

Presentation Cohocton Public Hearing Windmill Local Law #2 by Robert C. Strasburg II

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NYS Open Meeting Law, Public Officers Law, Article 7, Section §100, gives the following legislative declaration: “The people must be able to remain informed if they are to retain control over those who are their public servants.”

Reference: NYS Department of State Website at:
<http://www.dos.state.ny.us/coog/openmeetlaw.htm>

You are the servants of all Cohocton Residents and are elected to office, bound by duty, honor, and the law to serve the best interest of us, the residents.

*According to the Governor’s Office of Regulatory Reform, I quote: “All municipalities that adopt and amend zoning must do so in accordance with the adopted comprehensive land use plan”

*(see, Town Law sec. 272-a, 11-a below, copy attached).” Reference: the following statement found at: <http://www.gorr.state.ny.us/zoning.html#authority>

**According to the NYS publication ZONING AND THE COMPREHENSIVE PLAN, on page 9 it says, and I quote: “Once adopted, (referring to the Comprehensive Plan)... all land use regulations must be in accordance with it.”

**Reference: <http://www.dos.state.ny.us/lgss/pdfs/zncompplan.pdf>

Cohocton Town has a Comprehensive Plan that has been “adopted”.

Local Law #2 is in direct violation of the letter and spirit of Cohocton’s Comprehensive Plan based on the following quotes from it:

“It is the desired goal of the Plan to maintain the predominant rural character of Cohocton”

Quoting again...“The preservation of the overall character of Cohocton with emphasis placed upon the retention of the area’s desirable characteristics, natural beauty, and similar aesthetic qualities ...”

Another quote from the Plan is...“Radical or large-scale modifications of the land use patterns of these sections are not likely to be realized nor are they recommended.”

Your attorneys told you that you did not do windmill law #1 right; now I have shown you that NYS says you are not doing windmill law #2 correct either because it violates Cohocton’s binding Comprehensive Plan which you are honor and legally bound to follow. If you continue in this blatant disregard of the law, you will answer for your action under oath.

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You are the oath sworn servants of all Cohocton residents. There is a due process for you to follow. Supervisor Jack Zigenfus and Councilman Wayne Hunt, we demand that you stop this rogue activity of high jacking our Town and return to submission as our servants and follow the laws of New York State.

You have been duly served with this notice of violation.

Jeff Wise and Milton LesVesque, just because your Supervisor Jack Zigenfus and Councilman Wayne Hunt have chosen to disregard NYS law and due process, that does not mean you have to. I urge you to do what is right. Vote no on windmill Law #2 and I urge you to make an immediate resolution for a Moratorium on this wind turbine development.

Zigenfus and Hunt have abandoned public trust. We are desperately depending on you Jeff and Milt to do what you know is the right thing to do. Take this Town back from the high jacking of Zigenfus and Hunt and return it to the residents that voted you into office.

We are in America, not North Korea. Choose to follow the democratic principles that our forefather shed their blood to insure we could have. Override Zigenfus and Hunt; propose a resolution to revisit our Comprehensive Plan for updating "before" enacting new zoning in conflict with it. Milt and Jeff, separate yourselves from this dictatorial act of treason.

Sincerely,

Robert C. Strasburg II