Town of Yates
Regular Planning Board Meeting
September 4, 2025

Chairman Richard Kurz called the Regular Planning Board Meeting to order at 7:00 pm at the Town of Yates, 8 S. Main Street, Lyndonville, NY 14098.

Those Present:	Richard Kurz, Chairman of Planning Board Ralph Smith, Planning Board Member Gary Daum, Planning Board Member Dawn Metty, Deputy Clerk Kayla Browning Harold Suhr Larry Wolfe
Those Absent:	Ed Urbanik, Planning Board Member Joanne Suhr, Planning Board Member

MINUTES:

Chairman Richard Kurz said Okay, David Reese contacted me, and I also talked to Kayla Browning about this, she bought the airport, Tiger Paw, and I'll just briefly give some more information. She wants to keep it the same, right? With a plane, you can use a three plane station there, and then no more than three times a week approximately, you'd be flying on and off, right?

Kayla Browning said yes, and like the 12 hours that it says, that kind of thing, so there's no change to the permit that you guys had already granted.

Chairman Richard Kurz said Right, and you want to keep that intact and just change it to your name. Correct. So we don't want to lose that because we've got to go through a public hearing.
So could you just give us a rundown of what you want to do with the private airport and the education part of it?

Kayla Browning said Well, I guess the first thing is to explain what is a paramotor, and a paramotor is just simply a machine that you kind of attach to your back and you put a glider over your head and you run into the air. It's an ultralight aircraft. They're actually one of the safest aircraft that you can fly because of its very slow speeds, and stall speed is incredibly low. And then, because they are ultralights, there's this thing called the Federal Aviation Regulation – Aeronautical Information Manual (FAR-AIM), and the FAR-AIM is this ginormous book of regulations that is put out by something called the FAA, which is the Federal Aviation Administration, and in this big book, there's all sorts of different types of aviation, right? Like, I fly private jets for a living. That's a whole different part in the FAR-AIM. What you fly, right, 172, that's a whole different part in the FAR-AIM. You operate under 61 and 91, and I also operate under 135. So, off of that thought, ultralights operate under the Part 103. In FAR Part 103, it explains how lightly regulated this sport is. So this is where I go into my point of how important I think it is to self-regulate because it is so lightly regulated federally. It's incredibly

important because there's a huge respect that you must have towards safety and obviously the community that you're flying within. So the purpose of the request, as Rick was saying, is I would like what I now change to Airborne Acres name-wise to formally operate as a flight club in a place that provides education about these aircrafts. The goal is to create smarter, safer, and more respectful pilots while fostering responsibility toward both aviation safety and our neighbors. Why does training matter so much? It's because paramotoring is very lightly regulated, so self-regulation and proper education is really crucial. Without schools, many people, which is crazy, and you guys might think this as well, a lot of people try to learn off of YouTube, and it's legally allowed to do that, which is still very mind-blowing to me. And I don't want it to be that way. I don't want some, you know, Yahoo, for lack of better words, to be out there flying an aircraft under a YouTube education. So I want to be able to provide that for people. Obviously, it creates a lot of unnecessary safety risk to do that. Having structure prevents accidents, and it teaches pilots to respect people and their property. Hours of operation.

Chairman Richard Kurz asked what do you have in mind for that.

Kayla Browning replied we only fly during very small windows, weather permitting, which is early mornings, and that can totally don't mind going under what you guys have for a noise ordinance. I think it's 7 a.m., is that correct?

Chairman Richard Kurz said that’s what I was wondering. If you put a time frame, do you run these in the wintertime or fall?

Kayla Browning replied Hardly, so early mornings and late afternoons before sunset. And this keeps it well under 12 hours, which is already what was permitted for the airport. Anyways, I don't think we're going to reach anywhere near 12 hours just because the windows are so small. And plus, since we're so sensitive to weather, we can't fly like an airplane does. So it could be a beautiful day, right? Sun's out, puffy clouds are out, it's beautiful, and it still might be a little bit too much for the winds for us to fly, so we won't. Safety's a big thing, huge thing. Noise considerations. This one's a big one for our neighbors. Paramotors are much quieter than airplanes. Noise is comparable to a lawnmower or a motorcycle. Class size and seasonality. Maximum, I'd say seven people. I don't think I'd be any more comfortable than that many people learning at one time. Classes only run seasonally, so it would be April to October, and after that it's just too cold. Weather is too, it kind of just gets gnarly after that. With wind-wise and stuff, we get some pretty crazy winds off of the lake in the wintertime and even in the summer sometimes. And the last two things I want to mention is the community impact and the motivation and values that I have in this. So community impact is this is an invite-only place. This is not me putting an open sign and letting random people come in. This is somebody that has to talk to me over the phone, over email, tell me who they are before I ever allow them to step foot on my property because I'm not asking for this to be a general aviation airport. This is still a private airport where they do have to ask me permission. So no walk-ins, nothing like that. Visitors and potential students come by personal invitation, which allows me to regulate who comes and to when to go on the property. Pilots, and I love this too. I had such a great night. It was about two nights ago. We had some visitors come in. It was about seven people, and I took them over to this Chop Shop bar and grill. Two of them were from Maine. One of them was from Texas. One of them was from Ohio. And the other two were kind of more local, like

Buffalo and Rochester. So we had people intentionally come to Lyndonville to come to Airborne Anchors to be able to just be a part of the community with the paramotor from all different states. And we've had people from Florida, from California, from Michigan, and I think there's one other too, that they just want to come hang out. It's crazy how much the community actually impacts these people to want to travel. It's amazing. The other thing is, oh, I continuously get neighbors stopping by to tell me how much they enjoy watching the paramotors and how it has brought something interesting to the area. That doesn't mean that I haven't heard a complaint. I have heard one so far where he personally came up to me, and immediately I said, where do you live? He told me, and I went to every single pilot that has ever had the permission to fly off my property, and I gave them a brand-new briefing. I give every pilot briefings, and I say, please don't do this, this, this, and that, even though you're technically legally allowed, but this is what I'm telling you to do to be respectful. And I went to every single pilot, and I said, this guy doesn't like us. We are now not going to go to that area. But for as upset as he was, it didn't trigger me. It didn't make me want to go into fight mode. I just have a huge love for people, and I get kind of sad, actually. I get sad when people don't like something, and I want them to be heard, I guess. I don't want to fight anyone. He thought at one point in his emails towards me that I was a threat, and I was like, if you would just come meet me. I said, you're more than welcome to come on the property. Show your grandkids these things. Touch them, whatever you want to do, just to show them that I'm not a threat. I'm willing to work with literally anybody who comes at me, whether they have a bad attitude or not. Yeah, so the last thing, motivations and values. This is not about making big profits. I don't even think that I could really make that much money off of this if I even tried. I have a career. I plan on staying in that career for a really long time. I really enjoy being a private jet pilot. I actually work for Rich's. I don't know if you guys know that company.

Ralph Smith asked what company again?

Kayla Browning replied Rich's. It's like a food corporation company out of Buffalo. Yeah, I fly the CEO of that company, and I love it. I really do, and they're really great people. And so a lot of people, when they get these awesome careers and whatnot, they want to spend their money on a Ferrari, a nice home, or whatever. They want to spend their money on something shiny. I don't get joy out of shiny things. I get joy out of hanging out with people and being a part of the community. So I thought, if I'm going to spend my money on something, I want it to be this. I want to spend my money on something that is worth for the community. So any profit would just be going towards help upkeep in the airport, pay the bills so I'm not getting drained out of my bank account. My deeper motivation is to share this unique type of flying, promote safety, and create something that the town of Lyndonville can obviously be very proud of. I'm open to communicate if anyone ever has any concerns. I want to work with them. And that's pretty much it. I hope that answers most of your questions.

Chairman Richard Kurz asked so you're looking for an amendment?

Kayla Browning replied correct.

Chairman Richard Kurz - Do you have any more questions? It is a permitted use on our books.

Ralph Smith asked was the person that made the complaint, are they in the landing pattern?

Kayla Browning replied no, so they are actually a mile west of me. And there was one time, I remember this specifically. So these paramotors, we can easily do aerobatics. And aerobatics are pretty safe in it. And another reason why paramotors are so safe is because if we have an engine failure, it doesn't matter. We just fly. We just land. It's not a big deal at all. It's super safe. And so one of my friends was doing some aerobatics. He was actually trying to create joy to everybody. A lot of people—they root us on. We'll sit in a van and go. They're like, yeah, let's go. And he was doing a maneuver. His engine died because of G-force. Super typical. Not a big deal at all. Restarted it and flew away. No big deal. And John—probably shouldn't be saying his name like this, but this person in particular said that it scared his grandkids. And I basically said, I'm sorry. I can't really control what your grandkids are scared of or not scared of. So that was the big thing that he had. He just happened to be doing aerobatics in his sight.

Ralph Smith asked what are the restrictions on aerobatics for that particular class of aircraft in terms of altitude?

Kayla Browning replied yeah, so that's a super big question that most people have. And a lot of people get wrong because in Part 91, which is for airplanes, our altitude restriction is 500 feet.

Ralph Smith - Right.

Kayla Browning - Everyone seems to think it's the same for ultralights, and it's not. We do—the only constrictions we have on airspace is we cannot fly over congested airspace. That means we can't be flying directly over houses. We can fly to the side of a house, but directly over houses we cannot at any altitude. And we can be as low as two inches from the ground.

Ralph Smith - Right.

Kayla Browning - Yeah, so no altitude restrictions except for—you know, you can't go into Class Alpha. That's 18,000 feet. We're not going up there in any way; it’s a little hard to breathe.

Chairman Richard Kurz asked do you have any comments, Mr. Suhr?

Harold Suhr replied Yeah, I'm right down by Shadigee. I have a place right there. And you guys come and do your stuff, and I'm the guy cheering. I love it. And unfortunately, John Riggi—not unfortunately. I love John Riggi. He's a very close friend. He was on the town board with me. But he's just—just something to yell about, I think he'll be all right. Like I say, you stay away from him, but you can fly over top of my place all you want. I think it's great. Sometimes I'm, like, waiting for a train wreck, but other than that— I mean, you guys were there, and you were getting close to the water and doing this. I'm like, nice. And my grandkids love it, too, so I don't know what's scaring them.

Kayla Browning - I've had so many neighbors be incredibly kind to me. Like, I'm impressed, actually, at the amount of neighbors that have been so nice to me. What was the other thing I was going to say that— Oh, so the only one that had ever complained to me, Riggi, he ended up at the very end of it, at the very end of the email chain, he put, you know, we're neighbors, and I get it. We need to figure out how to just coexist together, and I can do that. If you can, and I was like, yes, I've been trying to tell you this the whole time. I'm willing to coexist and help you

out. But there was one—even through those email chains, he did, like, say things like, you know, I used to be part of the town board, and you better, quote-unquote, buckle up for what's about to happen next. And I just—I was a little taken aback. But again, I don't take those things as I'm now going to feel threatened and feel like I need to fight this. I just took it as, yeah, he's angry, and I'll work with you.

Harold Suhr - He calls you flying lawnmowers.

Kayla Browning - Yeah, he does, which is also funny because he's like, he says, you know, we call you guys flying lawnmowers, and so badly I wanted to write an email and be like, we call ourselves that. Like, that's already a thing we call ourselves, flying lawnmowers. It's just a joke, you know, it's an ongoing joke.

Harold Suhr – Well down where I am at Shadigee, they come out at 7 o'clock in the morning and turn on the generator for the water plant, and, you know, I live with that. I think people got to learn to live with things, and your things are very—they don't bother— they really—you really got to want them to bother you. You got to really have a reason to dislike it. But I think—I don't see any problem. I think they're great. They're not bothering anybody. 7 o'clock in the morning, like I said, they turn on the generator every morning right next to me for the water plant, and you just get used to it, you know. You're not hurting anybody, and its fun, and I hope you can make money at it because, you know, I own the golf course down here, and I'm in the business.

Kayla Browning - Oh, you own the golf course! I will say all the other people in Michigan— and the two people that—they came back. This is their third time, the two people from Maine that I was talking about. They loved it so much. They loved the atmosphere of the lake and the little town. They came back three times. That was the third time they came back. The second time they came back, we were at your place.

Harold Suhr - At the White Burch.

Kayla Browning - And just too also add in another point, too, I really, really do love meeting people and the community and such like that. I hope in the future—I don't know how the board would take it, but I want to be able to— I don't have anything to do with my property besides this stuff, but I want to be able to donate my property to events so people have more things to do in Lyndonville. I mean, it's a huge property. You could have a car show. You could have whatever. And I just want to be able to come to my own property and see that stuff happen, so I would just donate space if I could do that, too.

Ralph Smith asked what office do you work with? Buffalo or Rochester FAA office?

Kayla Browning I don't know. I think it's neither. It's Albany, maybe? The DOT in Albany?

Ralph Smith - That's the state capital. But the local FSDO (Flights Standards District Office).

Kayla Browning - I really have only been working with one man in particular. His name is John Kennedy. He's been super helpful with just processing paperwork for me and giving me kind of

the steps of how to do everything. And I want to say he's from Albany. Yeah, I haven't been really working specifically with anyone from Buffalo or Rochester.

Chairman Richard Kurz So, you know, it's with Williams. You have to switch the paperwork with the FAA.

Kayla Browning - Correct, yeah. I got well ahead of the game. David, the CEO, asked me for everything. And it's not the easiest thing sometimes to ask federal people for stuff. But I was able to get everything switched over. My certificate of registration is completely my name with airborne acres on it as well. And I had the sectional chart switched over. It'll be—they said it processes in about 50 days or so. But, yeah, everything is good. I think I'm waiting on one more piece of paperwork.

Chairman Richard Kurz - So I talked to the attorney. And David Reese contacted me. At first, they were talking maybe home business. But you haven't built a home there yet. But you're within all the rules of the private airport. So I talked to the attorney about having an amendment, right? So it's possible. So what we're thinking, when you change to an amendment, you've got to either have a public hearing or you can have a year's probation. So are you going to spend a lot of money doing any remodeling for these classrooms or not really?

Kayla Browning - Not, like, specifically for the classes. I actually dug my own water line and had that put in. So the property is being very well updated.

Chairman Richard Kurz - So it fits in with our comprehensive plan. And it fits in the center of the town. Actually, 63 is the center. So that's why we put the airport there, Williams wanted it. And it's there. So what we're thinking is would you work if the board votes on it? See, David Reese wasn't sure about this either. So I'm not sure about the paperwork for the amendment and the fees and the clerk. But if we go with a year probation on it, that will give everybody a chance to see and complain. They can leave a complaint or call me or call David Reese, right? And then in a year at this time, by the time I sign the permit, then we just put it in as fully amended. Is that acceptable to you? Because a public hearing would get a little hairier out here. And I don't want to stir things up. So I thought this might be the best way to do it. It's working pretty well. So I was hoping tonight to brainstorm this and to get a motion to amend it to what she wants. And then in a year, we'll verify it. And if anything comes up, with the public, we'll work it out somehow. Usually in a little time, things slow down.

Kayla Browning - Yeah, for sure.

Chairman Richard Kurz - And by law, that's two ways you can do it. I don't want to change the permit. Don't ever let that go out. Because that might be... Last time, I had a hard time getting it. So, what do you think?

Ralph Smith asked what would need to be amended then?

Chairman Richard Kurz replied just the amendment would be private airport with an educational use. And the machines that she's talking about are not considered an airplane. And the time, we

should have a time for starting. I was thinking like sunrise or sunset. Because if you put a time on it, it changes from season to season. Is that acceptable, you think?

Kayla Browning - Yeah, sunrise to sunset. I mean, that's usually how the winds work with us anyways.

Chairman Richard Kurz – The lawyer wanted to put like 8 o'clock. Now she can't put it in the air.

Kayla Browning - Yeah, it gets weird at that time. Because then you're kind of compromising safety. And I never want the pilots to feel like... Oh, you know, it's about to be 8 o'clock. I got to go. I don't ever want someone to feel like they're pushing to get in the air. So, I think sunset to sunrise is really good with safety. And that's what we're used to.

Chairman Richard Kurz - and that's the same as hunting.

Ralph Smith - Yeah. And I prefer the FAA's definition of civil sunrise and sunset, which is half hour before, half hour after.

Kayla Browning - And actually in the regulations for 103, it tells us we have to stop or not start before sunrise. And we have to stop at sunset unless we have an anti-collision light. It's just a blinking light. And then you get 30 more minutes. None of us want to land in the dark. Okay. So, all of us are all coming back to the landing zone one by one when it starts to get dark. We don't have landing lights.

Chairman Richard Kurz - See, the private airport to be used for educational purposes, teaching this craft, it should be called a craft, not an airplane. You know, it's an aircraft. Because if you look at the definitions, then that would satisfy everything. That's what Andrew Meyers, our town attorney, worked with me a little bit here. And is there anything else we wanted to do? He said; don't put anything that can go on that page. It's better to do like we did with Williams. He wanted three planes, no more than three planes. The biggest one would be six passengers. And he wanted to fly to Batavia three times a week or so to go to his jet to go out to business. That's what it was for. So that would be kept the same, and just with this amendment for the year probation. And if anyone has a problem, they can come into the clerk's office and file a complaint with Dave, and we'll work it out.

Kayla Browning – Yeah and that's the thing, too, is like I want to be in good communication with you guys. And the fact that if someone is complaining, to give me a call because that complaint can easily be taken care of. It's not something that somebody has to deal with, you know. I mean, to a certain point, there is kind of that limit between you pushing into my space of freedom and whatnot. But I would much rather someone communicate to me that they're being bothered so I can fix it. Instead of them continuing.

Chairman Richard Kurz - and just like be respectful of it, and then we'll put that in the permit, too.

Kayla Browning - Yeah.

Gary Daum - I agree with that. I'd go along with the attorney writing that up for us and then going with an amendment. That would be probably the fairest way to go about it. And see how it works, for one thing. If it's a tragedy, then people will say, and if it's fine, they'll be fine. So it gives you an opportunity to give it a shot.

Chairman Richard Kurz - I don't think we need the attorney to write it up. I'll run it by him again.

Ralph Smith - So do we change the current language, but it would be a 12-month probationary?

Gary Daum - Right.

Ralph Smith - Okay. That's fine with me.

Chairman Richard Kurz - And it fits in with the comprehensive plan. It's recreation down there.

Ralph Smith - Good. Fine. As long as she's satisfied with that.

Kayla Browning - I think if this is something that you guys recommend, I would do that, yeah.

Gary Daum - Okay.

Ralph Smith - I so move that.

Chairman Richard Kurz - So all in favor? Well, let's get it in writing first. It's going to be the educational. It comes off the page of 240-66, airport. It's right in there. And then just, we'll want the private airport for educational purposes. What's the official name of that machine?

Kayla Browning – Airborn Acres.

Chairman Richard Kurz - No, what's the name of that plane that you're...

Kayla Browning - Oh, I thought you meant the airport. Paramotor. So like P-A-R-A motor. M-O-T-O-R.

Chairman Richard Kurz -The use of that aircraft. You said a half hour before and a half hour after sunrise and sunset is the official way of saying it?

Kayla Browning Yes. So the time frame would be half hour before sunrise, half hour after sunset.

Ralph Smith - That's the FAA's definition of daylight. Half hour before and half hour after. If someone were to, an owner of, say, a 172 or a regular fixed wing aircraft, requested permission from you as the owner to take off and land, would you grant that, do you think?

Kayla Browning - It's a 50-50. Like I said, I would have to personally talk to them over the phone and make sure that they are a competent pilot. If I come to the conclusion that they are, I wouldn't see why not.

Ralph Smith - which would retain kind of the spirit of what a private airstrip is, emergencies or prior written approval from the owner.

Kayla Browning - yes, I never want to lose that on the chart. I think that's really important to have because for example, that example that you put, it's good for emergencies. And the FAA loves having extra airports. In fact, I was talking to them about the education aspect of wanting to have a school. And he said, let me know, I'll write a letter for it. He goes; the FAA wants people like you to be able to provide things like this. Because there's just, people don't have the motivation to do it. It's a lot of tricky things.

Chairman Richard Kurz - I think that was the same comment that they had for his, when he had it, that they could land.

Kayla Browning - Yes, yeah.

Chairman Richard Kurz - And then, I think that would cover it. And that would be the amendment, put an amendment. Private airport, use for education. Okay. Should I say teaching too?

Kayla Browning - Use for education, and I don't know if this has to be in there. Because like a club is a club. I don't know how you guys view that kind of stuff, just like a get-together of people. So if I ever have like education events, or just little flying events or whatever, like I'd like to invite the neighbors and things like that.

Chairman Richard Kurz - Do you think you might get all the flying around?

Kayla Browning - I guess if the, oh, like flying wise? Like a hundred machines? No, no, like a hundred. The stress, the stress, I couldn't deal with it. I don't know, like, we've had like 15 in the air before, but they all spread out. I mean, you know, one will be five miles that way; another will be ten miles this way.

Chairman Richard Kurz - Do you think we should put a limit on it, or just let it go?

Gary Daum - Let it go for now.

Chairman Richard Kurz - Let it go? Until it comes up and we can work that out. I mean, during the probation period.

Gary Daum - A lot of things can happen before you get that year period. We'll judge that as it has to be.

Chairman Richard Kurz - and then have that a year, we've got to, like, when we sign it, a year from now, we'll review it, put it in the computer, and we'll review it. And then at that time, it's established as an amendment.

Kayla Browning - but is that like an okay view that you guys have of like me being able to invite community, just to like, what would be the correct word for it? Just like people would come over and hang out and view it.

Chairman Richard Kurz - I don't see anything wrong with it.

Harold Suhr - No. There's nothing wrong with that.

Kayla Browning - Like little events, little community events, I guess.

Chairman Richard Kurz - Put that in the amendment.

Ralph Smith asked so what is it that it would be, a waiver or a temporary...

Chairman Richard Kurz - Right now, it would be a probationary period for one year for an amendment. And that would be attached to the original one. The original one is called Special Use Permit. This will just be amendment to that Special Use Permit. If she sold it, it would go with it. He said, you can do that. That's why... You know how we keep it kind of tight? That's the proper way to do it. Because of what she's asking for, it's not out of reach. It's already in the book. So she's not asking for anything more than is what's permitted. See, we haven't really amended too many things. Just a couple of permits in the past. Like when they changed it from country store to building sheds or whatever.

Gary Daum - Do we need to make a motion?

Chairman Richard Kurz - Even though we haven't got the official paperwork, David knows about it. He wanted me to get something worked out. See, we can't force her into a home business and build a home. If she wants to build a home there someday, that's fine. But if she doesn't, she doesn't need to have a home there because Williams didn't have one.

Gary Daum - No, he did not.

Chairman Richard Kurz - So, I would like to have a motion made for those items to be on the amendment on a 12-month probationary period. In 12 months, we'll make an official amendment attached. This will be an amendment attached to it, but it will be officially done in 12 months. Then that gives everyone in the community to complain or positive or negative, and we can work on it. The only thing I was afraid of, if you spent a lot of money, this is what a lot of people have done, now it's not right to say no. But this one here, I think it's a wrong phrase, but it'll fly. Don't you think so?

Kayla Browning - No pun intended.

Gary Daum - Yeah.

Harold Suhr - I don't think there's anything really that is bad. I mean, I don't care if they're flying 7 in the morning, they're a lot quieter than that generator next to me. And like I said, I would never complain about the generator. I've always been that person that I don't want to stop

anybody from doing anything, as long as it's not hurting anybody. And I'm a very conservative person, but I still feel that... I think this is great. The other thing I was going to bring up is I was on the school board for 21 years. I just got off last year. But I would like to see taking buses of kids down there and do demonstrations. It would be good for you. It would be good for us. I think that it would be a great educational thing to have a field trip there every year.

Kayla Browning - And that right there, that's the kind of stuff that gets me giddy. I love it. It's not even just educating people, but it's just getting people out and about and together. Sure, this is kind of a wacky, weird thing, but this is something that...

Harold Suhr - It's got a wow factor.

Kayla Browning - It does.

Harold Suhr - Those kids, their eyeballs would be huge.

Gary Daum - Oh, yeah.

Kayla Browning - Yeah, and we do this fantastic thing with kids, too, where we like to do... There's a little more to it than this, but just to keep it simple, we have these little army men that will fly around within our pockets, and sometimes we'll put little treats in them, or just like little army men, and if we see kids or a family, we fly close to them, and then we throw them out, and the kids go crazy, and they're running around catching them. And so it is... I don't know. It's one of those things that can bring a lot of joy to a lot of people. There will always be that one person, two people, three people, but out of the hundred people that get that wow factor, and the fact that now you have a place where you can bus over your kids ten minutes down the road to get something that no other schools, hardly in America, could ever get.

Harold Suhr - Put this out on the map. It's just like with my golf course, the school used to bring down all spring, or if it was summer, they would either... Spring or fall, they would come down, and they would bring down every class for gym class. They did that for years, and it helped my business because I've got a lot of golfers now, and it also introduced those kids to golf. And this thing would introduce them to something that... You know, flight. I mean, flight is... People have wondered about it for years, and kids that age, like I said, it's got that wow factor. My golf doesn't have that wow factor. This has a wow factor.

Kayla Browning - It's beautiful in the mornings too when we'll get up, and we have a lot of walkers and stuff like that. And it's nice that this aircraft doesn't have those altitude limitations. People will be walking on the road, and then we can come up, and we're like 100 feet, and we just kind of cruise next to them, and we're waving, and they're just jumping up and down.

Gary Daum - for the children, absolutely. The more things that they can be exposed to in their growing up years, in a controlled situation, it's just great. Because who knows, they may develop an interest in aviation and go from there. And it's something unique for this area. Why not? Why not? We need that.

Harold Suhr - I think it's better than the shoe tree.

Kayla Browning - That's what I said. I was like, Lyndonville has the shoe tree, but now we have something quite niche. And I was even doing my own research before this, and I said, there's not anything like this in the United States. There's paramotor schools, but they're very far and few in between. There's thousands of people in the paramotor community, but we are very niche and we are still very small. And like I said, people are going out of their way to now come to this place because it's so niche. And what I have set up is so niche. It's really cool to hear people say, yeah, we're going to Lyndonville to go do this. So it's cool for you guys, for sure.

Chairman Richard Kurz - Thanks for helping us on the map. I'm sorry, we are a five person board and there's two not here tonight, but we have a quorum so we can vote.

Chairman Richard Kurz entertained a motion that Airborne Acres should remain in force as originally issued but to be amended to include the use of paramotors and educational training of paramotor operators for a fee under the following conditions: 1) Operating hours – 30 minutes before sunrise until 30 minutes after sunset as per FAA definition. 2) Average weekly hours of operation not to exceed 12 hours. 3) Flight paths should avoid passing over homes/cottages. 4) Paramotor use is limited to 25 or less during any one time frame. 5) Private use only as personally approved by Kayla Browning with exception of emergency landings. 6) To follow any new regulations which may be instituted for paramotor use by the FAA or other government regulating bodies. 7) One year probation period to evaluate the amended use for education and operation of paramotors at Airborne Acres.

RESOLUTION # 17-9/25

RESOLUTION THAT AIRBORNE ACRES SHOULD REMAIN IN FORCE AS ORIGINALLY ISSUED BUT TO BE AMENDED TO INCLUDE THE USE OF PARAMOTORS AND EDUCATIONAL TRAINING OF PARAMOTOR OPERATORS FOR A FEE UNDER THE FOLLOWING CONDITIONS: 1) OPERATING HOURS – 30 MINUTES BEFORE SUNRISE UNTIL 30 MINUTES AFTER SUNSET AS PER FAA DEFINITION. 2) AVERAGE WEEKLY HOURS OF OPERATION NOT TO EXCEED 12 HOURS. 3) FLIGHT PATHS SHOULD AVOID PASSING OVER HOMES/COTTAGES. 4) PARAMOTOR USE IS LIMITED TO 25 OR LESS DURING ANY ONE TIME FRAME. 5) PRIVATE USE ONLY AS PERSONALLY APPROVED BY KAYLA BROWNING WITH EXCEPTION OF EMERGENCY LANDINGS. 6) TO FOLLOW ANY NEW REGULATIONS WHICH MAY BE INSTITUTED FOR PARAMOTOR USE BY THE FAA OR OTHER GOVERNMENT REGULATING BODIES. 7) ONE YEAR PROBATION PERIOD TO EVALUATE THE AMENDED USE FOR EDUCATION AND OPERATION OF PARAMOTORS AT AIRBORNE ACRES. AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, that Airborne Acres should remain in force as originally issued but to be amended to include the use of paramotors and educational training of paramotor operators for a fee under the following conditions: 1) Operating hours – 30 minutes before sunrise until 30 minutes after sunset as per FAA definition. 2) Average weekly hours of operation not to exceed 12 hours. 3) Flight paths should avoid passing over homes/cottages. 4) Paramotor use is limited to 25 or less during any one time frame. 5) Private use only as personally approved by Kayla Browning with

exception of emergency landings. 6) To follow any new regulations which may be instituted for paramotor use by the FAA or other government regulating bodies. 7) One year probation period to evaluate the amended use for education and operation of paramotors at Airborne Acres. As presented to each board member.

Offered by: Gary Daum
Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Harold Suhr asked if they can use this airport as an emergency landing for some aircrafts, if we got these people up in the air, is there communication between the ground and the people in the air? Do they have radios or anything that tells them, look, we got a plane coming in, get down, get out of the way?

Kayla Browning - Yeah, that's a good question. Like, obviously that's a very crazy thing to happen, right? If there was ever to be an emergency landing. Odds are way against it. But, right, there's always the but. If it does happen, we have written right-of-way rules that we must follow. Paramotors, if they're to see another aircraft, they have to get out of the way. They get absolutely out of the way, whether that's an emergency aircraft or not. Our right-of-way rules is if you're coming head-on, you must make a right turn. So it's like, it's all written down. And so that's our thing. And, even paramotor to paramotor, they also, if they're coming head-on collision, each one has to go to the right. And that's what that path looks like.

Chairman Richard Kurz asked are you comfortable with what we've discussed and how we're going to handle it?

Kayla Browning - Yes.

Chairman Richard Kurz - And then as soon as they get the path of how to write this amendment up, I'll sign it and then you can pick it up. You're going to have to fill out some kind of paper to transfer Williams over to your name, right? We're not sure. I've got to find out how to do that. You know, his permit has got to be transferred into your name as a sale of the property. And then this amendment will be attached to it with those uses on it. When you make a special use permit by law, that's why New York State doesn't like them. It carries on to the next property owner. So the reason how the town does it, the zoning officer, if it's still in compliance, every year he has an inspection or a written thing to the owner. So if it's not, he'll cancel it. You see what I'm saying? He won't cancel without communication. So that's how it's supposed to work.

Gary Daum - Thank you for coming.

Chairman Richard Kurz - Regarding David Troyer's pond that he wanted to put in. David Reese, wanted him to contact the DEC. Now, it doesn't correspond with the rules because his pond I think is only half an acre, quarter to half an acre, right? So an acre is 208 feet by 208 feet. If you look on that page 240-92, it says right on the first one there, if you read it over, it's one acre or less. You don't need to contact the DEC. I think we could make an amendment to accept it. He's

got a building permit, right? So you think we should go ahead and wait until the next meeting? I think David wants to do it while the weather conditions are dry.

Dawn Metty - Correct. The only thing he has right now is a building permit. He's not filled out a special use permit for the pond yet. So I don't know if maybe we should hold off until we know for sure.

Harold Suhr - If you hold off you'll probably get one from me too. That's one of the reasons I was here tonight. I'm going to expand my pond because of the dry year. I want to start watering my tee-offs and my fairways as well as my greens. I want to start digging in the next couple of weeks. Like you say, it's dry. Now's the time to dig.

Chairman Richard Kurz - So let's hold off. I'll talk to David too, that we discussed it. The size of his pond that he's talking about, right there on the page 240-92 section 1, he's in compliance. He's under an acre. Topsoil should be left for around the brim. It says you've got to have an access so if there's a high water table, you've got to be able to take it off so it doesn't flood sometimes.

Chairman Richard Kurz entertained a motion to hold off until we get the permits.

Offered by: Gary Daum
Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Ralph Smith - It is the one that's way back away from the road. To match the buildings with the Google map, it's in the middle of no place. Nothing back there.

Chairman Richard Kurz entertained a motion to accept the minutes from the July 9, 2025 planning board meeting.

RESOLUTION # 18-9/25

RESOLUTION TO ACCEPT THE MINUTES FROM THE JULY 9, 2025 PLANNING BOARD MEETING AS PRESENTED TO EACH BOARD MEMBER

RESOLVED, to accept the minutes from the July 9, 2025 planning board meeting as presented to each board member.

Offered by: Ralph Smith
Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays

Gary Daum - A little information, if you want, about the last county planning board meeting. We had the most numbers on the agenda. We had, like, 14 or 15 items on the agenda. But most of them, almost all of them, had to do with the adoption of the FEMA flood plan. The Town of Yates was one of them. All the towns and villages had to submit it, and then it goes to the county

planning board. The county planning board approved all the ones that we've received, including the Town of Yates. Then eventually it will get on to FEMA, and they'll go from there. So that was a big item. Another thing was that Orleans County had been made aware of a scam targeting individuals with active applications submitted to their local town or village that require review by a county planning board. Individuals are receiving fraudulent emails impersonating county planning officials. The emails requested wire transfers, claiming payment as required as part of a county planning board review process. These emails are not legitimate and do not form any county official source. Orleans County email address will end with a different, it's incorrect. So what they're saying is, you know, it doesn't happen. They don't send it to you.

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Richard Kurz entertained a motion to adjourn the meeting.

Offered by: Ralph Smith
Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays