

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
January 7, 2025**

Members present: Joe Burns, Robert Hatch, Mike Grasso, Eric Stein
Laura Michaels and Jay Coates

Members absent: Kane Gascon

Also present: Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

The Town of Wheatland Planning Board minutes from 12/03/2024, were approved as follows:

Joe Burns – abstain
Kane Gascon -absent
Mike Grasso -aye
Laura Michaels -aye
Robert Hatch - aye
Eric Stein -abstain
Jay Coates -aye

Old Business:

➤ **Gravel Ponds**

Tabled

➤ **North Rd Hewitt Krenzer Solar**

Representatives from Green Spark Solar were present for another presentation of their plan.

J. Coates stated that the Board is still waiting on information to move forward. He would like to see visual representations of the solar array from various locations.

New Business:

➤ **962 North Road and 1987 Scottsville Chili Road, Adria North Subdivision**

Lot line alteration for 962 North Rd and 1987 Scottsville Chili Rd. This will end up being 2 lots that will be 2 acres a piece.

R. Hatch made a motion to waive the Public Hearing for the 962 North Road and 1987 Scottsville Chili Road, Adria North Subdivision a re-subdivision alteration of lot line based as allowed under section 116-5 of the Town Code. Seconded by J. Burns and passed as follows:

	Motion	Second	Aye	Nay	Abstain	Recused
Member						
Joseph Burns		X	X			
Kane Gascon						
Mike Grasso			X			
Robert Hatch	X		X			
Laura Michaels			X			
Eric Stein						
Jay Coates, Chair			X			

➤ 1963 and 2083 Wheatland Center Road, Howlands South Subdivision

This is a lot line alteration that will result in 2 compliant lots.

J. Burns made a motion to waive the Public Hearing for the 1963 and 2083 Wheatland Center Road, Howlands South Subdivision a re-subdivision alteration of lot line based as allowed under section 116-5 of the Town Code. Seconded by R. Hatch and passed as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns	X		X			
Kane Gascon						
Mike Grasso			X			
Robert Hatch		X	X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair			X			

Future Business:

- A NYSERDA special project at Sabin.
- There will be no work session

J. Burns made a motion to adjourn the meeting, seconded by M. Grasso and unanimously approved. The meeting was adjourned at 8:35 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
February 5, 2025**

Members present: Joe Burns, Robert Hatch, Mike Grasso, Eric Stein
Kane Gascon and Jay Coates

Members absent: Laura Michaels

Also present: Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

R. Hatch made a motion to approve the Town of Wheatland Planning Board minutes from 1/7/2025, seconded by J. Burns and approved as follows:

Joe Burns – aye
Kane Gascon -aye
Mike Grasso -aye
Laura Michaels -absent
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **Gravel Ponds**

R. Hatch made a motion to approve this as an unlisted action under SEQR, seconded by J. Coates, and passed as follows:

Joe Burns – aye
Kane Gascon -aye
Mike Grasso -aye
Laura Michaels -absent
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

MOTION: Draft 01/28/2025

TOWN OF WHEATLAND PLANNING BOARD GRAVEL PONDS CAMPGROUND SPECIAL EXCEPTION MODIFICATION APPROVAL

February 4, 2025

WHEREAS The Town of Wheatland Planning Board (Planning Board or Board), received an application from Gravel Ponds Campground, SPE LLC for a, modification and expansion of an Existing Special Exception Use and Site Plan for a Seasonal Recreational Campground for Gravel Ponds Sport Fishing and Recreation (DBA) commonly known as Gravel Ponds Campground (Campground) The application for this project also requests and requires the Planning Board grant a special exception under Town of Wheatland Code§ 130-62(V) for the project; and grant a combined preliminary site plan and final site approval for the project, and

WHEREAS this application in summary requests the Special Exception Use and Site Plan approval for the expansion Phases 9 & 10 of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.04-1-10.11 and a small portion of Tax I.D.# 198.04-1-10.12.

Additionally, the application seeks Special Exception Use and Site Plan approval for expansion Phases 11 & 12 of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.03-1-10.2, small portions of Tax ID #198.04-1-2.11 and #198.04-1-10.2, and

WHEREAS The Planning Board has heard several applications regarding this entire project, dating back to 5th day of November 1997. In the application of the 5th of November 1997 and in several subsequent actions approved, modified and expanded the Special Exception Use and site plans for a Seasonal Recreational Campground known as the Gravel Ponds Campground. These prior actions are summarized in Attachment A, Gravel Ponds Summary of Approvals and Conditions, which is attached to this approval, and **WHEREAS** the Planning Board continues its policy with this motion to consolidate the prior approvals and incorporate any additional modifications and approvals into a comprehensive plan for the entire campground to

eliminate any confusion that may result because of the numerous applications and decisions affecting the campground, and

WHEREAS Gravel Ponds Campground is located at 2329 North Road Scottsville, New York 14546 and consists of several parcels owned by Gravel Ponds Campground, SPE LLC and Gravel Ponds SPE II LLC. The Gravel Ponds Campground is located on the following parcels identified by their respective tax account numbers;

Tax Id. 198.04-1-2.11, Lot R1-B, 54 acres, 2329 North Road, Gravel Ponds Campground, SPE LLC,
Tax Id. 198.03-1-10, 82.016 acres, North Road, Gravel Ponds Campground, SPE LLC,
Tax Id. 198.04-1-10.2, 9.64 acres, North Road, Gravel Ponds Campground, SPE LLC, and Tax Id. 198.04-1-10.12, 30.53 acres portion, Tax Id. TBD, Lot 2, Scottsville Mumford Road, Gravel Ponds Campground, SPE II LLC

WHEREAS this application is for the final phases of the Campground:

Special Exception Use and Site Plan approval for the expansion Phases 9 (78 units) & 10 (92 units) of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.04-1-10.11 and a small portion of Tax I.D.# 198.04-1-10.12.

Additionally, the application seeks Special Exception Use and Site Plan approval for expansion Phases 11 (72 units) & 12 (52 units) of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.03-1-10.2, small portions of Tax ID #198.04-1-2.11 and #198.04-1-10.2, and

WHEREAS The Planning Board, as authorized under the Code of the Town of Wheatland, held a public hearing on the 4th day of June 2024 to obtain public input, regarding the Gravel Ponds Campgrounds application to seek approval for modification and expansion of an Existing Special Exception Use and Site Plan for a Seasonal Recreational Campground. The application for this project also requests and requires the Planning Board grant a special exception under Town of Wheatland Code § 130-10 Residential Uses (7), §130-10 Business Uses (8) and §130-62(V) Special Exception Uses for the project; preliminary site plan and final site approval for the project, and

WHEREAS prior to this motion the Planning Board determined under a separate resolution on the 4th day of February 2025, a SEQRA Resolution - Negative Declaration, under the New York State Environmental Review Act, after having reviewed and analyzed an SEAF Part 1, 2 with attachments, wherein this action was classified as an unlisted action pursuant to 6 NYCRR, Part 617, the implementing regulations of the New York State Environmental Quality Review Act ("SEQRA") under Article 8 of the Environmental Conservation Law. The Planning Board on February 4, 2025, made a separate resolution which found that there is no significant adverse environmental impact regarding the special exception modification which included an updated site plan or and accordingly made a negative declaration, and

WHEREAS regarding this most current application, the Board reviewed all information provided, addressed public comments, referred to and reviewed the Town's engineer's report and comments and referred to and reviewed the County of Monroe comments. This decision is based upon all the above documents, any specifications and information submitted including all plans, drawings and other documents pertaining hereto, which are incorporated into this decision and are deemed effective and binding on the applicant and any successor to the applicant, and

WHEREAS the Planning board reviewed the previous special exception, special exception modifications and site plan approvals as summarized in Attachment A, and

WHEREAS the Town of Wheatland Planning Board has requested an updated Master and Site Plan for this project and reviewed the updated Master/Site Plan submitted, which is attached to this motion, and

WHEREAS the Board in the course of its deliberations and analysis, consulted the Town of Wheatland Comprehensive Master Plan (Master Plan), which Master Plan has specified goals and placed a high priority on reclaiming previously mined portions of the Town which includes this property, which was previously mined has been successfully reclaimed, and

WHEREAS this property is within the mine subsidence overlay district, which according to the Town of Wheatland Code, has specific requirements for the use of property in the mine subsidence overlay district. This Planning Board specifically finds that this special exception use has low impact in that regard and the Owner has complied with Town requirements as set for in the Town of Wheatland Code, and

WHEREAS the Boards finds that the reclamation of this historically mined property to a seasonal recreational campground has been a benefit to the community and Town, and in the keeping with the Town's Master Plan, and

WHEREAS prior reviews and approvals, mentioned in Attachment A have consistently found benefits to the development of the campground area for the Town, and

WHEREAS at the public hearing on the 4th day of June 2024, the Planning Board received written input from residents. In addition, the Planning Board received additional public input regarding this project, and

WHEREAS the Planning Board received the following comments regarding this application and addressed such comments as follows;

- Concerned about the noise and light pollution

- Concerned about the effects on the water table since everyone has wells and septic

- Concerned with how this affects the wildlife in the area

- Increased traffic and speeding issues

- Impacts on property value

NOISE. During the public hearing there were concerns raised about noise. At the hearing and in subsequent public comments it was stated the campground has strict noise, and quiet time rules with the only permitted fireworks event being for the 4th of July holiday. The Board recognizes that the 4th of July event is a well-known planned community event that is regulated by the Town permitting process. The Planning Board also requested that sound readings be taken and analyzed. In July 2024 there were sound readings taken over three days at five different locations at various times during the days. The information was analyzed by SLR Engineering, Landscape, Architecture and Land Surveying, P.C. in a report dated September 24, 2024. The sound levels were consistent with levels in residential areas and with some brief impacts from vehicular traffic.

LIGHT IMPACT. There is no street lighting in this campground, overhead lights are found near the main assembly area and are dark sky compliant. There would be some lights from vehicles which would be equivalent to the surrounding residential areas.

WATER TABLE IMPACTS. All lots have Monroe County Department of Health approved holding tank systems. Common bathrooms and laundry facilities have approved septic systems. Water for the project is from a municipal public water supply. There are several existing large bodies of water, and this project will add three small retention ponds. There should be minimal impact on the water table.

WILDLIFE. The proposal includes a 23-acre green and open space along with berms and trails, and the seasonal nature of the campground should give areas for wildlife to coexist.

INCREASED TRAFFIC AND SPEEDING ISSUES. This campground is served by major New York State route and Monroe County Roads. Monroe County did not raise any traffic concerns in its comments dated May 20, 2024.

IMPACTS ON PROPERTY VALUES. There has been no evidence presented that there has been a negative impact on property values in the general area. In fact, property values and home sales have in recent times shown a significant increase in value and price.

WHEREAS, It has been long standing policy of the Planning Board to preserve natural trees, woodlots and vegetation and consider visual impacts. The applicant engaged a registered landscape architect to review visual screening options and mitigate potential visual concerns expressed to the Planning Board. There is an existing berm and trees along Scottsville Mumford Road. This proposal will add a berm along Wheatland Center Road and along a portion of Belcoda Road. Tree plantings will be done to the north along Phase 9. There will also be a portion of open and green space preserved along the western portion of the property near Belcoda Road with separation from the rear lot lines on Belcoda Road. Upon thorough review the Planning Board determines these to be the best options.

WHEREAS Phase 8 added the second access driveway satisfying the previous special exception condition and improves access for emergency vehicles and vehicular traffic, and

WHEREAS this approval will place approximately twenty-three (23) acres into a conservation easement that will be dedicated to preserving green and open space.

WHEREAS the applicant has offered and agreed to abide by the terms and conditions of this resolution and the finding contained or referenced herein are binding upon the applicant, its successor or assigns.

NOW THEREFORE BE IT RESOLVED

That the Town of Wheatland Planning Board approves Gravel Ponds Campground's application for a modification and expansion of an Existing Special Exception Use subject to the conditions contained herein, and

That the Planning Board approves Gravel Ponds Campground's updated Master/Site Plan dated February 2024, which includes and incorporates any prior applications before the Planning Board except as noted in the conditions set forth herein, and

The Phase 10 area listed on the February 4, 2024 site plan as "proposed mini golf, ice cream, fast food service and shower building" is not approved at this time. A separate site plan and special exception application is required for this area, and

These approvals shall be considered Phases 9, 10, 11 and 12 of the seasonal campground development, and These approvals satisfy and supersede all other conditions detailed in previous approvals, and

BE IT FURTHER RESOLVED THAT

The special exception and site plan are subject to the following conditions:

1. This is a Seasonal Outdoor Recreational Campground. Admission to the Campground is by membership and guests of members only.
2. The Campground has a restaurant located on it open to the public. This resolution does not limit public access to the restaurant.
3. The Campground will be open for seasonal camping and member activity from May 1 – Nov. 15 only. This in no way limits year-round activities including but not limited to maintenance, improvements, construction, upkeep, and the use of the caretaker building which may be occupied 12 months a year.
4. Use of the Campground is determined by Gravel Ponds and falls into four general types:
 - a. Social members- who use the facility between the hours of 5:30 A.M. and 10:30 P.M.
 - b. Regular members- Short-term overnight campers which will use short term electric/rustic sites, a total of 118 sites as marked on site plan map dated February 2024. Short term/rustic sites are sites with limited or no facilities. Short term/rustic sites typically have a campfire pit, picnic table and water, some sites may have electric service.
 - c. Semi-Permanent Members- a 30-day term with a 30-day minimum with a maximum of 1 year membership these will use short term electric/rustic sites.
 - d. Permanent Member- Longer term campers shall be RV type vehicles and trailers, units must be able to be DMV registered, which will use 625 permanent seasonal sites as marked on map dated February 2024, equipped with water, electric, telephone and cable hook-up and sanitary holding tanks. While such sites are called permanent, all registered RV and trailer type vehicles and any accessory items will remain fully portable and may be stored on sites from Nov. 15 - May 1 but not occupied. Permanent sites may have a shed. Sheds must have a building permit be a maximum size of size of 8 x 10 feet with optional 3-foot overhang for a total of 104 sq. ft. and meet setback requirements.
5. Gravel Ponds will furnish the Town copies of all necessary health and sanitary permits which will be verified by the Building Inspector annually.
6. The Town Building Inspector shall be provided with a current set of Campground Rules and Regulations and informed of any modification of the rules and regulations.
7. There are no limits on the number of persons on site – special events will continue to require an Operating Permit from the Town of Wheatland.
8. Camping units, as defined in 7 NYCRR 7-3.1, must be 10 feet apart. Two units may be parked nose to tail with a walk thru space between them. This does not apply to seasonal storage of units in a storage area.
9. Second access driveways, approved in 1997 from Scottsville Mumford Road and proposed in 2003 in Phase 5 and 6, had access and security issues. A second access driveway was included in this phase 8 of the project with access via a secured gate from North Road and will be used for access to Phases 9, 10 and emergency access.
10. Compliance with the New York State Department of Health regulations and permits.
11. Compliance with the New York State Fire Code for open burning, recreational fires, and portable outdoor fireplaces.
12. It has been noted Phase 6 was not approved. This approval supersedes any previous proposal for a Phase 6. Phase 6 is cancelled.
13. A conservation easement shall be granted to the Town of Wheatland for the open and green space area as shown on the site plan.
14. A comprehensive review of all previous actions and conditions was conducted. A summary of all conditions was done and made part of the motion and a historical summary was done and made part of the motion. The approvals satisfied and superseded all other conditions detailed in previous approvals.

Member	Motion	Second	Aye	Nay	Abstain	Recused	Absent
Joseph Burns			X				
Kane Gascon			X				
Mike Grasso			X				
Robert Hatch	X		X				
Laura Michaels							X
Eric Stein			X				
Jay Coates, Chair		X	X				

ATTACHMENT A

GRAVEL PONDS SUMMARY OF APPROVALS AND CONDITIONS

November 5, 1997

Original Special Exception Use Permit Requested – “Gravel Ponds Recreational Facility”

- Motion to waive public hearing NOTE PUBLIC HEARING HELD 10/7/1997
- List of Rules and Procedures given made part of minutes
- Preliminary Site Plan Approval granted “with conditions”
- Final Site Plan approval with conditions (*see note below*)
- Motion to waive address code for church
- Motion to grant Special Exception Use

Note- the conditions referenced in the motion appear to be from the minutes and discussion -maximum of 300 people, 14 “Rules”, site map shows a second exit onto Scottsville Mumford 40-50 campsites (see 10/7/97 minutes) and 11/5/97 minutes state rule and procedures to be submitted and be made part of minutes. Public hearing was held on 10/7/97 although minutes of 11/5/97 say public hearing waived

New Business- Subdivision VJ Enterprises convey parcels from Damico to Millers. Motion to waive public hearing, motion for preliminary site plan approval, and motion approved for final site plan approval.

December 7, 1999

Proposal for three bedrooms caretaker facility based on map submitted 11/12/1999 for use May 1- November 15. Discovered trailers being stored on facility would require special exception to store trailers and could be considered mobile home park need opinion letter from attorney. Motion for preliminary and final site plan approval with condition that map be submitted for structures and campsites. Also, would like a copy of contract for sanitary removal.

January 18, 2000

Updated map received and reviewed. Discussion concerning mobile home park and a recreational facility. Building inspector recommended updating special exception use with specific conditions

February 1, 2000

Phase 2- Special Exception Use for Operation of Outdoor Recreation Area requested. Increase 8 Permanent Sites to 25 Sites total of 33.

- Public Hearing held.
- Motion for preliminary and final site plan approval
- Special Exception Use discussion, no one on site Nov 15 -May 1, discussion on sheds- would need permit and meet setbacks, rules and reg reviewed and revisions requested,
- Special Exception Use Permit granted with the following conditions:

1. Admission to the facility is by annual membership only and not open to the general public.
2. The facility will operate from May 1 – Nov. 15 only.
3. Use of the facility will fall into three general types:

- a. Day Campers which will be use the facility between the hours of 5:30 A.M. and 10:30 P.M.
 - b. Short-term overnight campers which will use 118 sites with limited facilities, as marked on site plan map dated 1-26-00.
 - c. Longer term campers shall be DMV registered RV type vehicles which will use 33 permanent seasonal sites as marked on map dated 1-26-00, equipped with water, electric, telephone and cable hook-up and sanitary holding tanks. While such sites are called permanent, all registered RV type vehicles and any accessory items will remain fully portable and may be stored on sites from Nov. 15- May 1 but not occupied. Storage sheds are limited to a maximum of 64 sq. ft. with permits obtained through the Building Inspector's office.
4. Prior to opening on May 1 each year, Gravel Ponds will furnish to the Town copies of:
- a. All insurance policies
 - b. Copy of contract for waste and sanitary disposal
- *In addition, all necessary health and sanitary permits will be verified by the Building Inspector annually.
5. It is intended that all rules and regulations dated 1-1-2000 contained in the membership contracts be part of this permit.
6. It is acknowledged that the current site plan map dated 1-26-00 is considered final and any changes or additions will be presented to the Building Inspector's office for review.

October 2, 2001 –

Phase 3- Amendment to a permitted Special Exception Use, phase 3 conversion of temporary sites to permanent sites. Taking 26 temporary sites and converting them to 20 permanent (total of 53 permanent sites).

The motion to grant a negative declaration and amendment to the Special Exception Use was approved with the following conditions:

1. Continued coordination and annual permitting with County Health for temporary residency, water supply and septic system and maintaining existing Town of Wheatland use conditions approved with the initial special use permit.

April 2, 2002-

Phase 4 Amendment of Special Exception Use to add 45 additional rustic campsites. In the last year 44 sites were lost due to construction, driveways, some permanent sites, etc. Located on the far southwest portion of recently purchased property.

- A public hearing held concerns voiced about noise and looking like mobile home park. Environmental Board had concern about the number of restrooms.

MEETING DISCUSSION- concerns about “rustic campsites”- they are defined as having electric (eventually), campfire pit, picnic table and water. Concerns about sites becoming permanent – sites are not large enough and would not have septic where permanent sites have septic. Agreed to put row of trees up along a 60 strip behind properties to address noise issues. No more building until Phase 5 master plan (add 45 additional rustic camp sites, total of 182 sites).

- A motion was granted to amend the Special Exception Use permit for Gravel Ponds Campground to add the Phase 4 camp sites 45 rustic sites which in additional also adds a net increase of 35 sites to an already approved 151 sites for a total number of 182 maximum sites for the campground with the condition that no more applications for improvements that increase usership will be entertained until a complete Master Plan and environmental assessment has been performed.

December 7, 2002

Meeting Discussion of “plan” it appears that the Board was given a site plan Dated 12/2/2002 and that was considered the Master Plan, although no motions made.

February 4, 2003 –

Phases 5 and 6 extension of phase 5 and 6 and to include more permanent sites and a golf course.

Public Hearing Held – comments on tree line, exits on Belcoda and driveway – tree line to stay and driveway emergency access only.

- Motion to grant preliminary special exception approval for phases 5 and 6
- Motion to grant preliminary site plan approval for phase 5

March 4, 2003- NYDEC will require stormwater permit for golf course construction. County comments portion has wetlands (July 2002 report determined not regulated) Comments on road access- to be addressed during Phase 6 golf course. 3-year timeline to complete 35-50 sites a year.

- Motion for Negative Declaration for Phase 5
- Motion to grant final special exception approval for 131 permanent campsites, including mini-golf, restaurant service and recreation hall for proposed golf course
- Motion to grant final site plan approval for Phase 5 includes 131 permanent campsites and includes miniature golf course, but excluding proposed restaurant, recreation/service and recreation building. Site Plan condition of Monroe County approval of the emergency driveway.

January 22, 2007 - Letter to T. Rech asking to increase shed size from 64 sq.ft. to 8 ft. x 10 ft. with an optional 3-foot overhang for a total of 104 sq.ft.

February 6, 2007 – Motion passed to approve shed size.

August 1, 2007 - Master Plan updated sent directly to T. Rech

December 7, 2010 – Application for additional accessory building to replace seasonal tent being used 108 ft. x 60 ft. with sprinklers – states was previously approved “change of location for approved recreation hall”

January 4, 2011 – Special Exception Use Modification, the change of location for construction of an approved recreation hall.

Motion for negative declaration- passed.

A motion was approved and granted for a proposed modification to the existing permit for Gravel Ponds to relocate the existing pavilion (20 x 40) and installation of new building (60 x 108) with a condition that a dry hydrant be installed.

January 5, 2021 – Damico Resubdivision. Resubdivision approved for a (2) lot subdivision to create a separate 2-acre lot for an existing house and accessory structures on the frontage parcel. The property is located at 2393 North Road and is in an AR-2 Zoning District. The Tax I.D. number 198.03-1-10 is the remaining lot 82 acres.

January 5, 2021- Campground subdivision. A subdivision approved on a portion of current Tax I.D. #198.04-1-10.1 subdividing it into 2 lots: Lot 1 will be approximately 54 acres and Lot 2 will be just over 12 acres. This would allow a potential 49 new campsites on Lot 2.

June 15, 2021- Special Exception Use Modification. Approved Phase 7 of the seasonal campground development Gravel Ponds Campground’s application for a modification and expansion of an Existing Special Exception there will be 49 new sites.

Approved the preliminary and final site plan for Gravel Ponds Campground Subdivision dated January 2020 Drawing Numbers 201011GP1 and 201011UP1 subject to the conditions.

A total of 118 sites as marked on site plan map dated June 2, 2021. Short term/rustic sites are sites with limited or no facilities. Short term/rustic sites typically have a campfire pit, picnic table and water, some sites may have electric service. Longer term campers shall be RV type vehicles and trailers, units must be able to be DMV registered, which will use 243 permanent seasonal sites as marked on map dated June 2, 2021, equipped with water, electric, telephone and cable hook-up and sanitary holding tanks.

A comprehensive review of all previous actions and conditions was conducted. A summary of all conditions was done and made part of the motion and a historical summary was done and made part of the motion. The approvals satisfied and superseded all other conditions detailed in previous approvals.

April 12, 2023- application received for modification to special exception use for pool and store area improvements and a new campground area known as phase 8. The campground had been purchased by Gravel

Ponds SPE LLC, phase 8 would consist of a 30 acres expansion including 88 new sites, a shower building, playground, two pavilions, roads and a second entrance/exit for the campground. There would be an additional dry hydrant and lockbox for emergency access. The area would be a “rural woodsy setting” for the sites with as much foliage and trees maintained as possible.

On May 2, 2023, a public hearing was held, input was received from the public. The Planning Board directed a review of elevations and additional information.

On June 6, 2023, the Planning Board reviewed 28 additional letters and emails all in support of the project. The Board reviewed a landscape and visual shielding layout submitted by the applicant with a presentation and discussion with the applicants’ landscape architect. The Towns engineer comments were minor and were reviewed. County comments were reviewed.

During the final project review it was found that the January 5, 2021, subdivision approval was different from the June 2021 filed subdivision map. The applicant requested that the Planning Board modify the lot lines of the Gravel Ponds Subdivision that was approved on January 5, 2021, to reflect subdivision lines as shown on the November 2020 subdivision map that was signed by all interested parties and filed in the Monroe County Office on June 24, 2021 in Liber 363 of Maps page 17 and that the Board waive a Public Hearing as permitted by the Town Code for a simple modification of lot lines.

On July 5, 2023, the Planning Board reviewed the request for a resubdivision under 116-5 as a lot line modification. The Board voted to waive a public hearing, determined this was a Type II action under 6NYCRR 617.5 (c) (16) granting of individual setback and lot line variances and adjustments and approved the lot line adjustment.

August 1, 2023, Special Exception Use Modification.

Motion for negative declaration- passed.

Approved Phase 8 of the seasonal campground development Gravel Ponds Campground’s application for a modification and expansion of an Existing Special Exception motion and granted for a proposed modification to existing permit

Approved Gravel Ponds Campground’s updated Master/Site Plan dated July 31 2023, which includes any prior applications before the Planning Board except as noted in the conditions.

A total of 118 sites as marked on site plan map dated July 31, 2023. Short term/rustic sites are sites with limited or no facilities. Short term/rustic sites typically have a campfire pit, picnic table and water, some sites may have electric service. Longer term campers shall be RV type vehicles and trailers, units must be able to be DMV registered, which will use 331 permanent seasonal sites as marked on map dated April 2023 equipped with water, electric, telephone and cable hook-up and sanitary holding tanks.

Updated the comprehensive review of all previous actions and conditions. A summary of all conditions was done and made part of the motion and a historical summary was done and made part of the motion. The approvals satisfied and superseded all other conditions detailed in previous approvals.

April 17, 2024- application received for additional four phases of build out. The application requests the Special Exception Use and Site Plan approval for the expansion Phases 9 & 10 of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.04-1-10.11 and a small portion of Tax I.D.# 198.04-1-10.12 on the east side of the development.

Additionally, the application seeks Special Exception Use and Site Plan approval for expansion Phases 11 & 12 of the Gravel Ponds Seasonal Recreational Campground. The property is located at 2329 North Road and is in an AR-2 Zoning District. Tax I.D. # 198.03-1-10.2, small portions of Tax ID #198.04-1-2.11 and #198.04-1-10.2 on the west portion of the campground.

On June 4, 2024, a public hearing was held, and input was received from the public. The Planning Board directed a review of sound levels and requested additional information.

February 4, 2024

Motion for negative declaration- passed.

Approved Phases 9-12 of the seasonal campground development Gravel Ponds Campground's application for a modification and expansion of an Existing Special Exception motion and granted for a proposed modification to existing permit.

Total # of permanents before starting phase 9 - 331

Number of units in phase 9 – orange 78

Number of units in phase 10 - pink 92

Number of units in phase 11 - blue 72

Number of units in phase 12 - green 52

Total number of permanents when completed- 625

Total number of short term units - 118

The Phase 10 area listed on the February 4, 2024 site plan as “proposed mini golf, ice cream, fast food service and shower building” is not approved at this time. A separate site plan and special exception application is required for this area

Approved Gravel Ponds Campground's updated Master/Site Plan dated February 2024, which includes any prior applications before the Planning Board except as noted in the conditions.

A total of 118 sites as marked on site plan map dated February 2024. Short term/rustic sites are sites with limited or no facilities. Short term/rustic sites typically have a campfire pit, picnic table and water, some sites may have electric service. Longer term campers shall be RV type vehicles and trailers, units must be able to be DMV registered, which will use 625 permanent seasonal sites as marked on map dated February 2024 equipped with water, electric, telephone and cable hook-up and sanitary holding tanks.

Required a conservation easement be made to the Town for the green and open space.

Updated the comprehensive review of all previous actions and conditions. A summary of all conditions was done and made part of the motion, and a historical summary was done and made part of the motion. The approvals satisfied and superseded all other conditions detailed in previous approvals.

➤ 962 North Road and 1987 Scottsville Chili Road, Adria North Subdivision

J. Coates made a motion to declare the alteration of lot line for the 962 North Road and 1987 Scottsville Chili Road, Adria North Subdivision re-subdivision to be a Type II action under SEQR 6 NYCRR 617.5(c)(15) with no need to review, seconded by J. Burns and approved as follows

Member	Motion	Second	Aye	Nay	Abstain	Absent
Joseph Burns		X	X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels						X
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the lot line alteration for the 962 North Road and 1987 Scottsville Chili Road, Adria North Subdivision re-subdivision based on the map by Arrowhead Associates, dated November 20, 2024 Project 24-0430. Seconded by, Eric Stein and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels						X
Eric Stein		X	X			
Jay Coates, Chair	X		X			

➤ **1963 and 2083 Wheatland Center Road, Howlands South Subdivision**

J. Coates made a motion to declare the alteration of lot line for the 1963 and 2083 Wheatland Center Road, Howlands South Subdivision re-subdivision to be a Type II action under SEQR 6 NYCRR 617.5(c)(15) with no need to review, seconded by R. Hatch, and approved as follows

	Motion	Second	Aye	Nay	Abstain	Absent
Member						
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch		X	X			
Laura Michaels						X
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the lot line alteration for the 1963 and 2083 Wheatland Center Road, Howlands South Subdivision re-subdivision based on the map by Arrowhead Associates, dated December 5, 2024 Project 23-0230. Seconded by J. Burns, and approved as follows:

	Motion	Second	Aye	Nay	Abstain	Absent
Member						
Joseph Burns		X	X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels						X
Eric Stein			X			
Jay Coates, Chair	X		X			

New Business:

➤ **Sabin/Travertine Site Plan**

This is a 15-acre parcel that Travertine will be leasing from Sabin. The building is a 3,000 square foot pole barn that is insulated and will house equipment. They will be using a construction style trailer for 2-4 employees with offices and labs. There will also be an external concrete pad.

Travertine is a company from Colorado that is working on commercializing a process to recycle gypsum waste into sulfuric acid and taking CO2 from the atmosphere and making a solid mineral. Sabin will be using sulfuric acid in their metal recycling process.

The FEMA map showed the flood line going up onto the Sabin property. T. Rech is the Flood Plain Administrator, so they are working with him to determine if this is actually in the Flood Plain.

County Comments were received stating there was nothing of concern.

The Board has no concerns.

T. Rech will need to write a statement for the Flood Plain for SEQR.

Future Business:

None

- There will be no work session

R. Hatch made a motion to adjourn the meeting, seconded by K. Gascon and unanimously approved. The meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
March 4, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates and Laura Michaels

Members absent: Robert Hatch, Mike Grasso, Kane Gascon

Also present: Ed Shero, Town Board Liaison
Eric Stowe, Attorney for the Town

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

J. Coates made a motion to approve the Town of Wheatland Planning Board minutes from 2/5/2025, seconded by J. Burns and approved as follows:

Joe Burns – aye
Kane Gascon -absent
Mike Grasso -absent
Laura Michaels -aye
Robert Hatch - absent
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **Gravel Ponds**

J. Coates made an amended motion for the SEQR approval for Gravel Ponds which was passed at the 2/5/2025 Planning Board meeting.

J. Coates made a motion to declare the application for Special Exception use for Site Plan approval for Gravel Ponds for phases 9-12 to be an unlisted action under SEQR 6NYCR617, after review makes a Neg Dec under SEQR., seconded by J. Burns, and passed as follows:

Joe Burns – aye
Kane Gascon -absent
Mike Grasso -absent
Laura Michaels -aye
Robert Hatch - absent
Eric Stein -aye
Jay Coates -aye

➤ **North Road Hewitt Krenzer Solar**

TOWN OF WHEATLAND PLANNING BOARD
RESOLUTION ACCEPTING APPLICATION AS COMPLETE
AND DECLARING INTENT TO BE SEQRA LEAD AGENCY
FOR THE NORTH WHEATLAND SOLAR PROJECT

At the meeting of the Town of Wheatland Planning Board held on March 4, 2025, Board Member J. Burns moved adoption of the following resolution: Board Member L. Michels seconded the motion.

WHEREAS, the Town of Wheatland Planning Board (the “Board”) is considering an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of North Wheatland Solar LLC (together the “Applicant”) for a ±2.25 megawatt (“MW”) AC solar photovoltaic system (the “Project”) on approximately 22.7 acres of a parcel located at 1226 North Road (Tax Map Parcel 186.04-1-19.2) (the “Property”) within the Agricultural Rural (A-2) Zoning District;

WHEREAS, on or about October 1, 2024, the Applicant made an initial presentation to the Board on the Project and Application, received comments from the Board, the Building Inspector, and the public;

WHEREAS, on or about November 19, 2024, the Applicant submitted an application package including the Town’s application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form (“FEAF”), a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment (“ESA”), a wetland delineation report, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan (“SWPPP”), and responses to comments received;

WHEREAS, On or about December 1, 2024, the Applicant presented the Project as set forth in the civil plan set to the Board, received additional comments from the Board on the Project;

WHEREAS, on or about February 7, 2025, the Applicant submitted a supplemental package to the Board responding to the comments received from the Board including an updated narrative of the project describing the phases of the project, a revised FEAF covering both the Project and phase 2 (a solar energy

project to be permitted separately), a utility property owner consent for interconnection, landowner consent for the access easement, an updated civil site plan set (depicting both the Project and phase 2), electrical 3-line drawing and equipment specifications; the Project SWPPP including an addendum addressing fire emergency details, proposed decommissioning plan and estimate, proposed operations and maintenance plan, Phase 1 ESA, and line of sight analysis;

WHEREAS, the Applicant has advised the Board that a second large-scale ground mounted solar energy system (± 2.375 MW AC) may developed in the future on lands adjacent to the Project located on Scottville-Chili Road (Tax Map Parcel 186.04-1-11.1) owned by Scott Krenzer but necessary permits and approvals will be applied for separately;

WHEREAS, the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively “SEQRA”) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQRA;

WHEREAS, while the Application only seeks permits and approvals for the Project, to ensure a complete review of the impacts of each project individually and together, the SEQRA review for the Project will consider both projects together as a single Proposed Action;

WHEREAS, the Board desires to be lead agency for the purpose of conducting a coordinated SEQRA review for the Project and to notify all potentially involved agencies and farm operations as defined by NYS Agriculture and Markets Law, Article 25-AA within 500 feet of the proposed project as the Project will take place within a certified Agricultural District;

WHEREAS, the following farm operations have been identified within 500 feet of the Project:

Scott Krenzer: 1001 Chili-Scottsville Rd., Scottsville, NY 14546. (Tax Map Parcel No. 186.04-1-1.1)

Peter Burns: 1945 Chili-Scottsville Road, Scottsville, NY 14546; (Tax Map Parcel 186.04-1-15)

Stokoe 1812 Inc: North Road, Scottsville, NY 14546; (Tax Map Parcel 186.03-1-4)

WHEREAS, the Board identified the following involved and interested agencies and parties:

Town of Wheatland Planning Board;
Town of Wheatland Town Board;
NYS Environmental Research and Development Authority;
NYS Dept. of Environmental Conservation (Region 8);
NYS Dept. of Agriculture and Markets;
NYS Dept. of Transportation (Region 4);
NYS Office of Parks Recreation and Historic Preservation;
Monroe County Executive;
Monroe County Dept. of Planning & Development;
Mumford Fire District;
Wheatland-Scottsville Fire District;
Agriculture and Life Science Institute.

WHEREAS, on or about February 14, 2025, and February 26, 2025, the Applicant submitted supplemental information consisting of a series of visual simulations depicting views of the Project, both with and without proposed visual screening; and

WHEREAS, the Board has reviewed the Application and supplemental submissions provided by the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the Town of Wheatland Planning Board that:

- 1. The Application (together with the supplemental submissions) is complete in accordance with the Wheatland Town Code;
- 2. The Board declares its intent to be Lead Agency pursuant to SEQRA and intends to undertake a coordinated review for the environmental review of the Project;
- 3. The Applicant is directed and authorized to issue notices to all involved and interested agencies of the Board’s Intent to Act as Lead Agency under SEQRA together with a copy of the Application, civil plans set, Part 1 of the EAF, and other supporting documents for the Project;
- 4. The Applicant is directed and authorized to refer to the Complete Application to the Monroe County Department of Planning and Development pursuant to GML § 239-m for consideration at the next meeting of the Monroe County Planning Board;
- 5. The Chairman is authorized and directed to send the Completed Application to the town’s designated engineer for review; and
- 6. This resolution shall take effect immediately.

PASSED AND ADOPTED this 4th day of March 2025 by the Town of Wheatland Planning Board.

ROLL CALL VOTE	Yes	No	Absent
Jay Coates, Chairman	X		
Mike Grasso, Vice Chairman			X
Joe Burns	X		
Kane Gascon			X
Robert Hatch			X
Laura Michaels	X		
Eric Stein	X		

I, Renee Smith, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Wheatland Planning Board for its March 4, 2025 meeting.

Renee Smith, Clerk of the Board

County Comments were received.

This is a 15-acre parcel that Travertine will be leasing from Sabin. The building is a 3,000 square foot pole barn that is insulated and will house equipment. They will be using a construction style trailer for 2-4 employees with offices and labs. There will also be an external concrete pad.

Travertine is a company from Colorado that is working on commercializing a process to recycle gypsum waste into sulfuric acid and taking CO2 from the atmosphere and making a solid mineral. Sabin will be using sulfuric acid in their metal recycling process.

There was discussion about new wetland regulations from the DEC which will result in a 90-day delay for the project.

The public hearing was opened at 7:20 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Section 130-22.F. of the Code of the Town of Wheatland, will hold a Public Hearing on **Tuesday, March 4, 2025** at 7:00 P.M. in the **Wheatland Municipal Building, Scottsville, NY** to consider the following:

The application of Travertine Technologies, Inc. to seek site plan approval for the construction of a 3,000 sq ft metal panel structure and an adjacent 12' x 64' concrete pad for research and development of a gypsum recycling plant. The property is located at 1647 Wheatland Center Road, 500 feet east of Wheatland Center Road and 200 feet North of Stewart Road; owned by Sabin Metal Corp. This is in a Commercial Industrial Park (CIP) Zoning District. The Tax I.D. number is 209.02-1-2.

All interested parties are asked to attend and be heard or to submit written comments concerning this application.

Public access to view files using link:

https://townofwheatland.sharepoint.com/:f:/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerrUug

Jay D Coates, Chairman
Wheatland Planning Board
Dated: February 11, 2025

The following comments and concerns were made by the public in attendance:

- o **Maureen Leupold**, Oatka Creek Rd
 - Questioned how they will be removing the gypsum safely without it going into the creek?
 - The DEC will be working with them on the plan

- o **Randy Dunn**, 489 Stewart Rd
 - Questions about containment for his well because of the sulfuric acid
 - Concerned about producing hydrogen since that is explosive
 - Changing the landscape by mining the Gypsum hills
 - What happens to the waste?
 - Working with the DEC for procedures
 - Questioned whether they would build a bigger plant at a later date?
 - They would have to come back before the Planning Board before that could happen

J. Coates stated he and Terry Rech have been working with the Applicant and the Engineers on the chemicals and containment areas.

- o **Kevin Marks**, 10 Beckwith Ave
 - Asked about how much tailings would remain
 - Tailings are large clumps of rock and earth that won't go through the screening, these would be returned back to the original pile
 - How much sulfuric acid will be on site?
 - 2,360 liters on site at any time

J. Coates stated that this sulfuric acid is classed only as an irritant.

- o **Billie Hasenauer**, 1 Genessee St
 - How is the Hydrogen being transported?
 - The hydrogen will be vented to the environment, it will not be stored

- o **Delores Kingsbury**, 489 Stewart Rd
 - What happens when they use up the supply at Sabin?
 - There are many places in the country that have gypsum that can easily be shipped
 - What about sinkholes in the area?
 - Took core samples

The Public hearing was closed at 7:43 P.M.

Future Business:

None

- There will be no work session

J. Burns made a motion to adjourn the meeting, seconded by L. Michaels and unanimously approved. The meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
July 1, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates, Kane Gascon, Robert Hatch and Mike Grasso

Members absent: Laura Michaels

Also present: Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

R. Hatch made a motion to approve the Town of Wheatland Planning Board minutes from 6/3/2025, seconded by K. Gascon and approved as follows:

Joe Burns – aye
Kane Gascon -aye
Mike Grasso -abstain
Laura Michaels -absent
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **GreenSpark Solar**

The noise study was received and forwarded to the Town engineers for their review.

GreenSpark Solar will be submitting their second application next week and the SEQR will be done on both phases.

J. Coates stated that he spoke to the Solar farm on Scottsville Mumford Rd, Generate Capital is now running that project. He expressed concerns about the plantings and the noise and found out that they have a warranty

claim for a lot of their equipment, all of their panels are defective. He will be meeting with Generate Capital in July.

New Business:

➤ 77 Blue Pond Manor

Rich Maier was present to speak for the Applicant, Shane Seaburg. Mr. Seaburg purchased a piece of property which also came with a separate lot, but they had never been officially combined. They would like to combine the two lots and make it more conforming.

The DEC has issued a permit.

The County Comments came back with standard comments.

The public hearing was opened at 7:06 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-1 and 116-22 of the Code of the Town of Wheatland, will hold a Public Hearing on **Tuesday, July 1, 2025** at 7:00 P.M. in the **Wheatland Municipal Building, 22 Main Street, Scottsville, NY** to consider the following:

The application of Rich Maier of Maier Land Surveying as agent for Shane Seaburg to seek approval for a re-subdivision (combination) of 2 lots (Tax Parcels: 198.07-1-11 and 198.07-1-10.2) one parcel being 77 Blue Pond Manor. Parcels are in an AR-2 Zoning District.

All interested parties are asked to attend and be heard or to submit written comment concerning this application. To view the Public Access Files, go to the Town of Wheatland's Meetings & Events Calendar to the date above or use the link below:

https://townofwheatland.sharepoint.com/:f:/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerrUug

Jay D Coates, Chairman
Wheatland Planning Board
Dated: June 10, 2025

The following comments and concerns were made by the public in attendance:

- o **Robert Zingo**, 63 Blue Pond Manor

→ Mr. Zingo stated that he is in favor of this application.

The Public hearing was closed at 7:08 P.M.

J. Coates lead the SEQR review.

R. Hatch made a motion to determine that this action will not result in a significant adverse environmental impact. This was seconded by J. Burns and passed unanimously by the Board.

77 Blue Pond Manor

J. Coates made a motion to declare the alteration of lot line for the 77 Blue Pond Manor re-subdivision (combination) of 2 lots (Tax Parcels: 198.07-1-11 and 198.07-1-10.2 to be an unlisted action under SEQRA 6 NYCRR 617.7 and per section 617.20, after review of SEQRA EAF part two short form determines that there are no significant impacts. Seconded by K. Gascon, and approved as follows

Member	Motion	Second	Aye	Nay	Absent	Recused
Joseph Burns			X			
Kane Gascon		X	X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels				X		
Eric Stein			X			
Jay Coates, Chair	X		X			

Having reviewed the application, SEQRA EAF short form, Monroe County comments and holding a public hearing, J. Coates made a motion to approve the 77 Blue Pond Manor re-subdivision (combination) of 2 lots (Tax Parcels: 198.07-1-11 and 198.07-1-10.2) based on the map by Maier Land Surveying, dated May 21, 2025 Project 25-130. Seconded by J. Burns and approved as follows:

Member	Motion	Second	Aye	Nay	Absent	Recused
Joseph Burns		X	X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels					X	
Eric Stein			X			
Jay Coates, Chair	X		X			

Future Business:

- There will be no work session

J. Burns made a motion to adjourn the meeting, seconded by K. Gascon and unanimously approved. The meeting was adjourned at 7:15 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
September 2, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates, Kane Gascon, Robert Hatch, Mike Grasso, and Laura Michaels

Members absent: Kane Gascon

Also present: Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

R. Hatch made a motion to approve the Town of Wheatland Planning Board minutes from 7/1/2025, seconded by J. Burns and approved as follows:

Joe Burns – aye
Kane Gascon -absent
Mike Grasso -aye
Laura Michaels -abstain
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **GreenSpark Solar-North Wheatland Solar**

**TOWN OF WHEATLAND PLANNING BOARD
SEQRA RESOLUTION - NEGATIVE DECLARATION
NORTH WHEATLAND SOLAR & CS WHEATLAND SOLAR PROJECTS**

At the meeting of the Town of Wheatland Planning Board held on September 2, 2025, Board Member **J. Burns** moved adoption of the following resolution: Board Member **M. Grasso** seconded the motion.

WHEREAS, on or about November 12, 2024, the Town of Wheatland Planning Board (the “Board”) received and is considering an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of North Wheatland Solar LLC (together the “Applicant”) for a ±2.25 megawatt (“MW”) AC solar photovoltaic system (the “North Wheatland Project”) on approximately 22.7 acres of a parcel located at 1210¹ North Road (Tax Map Parcel 186.04-1-19.2) (the “Property”) within the Agricultural Rural (A-2) Zoning District;

WHEREAS, on or about October 1, 2024, the Applicant made an initial presentation to the Board on the Project and Application, received comments from the Board, the Building Inspector, and the public;

WHEREAS, on or about November 19, 2024, the Applicant submitted an application package including the Town’s application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form (“FEAF”), a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment (“ESA”), a wetland delineation report, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan (“SWPPP”), and responses to comments received;

WHEREAS, On or about December 1, 2024, the Applicant presented the Project as set forth in the civil plan set to the Board, received additional comments from the Board on the Project;

WHEREAS, on or about February 7, 2025, the Applicant submitted a supplemental package to the Board responding to the comments received from the Board including an updated narrative of the project describing the phases of the project, a revised FEAF covering both the Project and phase 2 (a solar energy project to be permitted separately), a utility property owner consent for interconnection, landowner consent for the access easement, an updated civil site plan set (depicting both the Project and phase 2), electrical 3-line drawing and equipment specifications; the Project SWPPP including an addendum addressing fire emergency details, proposed decommissioning plan and estimate, proposed operations and maintenance plan, Phase 1 ESA, and line of sight analysis;

WHEREAS, the Applicant then advised the Board that a second large-scale ground mounted solar energy system (±2.375 MW AC) was planned to be developed in the future on lands adjacent to the Project located on Scottville-Chili Road (Tax Map Parcel 186.04-1-11.1) owned by Scott Krenzer but necessary permits and approvals will be applied for separately;

WHEREAS, the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively “SEQRA”) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQRA;

WHEREAS, while the Application only seeks permits and approvals for the Project, to ensure a complete review of the impacts of each project individually and together, the SEQRA review for the Project will consider both projects together as a single Proposed Action;

WHEREAS, on or about February 14, 2025 and February 26, 2025, the Applicant submitted supplemental information consisting of a series of visual simulations depicting views of the Project, both with and without proposed visual screening; and

¹ Note that the Town issued updated addresses for each project site in July 2025 and are listed here.

WHEREAS, on or about March 4, 2025, the Board having reviewed the Application and supplemental submissions provided by the Applicant adopted a resolution declaring the Application (together with the supplemental submissions) complete for review in accordance with Wheatland Code §130-62 W, declaring the Board's intent to be SEQRA Lead agency and referring the Application to the Monroe County Department of Planning and Development pursuant to GML §239-m; and

WHEREAS, on or about March 13, 2025, as directed by the Board, the Applicant sent notices of the Board's commencement of a coordinated review of the Proposed action and its intent to be lead agency for the Project to all potentially involved and interested agencies including Town of Wheatland Planning Board, Town of Wheatland Town Board, NYS Environmental Research and Development Authority, NYS Dept. of Environmental Conservation (Region 8), NYS Dept. of Agriculture and Markets, NYS Dept. of Transportation (Region 4), NYS Office of Parks, Recreation and Historic Preservation, Monroe County Executive's Office, Monroe County Dept. of Planning & Development, Mumford Fire District, Wheatland-Scottsville Fire District, and the Agriculture and Life Science Institute.

WHEREAS, on or about March 27, 2025, the Board's designated engineering consultant, Labella Consulting, submitted a comment letter on the Application and supplemental materials submitted to date;

WHEREAS, on or about April 14, 2025, the Monroe County Dept. Of Planning and Development having received a referral of the Application pursuant to General Municipal Law Section 239-m and Section 130-60 (c) of the Wheatland Town Code provided its determination and comments on the Application to the Board;

WHEREAS, on or about May 2, 2025, the Applicant submitted supplemental materials including an updated FEAF, an updated civil plan set, updated wetlands delineation report addressing the 2025 NYSDEC Freshwater Regulations (6 NYCRR Part 664), a letter responding to the March 27 LaBella Comment letter; a letter dated February 19, 2025 from the NYS Historic Preservation Office ("SHPO") finding that no properties listed on or eligible for listing on the NYS or federal registers of historic places will be impacted, and an iPac finding of NLAA from the US Fish and Wildlife Service; and

WHEREAS, on or about May 6, 2025, the Board adopted a resolution setting a public hearing on the Application and the Proposed Action to be held on June 3, 2025 at 7 pm at the Wheatland Town Offices and directed the Secretary to the Board to cause notice of the public hearing to be published and mailed as required under the Wheatland Town Code; and

WHEREAS on May 9, 2025, the Applicant submitted updated visual simulations for both solar arrays (North Wheatland and the future adjacent solar array) depicting the separate and cumulative visibility of the arrays and the effectiveness of the proposed visual screening to mitigate any visual impacts of the Proposed Action

WHEREAS, on or before May 15, 2025, the Secretary to the Board duly mailed notices of the public hearing in accordance with Section 130-60 B of the Wheatland Town Code, and posted the notice on the Town's Website and in the Town Offices as required to enable such residents to comment on the Project;

WHEREAS, on or about May 22, 2025, the Sentinel, the Official Newspaper of the Town, having received a copy of the notice of the public hearing from the Secretary to the Board, published the notice of public hearing in accordance with Section 130-60 B of the Wheatland Town Code;

WHEREAS, on or about May 16, 2025 the Applicant mailed a notice of the Application and project information to the following farm operations (as defined by NYS Agriculture and Markets Law, Article 25-AA)

identified within 500 feet of the proposed project as the Proposed Action will take place within a certified Agricultural District: Scott Krenzer: 1001 Chili-Scottsville Rd., Scottsville, NY 14546. (Tax Map Parcel No. 186.04-1-1.1), Peter Burns: 1945 Chili-Scottsville Road, Scottsville, NY 14546; (Tax Map Parcel 186.04-1-15), Stokoe 1812 Inc: North Road, Scottsville, NY 14546; (Tax Map Parcel 186.03-1-4);

WHEREAS, on or about May 16, 2025, the NYSDEC, having received a request for a parcel jurisdictional determination from the Applicant and a subsequent letter following the expiration of the ninety (90) day review period, determined that there are "... no DEC regulated freshwater wetlands and/or adjacent areas on the Property";

WHEREAS, on or about June 3, 2025, LaBella Consulting delivered a second set of engineering comments on the Application (including the revised and additional materials submitted on May 2 and May 9, 2025) and advised the Board that the revisions and updates submitted by the Applicant were acceptable;

WHEREAS, on or about June 3, 2025, the Board conducted a duly noticed public hearing on the Project to hear all comments for and against the Project;

WHEREAS, on or about June 27, 2025, the Applicant submitted a noise assessment for the North Wheatland Solar project prepared by Fisher Associates evaluating the noise producing equipment to be installed in accordance with the NYSDEC Guidance for Assessing and Mitigating Noise Impacts DEP-00-1 (2001) and concluding that there would be no significant adverse noise impacts at the property lines as noise levels would be consistent with ambient noise levels in this agricultural/rural setting;

WHEREAS, on or about July 3, 2025, the Board received and is considering an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of CS Wheatland Solar LLC (together "CS Wheatland") for a ± 2.375 MW AC solar photovoltaic system (the "CS Wheatland Project") on approximately 10.81 acres of a ± 43.127 acre parcel located at 1739 Scottsville-Chili Road (Tax Map Parcel 186.04-1-1.1) (the "Krenzer Property") within the Agricultural Rural (A-2) Zoning District;

WHEREAS, together with the above application, the CS Wheatland submitted an package including the Town's application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form ("FEAF") Part 1, a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment ("ESA"), a wetland delineation report, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan ("SWPPP"), and responses to comments received, a utility property owner consent for interconnection, landowner consent for the access easement, electrical 3-line drawing and equipment specifications; proposed decommissioning plan and estimate, proposed operations and maintenance plan, and line of sight analysis;

WHEREAS, on or about July 11, 2025 the Applicant submitted and updated noise assessment and addendum prepared by Fisher Associates to address specific noise related comments raised during the public hearing, evaluated potential noise to be produced by the CS Wheatland Project, and concluded that there would be no significant adverse noise impacts produced by the North Wheatland Project and the CS Wheatland Project individually and cumulatively as the as noise levels at the property lines for each project would be consistent with ambient noise levels in this agricultural/rural setting;

WHEREAS on or about July 17, 2025, the Applicant submitted an updated SWPPP memorandum prepared by Fisher Associates addressing comments received at the public hearing, particularly whether the presence of drainage tile outside the project areas would affect the SWPPP and/or be of concern during a fire emergency, and concluded that such drainage tile would not affect the function of the SWPPP nor cause any issues in a fire emergency;

WHEREAS, on or about July 28, 2025, the NYSDEC, having received a request for a parcel jurisdictional determination from CS Wheatland, concluded that there are “... the project proposes no regulated activities within the boundary of State regulated freshwater wetlands and/or adjacent areas. Therefore, ..., no freshwater wetlands permit is required for the project, as proposed.”

NOW THEREFORE BE IT RESOLVED, by the Planning Board of the Town of Wheatland that:

1. The Board declares it to be SEQRA Lead Agency for the Proposed Action which includes both North Wheatland Solar Project and the CS Wheatland Solar project; and,
2. The Proposed Action is a Type I action under SEQRA; and
3. The Board considered the Environmental Record prepared for the Proposed Action, a copy of which is attached hereto as Exhibit A, including any comments received from the public and other agencies, and caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above and finds that the Proposed Action will minimize the visual impact of the Proposed Action due to the use of substantial landscaping plantings along the perimeter and access road, by inclusion of significant open space which shall remain so that view points along North Road and Scottsville-Chili Road will be a substantial distance to the arrays, and help preserve the character of the area, therefore will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared.
4. The negative declaration, attached hereto as Exhibit B and incorporated herein by reference, is issued and adopted for the reasons stated in the attached negative declaration.
5. The Planning Board Chairperson is hereby authorized and directed to issue, on behalf of the Planning Board, the Negative Declaration in the Part 3 of the Environmental Assessment Form.
6. The Planning Board Chairman is authorized to file, distribute and publish notice of this negative declaration with involved and interested agencies and in the Environmental Notice Bulletin and generally in accordance with 6 NYCRR § 617.12.
7. This resolution shall take effect immediately.

PASSED AND ADOPTED this ____ day of September 2025 by the Planning Board of the Town of Wheatland. The noise study was received and forwarded to the Town engineers for their review.

ROLL CALL VOTE	AYE	NAY	ABSTAIN	ABSENT
Jay Coates, Chairman	X			
Mike Grasso, Vice Chairman	X			
Joseph Burns	X			
Kane Gascon				X
Robert Hatch			X	
Laura Michaels	X			

NEGATIVE DECLARATION
Determination of Non-Significance

Lead Agency: **Town of Wheatland Planning Board**

Date: **September 2, 2025**

This notice is issued pursuant to 6 NYCRR Part 617, the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law (collectively “SEQRA”).

The Town of Wheatland Planning Board (the “Board”), as lead agency, has reviewed the proposed action and determined that it will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: North Wheatland Solar LLC Solar Energy Project and CS Wheatland Solar Energy Project

Location of Project Site²: **North Wheatland:** 1210 North Road, Town of Wheatland, Monroe County, New York
 CS Wheatland: 1739 Scottsville Chili Road, Town of Wheatland, Monroe County, New York

SEQRA Status: Type I

Description of Action: The project sponsor proposes to construct, operate, and decommission a ±2.25 megawatt (“MW”) AC solar photovoltaic system (the “North Wheatland Project”) on approximately 22.7 acres of a parcel located at 1210 North Road (Tax Map Parcel 186.04-1-19.2) owned by Good Living Properties LLC (the “ Good Living Property”) within the Agricultural Rural (A-2) Zoning District including access, interconnection to the electrical grid and related site improvements and landscaping planting sand other visual mitigation measures. In addition, the project sponsor proposes a related ±2.375 MW AC solar photovoltaic system (the “CS Wheatland Project”) on approximately 10.81 acres of a parcel located at 1739 Scottsville-Chili Road (Tax Map Parcel 186.04-1-1.1) owned by Scott Krenzer within the Agricultural Rural (A-2) Zoning District (the “Krenzer Property”) to be developed on the adjacent to the North Wheatland Project. While the North Wheatland Project and the CS Wheatland Project each seek permits and approvals separately under the Wheatland Town Code, to ensure a complete review of the impacts of each project individually and together, the SEQRA has considered both projects together as a single Proposed Action.

Reasons Supporting this Determination:

The Board conducted a review of the Environmental Record for the Proposed Action, a copy of which is attached to this Negative Declaration as **Exhibit A**, analyzed the Application and Environmental Record and compared the information contained therein with the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated in the discussion of

² Note that the Town issued updated addresses for each project site in July 2025 and are listed here.

each criterion specified in 6 NYCRR § 617.7(c)(1) below, the Board determined that the Proposed Action will not create any significant adverse environmental impact relative to these criteria individually or cumulatively. As a result, the Board hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and a Draft Environmental Impact Statement will not be prepared.

Analysis of Criteria in 6 NYCRR §617.7(c) for Determining Significance:

As required by §617.7(c), the Board compared the impacts reasonably expected to result from the Proposed Action to the criteria listed in 617.7(c)(1) as indicators of significant adverse impacts. Each of these criteria are addressed below:

(i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;

a. Traffic Impacts

The Proposed Action will not have a significant adverse impact upon traffic or transportation. This action involves short-term impacts from traffic during the construction and decommissioning periods and testimony adduced during review established that traffic during operational period is insignificant. All such traffic will utilize the existing road network, and both projects will utilize a single access road from Scottsville-Chili Road.

b. Noise Impacts

The Board identified a potential adverse impact from noise produced by inverters, transformers and the tracker motors used to reposition the solar panels. These impacts were evaluated in the Noise Assessment prepared by Fisher Associates dated June 27, 2025 and updated July 17, 2025 submitted by the Applicant (“Noise Assessment”) is in the Environmental Record and was reviewed by the Board and the Town’s engineering consultant. The Noise Assessment utilized the NYSDEC Guidance for Assessing and Mitigating Noise Impacts DEP-00-1 (2001) and provided an evaluation of the noise producing equipment to be installed. The Noise Assessment determined that the noise levels to be produced at the property lines would be consistent with the ambient noise levels in rural farmland areas. As residents expressed concerns about noise produced by the tracker motors which reposition the solar panels, the Applicant testified that the tracker motors run only for short periods as the panels only move a few inches at a time as they follow the sun. The Noise Assessment further assessed the tracker motor noise based upon the specifications provided and determined that that motor noise would be imperceptible at a distance of five at a distance of (5) feet from the motors and was therefore essentially inaudible. In addition, the motors do not operate at night when ambient conditions are quietest. Based on the above, the Board determined noise levels at the property lines would be consistent with ambient noise levels in this agricultural/rural setting and therefore there would be no significant adverse noise impacts from the Proposed Action.

The Proposed Action will produce temporary, short-term impacts from noise produced by vehicles and construction activities over a period of several weeks within the six (6) to (9) month construction and decommissioning periods.

c. Air Quality Impacts

The Proposed Action will not create any significant adverse impact to air quality, the only impacts will be short-term, temporary and reversible disturbances only occurring during construction and decommissioning. The Proposed Action will not produce any air pollutants or other emissions to the air during operation.

d. Wetland Impacts

There are no wetlands impacts from the Proposed Action. The Environmental Record includes a wetlands delineation for each project and demonstrates there will be no state or federal jurisdictional wetlands affected by the Proposed Action. The Board takes notice that, on or about May 16, 2025, the NYSDEC issued a determination that the parcel for the North Wheatland Project did not contain any NYS Freshwater wetlands or adjacent areas. Similarly, on July 28, 2025, the NYSDEC issued a determination that the CS Wheatland Project proposed no regulated activities within any State regulated freshwater wetlands and/or adjacent areas and, therefore no freshwater wetlands permit is required.

e. Erosion and Drainage Impacts

The Proposed Action will comply with all applicable state and federal laws and regulations, including compliance with the Clean Water Act and the requirement to obtain applicable permits for stormwater discharges from construction activities. The Applicant submitted a Stormwater Pollution Prevention Plan ("SWPPP") prepared by Fisher Associates dated February 7, 2025, last revised May 9, 2025, an addendum thereto dated July 17, 2025 addressing mitigation of the risk of contaminants in the event of firefighting activities on-site, the effect of the presence of drainage tile on the SWPPP and/or during a fire emergency and confirming the application of the SWPPP to the CS Wheatland Project. These materials were reviewed and approved by the Board and Town's engineering consultants. The Proposed Action will comply with the approved SWPPP and not produce any adverse erosion and drainage impacts.

f. Solid Waste Production

The Proposed Action will not increase solid waste production. The decommissioned system and construction waste will be disposed of in accordance with applicable State regulations at appropriately licensed facilities.

(ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;

The site for both projects is currently an agricultural property. The loss of agricultural property, however, will not be permanent as site restoration (backed by a decommissioning agreement, plan and bond) will occur. The loss the acreage used for the Proposed Action compared to the volume and quality of Town and region's agricultural resources is minimal. There will be no interference with the movement of any resident or migratory fish or wildlife species. The property is not a significant habitat area and, as shown in the iPac screening submitted, there will be no substantial adverse impacts on any threatened or endangered species of animal or plant, or the habitat of such a species, nor other significant adverse impacts to natural resources.

(iii) the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;

As demonstrated in the revised Full EAF for the Proposed Action, there are no Critical Environmental Areas within the Good Living Property and Krenzer Property. As a result, the Board determines there will be no adverse environmental impacts to any Critical Environmental Areas.

(iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

The Proposed Action is consistent with the Town's current plans and goals, which specifically authorizes solar projects in the zoning district where the Proposed Action is located and meets the requirements of the Wheatland Code regulations for solar energy systems set forth in §130-62 W. The Board notes that the substantial landscaping plantings along the perimeter of the solar arrays relative to North Road and Scottsville-Chili Road, and along the proposed access road substantially eliminates views of the Proposed Action to the maximum extent practicable and represents a significant degree of conformity with the Town's zoning laws regulating solar energy projects. The Board further notes that the solar energy project originally planned for the Good Living Property was downsized to allow for substantial Open Space to remain as required by the Wheatland zoning laws. Similarly, the CS Wheatland Project was reduced in size to comply with the Town's zoning law requirements for Open Space. As a result, the Board determines that the Proposed Action represents a significant degree of conformity with the Town's zoning laws regulating solar energy projects.

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

The Proposed Action includes a substantial mix of mitigation measures intended to avoid and/or minimize visual impacts to the maximum extent practicable. The Board reviewed a line of site analysis, a series of revised and updated photographic visual simulations and renderings for the North Wheatland Project and the CS Wheatland Project containing views depicting representative individual and cumulative views from viewpoints along North Road, Scottsville-Chili Road, and near the access driveway to be constructed of (i) existing conditions, (ii) each project at installation, (iii) at installation of the proposed mitigation, (iv) after 5 years and 10 years of growth of the proposed mitigation. The Board notes that these substantial landscaping plantings along the perimeter of the solar arrays relative to North Road and Scottsville-Chili Road, and the distances of the arrays from the nearest residences and roadways will substantially eliminate and/or minimize views of the Proposed Action to the maximum extent practicable. The resulting open space provided provides visual buffering as views are more distant and the open acreage helps preserve the rural character of the area. The approved vegetative screening, landscaping and other mitigation measures must be maintained through the life of the Proposed Action. As will be confirmed in the final Operation and Maintenance ("O&M") Plan, the obligation to replace dead or damaged plantings shall be confirmed in the O&M Plan as well as any necessary inspections, conditions requiring additional maintenance or replacement and the time frames for such remedial action to occur.

Additionally, having received the Application for the North Wheatland Project and the CS Wheatland Project separately, the NYS Office of Parks, Recreation, and Historic Preservation ("SHPO") determined that no archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places would be adversely impacted by the North Wheatland Project (see SHPO No Effect Letter dated February 19, 2025 in Environmental Record). For the CS Wheatland Project, SHPO reviewed the Project Site and nearby properties, including the adjacent property at 1001 Scottsville-Chili Road, which is eligible for listing on State and National Registers of Historic Places, and offered no substantive comments on potential impacts to the identified property (see SHPO Letter with No Substantive Comment dated September 13, 2024 in the Environmental Record). The Board notes that the residence identified by SHPO at 10001 Scottsville-Chili Road is the home of Scott Krenzer, the Property Owner for the CS Wheatland Project and, based on the Board's knowledge of the area and the visual analyses provided, that there will be no views of the Proposed Action from this property.

Finally, the Proposed Action is located in a zone designated by the Town Code as appropriate for solar and, in light of the substantial landscaping, existing vegetative screening, topography and open space, the Proposed Action will not negatively impact neighborhood character, and based on the above findings will not negatively impact the character or quality of important historical, archeological, architectural, or aesthetic resources.

(vi) a major change in the use of either the quantity or type of energy;

There will be no negative impacts to energy as a result of the Proposed Action and, once constructed, the Proposed Action will generate electricity and create a positive impact due to the injection of renewable energy to the electrical grid.

(vii) the creation of a hazard to human health;

There will be no such impacts as a result of the Proposed Action. The Board notes that, according to the testimony provided by the Applicant and the material specifications provided by the Applicant and reviewed by the Town's Engineering consultant, the solar panels are comprised of silicon, copper wires and glass, contain no liquids and do not emit any pollutants to the air, ground or water. None of the materials installed into the soils emit any pollutants nor cause any contamination of groundwater sources. The approved SWPPP is part of the Environmental Record, was evaluated by the Board and the Town's Engineering consultant and will ensure that no impacts to surface or groundwater resources occur. During decommissioning, a new SWPPP will be provided to ensure that no impacts to surface or groundwater supplies occurs.

(viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;

The Proposed Action will result in the placement of a solar energy facility in a field currently used for limited agricultural purposes. As the Proposed Action is located in an Agricultural District, a Notice of Intent has been submitted for each project to the NYS Dept. of Agriculture and Markets ("NYSDAM") and both will comply with the guidelines for solar projects in agricultural areas and the land will be returned to its current condition after decommissioning allowing agricultural use to resume. The Board notes that the open space preserved as part of the Proposed Action plays a role in the mitigation of views of the Proposed Action and preservation of the rural character of the area. As a result, the Proposed Action does not represent a substantial change in the use or intensity of use of land from those allowed under the Town's current zoning law.

(ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;

There will be no impacts from the Proposed Action as it will not attract large numbers of people. The Proposed Action is located on Private lands and is approximately 400 feet from the nearest road. The solar facility will be enclosed with an eight (8) foot tall fence and will be locked to deter unauthorized entrance.

(x) the creation of a material demand for other actions that would result in one of the above consequences;

There will be no impacts from the Proposed Action creating a material demand for other actions.

(xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or

There will be no impacts from the Proposed Action which creates changes in two or more elements above that, taken together, would result in a significant adverse environmental impact.

(xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

As set forth above, due to the proximity of the North Wheatland Project and the CS Wheatland Project, the Board evaluated the potential impacts of both projects individually and together to ensure all potential environmental impacts were identified, reviewed and mitigated. There will be no significant adverse cumulative impacts resulting from the Proposed Action.

Based on the foregoing, in accordance with 6 NYCRR §617.7, the Board hereby determines that the Proposed Action will not have a significant impact on the environment and that:

- A. As required by §617.7(a)(2), the Board has determined that an environmental impact statement is not required because any identified adverse impacts on the environment will not be significant.
- B. As required by §617.7(b), the Board:
 - 1. Considered the Proposed Action (as defined in subdivisions 617.2(b) and 617.3(g).)
 - 2. Reviewed the attached Environmental Record including without limitation all revised site plans, revised Full EAF and all documentation required under the Wheatland Town Code and supplemental submissions responding to comments from the Board, town engineers and the public on the Proposed Action, the criteria identified in 617.7(c) and other supporting information to identify relevant potential areas of environmental concern.
 - 3. Thoroughly analyzed the identified relevant areas of environmental concern to determine whether the Proposed Action will have a significant adverse impact.
 - 4. Set forth herein a reasoned elaboration of the Board's determination that the Proposed Action will not cause any significant adverse environmental impacts and refers to all supporting documentation.

For Further Information:

Contact Person: Jay Coates
Planning Board Chairman

Address: Wheatland Municipal Building
22 Main Street
Scottsville, NY 14546

Telephone Number: (585) 889-1553

Email: jdcoates@townofwheatland.org

TOWN OF WHEATLAND PLANNING BOARD

RESOLUTION APPROVING SPECIAL EXCEPTION USE AND SITE PLAN APPROVAL

NORTH WHEATLAND SOLAR 1 LLC

At the meeting of the Town of Wheatland Planning Board held on September 2, 2025 Board Member **M. Grasso** moved adoption of the following resolution; Board Member **J. Burns** seconded the motion.

WHEREAS, the Board, having reviewed all information provided, referred to and reviewed the Record of Submissions, Engineering comments from LaBella Associates PC, the Town's Designated Engineer, referred to and reviewed the County of Monroe's comments and this decision is based upon documents, specifications and information submitted including the documents and information contained on Exhibit A attached hereto:

WHEREAS, on or about November 12, 2024, the Town of Wheatland Planning Board (the "Board") received and is considering an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of North Wheatland Solar LLC (together the "Applicant") for a ± 2.25 megawatt ("MW") AC solar photovoltaic system (the "North Wheatland Project") on approximately 22.7 acres of a parcel located at 1210³ North Road (Tax Map Parcel 186.04-1-19.2) (the "Property") within the Agricultural Rural (A-2) Zoning District;

WHEREAS, on or about October 1, 2024, the Applicant made an initial presentation to the Board on the Project and Application, received comments from the Board, the Building Inspector, and the public;

WHEREAS, on or about November 19, 2024, the Applicant submitted an application package including the Town's application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form ("FEAF"), a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment ("ESA"), a wetland delineation report, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan ("SWPPP"), and responses to comments received;

WHEREAS, On or about December 1, 2024, the Applicant presented the Project as set forth in the civil plan set to the Board, received additional comments from the Board on the Project;

WHEREAS, on or about February 7, 2025, the Applicant submitted a supplemental package to the Board responding to the comments received from the Board including an updated narrative of the project describing the phases of the project, a revised FEAF covering both the Project and phase 2 (a solar energy project to be permitted separately), a utility property owner consent for interconnection, landowner consent for the access easement, an updated civil site plan set (depicting both the Project and phase 2), electrical 3-line drawing and equipment specifications; the Project SWPPP including an addendum addressing fire emergency details, proposed decommissioning plan and estimate, proposed operations and maintenance plan, Phase 1 ESA, and line of sight analysis;

WHEREAS, the Applicant then advised the Board that a second large-scale ground mounted solar energy system (± 2.375 MW AC) was planned to be developed in the future on lands adjacent to the Project

³ Note that the Town issued updated addresses for each project site in July 2025 and are listed here.

located on Scottville-Chili Road (Tax Map Parcel 186.04-1-11.1) owned by Scott Krenzer but necessary permits and approvals will be applied for separately;

WHEREAS, the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively “SEQRA”) require that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQRA;

WHEREAS, while the Application only seeks permits and approvals for the Project, to ensure a complete review of the impacts of each project individually and together, the SEQRA review for the Project will consider both projects together as a single Proposed Action;

WHEREAS, on or about February 14, 2025 and February 26, 2025, the Applicant submitted supplemental information consisting of a series of visual simulations depicting views of the Project, both with and without proposed visual screening; and

WHEREAS, on or about March 4, 2025, the Board, having reviewed the Application and supplemental submissions provided by the Applicant, adopted a resolution declaring the Application (together with the supplemental submissions) complete for review in accordance with Wheatland Code §130-62 W, declaring the Board’s intent to be SEQRA Lead agency and referring the Application to the Monroe County Department of Planning and Development (“MCPD”) pursuant to GML §239-m; and

WHEREAS, on or about March 13, 2025, as directed by the Board, the Applicant sent notices of the Board’s commencement of a coordinated review of the Proposed action and its intent to be lead agency for the Project to all potentially involved and interested agencies including Town of Wheatland Planning Board, Town of Wheatland Town Board, NYS Environmental Research and Development Authority, NYS Dept. of Environmental Conservation (Region 8), NYS Dept. of Agriculture and Markets, NYS Dept. of Transportation (Region 4), NYS Office of Parks, Recreation and Historic Preservation, Monroe County Executive’s Office, Monroe County Dept. of Planning & Development, Mumford Fire District, Wheatland-Scottsville Fire District, and the Agriculture and Life Science Institute.

WHEREAS, on or about March 27, 2025, the Board’s designated engineering consultant, Labella Associates PC, (“LaBella”) submitted a comment letter on the Application and supplemental materials submitted to date;

WHEREAS, on or about April 14, 2025, the MCPD having received a referral of the Application pursuant to General Municipal Law Section 239-m and Section 130-60 (c) of the Wheatland Town Code provided its determination and comments on the Application to the Board;

WHEREAS, on or about May 2, 2025, the Applicant submitted supplemental materials including an updated FEAF, an updated civil plan set, updated wetlands delineation report addressing the 2025 NYSDEC Freshwater Regulations (6 NYCRR Part 664), a letter responding to the March 27 LaBella Comment letter; a letter dated February 19, 2025 from the NYS Historic Preservation Office (“SHPO”) finding that no properties listed on or eligible for listing on the NYS or federal registers of historic places will be impacted, and an iPac finding of NLAA from the US Fish and Wildlife Service; and

WHEREAS, on or about May 6, 2025, the Board adopted a resolution setting a public hearing on the Application and the Proposed Action to be held on June 3, 2025 at 7 pm at the Wheatland Town Offices and directed the Secretary to the Board to cause notice of the public hearing to be published and mailed as required under the Wheatland Town Code; and

WHEREAS on May 9, 2025, the Applicant submitted updated visual simulations for both solar arrays (North Wheatland and the future adjacent solar array) depicting the separate and cumulative visibility of the

arrays and the effectiveness of the proposed visual screening to mitigate any visual impacts of the Proposed Action

WHEREAS, on or before May 15, 2025, the Secretary to the Board duly mailed notices of the public hearing in accordance with Section 130-60 B of the Wheatland Town Code, and posted the notice on the Town's Website and in the Town Offices as required to enable such residents to comment on the Project;

WHEREAS, on or about May 22, 2025, the Sentinel, the Official Newspaper of the Town, having received a copy of the notice of the public hearing from the Secretary to the Board, published the notice of public hearing in accordance with Section 130-60 B of the Wheatland Town Code;

WHEREAS, on or about May 16, 2025 the Applicant mailed a notice of the Application and project information to the following farm operations (as defined by NYS Agriculture and Markets Law, Article 25-AA) identified within 500 feet of the proposed project as the Proposed Action will take place within a certified Agricultural District: Scott Krenzer: 1001 Chili-Scottsville Rd., Scottsville, NY 14546. (Tax Map Parcel No. 186.04-1-1.1), Peter Burns: 1945 Chili-Scottsville Road, Scottsville, NY 14546; (Tax Map Parcel 186.04-1-15), Stokoe 1812 Inc: North Road, Scottsville, NY 14546; (Tax Map Parcel 186.03-1-4);

WHEREAS, on or about May 16, 2025, the NYSDEC, having received a request for a parcel jurisdictional determination from the Applicant and a subsequent letter following the expiration of the ninety (90) day review period, determined that there are "... no DEC regulated freshwater wetlands and/or adjacent areas on the Property";

WHEREAS, on or about June 3, 2025, LaBella delivered a second set of engineering comments on the Application (including the revised and additional materials submitted on May 2 and May 9, 2025) and advised the Board that the revisions and updates submitted by the Applicant were acceptable;

WHEREAS, on or about June 3, 2025, the Board conducted a duly noticed public hearing on the Project to hear all comments for and against the Project;

WHEREAS, on or about June 27, 2025, the Applicant submitted a noise assessment for the North Wheatland Solar project prepared by the Applicant's engineers, Fisher Associates, evaluating the noise producing equipment to be installed in accordance with the NYSDEC Guidance for Assessing and Mitigating Noise Impacts DEP-00-1 (2001) and concluding that there would be no significant adverse noise impacts at the property lines as noise levels would be consistent with ambient noise levels in this agricultural/rural setting;

WHEREAS, on or about July 3, 2025, the Board received and is considering a second application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of CS Wheatland Solar LLC (together "CS Wheatland") for a ± 2.375 MW AC solar photovoltaic system (the "CS Wheatland Project") on approximately 10.81 acres of a ± 43.127 acre parcel located at 1739 Scottsville-Chili Road (Tax Map Parcel 186.04-1-1.1) (the "Krenzer Property") within the Agricultural Rural (A-2) Zoning District;

WHEREAS, together with the above application, the CS Wheatland submitted a package including the Town's application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form ("FEAF") Part 1, a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment ("ESA"), a wetland delineation report, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan ("SWPPP"), and responses to comments received, a utility property owner consent for interconnection, landowner consent for the access

easement, electrical 3-line drawing and equipment specifications; proposed decommissioning plan and estimate, proposed operations and maintenance plan, and line of sight analysis;

WHEREAS, on or about July 11, 2025 the Applicant submitted and updated noise assessment and addendum prepared by Fisher Associates to address specific noise related comments raised during the public hearing, evaluated potential noise to be produced by the CS Wheatland Project, and concluded that there would be no significant adverse noise impacts produced by the North Wheatland Project and the CS Wheatland Project individually and cumulatively as the as noise levels at the property lines for each project would be consistent with ambient noise levels in this agricultural/rural setting;

WHEREAS on or about July 17, 2025, the Applicant submitted an updated SWPPP memorandum prepared by Fisher Associates addressing comments received at the public hearing, particularly whether the presence of drainage tile outside the project areas would affect the SWPPP and/or be of concern during a fire emergency, and concluded that such drainage tile would not affect the function of the SWPPP nor cause any issues in a fire emergency;

WHEREAS, on or about July 28, 2025, the NYSDEC, having received a request for a parcel jurisdictional determination from CS Wheatland, concluded that there are "... the project proposes no regulated activities within the boundary of State regulated freshwater wetlands and/or adjacent areas. Therefore, ..., no freshwater wetlands permit is required for the project, as proposed";

WHEREAS, on or about August 25, 2025, LaBella advised the Board that the Noise Assessment and addendum as well as the revisions to the SWPPP prepared by Fisher Associates submitted by the Applicant were reviewed and determined to be acceptable and that there ere no issues preventing the Board from acting on the Application;

WHEREAS, on or about September 2, 2025, prior to this determination, the Board adopted determined that no significant adverse environmental impacts would result from the Project and adopted a resolution issuing a Negative Declaration under SEQRA having reviewed the Environmental Record of Submissions and Parts 1, 2, and 3 of the Full Environmental Assessment Form, together with the recommendation of LaBella.

WHEREAS, the Board, having reviewed all information provided, referred to and reviewed the Environmental Record of Submissions, engineering comments and recommendations from Labella, referred to and reviewed the County of Monroe's comments and bases this decision upon documents, specifications and information submitted including the documents and information contained on Exhibit A attached hereto:

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wheatland Planning Board hereby:

1. **Approves the Application** of North Wheatland Solar LLC for a Special Exception Use and site plan approval for the construction of a solar facilities on the Property, as depicted on the Site Plans referenced in the Record of Submissions attached hereto as Exhibit A hereto;
2. **Approves the Decommissioning Plan and Decommissioning Estimate** for the Project attached hereto as Exhibit B;
3. **Determines that Decommissioning Security** shall be provided by the Applicant in the amount of \$228,347.04 for the Project, the form of which shall be approved by the Attorney for the Town,
4. **GML § 239-m Final Report**, authorizes and directs the submission of a Report of Final Action pursuant to GML § 239-m to the MCPD withing thirty (30) days of this resolution and

5. **Filing.** Directs the Planning Board secretary or Chairman to file this resolution within five (5) days from its adoption,
6. **Effective Immediately.** This resolution shall take effect immediately.

BE IT FURTHER RESOLVED THAT, this approval of this Application is subject to the following conditions:

1. General Conditions.

- a) **Energy Storage.** No energy storage systems shall be allowed as part of the Project.
- b) **Project Signage.** The Project shall have a Mumford Post as shown on the civil plan set (sheet __ of __) or other similar signage to enable emergency response approved by the Code Enforcement and Fire Marshal.
- c) **Decommissioning.** The Applicant and Town shall enter into a Decommissioning Agreement in a form subject to the reasonable approval of the Attorney for the Town incorporating the Decommissioning Plan and Estimate approved herein and form of the final decommissioning security. Compliance with the approved Decommissioning Agreement shall be a condition of this approval.
- d) **PILOT.** Applicant and the Town shall enter into a payment-in-lieu-of-taxes (PILOT) agreement for the Project;
- e) **Binding Resolution.** This resolution, decision and the conditions contained herein shall be binding on the Applicant, and any future owner or operator or their partners, successors or assigns.

2. Conditions to be Satisfied Prior to Issuance of Building Permit(s): That as a condition of this approval, the Applicant shall submit to the Building Inspector prior to the issuance of any building permit(s);

- a) **Operations and Maintenance Plan.** The Applicant or permit holder shall submit an updated and complete Operations and Maintenance Manual (“O&M Manual”) to the Building Inspector and Fire Marshal for their reasonable approval. The O&M Manual shall address, among other things:
 - i) **Contacts:** Proper local and off-site monitoring contacts which shall be updated annually and submitted to the Fire Marshall and Building Inspector no later than January 30 of each year or withing thirty (30) days of any changes to such contacts;
 - ii) **Screening Improvements:** A schedule of inspections following planting of landscaping and vegetative buffers installed for screening purposes to ensure the reasonable survival of the plantings for a period of eighteen (18) months;
 - iii) **Replacement of Plantings:** Upon notice of any dead or damaged plantings or other screening improvements (e.g. fencing) from the Town (“Notice”), Applicant or permit holder shall contact the Building Inspector within ten (10) business days to arrange for an inspection of the plantings or screening improvements within twenty (20) business days from said Notice to determine the scope of work to be performed, the time in which such work shall be completed and, upon completion, a new inspection schedule for a period of eighteen (18) months to ensure the

reasonable survival of the plantings;

- iv) Mowing: The anticipated frequency of mowing and maximum height of grasses inside the fenced area. The Town acknowledges that the use of pollinators will affect mowing frequency and timing to ensure it functions as intended.
- v) Reports: Submission of copies of preparation and submission of maintenance reports required by the O&M Manual to the Building Inspector.
- vi) Compliance: The Project shall be maintained in accordance with the O&M Manual. In the event a deficiency is observed, the Town shall provide notice and opportunity to correct the specified deficiency to the Applicant. Upon receipt, Applicant shall contact the Building Inspector in a reasonable time to determine the scope and timing of work necessary to correct the deficiency. Failure of the Applicant/Owner to complete the required corrective action will be considered a violation of the Operating Permit and Town Code.

b) Emergency Response. Prior to the issuance of a building permit, the Applicant shall provide the Building Inspector, an Emergency Response Plan (“ERP”) addressing the following:

- i) Local Contact: The ERP must include the name and contact information of a qualified emergency contact, able to respond to any emergency on the site within one (1) hour of notice of any incident. If emergency response times exceed one hour the Town may contact a qualified local contractor, the owner/operator will bear all costs of this and hold the Town and contractor harmless for any actions taken.
- ii) Training: The ERP must include a schedule for initial fire training and familiarization for the Wheatland-Scottsville Joint Fire District including a description of the basic process for site-specific fire response, locating electrical shut-off and/or switches and coordination with National Grid. Future training may be provided upon request from the Wheatlands Fire Marshall and/or Scottsville Fire Chief. These measures shall be established in coordination with the Wheatlands Fire Marshall and Scottsville Fire Chief.

iii) Knox-Box: The Project must participate in the Town’s Knox-Box program.

c) Stormwater Plan. A Notice of Intent must be filed with the NYS Dept. of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements in the NYSDEC’s SPDES General Permit for Stormwater Discharges (GP-0-25-001, January 29, 2025) for construction activities disturbing more than one acre of land and a copy of said Notice must be submitted to the Town’s Designated Engineer and Building Inspector.

d) Decommissioning. A copy of the fully executed Decommissioning Agreement and an original Decommissioning Bond shall be delivered to the Building Inspector.

e) Insurance. The Applicant shall certify that they have commercial liability insurance against liability which might result from the construction, operation, and removal of the facility.

3. Conditions to be Satisfied Prior to Issuance of Certificate of Completion:

a) Operating Permit. Pursuant to 19 NYCRR Part 1203, together with the Certificate of Completion, the Town will issue an operating permit for the Project. Fire inspections, reports of operations and events

as detailed in the current O&M Manual as well as required updating and filing of the current O&M Manual are required.

4. **Compliance during Project Operations.** Any material violations of the Special Exception Use, Site Plan and/or any conditions hereof will be considered as a violation of any Operating Permit which may result in cancellation of the Operating Permit after following the procedures applicable to zoning violations under Wheatland Zoning Code.

PASSED AND ADOPTED this 2nd day of September 2025 by the Planning Board of the Town of Wheatland.

ROLL CALL VOTE	AYE	NAY	ABSTAIN	ABSENT
Jay Coates, Chairman	X			
Mike Grasso, Vice Chairman	X			
Joseph Burns	X			
Kane Gascon				X
Robert Hatch			X	
Laura Michaels	X			
Eric Stein	X			

➤ **GreenSpark Solar-CS Wheatland Solar**

This is the second phase of the Solar project. It is zoned AR-2, solar is allowed and permitted as a Special Exemption Use under the Town Code for that zoning area. The Town recently changed the law, this application is not a PILOT, the previous solar project will need a PILOT agreement.

The SEQR was done with the Phase one project, which was approved tonight. The Engineers commented on Phase 2 regarding the tree species. The white pine that was originally proposed has now been changed to Limber pine. The Engineer also mentioned looking into the sound study for more explanation from the Applicant.

Monroe County Comments have been received, with no substantial comments received.

SWIPP storm water plan has been received.

GreenSpark Solar was present to present to the Public.

This project will be on 43 acres of land with 10.8 acres fenced in with the equipment. Approximately 429 homes would be powered with the site.

There will be a green fence around the array with tree plantings.

A riparian buffer, which is 30 feet of native plant species, will create a buffer area to protect the creek.

There will be additional tree plantings along North Road for screening.

The intent for the remaining land would be farming. There will be no tree clearing.

GreenSpark will provide training to First Responders.

J. Coates asked about underground utilities to eliminate some of the poles. GreenSpark stated that it is more economic to do utility poles, there is also an issue with availability of materials.

J. Coates gave the public a chance to ask questions and give comments to GreenSpark about the project.

- 1) The renderings do not show the dead ash trees in the area, how realistic are the renderings?
 - GreenSpark stated that these are digital renderings of the area from drone footage.
- 2) What happens to the Bond if the company closes down.
 - The Town holds the Bond. The bond and the decommissioning agreement get updated every 5 years.
- 3) Where will this energy be sold?
 - GreenSpark stated that it will be sold to National Grid.
- 4) What is your plan for tree care?
 - GreenSpark stated that the first 3 years are the most crucial. They will get on site and water. They will check the growth every 4 months.
- 5) Is a variance needed for this project?
 - J. Coates stated that this is permitted use under the code, and they do not need a variance.
- 6) Where can the community find the Town Code?
 - J. Coates stated that it is on the Town Website.
- 7) Questioning the finding that wetlands are not an issue with the project.
 - DEC has drastically changed the wetlands rules, the DEC has determined that there are no wetlands on this property.
- 8) Questioning the pine trees that will be used for the project since they are native to the Western area of the Country?
- 9) How does this benefit the Town?
 - GreenSpark stated that there will be tax benefit to the Town, School and County.
 - There is also a benefit for lower income households who use National Grid.

The public hearing was opened at 7:49 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Section 130-60.B of the code of the Town of Wheatland, will hold a Public Hearing on ***Tuesday, September 2, 2025***, at 7:00 P.M. in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY to consider the following:

The application of GreenSpark Solar, and CS Solar, LLC, for Site Plan and Special Exception Use approval to allow a large-scale 2.375 MW DC Solar Energy System in an AR-2 Zoning District. This parcel is located off Chili Scottsville Road. Tax Parcel # 186.04-1-1.1.

All interested parties are asked to attend and be heard or to submit written comments concerning this application.

View public access files by using this link or find the link on the Town of Wheatland website calendar under the meeting date:

https://townofwheatland.sharepoint.com/:f:/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerrUug

Jay D Coates, Chairman
Wheatland Planning Board
Dated: June 10, 2025

The following comments and concerns were made by the public in attendance:

- o **Mike Balonek**, 2668 Scottsville Mumford Rd.
 - Asked if J. Coates had visited a well-executed solar establishment....(the rest of the question was indecipherable on the recording).
- o **Gary Savage**, 3687 North Rd.
 - Questioned whether the solar panels would cause a great deal of heat to be released into the area?
 - Questioned whether the solar arrays would cause damage to the soil?
 - Many Municipalities require an escrow for decommissioning of solar farms; would the Town of Wheatland consider this approach?
 - J. Coates stated that it is a question for the Town Board, they make those decisions.
 - Some Municipalities are implementing moratoriums on new solar farms to give them time to determine the environmental impact. Would the Town of Wheatland consider this?
 - J. Coates stated that it is a question for the Town Board, they make those decisions.
 - Can the Organization and the Board guarantee that area homes within 3 miles of the project will not lose 5% of their value in the next three years?
- o **Maureen Leupold**, 3063 Oatka Creek Rd.
 - Questioned whether Caledonia Central School District would benefit from the Solar Project, or just Wheatland Chili?
 - J. Coates stated that just Wheatland Chili since the farm falls in the School district boundaries.

The Public hearing was closed at 7:55 P.M.

Future Business:

- 3602 North Rd Subdivision

R. Hatch made a motion to adjourn the meeting, seconded by E. Stein and unanimously approved. The meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
October 7, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates, Kane Gascon, Robert Hatch, Mike Grasso,
Laura Michaels

Members absent:

Also present: Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

R. Hatch made a motion to approve the Town of Wheatland Planning Board minutes from 9/2/2025, seconded by J. Burns and approved as follows:

Joe Burns – aye
Kane Gascon -aye
Mike Grasso -aye
Laura Michaels -aye
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **GreenSpark Solar-CS Wheatland Solar**

J. Coates stated that he received a letter from Mark Sweeny requesting a 90-day extension.

R. Hatch made a motion to grant a 90-day extension to GreenSpark CS Wheatland Solar, seconded by J. Burns and passed as follows:

Joe Burns – aye
Kane Gascon -aye

Mike Grasso -aye
Laura Michaels -aye
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

J. Coates stated that CS Wheatland is planning to do as much underground as possible.

New Business:

➤ Harkness Subdivision

Daniel J. Holtje, Land Surveyor, was present to speak for the Applicant. He stated that this is a lot line adjustment, the Harkness' are selling off a piece of their property to a neighbor.

The public hearing was opened at 7:15 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-1 and 116-22 of the Code of the Town of Wheatland, will hold a Public Hearing on **Tuesday, October 7, 2025** at 7:00 P.M. in the **Wheatland Municipal Building, Scottsville, NY** to consider the following:

The application of Finger Lakes Land Surveying, P.C., Daniel J. Holtje, L.S., as agent for Cory and Chelsea Harkness to seek approval for a lot-line adjustment subdivision. The property is located at 3602 North Rd, with lands to be purchased and combined with adjacent lands at 3586 North Rd.

The Tax I.D. numbers are 197.01-1-7 and 197.01-1-6, respectively.

All interested parties are asked to attend and be heard or to submit written comments concerning this application.

Public access to view files using link:

https://townofwheatland.sharepoint.com/:f/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerUug

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: September 9, 2025

No One from the Public came forward to speak. **The Public Hearing was closed @ 7:16 P.M.**

J. Coates made a motion to declare the application for the Harkness-Buckley subdivision at 3602 and 3586 North Road to be a Type II action under SEQRA 6 NYCRR 617.5(c)(15) with no need for further review, seconded by M. Grasso, and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso		X	X			
Robert Hatch			X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the subdivision for the Harkness-Buckley subdivision at 3602 and 3586 North Road based on the map by, Finger Lakes Land Surveying, P.C. dated, July 21, 2025. A 0.422 acre portion will be removed from a 4.021-acre existing lot at 3602 North Road tax parcel 197.01-7 reducing it to 3.5 acres. This lot is compliant with AR-2 zoning dimensions. Tax parcel 197.01-6, 3586 North Road is currently a pre-existing non-conforming lot of 0.251 acres, this will increase the lot size to 0.673 acres. The lot will still be pre-existing non-conforming.

This is subject to the following condition: that the 0.422 acres of land subdivided from 3602 North Road tax parcel 197.01-7 be combined with tax parcel 197.01-6, 3586 North Road.

Seconded by M. Grasso and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

➤ Booth Subdivision

Jeffrey A. Tiede was present to speak for the Applicant. They are creating 3 subdivision lots in the back of the Booth property. AR-183, AR-184, and AR185. The two back lots will be sold to adjacent owners, easements have been created for both properties.

County comments have been received, with nothing to note.

Engineer comments have been received.

The public hearing was opened at 7:20 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-1 and 116-22 of the Code of the Town of Wheatland, will hold a Public Hearing on **Tuesday, October 7, 2025** at 7:00 P.M. in the **Wheatland Municipal Building, Scottsville, NY** to consider the following:

***The application of Jeffrey A. Tiede as agent for JoanRae Booth to seek approval for a (3) lot subdivision. The property is located at Booth Lane, off Wheatland Center Rd., 14546
The Tax I.D. number is 209.02-1-36.1.***

All interested parties are asked to attend and be heard or to submit written comment concerning this application. Public access to view files using link:

https://townofwheatland.sharepoint.com/:f:/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerrUug

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: September 9, 2025

The following comments and concerns were made by the public in attendance:

- o **Delores Kingsbury**, 489 Stewert Rd.
 - Questioned whether this would be a building lot?
 - It was stated that this is a wetlands area and so building would not be possible.

The Public Hearing was closed @ 7:22 P.M.

J. Coates made a motion to declare the application for the Booth subdivision to be a Type II action under SEQR 6 NYCRR 617.5(c)(15) with no need for further review, seconded by R. Hatch, and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch		X	X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the Booth subdivision of a 54-acre parcel 209.02-1-36.1 into three (3) parcels; 15.984 acres, 34.638 acres and 3.385 acres. As shown on the subdivision map by Jeffery A. Tiede, dated July 26, 2025.

Subject to the following conditions:

1. Easements shall be filed and all parcels shall have access to a roadway, and
2. The Wheatland Mine Subsidence Notice shall be placed on the filed subdivision map.
3. Add “Not approved for building” on all 3 lots.

Seconded by J. Burns and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns		X	X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

➤ **McGinnis Rd. Subdivision and Site Plan**

Robert Fitzgerald was present to speak for the Applicant. The original lot is 200 acres; the Applicant is planning to build a house on Lot 1. The house will have a septic system and a walk-out basement. J. Coates stated that they need wetland determination from DEC before they can continue. He stated that the Board can approve the project with this as a condition.

The public hearing was opened at 7:36 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-1, 116-22 and 130-22 of the Code of the Town of Wheatland, will hold a Public Hearing on **Tuesday, October 7, 2025** at 7:00 P.M. in the **Wheatland Municipal Building, Scottsville, NY** to consider the following:

The application of Robert Fitzgerald, P.E., as agent for SMAKK, LLC to seek approval for a (2) lot subdivision and single-family site plan. The property is located on West side of McGinnis Rd., roughly 3300' north of Scottsville-Mumford Rd. The Tax I.D. number is 197.04-1-14.

All interested parties are asked to attend and be heard or to submit written comment concerning this application. Public access to view files using link:

https://townofwheatland.sharepoint.com/:f:/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFI1FxerrUug

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: September 9, 2025

The Public Hearing was closed @ 7:37 P.M.

J. Coates made a motion to declare the application for the McGinnis Spencer subdivision on McGinnis Road to be a Type II action under SEQR 6 NYCRR 617.5(c)(15) and preliminary and final site plan approvals for a single-family dwelling under SEQR 6 NYCRR 617.5(c) (11), with no need for further review, seconded by I. Michels, and approved as follows

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns			X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels		X	X			
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the subdivision for the McGinnis Spencer subdivision on McGinnis Road, preliminary and final site plan approvals for a single-family dwelling based on the map by Fitzgerald Engineering, dated June 2, 2025, Project number 25-0020. With the following conditions:

1. Before a building permit is issued that the applicant gets a wetland determination from the New York State Department of Environmental Conservation.

2. Map prepared making all the changes that were addressed in the 9/25/2025 LaBella letter.

Seconded by J. Burns and approved as follows:

Member	Motion	Second	Aye	Nay	Abstain	Recused
Joseph Burns		X	X			
Kane Gascon			X			
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

Future Business:

- None
- There will not be a workshop this month

R. Hatch made a motion to adjourn the meeting, seconded by E. Stein and unanimously approved. The meeting was adjourned at 7:40 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
November 5, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates, Robert Hatch, Mike Grasso,

Members absent: Laura Michaels, Kane Gascon

Also present: John Crowley, Building Inspector
Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board meeting to order at 7:00 P.M.

R. Hatch made a motion to approve the Town of Wheatland Planning Board minutes from 10/7/2025, seconded by J. Burns and approved as follows:

Joe Burns – aye
Kane Gascon -absent
Mike Grasso -aye
Laura Michaels -absent
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

Old Business:

➤ **GreenSpark Solar-CS Wheatland Solar**

J. Coates stated that he received a letter from Mark Sweeny requesting a 90-day extension.

R. Hatch made a motion to grant a 90-day extension to GreenSpark CS Wheatland Solar, seconded by J. Burns and passed as follows:

Joe Burns – aye
Kane Gascon -aye
Mike Grasso -aye
Laura Michaels -aye
Robert Hatch - aye
Eric Stein -aye
Jay Coates -aye

J. Coates stated that CS Wheatland is planning to do as much underground as possible.

New Business:

➤ DeAngelis Subdivision

The application of Angelo DeAngelis to seek approval for a (3) lot subdivision. The property is located at 8990 Union St., Scottsville, 14546. The Tax I.D. number is 186-03-1-10.1.

The public hearing was opened at 7:08 P.M. by reading the following Public Hearing Notice:

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-1 and 116-22 of the Code of the Town of Wheatland, will hold a Public Hearing on **Wednesday, November 5, 2025**, at 7:00 P.M. in the **Wheatland Municipal Building, Scottsville, NY** to consider the following:

The application of Angelo DeAngelis to seek approval for a (3) lot subdivision. The property is located at 8990 Union St., Scottsville, 14546. The Tax I.D. number is 186-03-1-10.1.

All interested parties are asked to attend and be heard or to submit written comments concerning this application.

To view the Public Access Files, contact our office at (585) 889-1553 ext. 107 to make an appointment or go to the Town of Wheatland's Meetings & Events Calendar to the date above which will bring you the link below:

https://townofwheatland.sharepoint.com/:f/s/WheatlandPublicAccess/EjV1qV9gVSRKicp_WiKWTUEBPn0cwWXRKELFIIFxerrUug

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: October 14, 2025

The following comments and concerns were made by the public in attendance:

- **Steven Luce**, 9052 Union Street.
 - Questioned where houses will be built?
 - J. Coates stated that it is a subdivision, and there is no plan to build.
 - Will all lots have 200 Ft of frontage?
 - J. Coates answered “Yes” to the question

The Public Hearing was closed @ 7:10 P.M.

J. Coates made a motion to declare the application for the DeAngelis subdivision and lot line adjustment at 8990 Union Street and other parcels owned by Angelo DeAngelis to be a Type II action under SEQR 6 NYCRR 617.5(c)(15) with no need for further review, seconded by J. Burns, and approved as follows

	Motion	Second	Aye	Nay	Absent	Recused
Member						
Joseph Burns		X	X			
Kane Gascon					X	
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels					X	
Eric Stein			X			
Jay Coates, Chair	X		X			

J. Coates made a motion to approve the DeAngelis subdivision and lot line adjustment at 8990 Union Street and other parcels based on the map by Schultz Associates, dated September 2, 2025, Project Number 24.291. The existing parcels at 8990 Union Street are a 150.46 acre parcel number 186.03-1-10.1 that has a house and commercial building on it and a 13.05 acre lot parcel 186.03-1-8. These parcels will be subdivided and the lot line adjusted into three lots. Lot 1 will be a 28.475 parcel that will include the existing house and commercial building as required by a previous special exception use approval. Lot 2 will be a 7.041-acre lot and Lot 3 will be the remaining lands totaling 127.76 acres. Seconded by J. Burns and approved as follows:

	Motion	Second	Aye	Nay	Absent	Recused
Member						
Joseph Burns		X	X			
Kane Gascon					X	
Mike Grasso			X			
Robert Hatch			X			
Laura Michaels					X	
Eric Stein			X			
Jay Coates, Chair	X		X			

Future Business:

- None
- There will be a workshop this month on November 18th.

J. Burns made a motion to adjourn the meeting at 7:40 P.M., seconded by R. Hatch and unanimously approved.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
November 18, 2025**

Members present: Joe Burns, Eric Stein, Jay Coates, Robert Hatch, Mike Grasso,
Laura Michaels-arrived late

Members absent: Kane Gascon

Also present: John Crowley, Building Inspector
Ed Shero, Town Board Liaison

Chairman Coates called the Town of Wheatland Planning Board Work Session meeting to order at 7:00 P.M.

Old Business:

➤ **GreenSpark Solar-CS Wheatland Solar**

J. Coates mentioned that the Board has received a close-out letter from LaBella stating that all their comments have been answered.

**TOWN OF WHEATLAND PLANNING BOARD
RESOLUTION APPROVING SPECIAL EXCEPTION USE AND
SITE PLAN APPROVAL
CS WHEATLAND SOLAR LLC**

At the meeting of the Town of Wheatland Planning Board held on November 18, 2025, Board Member J. Coates moved adoption of the following resolution: Board Member R. Hatch seconded the motion.

WHEREAS, on or about July 3, 2025, the Town of Wheatland Planning Board (the “Board”) received an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of CS Wheatland Solar LLC (together the “Applicant”) for a ±2.375 megawatt (“MW”) AC solar photovoltaic system (the “CS Wheatland Project”) on ±10.81 acres of a ±43.1 acre parcel located at 1739¹ Scottsville-Chili Road (Tax Map Parcel 186.04-1-1.1) (the “Property”) within the Agricultural Rural (A-2) Zoning District;

WHEREAS, on or about July 3, 2025, the Applicant submitted an application package to address the requirements of the Town Code §130-62 W (1)(b) including the Town’s application form, a landowner authorization form, civil site plan set, a Full Environmental Assessment Form (“FEAF”) Part 1, equipment specifications for the solar panels, mounting systems and inverters, a proposed Operations and Maintenance Plan, proposed Decommissioning Plan and Estimate, a Phase 1 Environmental Site Assessment (“ESA”), a wetland and watercourse delineation report prepared by Fisher Associates, visual simulations and line of sight analysis, a proposed stormwater pollution prevention plan (“SWPPP”), Utility Property Owner Consent form and responses to comments received;

WHEREAS, the Board, after reviewing the submissions from the Applicant, found the Application complete for review in accordance with Wheatland Code §130-62 W, and referred the Application to the Monroe County Department of Planning and Development (“MCPD”) pursuant to GML §239-m; and

WHEREAS, on or about August 28, 2025, the MCPD having received the referral of the Application pursuant to General Municipal Law Section 239-m and Town Code § 130-60 (c) provided its determination and comments on the Application to the Board;

WHEREAS, the Board called for a public hearing on the Application and CS Wheatland Project to be held on September 2, 2025, at 7 pm at the Wheatland Town Offices, 22 MainStreet, Scottsville, New York;

WHEREAS, on or about July 3, 2025 the Applicant emailed and hand delivered a notice of the Application and civil plan set and other project information to the following farm operations (as defined by NYS Agriculture and Markets Law, Article 25-AA) identified within 500 feet of the proposed project as the Proposed Action will take place within a certified Agricultural District: Good Living Properties, LLC (Bob Hewitt): 1210 North Road, Scottsville, NY 14546 (Tax Map Parcel No. 186.04-1-19.24), Peter Burns: 1945 Chili-Scottsville Road, Scottsville, NY 14546; (Tax Map Parcel 186.04-1-15), Stokoe 1812 Inc: North Road, Scottsville, NY 14546; (Tax Map Parcel 186.03-1-4);

WHEREAS, on or before August 20, 2025, the Secretary to the Board duly mailed notices of the public hearing in accordance with Section 130-60 B of the Wheatland Town Code, and posted the notice on the Town’s Website and in the Town Offices as required to enable such residents to comment on the Project;

WHEREAS, on or about August 21, 2025, the Sentinel, the Official Newspaper of the Town, having received a copy of the notice of the public hearing from the Secretary to the Board, published the notice of public hearing in accordance with Section 130-60 B of the Wheatland Town Code;

WHEREAS, on or about September 2, 2025, the Board conducted a duly noticed public hearing under the

¹ Note that the Town issued updated addresses for each project site in July 2025 and are listed here.

Wheatland Town Code §130-60 (B) on the Project, directed the Applicant to present the CS Wheatland Project as set forth in the civil plan set to the Board and the public, heard all comments for and against the CS Wheatland Project from the public and received additional comments from the Board on the Project;

WHEREAS, under the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively “SEQRA”) which requires that no agency shall carry out, fund or approve an action until it has complied with the requirements of SEQRA;

WHEREAS, the Board, as SEQRA Lead Agency, previously undertook a coordinated environmental review of both the North Wheatland project to be developed on adjacent lands and the CS Wheatland Project as a single Proposed Action at multiple planning board meetings to ensure a complete review of the potential environmental impacts of each project individually and together;

WHEREAS, on or about September 2, 2025, the Board having reviewed the Environmental Record of Submissions and Parts 1, 2, and 3 of the Full Environmental Assessment Form, together with the recommendation of Labella Associates PC, (“LaBella”), determined that no significant adverse environmental impacts would result from the Proposed Action (i.e., the North Wheatland Solar project and CS Wheatland Project) and adopted a resolution, issuing a Negative Declaration under SEQRA, all of which are incorporated herein by reference, a copy of the Negative Declaration Resolution is attached hereto as Exhibit A.

WHEREAS, on or about September 2, 2025, the Board’s designated engineering consultant, LaBella submitted a comment letter on the Application and supporting materials submitted to date;

WHEREAS, on or about October 3, 2025, the Applicant submitted a response to the Labella comment letter with supplemental materials including, an updated civil plan set, a copy of the Negative Project Jurisdictional Determination issued by the NYS Dept. of Environmental Conservation (“NYSDEC”) per the 2025 NYSDEC Freshwater Regulations (6 NYCRR Part 664) confirming that the Project would not impact any jurisdictional wetlands or adjacent areas, and a letter addressing the comments from the Board, the public and Labella including an updated noise assessment prepared by Fisher Associates, updated equipment specifications for the tracker motors and other noise producing equipment;

WHEREAS, the Board and LaBella, the Town’s engineering consultant, had received and reviewed all of the submissions set forth on the Record of Submissions attached hereto as Exhibit B and determined all of the comments from the Board, the public and in its comment letter had been addressed to its satisfaction.

WHEREAS, the Board, having reviewed all information provided by the Applicant including the documents and information contained in the Record of Submissions attached hereto as Exhibit A, referred to and reviewed its prior Negative Declaration and the Environmental Record of Submissions, the comments and recommendations from Labella, referred to and reviewed the MCPD’s comments and bases this decision upon documents, specifications and information submitted in this proceeding:

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wheatland Planning Board hereby:

1. **Incorporates the Negative Declaration** adopted on September 2, 2025 by reference and relies upon its findings therein that no significant adverse environmental impacts will result from the Proposed Action, a copy of which is attached hereto as Exhibit A;
2. **Approves the Application** of CS Wheatland Solar LLC for a Special Exception Use and Site Plan Approval for the construction of a solar facility on the Property, as depicted on the Site Plans referenced

in the Record of Submissions attached hereto as Exhibit B hereto;

3. **Approves the Decommissioning Plan and Decommissioning Estimate** for the Project attached hereto as Exhibit C;
4. **Determines that Decommissioning Security** shall be provided by the Applicant in the amount of \$206,833.55 for the Project, the form of which shall be approved by the Attorney for the Town,
5. **GML § 239-m Final Report**. authorizes and directs the submission of a Report of Final Action pursuant to GML § 239-m to the MCPD withing thirty (30) days of this resolution and
6. **Filing**. Directs the Planning Board secretary or Chairman to file this resolution within five (5) days from its adoption,
7. **Effective Immediately**. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED THAT, approval of this Application is subject to the following conditions:

1. General Conditions.

- a) **Energy Storage**. No energy storage systems shall be allowed.
- b) **Project Signage**. The CS Wheatland Project shall provide a Mumford Post or other similar signage approved by the Code Enforcement and Fire Marshal to enable emergency response to identify the entrance to the access road.
- c) **Decommissioning**. The Applicant and Town shall enter into a Decommissioning Agreement in a form subject to the reasonable approval of the Attorney for the Town incorporating the Decommissioning Plan and Estimate approved herein and form of the final decommissioning security. Compliance with the approved Decommissioning Agreement shall be a condition of this approval.
- d) **PILOT**. Due to the Town of Wheatland's Opt-Out from RPTL §487, the CS Wheatland Project shall not be required or authorized to enter into a payment-in-lieu-of-taxes (PILOT) agreement and the CS Wheatland Project shall pay taxes assessed by the Town Assessor in accordance with applicable law;
- e) **Binding Resolution**. This resolution, decision and the conditions contained herein shall be binding on the Applicant, and any future owner or operator or their partners, successors or assigns.

2. Conditions to be Satisfied Prior to Issuance of Building Permit(s): That as a condition of this approval, the Applicant shall submit to the Building Inspector prior to the issuance of any building permit(s);

- a) **Operations and Maintenance Plan**. The Applicant or permit holder shall submit an updated and complete Operations and Maintenance Manual ("O&M Manual") to the Building Inspector and Fire Marshal for their reasonable approval. The O&M Manual shall address, among other things:
 - i) **Contacts**: Proper local and off-site monitoring contacts which shall be updated annually and submitted to the Fire Marshall and Building Inspector no later than January 30 of each year or withing thirty (30) days of any changes to such contacts;

- ii) Screening Improvements: A schedule of inspections following planting of landscaping and vegetative buffers installed for screening purposes to ensure the reasonable survival of the plantings for a period of eighteen (18) months;
 - iii) Replacement of Plantings: Upon notice of any dead or damaged plantings or other screening improvements (e.g. fencing) from the Town (“Notice”), Applicant or permit holder shall contact the Building Inspector within ten (10) business days to arrange for an inspection of the plantings or screening improvements within twenty (20) business days from said Notice to determine the scope of work to be performed, the time in which such work shall be completed and, upon completion, a new inspection schedule for a period of eighteen (18) months to ensure the reasonable survival of the plantings;
 - iv) Mowing: The anticipated frequency of mowing and maximum height of grasses inside the fenced area. The Town acknowledges that the use of pollinators will affect mowing frequency and timing to ensure it functions as intended.
 - v) Reports: Submission of copies of preparation and submission of maintenance reports required by the O&M Manual to the Building Inspector.
 - vi) Compliance: The Project shall be maintained in accordance with the O&M Manual. In the event a deficiency is observed, the Town shall provide a notice and opportunity to correct the specified deficiency to the Applicant. Upon receipt, Applicant shall contact the Building Inspector in a reasonable time to determine the scope and timing of work necessary to correct the deficiency. Failure of the Applicant/Owner to complete the required corrective action will be considered a violation of the Operating Permit and Town Code.
- b) Emergency Response. Prior to the issuance of a building permit, the Applicant shall provide the Building Inspector, an Emergency Response Plan (“ERP”) addressing the following:
- i) Local Contact: The ERP must include the name and contact information of a qualified emergency contact, able to respond to any emergency on the site within one (1) hour of notice of any incident. If emergency response times exceed one hour the Town may contact a qualified local contractor, the owner/operator will bear all costs of this and hold the Town and contractor harmless for any actions taken.
 - ii) Training: The ERP must include a schedule for initial fire training and familiarization for the Wheatland-Scottsville Joint Fire District including a description of the basic process for site-specific fire response, locating electrical shut-off and/or switches and coordination with National Grid. Future training may be provided upon request from the Wheatlands Fire Marshall and/or Scottsville Fire Chief. These measures shall be established in coordination with the Wheatlands Fire Marshall and Scottsville Fire Chief.
 - iii) Knox-Box: The Project must participate in the Town’s Knox-Box program.
- c) Stormwater Plan. A Notice of Intent must be filed with the NYS Dept. of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements in the NYSDEC’s SPDES General Permit for Stormwater Discharges (GP-0-25-001, January 29, 2025) for construction activities disturbing more than one acre of land and a copy of said Notice must be submitted to the Town’s Designated Engineer and Building Inspector.

d) Decommissioning. A copy of the fully executed Decommissioning Agreement and an original Decommissioning Bond shall be delivered to the Building Inspector.

e) Insurance. The Applicant shall certify that they have commercial liability insurance against liability which might result from the construction, operation, and removal of the facility.

3. **Conditions to be Satisfied Prior to Issuance of Certificate of Completion:**

a) Operating Permit. Pursuant to 19 NYCRR Part 1203, together with the Certificate of Completion, the Town will issue an operating permit for the Project. Fire inspections, reports of operations and events as detailed in the current O&M Manual as well as required updating and filing of the current O&M Manual are required.

4. **Compliance during Project Operations**. Any material violations of the Special Exception Use, Site Plan and/or any conditions hereof will be considered as a violation of any Operating Permit which may result in cancellation of the Operating Permit after following the procedures applicable to zoning violations under Wheatland Zoning Code.

PASSED AND ADOPTED this 18th day of November 2025 by the Planning Board of the Town of Wheatland.

ROLL CALL VOTE

Member	Motion	Second	Aye	Nay	Absent	Recused
Joseph Burns			X			
Kane Gascon					X	
Mike Grasso			X			
Robert Hatch		X	X			
Laura Michaels			X			
Eric Stein			X			
Jay Coates, Chair	X		X			

Document	Version 1: Date Created	Version 1: Date Sent	Version 2: Date Created	Version 2: Date Sent	File link	Notes
Cover Letter / Community Needs Letter	7/1/2025	7/2/2025			1. CS Wheatland Solar Cover Letter_07.01.2025_Signed.pdf	
Appendix H. Krenzer	7/1/2025	7/2/2025			2. Appendix H_CS Wheatland_Krenzer_07.01.2025	
Access Road Easement	7/1/2025	7/2/2025			3. Scott Krenzer_Access Road Easement_07.01.2025	
EAF Part 1 (Full form)	5/2/2025	7/2/2025			4. NW_CS_EAF_FINAL_07.01.2025_Signed.pdf	
Site Plans	7/1/2025	7/2/2025			5. CS Wheatland Prelim Site Plan_07.01.2025	

Electrical Design - Site Plan / 3 line / 1 line	7/1/2025	7/2/2025	<u>6. CS Wheatland 3-line electrical design_07.01.2025</u>
Equipment Specs	7/1/2025	7/2/2025	<u>7. CS_Eqp. Specs_07.01.2025</u>
Wetland Delineation Report/drawing	7/1/2025	7/2/2025	<u>8. CS Wheatland Solar Wetland and Watercoruse Delineation_07.01.2025</u>
Draft SWPPP	7/1/2025	7/2/2025	<u>9. cs_wheatland_solar_swppp_07.01.2025.pdf</u>
Addendum to the SWPPP	7/1/2025	7/2/2025	<u>10. Addendum to SWPPP_07.01.2025</u>
Decommissioning Plan & Estimate	7/1/2025	7/2/2025	<u>11. CS Wheatland Solar GSS Decommissioning Plan .docx (part 1) - signed.pdf</u>
O&M Plan [DRAFT]	7/1/2025	7/2/2025	<u>12. CS Wheatland O&M Plan_07.01.2025.pdf</u>
Phase I ESA	7/1/2025	7/2/2025	<u>13. CS Wheatland Phase 1 ESA_07.01.2025</u>
Line of site analysis	7/1/2025	7/2/2025	<u>14. CS Line of Site_07.01.2025</u>
Visual Study	7/1/2025	7/2/2025	<u>15. NW & CS Viz Sim hard copy_07.01.2025.pdf</u>

Future Business:

- None

L. Michaels made a motion to adjourn the meeting at 7:15 P.M., seconded by R. Hatch and unanimously approved.

Respectfully submitted,

Renee Smith