

## The Citizen's Voice June 6, 2006

### Bear Creek proposes changes to zoning ordinance

BY TOM VENESKY

**BEAR CREEK TWP. — The public will have a chance to weigh in on proposed changes to the zoning ordinance made to dictate where a wind turbine can be placed in the township.**

Last month, the township planning commission approved amendments to the draft ordinance requiring turbines to be certain distances from wetlands, private properties and bodies of water. During Monday's supervisors' meeting, planning consultant Jack Varaly of Pasonick Engineering said the ordinance was forwarded to Luzerne County for review and no comments were issued.

"This issue dates back to last year. Bear Creek Township is probably the only community in the entire state to entertain two applications for wind farms without any mention of them in the ordinance," Varaly said.

"The amendments will now address wind farms comprehensively."

A public hearing will be held on June 20 at 6 p.m. at the municipal building to solicit comment on the proposed ordinance. A special meeting will follow at 7 p.m. for the supervisors to consider adoption of the ordinance. A copy of the complete ordinance will be available for public review at the municipal building.

Attorney Joseph Persico, who is serving as co-counsel with attorney Ernie Preate for Energy Unlimited, asked the board about a letter he sent regarding planning commission member Joe Yenchik. In the letter, Persico claimed Yenchik influenced the supervisors to reject Energy Unlimited's plan to erect 25 turbines during their May 1 meeting. Persico wrote that Yenchik is "improperly biased" against the project based on his remarks during meetings.

Persico asked that Yenchik recuse himself from any future planning commission meetings and decisions concerning Energy Unlimited projects.

"If the project fails because it has not received a fair hearing due to actions of township officials improperly motivated by personal animosity, (Energy Unlimited) will sustain millions in financial damage," Persico wrote.

Yenchik said it's up to the supervisors to have him recused. He said he originally voted for the project when it was proposed in 2003, but it has since changed.

"They can't accept that I would have a different opinion than them," Yenchik said. "This is a whole different situation than the Bald Mountain wind project."

Supervisor Bonnie Wasilewski said Richard Kresge, a member of the zoning board who voted for Energy Unlimited's variance request for nine turbines, could have a conflict of interest in the matter because his family owns land involved in the project. Kresge was not at Monday's meeting.

Solicitor Bill Vinsko said he would likely discuss any recusement in private with the board.