Town Board has asked the planning board to research and draft a Wind Power Law

No further business, Motion by Floyd 2nd Ellen to adjourn, carried at 9:05PM
Respectfully submitted,

Betty M. Daggett- Sec.