

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
January 2, 2019**

Members present: Mike Grasso, Tim Steves, Joseph Burns, Debra Stokoe, Jay Coates

Members absent: Donald Woerner, Robert Hatch

Also present: Terry Rech, Building Inspector and Ed Shero, Town Board Liaison, Raymond DiRaddo, Attorney, Dan Brock, Labella Assoc.

Chairman Coates called the Planning Board meeting to order at 7:00 P.M. and asked for any corrections/additions to the minutes from December 4, 2018.

J. Burns made a motion to approve the minutes, as submitted, from December 4, 2018, seconded by D. Stokoe and unanimously approved.

Old Business:

➤ *Wheatland Commons*

No new updates.

➤ *Resubdivision of Lot-4 of Stokoe Farm VI Subdivision, tax parcel 209.04-1-9.14.*

Thomas Booth was present and stated that they have new maps with the combined lots and easements. T. Rech stated that these can be submitted to the engineer. Mr. Booth stated that the Board had requested maps with all of the new and existing lots for Mike Skivington combined, but these cannot be combined until he owns the parcels. The applicant accepts a condition being placed on the approval that would state that the lots need to be combined after they are purchased.

➤ *The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.*

A full application and initial escrow has been received from Helios.

Planning Board member Joseph Burns submitted a formal letter stating that he rents land to Stokoe Farms. He does not rent this particular parcel to Stokoe Farms, but wanted the information that he may have a potential conflict disclosed to the Public. Attorney DiRaddo didn't see this as a conflict, and the rest of the Board agreed. The following is a copy of the letter:

Date: 12/31/2018

Clerk to the Planning Board
Town of Wheatland Planning Board
22 Main Street
Scottsville, New York 14546

Re: Conflict of Interest - Helios Energy Wheatland Solar Project

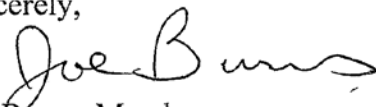
Pursuant to General Municipal Law Article 18, and the attached Code of Ethics of the Town of Wheatland (Article 17 of the Code of the Town of Wheatland), I disclose that I am the owner of land which I rent to the Stokoe family.

Selden Stokoe & Sons. LLC. are the owners of the land contained in the application by Helios Energy Wheatland Solar Project that will come before the Town of Wheatland Planning Board of which I am a member. As such, I hereby disclose such relationship.

The land that is involved in the above application is not part of the land I rent to Selden Stokoe & Sons. LLC.

Copies of this disclosure are being furnished to the clerk of the Planning Board and a copy to the Wheatland Town Clerk, to become part of the minutes of the Town of Wheatland Planning Board.

Sincerely,



Joe Burns, Member
Town of Wheatland Planning Board

CC: Town of Wheatland Town Clerk

D. Stokoe recused herself from this portion of the meeting.

The Planning Board will be Lead Agency on this project.

No County comments have been received at this time.

Joseph Hens from Ingalls and Assoc. and Tom Guzek from Helios, were present to address the Public. They gave a presentation to the Public on the Solar Farm project.

There was discussion between the Board and the Applicant about grading the access road.

J. Coates also stated that a portion of the project is located in the Town's subsidence area. There is a mine underlying the South West corner of the property, they would need to follow the mine subsidence guidelines.

T. Guzek mentioned storage while addressing the Public. J. Coates questioned the Applicant asking if they were thinking about adding storage on this project. T. Guzek stated that at this point they are not looking into storage, but they may be interested 3-5 years in the future. The Applicant recognizes that they would need to come back before the Board for approval. He stated that NYS is encouraging storage for these types of projects.

J. Coates announced to the public in attendance that they could ask questions before the Public Hearing began. The following questions were asked:

- **Fred Plimpton**, 1151 Scottsville Mumford Road.
→ **Question:** What are you going to do about the construction over the mine?

*Applicant stated that they did testing 8-10 feet down and didn't find anything.
J. Coates stated that the engineers will look into this and determine a plan.*

- **Brian Minster**, 720 Scottsville Mumford Road.
→ **Question:** How would you do this as a storage facility? Would the current plans need to change?

Applicant stated that the panels would feed the batteries and they would be located in the Southern portion of the project.

J. Coates stated that the approval will be conditioned on the Applicant not doing being able to use this as a storage facility

→ **Question:** What about drainage issues due to excavating?

The Applicant stated that they have done storm water analysis along the access road.

- **Kip Finley**, 868 Winslow Road.
→ **Question:** Will there be just one variety of tree planted?

Applicant stated that there will be low growing trees planted, they obviously do not want shade.

- **James Manning**, Scottsville Mumford Road.

→ **Question:** what are the details relating to electrical transmission?

Applicant stated that the project is generating at 1500 V DC. They have string inverters placed at the end of each row which takes the energy back to a central point where the switch gear takes it on to the utility grid. The decibel level of the convertors is 65 DV. The Applicant stated that there may be a low hum that can be heard. The transformer will take the 1500 V up to 13.5 KV AC which will then be distributed through the Mumford Road substation. It will then be delivered through the utility grid distribution network.

- **James Lanny Tucker**, 9535 Union Street.

→ **Question:** How loud will the panels be?

Applicant stated that there is data available for noise with solar panels, it can be supplied to the Board.

→ **Question:** What is the plan with the evergreen barrier since the Red Cedar can grow to 60 feet tall?

The trees that are planted will be topped off when they get too tall, they do not want shade around the panels.

- **Valerie Yust**, 9417 Union Street.

Question: Where are some completed projects that Helios has constructed?

Applicant stated that Grand Island has a solar farm that should be completed in April.

→ **Question:** How many acres will be covered by solar panels? How many panels will there be?

16.8 acres will be covered with around 9,000 panels.

- **Maura LaDue**, 9530 Union Street.

→ **Question:** Will there be light fixtures around the fence?

Applicant stated that there will not be any light fixtures.

- **Linda Potter**, 9589 Union Street.

→ **Question:** Where will the construction trucks be entering and exiting?

There will be an entrance off Scottsville Mumford Road for the Construction vehicles.

→ **Question:** How much sun glare will there be?

Applicant stated that they don't want a glare because they lose power that way. The panels are on a single axis tracker and will follow the sun. There is data that can be given to the Board.

- **Judy Plimpton**, 1151 Scottsville Mumford Road

→ **Question:** How long will the construction take?

Applicant stated that Construction should be completed in 90-120 days.

Chairman Coates opened the Public Hearing at 8:03 P.M. by reading the Public Hearing Notice.

LINDA M. DOBSON
Supervisor

LISA WASSON
Councilwoman

EDWARD SHERO
Councilman

GREGORY MULLIN
Councilman

CARL SCHOENTHAL
Councilman



HOWARD HAZELTON
Highway Superintendent

LAURIE B. CZAPRANSKI
Town Clerk

TOWN OFFICE
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NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to Sections 116-22 and 130-60.B of the code of the Town of Wheatland, will hold a Public Hearing on Wednesday, January 2, 2019, at 7:00 P.M. in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY, to consider the following:

1. The application of Helios Energy, LLC, 411 South Old Woodward Ave Birmingham, MI 48009, Tax Parcels #199.03-1-4 and #199.03-1-5, for a Minor Subdivision approval to facilitate application #2 below.
2. The application of Helios Energy, LLC, 411 South Old Woodward Ave Birmingham, MI 48009, Tax Parcels #199.03-1-4 and #199.03-1-5, for a Special Exception Use to allow a large scale Solar Energy System in an AR-2 Zoning District.

Addendum to clarify location:

North west corner of Union and Scottsville Mumford Road, approximately 600' North of Scottsville Mumford Road and 1100' West of Union Road.

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

Jay Coates, Chairman
Town of Wheatland Planning Board
Dated: December 6, 2018

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

- **James Lanny Tucker**, 9535 Union Street
 - In favor of green energy sources.
 - Concerned about home values decreasing
 - Concerned about the horizon, if the trees are not trimmed accordingly
 - Noise level

- **Valerie Yust**, 9417 Union Street.
 - In favor of green energy sources.
 - Concerned about moving forward with a Company that only has 1 project partially completed
 - Who will be paying taxes on this project
 - Would like to see a variety of trees used for screening
 - Like having pollinators planted around the panels
 - Questioned having a plan for decommission
 - J. Coates answered that there is a Town Code requiring that the company needs to have a plan and post a Bond.
 - Would like to see underground electric
 - Doesn't want to see a disruption of the community/farmland

- **Linda Potter**, 9589 Union Street.
 - Concerned about the glare and the noise
 - Glad to see that farming will continue around the site
 - Would like to see more information on construction, noise and traffic

- **Julian Kosinski**, 1300 Scottsville Mumford Road.
 - Concerned about property values
 - Concerned about diverting the deer, there are so many deer already in that area

- **Larry Stokoe**, 9830 Union Street
 - As a farmer he has seen weather changes and feels good about clean energy. He feels that Helios has been very good about listening and accommodating any changes being asked for with this project.

- **Kip Finley**, 868 Winslow Road.
 - Worked on the Comprehensive Plan, he feels that this is a good land use situation for this area.
 - Would like to see a variety of trees used for screening

- **Suzanne Stokoe**, 618 South Road.
 - Believes that a solar array would be an asset to the community
 - In favor of green energy sources

- **Brian Minster**, 720 Scottsville Mumford Road.
 - Questioned the fact that if this is zoned Agricultural and Residential, how can this be approved since it's a commercial venture?
 - J. Coates stated that this is a Special Exception Use and a permitted use in this district. This is not a commercial endeavor.

There being no one else wishing to speak on this subject, the Public Hearing was closed at 8:25 P.M.

The Board had no further questions at this point.

J. Coates said that he would like to discuss the SEQR review, glare, noise, visual impacts, and drainage.

J. Coates stated that the Town Attorney may need to look into the possible impact on property values. T. Guzek stated that since there is a short frame of reference with regard to solar projects in this area there is no data to present to the Board. J. Coates stated that since we need to do our due diligence, he would like to see some data. Mr. Guzek stated that he could look at some studies for solar farms constructed in other areas.

The Applicant questioned the issue of the mines. J. Coates stated that the Board will need to have a discussion. There is a map overlay that shows the possibility of mines.

Dan Brock from Labella Assoc. stated that they are working on reviewing the SEQR, he stated that there are a few items lacking at this time.

J. Coates stated that the Board will be having a work session on January 15, 2019, so they can look at any new information that is submitted. J. Hens stated that he would be available to do a conference call if needed.

J. Coates stated that the Board will have to work on:

- ⇒ determining what conditions will need to be placed on this application.
- ⇒ compliance based on our regulations such as bonds and a removal plan.

J. Coates stated his concern that the Applicant should be responsible for maintenance of the screening. M. Grasso suggested one of the conditions for approval could be for the maintenance of the plantings by the Applicant. J. Hens stated that they have used trees other than evergreens, and that they have done cluster plantings which sounds like what the Public would like to see on this project. He stated that they can work with the Board on a plan for the plantings. T. Guzek stated that they would have a standardized plan in the operating and maintenance plan that they would retain a local company to maintain the trees.

J. Coates stated that The Town does have a noise ordinance. J. Hens stated that there would be no noise heard at property lines. T. Guzek stated that the solar panels do not move at night, so noise will not be an issue.

There was discussion about an overlay for the map which would show possible glare. The panels will rotate from east to west, following the sun. There was discussion about the Applicant providing a video that shows how the panels would move.

New Business:

None

Future Business:

T. Rech received a revised concept plan from Clearview Farms. They will come in for the January 15, 2019 meeting.

There will be a work session meeting on January 15, 2019.

D. Stokoe made a motion to adjourn the meeting, seconded by T. Steves and unanimously approved. The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
January 15, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Debra Stokoe, Jay Coates

Members absent: Donald Woerner, Tim Steves

Also present: Terry Rech, Building Inspector and Ed Shero, Town Board Liaison

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

Old Business:

➤ ***Resubdivision of Lot-4 of Stokoe Farm VI Subdivision, tax parcel 209.04-1-9.14.***

The Board was given 2 maps, one is the subdivision map, the other is the combination map for once Mike Skivington becomes the owner. R. Hatch and M. Grasso looked over the maps. They stated that the subdivision maps looked fine, but the combination map has some things missing and may not be accepted by the County. There was discussion about the necessity of combining the parcels and easements. This is technically an alteration of lot line once it gets combined.

J. Coates stated that the Planning Board should be able to approve as an alteration of lot line and mandate combining the parcels since these decisions are made within the Town. M. Grasso stated that the County has a law stating the correct procedure and steps to be followed in order to file the map. The County can't tell the Planning Board that the map cannot be approved, but they can decide to not file the map.

The Board decided to move forward with the approval process and condition it on the combination. The Board completed the Short Environmental Assessment Form.

M. Grasso made a motion to grant a Negative Declaration under SEQR to the Resubdivision of Lot-4 of Stokoe Farm VI subdivision as shown on the map by Jeffery Tiede dated 8/26/2018 and signed on 1/1/19, seconded by R. Hatch and unanimously passed.

R. Hatch made a motion for Lot R4b to be subdivided and combined with the other lands of Mike and Lynn Skivington, tax account numbers 210.01-1-4.11 and 209.02-1-35. This was seconded by Debra Stokoe and passed as follows:

Joe Burns - aye
Debra Stokoe - aye
Robert Hatch - aye
Mike Grasso - aye
Jay Coates - aye

➤ *A Subdivision and Site Plan Review for Clearview Farms Phase IV.*

Phase IV is 34 Acres within RA Garden Apartment zoning. The Applicant would technically be able to construct 423 units; they are proposing 224 units. They are planning building 144 apartment buildings and self-storage units to be used for all the Apartment dwellers. They will each have 8 units each with their own entrance. They will be constructing 80 two story Town Home units which will have their own garages. The Applicant will be doing this as a phase project. They stated that they will be constructing sidewalks along Robert Quigley Drive. There will be a dedicated open space green area.

The Applicant would like to do a Preliminary overall approval and SEQR, and then do a final phase 1 approval. The first phase would be 28 units and the storage unit. Behind the storage units would be additional parking for RVs and boats.

➤ *The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.*

T. Rech stated that he received an email from the Town Engineers stating that they have not received a completed SEQR from Helios at this time. The Board therefore does not have enough information to make a determination of significance.

The Board had a general discussion regarding the Helios project.

New Business:

- None

Future Business:

- Subdivision on Armstrong Road.

D. Stokoe made a motion to adjourn the meeting, seconded by R. Hatch and unanimously approved. The meeting was adjourned at 8:12 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
February 5, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Debra Stokoe, Jay Coates
And Tim Steves

Members absent: Donald Woerner

Also present: Terry Rech, Building Inspector and Ed Shero, Town Board Liaison, Raymond DiRaddo,
Attorney, Dan Brock, Labella Assoc.

Chairman Coates called the Planning Board meeting to order immediately following the Zoning Board of Appeals meeting.

J. Burns made a motion to approve the minutes, as submitted, from January 2, 2019, seconded by M. Grasso and unanimously approved. R. Hatch abstained from the vote due to the fact that he was absent for that meeting.

R. Hatch made a motion to approve the minutes, as submitted, from January 15, 2019, seconded by D. Stokoe and unanimously approved. T. Steves abstained from the vote due to the fact that he was absent for that meeting.

Old Business:

➤ ***Wheatland Commons:***

Nothing new to report

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

They are planning to be at the April Planning Board Meeting.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

T. Rech stated that Helios has not paid the requested escrow payment which may hinder the Attorney and Engineering review going forward. T. Rech stated that SEQR information still has not been received, T. Rech stated that the Engineer's letter from January 30th details all the missing information.

The following is the Engineer's letter detailing the items still missing:



January 30, 2019

Mr. Terry Rech
Town of Wheatland
P.O. Box 15
Scottsville, NY 14546

RE: Town of Wheatland
Helios Energy New York 4 LLC
Wheatland Solar Farm
Route 383 Scottsville-Mumford Road
LaBella Project No. 2182421.01

Dear Mr. Rech:

LaBella Associates has reviewed the supplemental items submitted by Helios Energy New York 4 LLC included in their email dated January 15, 2019 in response to comments generated at the January 2, 2019 Planning Board meeting, and offer the following comments for your consideration;

At the Planning Board meeting on January 2, 2019, there were many questions relating to specific aspects of the proposed solar project that the Planning Board Chairman requested the applicant answer in detail. A "Glare Analysis" from the panels and a "Noise Analysis" from the inverters pertaining to concerns from property owners adjacent to the project, particularly in regards to properties along Union Street to the east, was to be provided for the Board's review. The material submitted by Helios on the January 15th is a good reference to the type of solar panels they will be installing, but does not address the specific concerns of the neighbors in regards to their location and proximity to the proposed project.

In addition, the following are items requested and not yet received:

- Written responses to Engineer's Review letter dated December 5, 2018
- Decommissioning Plan and bonding
- Address the neighbors and Town concern's with the project's proximity to the Mining Overlay District and any subsequent concerns in that regard
- Geo-tech report
- Address concerns over potential reduced property values to adjoining property
- Cost Letter of Credit for trees with 2 year guarantee

It was also pointed out by the Chairman that there were items in the Full Environmental Assessment Form submitted by the applicant that needed further explanation. To date, no material has been received that address the Board's concerns. In addition to the items mention previously, below is a list of items that need to be addressed before we can continue with our review of Part 1 of the Full Environmental Assessment Form.

Additional details needed for Project Description, p. 1 (*A separate narrative can be attached so that all information can be easily described and understood.*)

- Acreage "occupied" by solar panels
- Description of what facilities are included in the calculation of the 0.98 acre disturbance area (poles, roads, etc.) and include a breakdown
- Number of tables, dimensions and anchoring method into ground
- Length and location of underground electric lines

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- Length, width and surfacing material of access roads
- Size and number of ancillary facilities (inverters, control bldg. etc.)
- Any overhead electric lines?
- Describe proposed setbacks from property lines
- Greater description of landscaping buffer - tree species, size at planting, estimated vegetative maintenance protocol/schedule
- Future plans for remainder of property, including battery storage
- Include subdivision as part of action

EAF Question D.2.e. (p.6) – as the disturbance area is very slightly below the one-acre threshold, please elaborate on any stormwater management plans or measures. How will the site drain during storm or snowmelt events?

EAF Question D.2.q. (p.8) – if no herbicides or pesticides will be used, please briefly describe vegetation management plan for areas between solar tables.

EAF Question E.1.b. (p.9) –offer explanation why there is no area listed in this table for agricultural purposes. It is our understanding the area is currently farmed and a portion of the site will continue to be farmed. Provide more accurate detail of "Acreages After Completion" column. For example, provide acreage occupied by solar panels in row labelled "Other".

EAF Question E.2.a. (p.11) –provide estimated depth to bedrock or explain why no answer is provided.

EAF Question E.2.o. (p. 12)–include Federally listed species in your answer.

EAF Questions E.3.b. (p.12) – please review and offer basis for answer. If any soils are classified in Groups 1-4 of NYS soil classification, or are associated with Prime Farmland or Farmland of Statewide Importance, they should be listed here. It is our understanding that the site contains HiA soil type according to the NYS Agricultural and Markets Soil Group.

EAF Questions E.3.f. (p.13) – as the site is considered archeological sensitive, please provide information regarding coordination undertaken with SHPO to date.

This is not a complete review of the submitted Full Environmental Assessment Form. Once supporting information has been received, we can continue with our review and offer our full comments.

Please feel free to contact our office with any comments or questions you may have in this regard. Thank you.

Respectfully submitted,

LaBella Associates

Michael A. Simon
Project Manager

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J. Coates stated that the County Comments were received.

J. Coates stated that the Board is still waiting on the sound information with more clarity on the effect on Union Street.

There was discussion on the glare report. J. Coates found an error in the report, so it will be re-submitted to the Board.

J. Hens brought a decommissioning plan with him and will be giving that to T. Rech after the meeting.

New Business:

➤ *Armstrong Road Subdivision, site plan, Special Exception*

Larry Heininger, Civil Engineer was present with Kevin Burns, the owner of the property. The owner would like to subdivide a 50,000 sq. foot lot out of the main lot. The Applicant performed the perc tests. The set back is 75 feet from the right of way, they used a 66 foot right of way.

J. Coates stated that this is in the mine subsidence area. The Applicant had a report done, but J. Coates stated that he had additional questions on survey depths that were used. He did email questions to the company who performed the tests and is waiting for their response. In the Code, a mine subsidence overlay becomes a Special Exception. Once the questions that J. Coates asked are answered, the Engineers will review the report. There is also a high pressure gas main that may be going through the property, but the Applicant has not been given an exact location at this point. J. Coates stated that there should be a certain set back from the gas main, the Planning Board has the responsibility to make sure that homes are safe.

J. Coates stated that there would need to be a disclaimer on the map about the pipeline being a possible hazard. This will be tabled until the March Planning Board meeting.

➤ *Drazkowski Subdivision, 172 Cedars Ave, Tax Account #185.03-1-17 & 185.03-1-14.11.*

R. Hatch is representing the Drazkowski's and the Mill Creek Golf course in this lot line adjustment. The Golf course is selling off 1 ½ acres to be combined with the Drazkowski property at 172 Cedars Ave. The Board can waive a Public Hearing since they determined this is a Lot Line Adjustment. This will need to be sent to the County for County Comments.

Future Business:

- Work Session on 2/19/19 to discuss the mine subsidence and the RG&E gas line.
- T. Rech recommended that all the Board members look into going to the Monroe County Land Use Training for the New SEQR Basics on April 29, 2019.

R. Hatch made a motion to adjourn the meeting, seconded by D. Stokoe and unanimously approved. The meeting was adjourned at 8:37 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
March 5, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Jay Coates and Tim Steves

Members absent: Donald Woerner, Debra Stokoe

Also present: Terry Rech, Building Inspector and Ed Shero, Town Board Liaison, Raymond DiRaddo, Attorney

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

R. Hatch made a motion to approve the minutes from February 5, 2019, with the following correction: For the Drazkowski Subdivision, the second sentence from the end should read, "The Board can waive a Public Hearing since they determine this to be a Lot Line Adjustment." This motion was seconded by J. Burns and unanimously approved.

Old Business:

➤ ***Wheatland Commons:***

Nothing new to report.

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

They are planning to be at the April Planning Board Meeting.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

T. Rech stated that the Escrow payment has been received from Helios, and some of the requested revised material has also been received. T. Rech has not received comments from the engineers at this point. The revised SEQR form has been received from Helios. T. Rech stated that they were doing borings on the property in the area of where the drive will be going in, he said that J. Hens stated that they will be doing test borings throughout the area.

- *The application of Lawrence E. Heininger, P.E., PMP as agent for Kevin and Cydney Burns to seek a single lot (50,052sf) subdivision off from 150+ acre farm parcel. Additionally, for Special Exception Use (Residential construction in Mine Subsidence Overlay District). The property located at 111 Armstrong Road, is in an AR-2 Zoning District. The Tax I.D. number 209.02-1-25.11.*

J. Coates stated that there still has not been a location given for the new gas main.
The Board discussed the Geophysical survey report that was submitted by the Applicant.
J. Coates stated that the Board is waiting for our Engineer's response.
The application will be sent to the County for County Comments.

R. Hatch made a motion to set a Public Hearing for Kevin Burns Subdivision and Site Plan Special Exception for Armstrong Road for April 2, 2019, seconded by J. Burns and unanimously approved.

- *Drazkowski Subdivision, 172 Cedars Ave, Tax Account #185.03-1-17 & 185.03-1-14.11.*

R. Hatch recused himself since he is representing the Drazkowski's and the Mill Creek Golf course in this lot line adjustment. The Golf course is selling off a 100-foot strip of land on the south West Corner of the golf course to the Drazkowski's.

County Comments were received with no issues.

The Board determined this to be a Type 2 action under SEQR.

M. Grasso made a motion for final subdivision approval for the Drazkowski subdivision, a resubdivision of lot 8 of the Cedar's Hill Subdivision based on a map by Schultz and Assoc. last revised 2/7/2019, seconded by T. Steves and passed as follows:

Mike Grasso – aye
Tim Steves - aye
Jay Coates -aye
Robert Hatch – Recused
Joseph Burns - aye

New Business:

- *The Millet Subdivision*

R. Hatch recused himself from this portion of the meeting since he is representing the Applicant, Mark Millet. Mr. Millet owns three parcels of land and would like to combine them into 2 parcels. The Applicant would like to retain an easement to the driveway which runs to the barn which houses his equipment. The parcels that will be combined are Tax I.D. numbers 199.03-1-41.1 and 199.03-1-41.2. This will be a standard lot line alteration.

R. Hatch discovered a discrepancy on the third lot which needs to be resolved, he believes that the tax map may need to be revised. He will be contacting the County.

Future Business:

- Freestyle Mercantile will be coming in for a freestanding sign, they want it to be closer than the mandated 20 feet from street line.
- There will be a March work session.

M. Grasso made a motion to adjourn the meeting, seconded by T. Steves and unanimously approved. The meeting was adjourned at 8:13 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
April 2, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Jay Coates, Tim Steves
And Debra Stokoe

Members absent: Donald Woerner

Also present: Terry Rech, Building Inspector and Ed Shero, Town Board Liaison

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

R. Hatch made a motion to approve the minutes from March 5, 2019, seconded by M. Grasso and unanimously approved. D. Stokoe abstained from the vote due to the fact that she was absent for the March meeting.

Old Business:

➤ ***Wheatland Commons:***

Nothing new to report.

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

They are planning to be at the May Planning Board Meeting.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

The Planning Board is currently waiting for the requested escrow replenishment from Helios.

Helios emailed J. Coates stating that they would like approval by 4/15/19.

The Decommission Plan was received on 4/1/19.

J. Coates stated that everything is currently suspended until the escrow check is received.

J. Coates had a conference call from Helios who stated that they do want to continue the approval process.

Helios needs to complete the SEQR. The Town Engineers need to finish their review. Helios also needs to get a PILOT agreement in place, and decommissioning costs.

- ***The application of Lawrence E. Heininger, P.E., PMP as agent for Kevin and Cydney Burns to seek a single lot (50,052sf) subdivision off from 150+ acre farm parcel. Additionally, for Special Exception Use (Residential construction in Mine Subsidence Overlay District). The property located at 111 Armstrong Road, is in an AR-2 Zoning District. The Tax I.D. number 209.02-1-25.11.***

Larry Heininger, the Engineer who is representing the Burns, gave some updates on the project. He stated that RG&E emailed him about the gas main and stated that the plan has been reviewed and that no part of the project will fall into the proposed lot and therefore will have no impact. Forest Environmental stated that the Gypsum deposits are 570 feet above sea level, it stated that there was no mining at the proposed area. L. Heininger made a calculation that the gypsum is 57 feet below the surface based on the ground level of the proposed house. He stated that he sent an email to J. Coates and T. Rech stating this information and agreeing to put a note on the final drawings that reads “The purchaser of this lot is notified that there is the potential of a high pressure gas main in the vicinity”.

J. Coates stated that Forest Environmental has not answered questions from January 2019 emails or a phone call inquiring about the source used for his mine subsidence calculations. The applicant said that the source was noted in the original report Schmidt 1953. This has now been referred this to the Town Engineers.

J. Coates asked about the location of the gas main. It was stated that they have not been given a location at this point. He questioned how they can say there will not be an impact, when they don’t know where the main will be located.

L. Heininger questioned T. Rech about any foundation failures on Armstrong Road. T. Rech stated that there have not been any failures that he is aware of on Armstrong Road.

J. Coates stated that the Town Attorney is working on a release that the Applicant can sign for the mining subsidence issues.

The Public Hearing was opened at 7:34 P.M., at which time J. Coates read the Public Hearing Notice.

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

- ***John Farrell***, 423 Armstrong Road.
 - He stated that he was at an informational meeting with the gas company. RG&E stated that they can work around the home plans.
 - He questioned when the last issue with mine subsidence occurred? J. Coates stated that he didn’t know, but that it could occur and people need to know the risk.
- ***Barbara Burns***, 121 Armstrong Road.
 - Questioned whether the Applicant could sign a release? J. Coates stated that the Town Attorney is currently drafting the release.
 - Questioned when the Engineers would provide their finding? J. Coates stated that he is still waiting for that information.

There being no further Public in attendance who wished to speak, the Public Hearing was closed at 7:43 P.M.

➤ ***The Millet Subdivision***

R. Hatch recused himself from this portion of the meeting since he is representing the Applicant, Mark Millet. R. Hatch discovered that a third lot that Mr. Millet was paying taxes on was actually not his lot. R. Hatch contacted Monroe County Real Property and the tax map has now been updated and corrected. Mr. Millet would like to combine his 2 lots into one, one is owned by him, the other is owned by him and his partner. The Applicant would like to retain an easement to the driveway which runs to the barn. T. Rech stated that this looks like a lot line alteration. This will be sent off the County for County Comments.

M. Grasso made a motion to proceed with this application as a Lot Line Alteration and to waive the Public Hearing, seconded by D. Stokoe and unanimously passed. R. Hatch abstained from the vote.

New Business:

➤ ***Free Style Mercantile sign Application***

The Applicant would like approval for a larger sign to advertise their new business. The sign would be 4' x 6', and the sign height would be 10 ft. The sign would be 16 feet from the edge of the road in the right of way. There will be no light on the sign. T. Rech stated that the size of the sign is allowable.

M. Grasso made a motion to approve the sign application not to encroach into the state highway right of way, seconded by D. Stokoe and approved as follows:

Mike Grasso – aye
Tim Steves - aye
Jay Coates -aye
Robert Hatch – aye
Joseph Burns – aye
Debra Stokoe - aye

Future Business:

- There will not be an April work session.

T. Steves made a motion to adjourn the meeting, seconded by R. Hatch and unanimously approved. The meeting was adjourned at 8:25 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
May 7, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Jay Coates, Tim Steves,
And Debra Stokoe

Members absent: Donald Woerner

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison
Carl Schoenthal, Town Board Liaison
Raymond DiRaddo, Attorney
Michael Simon, LaBella

Chairman Coates called the Planning Board meeting to order after the Zoning Board of Appeals meeting.

R. Hatch made a motion to approve the minutes from April 2, 2019, seconded by J. Burns and unanimously approved.

Old Business:

➤ ***Wheatland Commons:***

T. Rech stated that he sent a letter asking for an update. There is now a new engineer on the project who is attempting to get contact information for the owner. T. Rech would like to send a letter asking them to clean up the property. He would like to set up a meeting with the Plaza owner to find out what their intent is moving forward with the project. The Board is in consensus with the decision to close out the application if they are not planning to move forward with their plans.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

J. Coates stated that the Escrow payment, final updated plans, decommissioning plans and decommissioning costs have been received. The SEQR is being worked on by the Engineers. The PILOT agreement is not complete at this time.

There is an issue on the Archeological Review of the site. The Archeological review was only done on the road; it was stated that there would be no disturbance. SHPO has made a determination that the array posts for the panels don't constitute a disturbance, but the corner fence post, landscaping and utility trenches do constitute disturbance. M. Simon from LaBella stated that Helios needs to address these areas prior to getting SHPO approval.

- ***The application of Lawrence E. Heininger, P.E., PMP as agent for Kevin and Cydney Burns to seek a single lot (50,052sf) subdivision off from 150+ acre farm parcel. Additionally, for Special Exception Use (Residential construction in Mine Subsidence Overlay District). The property located at 111 Armstrong Road, is in an AR-2 Zoning District. The Tax I.D. number 209.02-1-25.11.***

J. Coates questioned if the wording is on the maps for the gas line and the mining subsidence. L. Heininger stated that he can put a note on the drawing since he will be submitting the plans to the Health Department tomorrow. The note reads, "The purchaser of this lot is notified that there is the potential of a high pressure gas main in the vicinity". J. Coates will get a draft to L. Heininger for the mining subsidence statement that will go on the plans.

J. Coates stated that there will be two separate SEQRs for this application. They will both be unlisted actions, one for the Special Exception and one for the Subdivision. R. DiRaddo has drafted a copy of the Mining Subsidence Release that the Applicant will be signing. R. DiRaddo stated that he gave a copy of the release to the Applicant's lawyer.

J. Coates found a copy of the source that Forest Environmental referenced for their report. He stated that there was no mention of depths in the publication.

L. Heininger stated that he spoke to Forest Environmental who stated that he has done testing in other areas of the Town using the same methods. He is wondering why his findings were formerly accepted, but are presently being questioned. J. Coates stated that his findings are being questioned because of new maps and information that have been found. There are very detailed maps found from the park and the Ebsary, when these are compared to the report it is clear that only the major haulage ways were picked up, but not the smaller voids.

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

Jess Sudol, from Passero Associates, was at the meeting to represent the Applicant. Don Riley, Brian Powers and Chris Nadler were also present. Mr. Sudol gave an overview of the proposed project. The Applicant will construct 224 rental units which will be townhomes and apartments. They are zoned to construct up to 443 units, but they are planning a project with a rural feel with plenty of green space.

This project will be done as a phase project, the first phase would be around 28 units and a storage facility. They will be constructing sidewalks on one side of the street.

J. Coates stated that the Board could do a preliminary site plan approval and a final phase one approval at the same time. Each phase will have its own approval by the Board.

J. Coates mentioned that he spoke to the Town Highway Superintendent about drainage issues in that area. Mr. Sudol stated that they have drainage areas that divert to the storm water management areas.

There was discussion of phased sidewalks. Mr. Sudol stated that he can prepare a phase plan report for the sidewalks.

J. Coates spoke to the Fire Chief who thought the roads were wide enough for emergency vehicles. The Chief expects that Applicant may be required to have sprinklers at the storage units and a fire hydrant.

There will be dedicated sewer and water lines.

M. Grasso made a motion to declare the intent for the Planning Board to be Lead agency for the SEQR Review of Clearview Farms Phase 2 North, seconded by R. Hatch and unanimously approved.

There will be a Public Hearing on June 4, 2019.

➤ ***The Millet Subdivision***

R. Hatch recused himself from this portion of the meeting since he is representing the Applicant, Mark Millet. The County Comments were received.

M. Grasso made a motion to declare The Millet Subdivision, alteration of lot line, a Type II action under SEQR, seconded by D. Stokoe and passed as follows:

Mike Grasso – aye
Tim Steves - aye
Jay Coates -aye
Robert Hatch – Recused
Joseph Burns - aye

M. Grasso made a motion to grant final approval to The Millet Subdivision, alteration of lot line, based on a map by Schultz Assoc. dated March 5, 2019, with the condition that the access easement over the property with the tax account number 199.03-1-40.2 is reserved when sold. This was seconded by D. Stokoe and passed as follows:

Mike Grasso – aye
Tim Steves - aye
Jay Coates -aye
Robert Hatch – Recused
Joseph Burns - aye

Future Business:

- There will be a work session this month.

J. Burns made a motion to adjourn the meeting, seconded by R. Hatch and unanimously approved. The meeting was adjourned at 9.21 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
June 4, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Jay Coates, Debra Stokoe

Members absent: Donald Woerner and Tim Steves

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison
Carl Schoenthal, Town Board Liaison
Raymond DiRaddo, Attorney

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

R. Hatch made a motion to approve the minutes from May 7, 2019 with the following correction, on the second page in the third line the words “that is” are repeated, and in the Clearview Farms section the name should be Don Riley, not Rowley. The approval was seconded by D. Stokoe and unanimously approved.

Old Business:

➤ ***Wheatland Commons:***

T. Rech stated that he sent a letter out and had no response from the Applicant. He said that he is in the process of drafting another letter stating their violations. J. Coates stated that this application is now over two years old, and it was never a complete application.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

An updated SHPO letter came and was forwarded to the consultants. J. Coates stated that we are waiting on the engineering review, escrow amount, emergency response, glare and sound analysis and the SEQR draft. T. Rech stated that we also need a clarification of the type of trees that will be planted as the barrier, and the planned layout.

➤ ***The application of Lawrence E. Heininger, P.E., PMP as agent for Kevin and Cydney Burns to seek a single lot (50,052sf) subdivision off from 150+ acre farm parcel. Additionally, for Special Exception Use (Residential construction in Mine Subsidence Overlay District). The property located at 111 Armstrong Road, is in an AR-2 Zoning District. The Tax I.D. number 209.02-1-25.11.***

J. Coates stated that the Board has received the release from the Applicant. The Board’s consensus is that they have done their due diligence and they are ready to move forward with the approval.

The Board determined the subdivision to be an unlisted action under SEQR, and approved a negative declaration, with a recusal from J. Burns.

R. Hatch made a motion to approve the subdivision at 111 Armstrong Road, map dated 12/13/18 and last revised 5/28/19. This was seconded by D. Stokoe and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Robert Hatch – aye
Joseph Burns – recused
Debra Stokoe - aye

The Board determined the special exception for the construction of a habitable structure in the mine subsidence overlay district to be an unlisted action under SEQR, and a negative declaration, with a recusal from J. Burns.

R. Hatch made a motion to approve the special exception for construction of a habitable structure in a mine subsidence overlay district, seconded by D. Stokoe and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Robert Hatch – aye
Joseph Burns – recused
Debra Stokoe - aye

J. Coates stated that the site plan is classified as a Type II under SEQR, the Board was in consensus.

T. Rech stated that he would like to see the map amended on the zoning data section. He stated that it is currently listed as agricultural rural, AR-2, he would like to see MSO, mine subsidence overlay, added.

R. Hatch made a motion to approve the site plan with the condition of adding the mine subsidence overlay on the zoning, seconded by D. Stokoe and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Robert Hatch – aye
Joseph Burns – recused
Debra Stokoe - aye

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

J. Coates stated that he and T. Rech met with the Engineers and it was determined that they will be requesting a traffic study. J. Coates also requested that when they look at storm water, that Sub Surface Drainage is looked at as well. J. Coates stated that they agreed to provide the Applicant with the previous drainage study, and the Chatfield Study, that was done for Robert Quigley Drive.

The sidewalk plan and sewer plans will need to be worked on.

County comments came back with no comments.

Jess Sudol, Don Riley and Brian Powers were at the meeting to represent the owner/applicant and to present an overview of the project to the Public.

Chairman Coates opened the Public Hearing at 7:40 P.M. by reading the Public Hearing Notice.

LINDA M. DOBSON
Supervisor

LISA WASSON
Councilwoman

EDWARD SHERO
Councilman

GREGORY MULLIN
Councilman

CARL SCHOENTHAL
Councilman



HOWARD HAZELTON
Highway Superintendent

LAURIE B. CZAPRANSKI
Town Clerk

TOWN OFFICE

22 Main Street

P.O. Box 15

Scottsville, NY 14546

Tel: (585) 889-1553

Fax: (585) 889-2933

www.townofwheatland.org

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, June 4, 2019** at 7:00 P.M. in the **Wheatland Municipal Building, 22 Main Street, Scottsville, NY** to consider the following:

The application of Clearview Farms LLC, for Preliminary Site Plan approval to construct (18) 8 unit apartment buildings and (22) townhouse unit buildings for a total of (224) residential units on a 33.88 acre parcel. The project will also include construction of an area of self-storage units. Additionally, the applicant seeks final site plan approval for Phase 1 of the above project. The parcel is located at the northeast corner of Robert Quigley Drive and Browns Road in a RA (Garden Apartment Residence District) zoning district. The Tax I.D. number is 187.18-1-1.

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

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: May 13, 2019

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

- **David Ras**, 612 Browns Road
 - Questioned whether there will be a barrier of some kind, like trees, or a fence?
- **Stephen Shelton**, 12 Cedar Street
 - Wonders if this is good for the community?
 - J. Coates stated that this is a permitted use under the Town's Zoning Code.
 - How much of the population of Wheatland is housed in rental units?
 - What the tax benefit is compared to privately owned homes?
 - Many people who rent are transient and not dedicated to the community.
 - Filled out a FOIL request from the Monroe County Police Dept. requesting information on police calls for the Town, and then how many of those calls were from Clearview Farms.
 - 49% of school population is classified as low income, wonders if Clearview Farms is contributing to that number.
- **Charles Crevison**, 20 Cedar Street
 - Concerned about connecting Cedar Street with the new complex and constructing the gate.
 - J. Coates stated that there needs to be a second entrance into Rolling Acres for emergency response it will be gated and with a fire department lockbox.
 - Will the trees be cut down?
 - How will this affect his home value?
 - Will the retention pond have maintenance so that it won't become stagnant?
 - Increase in traffic.
 - Where will the Town put the snow that they used to plow at the end of Cedar St since there will now be an emergency gate there?
 - Worried about losing the natural beauty of Scottsville, feels like it's becoming an area like Henrietta.
- **Jim Waterman**, 9 Birchwood Drive
 - His backyard currently backs up to Clearview Farms.
 - He is in support of the project
 - Encouraged by the retention ponds which may help the drainage issues.
 - He has never had a noise or vandalism problem with the Town Houses.
 - Would like to see the Town Homes be put up for sale in the future.
 - Hopes that this project will help the school district grow.
- **Ken Soderlund**, 9 Dogwood Lane
 - Concerned about the increased traffic flow making left hand turns onto Scottsville Chili Town line Road.
 - Wondered about changing the elevation levels and creating a barrier.
 - Concerned about drainage.
- **Elaine Driscoll**, 111 Browns Road
 - Would like to see the entrance on Browns Road being maintained like the Scottsville Road entrance.
 - Would like to see some of the trees remain
 - Wondered how long it would take to complete Phase 1.
 - The Applicant stated that it would take about 18 months.

- ***Gloria Slater***, 711 Browns Road
 - Traffic concerns, both speed and increased number of cars.
 - Concerned about community parking for proposed dog park
 - Will the trees be left along Browns road, will there be a berm constructed?
- ***John Stryker***, 61 Chili Wheatland Town Line Road
 - Concerned about the increased traffic flow making left hand turns onto Scottsville Chili Town line Road.
 - Would like to see sidewalks between the entrances on Browns Road.
- ***Darcy Stryker***, 61 Chili Wheatland Town Line Road
 - Concerned about losing more green space.
 - Lost many trees when Terra Vista went in, would hate to lose more for this project.
 - Concerned also about additional traffic.
- ***Paula Crevison***, 20 Cedar Street
 - Wondered if there would be a place to put in another traffic light in Town to help with the increased traffic.
 - J. Coates stated that it is a State road, so the Town can't put in a light. A traffic study will be requested.
- ***Brenda Johnson***, 22 Cedar Street
 - Concerned about privacy with a two story apartment building behind her house.
 - Wondered if all the trees will be removed.

The Public Hearing was closed at 8:17 P.M.

Future Business:

- There will be a work session this month.
- Potential subdivision on North Rd

R. Hatch made a motion to adjourn the meeting, seconded by D. Stokoe and unanimously approved. The meeting was adjourned at 8:22 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
July 2, 2019**

Members present: Mike Grasso, Robert Hatch, Joseph Burns, Jay Coates, Debra Stokoe

Members absent: Tim Steves

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison
Raymond DiRaddo, Attorney

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

Chairman Coates started the meeting with a remembrance and recognition of Don Woerner' s service to the Planning Board, Zoning Board and to the Town.

R. Hatch made a motion to approve the minutes from June 4, 2019, seconded by M. Grasso and unanimously approved.

Old Business:

➤ ***Wheatland Commons:***

T. Rech stated that he was able to contact the son of the plaza owner.

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

J. Coates stated that County Comments were received. The Board is currently waiting for comments from the engineers.

➤ ***The application of Helios Energy New York 4 LLC, to install a 9MWAC solar installation at Route 383 & Union Street.***

D. Stokoe recused herself from this part of the meeting.

The Applicant stated that stated that they have provided everything that has been requested. They will provide training documents and local contacts related to decommissioning.

R. Hatch made a motion for the Helios subdivision to be listed as an unlisted action under SEQR, seconded by M. Grasso, and unanimously passed. D. Stokoe was recused.

The Board reviewed the motions that were prepared. M. Grasso stated that there was a spelling error in the names, these were subsequently corrected in all the motions.

TOWN OF WHEATLAND PLANNING BOARD

DETERMINATION AND MOTIONS HELIOS SOLAR, SUBDIVISION AND SPECIAL EXCEPTION/SITE PLAN APPROVAL

SUBDIVISION

WHEREAS, The Town of Wheatland Planning Board (Board), as authorized under the Code of the Town of Wheatland, held a public hearing to obtain public input, on the 2nd day of January, 2019, regarding for a minor subdivision approval to facilitate the application for a Special Exception Use to allow a large scale Solar Energy System in an AR-2 Zoning district and to construct and operate two solar facilities on adjacent properties totaling 9 MW on two adjoining parcels located near the intersection of Scottsville Mumford Road and Union Street. (Address clarified in notice of public hearing to be North west corner of Union and Scottsville Mumford Road, approximately 600' north of Scottsville Mumford Road and 1100' west of Union Street.), and

WHEREAS, The Town of Wheatland Planning Board (Board) has before it an application, which contains a request to re-subdivide two adjoining parcels of the lands of Seldon Stokoe and Sons LLC located on Scottsville Mumford Road. The existing 49.974-acre parcel tax number 199.03-1-4 and 55.521-acre parcel, tax number 199.03-1-5 is to be re-subdivided into two parcels shown as Proposed Lot 1 (64.1 acre) and Proposed Lot 2 (41.4 acre) and as detailed on the Subdivision Plat Sheet 3 of 8 dated: 9/21/2018 revised 4/19/2019. This re-subdivision request intends on creating two lots that are compliant with the current Code of the Town of Wheatland, both of which have access to Union Street and Scottsville-Mumford Road. The re-subdivision request is part of an overall project to grant a special permit application for Special Exception Use and site plan for the construction of solar facilities on two adjoining properties, each to contain a 4.5 MW solar facility, and

WHEREAS, the Planning Board of the Town of Wheatland determines that this action of re-subdivision is 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, resulting in no significant adverse environmental impact and the Board having considered the environmental record including zoning compliance issues a negative declaration on this action.

Now therefore be it

RESOLVED, that the Planning Board of the Town of Wheatland issues a negative declaration on the granting of this re-subdivision request pursuant to SEQRA, which will result in no significant adverse environmental impact, and it further

RESOLVED, that the Town of Wheatland Planning Board, as authorized under the Code of the Town of Wheatland, approves the re-subdivision of two adjoining parcels of the lands of Seldon Stokoe and Sons LLC located on Scottsville Mumford Road, such that the existing 49.974 acre parcel tax number 199.03-1-4 and 55.521 acre parcel, tax number 199.03-1-5 shall be re-subdivided into two parcels shown as Proposed Lot 1

(64.1 acre) and Proposed Lot 2 (41.4 acre) and as detailed on the Subdivision Plat Sheet 3 of 8 dated: 9/21/2018 revised 4/19/2019. This re-subdivision creates two lots that are compliant with the current Code of the Town of Wheatland, both of which have access to Union Street and Scottsville-Mumford Road.

Motion: **M. Grasso** Second: **R. Hatch**

Joseph Burns	AYE [X]	NAY []	Abstain []
Mike Grasso	AYE [X]	NAY []	Abstain []
Robert Hatch	AYE [X]	NAY []	Abstain []
Debra Stokoe	AYE []	NAY []	Abstain [X]
Tim Steves	AYE []	NAY []	Abstain []
Jay Coates	AYE [X]	NAY []	Abstain []

The Board reviewed the Environmental Assessment form for the Special Exception uses and Site Plan.

J. Burns had a question on Part 1, Page 8, section Q. It states that there will be no pesticides used, but the Helios Operation and Maintenance plan stated that they would be spraying 3 times a year. The Applicant stated that the manual will be updated to reflect not using pesticides.

M. Grasso stated that on Part 1, Page 9, Section E.1, he believes that residential should also be checked. The Board was in consensus, and the change was made to the form.

M. Grasso also stated that on Part 1, Page 3, Section C.4, Letter B, under Police protection services, Monroe County Sherriff should be added. The Board was in consensus, and the change was made to the form.

TOWN OF WHEATLAND
HELIOS ENERGY WHEATLAND SOLAR PROJECT
SEQR RESOLUTION - NEGATIVE DECLARATION

At the meeting of the Wheatland Planning Board held on July 2, 2019,
Board Member **R. Hatch** moved adoption of the following resolution; Board Member **J. Burns**
seconded the motion.

WHEREAS,

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Planning Board of the Town of Wheatland announced its intent to serve as Lead Agency in December 2018 and to conduct an environmental review of a project proposed by Helios Energy (the "Applicant") to construct and operate a 9 MW solar installation on two adjoining parcels located near the intersection of Scottsville Mumford Road and Union Street. The project includes two solar arrays, an access road, utility trenching, ancillary electrical facilities, fencing and a landscaping berm. The project and the associated site plan are Special Exception uses under the Code of the Town of Wheatland.

- 2) The Planning Board has determined that the proposed action is a Type I action as defined under SEQR, as portions of the project are located in a Monroe County Agricultural District.
- 3) The Planning Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
- 4) The Planning Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the full Environmental Assessment Form. None of the Involved Agencies objected to the Wheatland Planning Board serving as Lead Agency for this project.
- 5) The Planning Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Planning Board of the Town of Wheatland declares that it will serve as Lead Agency for the Helios Energy Wheatland Solar Project; and,

The Planning Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and 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.

Joseph Burns	AYE [X]	NAY []	Abstain []
Mike Grasso	AYE [X]	NAY []	Abstain []
Robert Hatch	AYE [X]	NAY []	Abstain []
Debra Stokoe	AYE []	NAY []	Abstain [X]
Tim Steves	AYE []	NAY []	Abstain []
Jay Coates	AYE [X]	NAY []	Abstain []

SPECIAL EXCEPTION - SITE PLAN APPROVAL

WHEREAS, The Town of Wheatland Planning Board (Board), as authorized under the Code of the Town of Wheatland, held a public hearing to obtain public input, on the 2nd day of January, 2019, regarding for a minor subdivision approval to facilitate the application for a Special Exception Use to allow a large scale Solar Energy System in an AR-2 Zoning district and to construct and operate two solar facilities on adjacent properties totaling 9 MW on two adjoining parcels located near the intersection of Scottsville Mumford Road and Union Street. The properties are owned by Seldon Stokoe and Sons LLC and located on Scottsville Mumford Road with access to Union Street. The parcels are shown as Proposed Lot 1 (64.1) and Proposed Lot 2 (41.4 acre) and as detailed on the Subdivision Plat Sheet 3 of 8 dated: 9/21/2018 revised 4/19/2019, and

WHEREAS, the Board having reviewed all information provided, referred to and reviewed the Town's engineering report and comments, the referred to and reviewed the County of Monroe's comments and this decision is based upon documents, specifications and information submitted including the following:

Schedule of drawings Cover sheet 1 revised 4/1/19

Schedule of drawings Existing Conditions sheet 1 or 1 dated 3/12/19 revised 4/1/19

Schedule of drawings Subdivision Plat Sheet 3 of 8 dated: 9/21/2018 revised 4/19/2019.

Schedule of drawings Site Plans sheet 4 of 7 dated 7/27/18 revised 6/7/19

Schedule of drawings ESC Plans sheet 5 of 7 dated 7/27/18 revised 6/7/19

Schedule of drawings Details sheet 6 of 7 dated 7/27/18 revised 6/7/19

Schedule of drawings Site Profile sheet 7 of 7 dated 9/24/18 revised 4/19/19

NYS Parks, Recreation, and Historic Preservation letter dated 6/3/19

Glare Analysis dated 4/16/19 Helios Solar Farm Scottsville Mumford and Union Street

CCR Operations and Maintenance Plan – undated Cypress Creek O&M LLC Helios Solar Farm 9565 Union Street., and

WHEREAS, The Town of Wheatland Planning Board having made, prior to this determination, under separate cover a SEQRA RESOLUTION –NEGATIVE DECLARATION under the New York State Environmental Review Act, after having made and reviewed an EAF Part 1, 2 & 3 with attachments, and

WHEREAS, any and all documents submitted for this project listing the location as 9565 Union Street, Scottsville Mumford and Union Street and Scottsville Mumford Road as well as using the several names Helios Solar Farm, Helios Wheatland Solar Farm, Helios Energy NY LLC, Helios Energy New York 4 LLC and Helios Energy New York 11 LLC are incorporated into this decision and are deemed effective and binding on these entities and any successor entities.

NOW THEREFORE BE IT RESOLVED

That the Town of Wheatland Planning Board hereby approves Helios Energy New York LLC's application for Special Exception Uses and site plan for the construction of solar facilities on two adjoining properties two adjoining parcels of the lands of Seldon Stokoe and Sons LLC located on Scottsville Mumford Road, subject to the following conditions, and

BE IT FURTHER RESOLVED THAT

Any and all documents submitted for this project listing the location as 9565 Union Street, Scottsville Mumford and Union Street and Scottsville Mumford Road as well as using the several names Helios Solar Farm, Helios Wheatland Solar Farm, Helios Energy NY LLC, Helios Energy New York 4 LLC and Helios Energy New York 11 LLC are incorporated into this decision and are deemed effective and binding on these entities and any successor entities., and

BE IT FURTHER RESOLVED THAT

This special exceptions and site plan are subject to the following conditions:

1. There will be no energy storage systems allowed on these sites. (The application did not include the provision for any electric storage systems on the project site). The applicant has agreed to this in letter dated June 7, 2018 to the Building Inspector.

2. Approval of a two payment in lieu of taxes (PILOT) agreements with the Town of Wheatland and payment of the PILOT to the Town at the completion of the full commercial installation for both solar installations.
3. As this project has used several names and locations the Building Inspector shall issue two addresses on Scottsville Mumford Road for each property. The applicant shall have sufficient signage to enable emergency response approved by the Code Enforcement and Fire Marshal.
4. Before a Certificate of Completion is issued the operator shall submit an updated and complete Operations and Maintenance Manual to the Code Enforcement and Fire Marshal for their approval. Maintenance and reports shall be performed and be made in accordance with the current Operations and Maintenance Manual. Should the site not be maintained in accordance with the Operations and Maintenance Manual, this will be considered a violation of the Operating Permit and Town Code.
5. Emergency Response. The Applicant will prior to the issuance of a Certificate of Completion, provide the Town of Wheatland in writing, with the name and contact information of a local qualified emergency contact, which contact will be able to respond to any emergency on the site within ONE (1) hour or less response time. 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. The applicant/operator must provide initial and ongoing and up to date fire department site specific emergency response training to the satisfaction of the Town Fire Marshal and Scottsville Fire Chief and must participate in the Town Knox-box program. Violations will be considered as a violation of any Operating Permit which may result in cancellation of the Operating Permit.
6. Operating Permit- Pursuant to 19 NYCRR Part 1203 the Town will issue an operating permit for these facilities. Fire inspections, report of operations and events as detailed in the current Operations and Maintenance Manual are required as well as required updating and filing of the current Operations and Maintenance Manual.
7. Planting and landscaping- A variety of trees will be used. The proposed trees will be planted in mounds, leaving adequate space for the site to drain unimpeded and will not be planted deeper than six (6) inches into existing ground level. The owner/operator is responsible for maintaining and replacement of all trees and landscaping as depicted on the approved site plans for the life of the project. All identified trees and landscaping in need of replacement are to be replaced as soon as possible but no later than by the following growing season.
8. Stormwater Plan – conditioned on the acceptance of the Stormwater Pollution Prevention Plan by the Town Engineers and Building Inspector.
9. Decommissioning – in order to assure that the site is returned to original condition at the end of project life, ceasing operations, project abandonment, loss of Operating Permit or if construction is not completed, the applicant must post an Irrevocable Letter of Credit or Cash Escrow for decommissioning of the solar facilities in the amount of \$150,000 for each property prior to the start of construction.
10. The applicant shall certify that they have public liability insurance against liability which might result from the proposed operations or use, covering any and all damage which might occur within three years of completion of such operations.
11. The applicant shall also submit to the Building Inspector an affidavit which indemnifies and saves harmless the Town or agency or agent thereof from any claims arising out of or connected with operations under the permit and from all acts, omissions, commissions, or negligence on the part of the applicant or their agents or employees.
12. This decision and the conditions contained herein are binding on the applicant, owner or operator or their partners, successors or assigns.

Motion: **M. Grasso** Second: **R. Hatch**

Joseph Burns	AYE [X]	NAY []	Abstain []
Mike Grasso	AYE [X]	NAY []	Abstain []
Robert Hatch	AYE [X]	NAY []	Abstain []
Debra Stokoe	AYE []	NAY []	Abstain [X]
Tim Steves	AYE []	NAY []	Abstain []
Jay Coates	AYE [X]	NAY []	Abstain []

New Business:

None

Future Business:

R. Hatch stated that he is starting to work on the Hewitt Project, which is the remaining Bransfield Estate land. This is still in the concept stage, so there is nothing to bring before the Board at this time.

J. Coates stated that there will be no July Work Session.

R. Hatch made a motion to adjourn the meeting, seconded by J. Burns and unanimously approved. The meeting was adjourned at 7:37 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
September 3, 2019**

Members present: Mike Grasso, Joseph Burns, Jay Coates, Tim Steves

Members absent: Robert Hatch, Debra Stokoe

Also present: Terry Rech, Building Inspector

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

There were not enough Board members present to approve the minutes from the 7/2/19 meeting, they will be approved at the next Planning Board meeting.

Old Business:

➤ *Wheatland Commons.*

T. Rech sent a letter stating that since there has been no activity, that we consider the application withdrawn. The Board was in consensus with the decision and consider the application withdrawn.

➤ *A Subdivision and Site Plan Review for Clearview Farms Phase IV.*

T. Rech stated that there has been no recent activity. The Town Engineers have sent them some comments, but they have not responded. The Town Engineers requested the traffic study, which they did receive electronically.

New Business:

The Application of Donna Piasecki, 1014 Main Street, Mumford, NY 14511, Tax Parcel # 208.16-1-11, for a Special Exception Use to reconvert a dwelling unit over first floor non-residential use in a Village Business (VB) zoning district.

Rod Piasecki, the applicant's husband was present to speak to the Board. They purchased the building in 2006, he stated that since 1846 the building has been used as a live-in business. The Piasecki's converted it to just business space. They would now like to convert it back to a live-in business. They would like to convert the residence area back to living space. The store front will remain a business, along with one side of the downstairs area. They will be putting 2 walls back up downstairs.

Public Hearing:

Chairman Coates opened the Public Hearing at 7:15 P.M. by reading the Public hearing notice.

Linda M. Dobson

Supervisor

Lisa Wasson

Councilwoman

Edward Shero

Councilman

Gregory Mullin

Councilman

Carl Schoenthal

Councilman



Josh Davis

Highway Superintendent

Laurie B. Czapranski

Town Clerk

Town Office

22 Main St.

P.O. Box 15

Scottsville, NY 14546

Tel: (585) 889-1553

Fax: (585) 889-2933

www.townofwheatland.org

NOTICE OF PUBLIC HEARING:

The Planning Board of the Town of Wheatland, pursuant to 130-60.B, will hold a Public Hearing on Tuesday, September 3, 2019, at 7:00 P.M. in the Wheatland Municipal Building, 22 Main Street, Scottsville, NY, to consider the following:

1. The application of Donna Piasecki, 1014 Main Street, Mumford, NY 14511, Tax Parcel #208.16-1-11, for a Special Exception Use to reconvert a dwelling unit over first floor non-residential use in a village business (VB) zoning district.

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

Jay Coates, Chairman
Town of Wheatland Planning Board
Dated: August 14, 2019

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

- **Sharon Brewster**, 37 Browns Grove, Scottsville, NY
→ Ms. Brewster stated that she has visited the shop many times and has been impressed, she stated that it fits into very nicely the village setting. She is in favor of the applicant's plans.
- **Deborah Stankevich**, 942 George Street, Mumford, NY
→ Mrs. Stankevich and her husband own the Genesee Country Inn. She stated that she believes this would be an asset to the community.

The Public Hearing was closed at 7:17 P.M.

T. Rech stated that he believes this would be a good fit. The Village Business Code would permit 2nd floor residential over first floor commercial, via Special Exception so it would be unnecessary to go to the Zoning Board. The previous residential area took over half of the first floor, including some of the store front area. This change would restore the commercial store frontage across the entire street view. A portion of the first floor and all the second floor would be residential. The Applicant has a private driveway, so that will not impact parking on the street.

The Board determined this to be an unlisted action under SEQRA and evaluated the Short Environmental Assessment form part 2 to identify any impacts. No, or small impacts were noted.

M. Grasso made a motion that we categorize the reconversion of part of a commercial building to residential use as an unlisted action under SEQRA and grant a negative declaration. Seconded by T. Steves and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Joseph Burns – aye
Tim Steves – aye

M. Grasso made a motion to approve the Special Exception of Donna Piasecki, 1014 Main Street, Mumford, NY, to reconvert part of the commercial building to residential use including the second floor and part of the first floor. Seconded by T. Steves and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Joseph Burns – aye
Tim Steves – aye

Future Business:

- Helios is proposing modifications to install underground wiring and to increase the separation distances between the panels. There was discussion about whether to hold another Public Hearing. J. Coates stated that he would like this to go to the Attorney for the Town to review. He believes that this change would affect the SEQR, it is a significant change.
- Solar with storage on Scottsville Mumford Road. J. Coates stated that there are new emergency regulations from the State on solar storage fire code.
- 1226 North Rd. T. Rech stated that they have received concept plans for a proposed subdivision plan.

There may be a work session.

J. Burns made a motion to adjourn the meeting, seconded by T. Steves and unanimously approved. The meeting was adjourned at 8:01 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
October 1, 2019**

Members present: Mike Grasso, Joseph Burns, Jay Coates, Tim Steves, Debra Stokoe,
Robert Hatch

Members absent:

Also present: Terry Rech, Building Inspector

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

R. Hatch made a motion to approve the minutes from 7/2/19, seconded by J. Burns and unanimously approved. T. Steves abstained from the approval since he was not present at the 7/2/19 meeting.

J. Burns made a motion to approve the minutes from 9/3/19, seconded by M. Grasso and unanimously approved. R. Hatch and D. Stokoe abstained from the approval since they were not present at the 9/3/19 meeting.

Old Business:

➤ *A Subdivision and Site Plan Review for Clearview Farms Phase IV.*

J. Coates stated that the Town Engineers indicated that the SEQR should be done by the end of the week. The second round of engineer comments are in and being reviewed. The open issues are the traffic study, the sewer and the sidewalk plan.

The Applicant is planning to come in for the 10/15/19 Planning Board meeting. J. Coates questioned whether the Board would be in a position to act on the Clearview Farms application at that meeting. There was discussion that R. DiRaddo, the Lawyer for the Town, could draft an approval for the Board to review ahead of the meeting, the Board could then determine conditions to be added for the approval.

New Business:

➤ *Helios modification*

National Grid has mandated that all the service cable for the Solar Farm needs to be underground, which is a cost increase to Helios. Helios wants to spread out the panels to decrease the shading from the other panels in order to be more efficient and cost effective. This will expand the project beyond the original 50 acres.

This modification will require another Public Hearing. Helios has submitted a revised glare study, and a revised environmental report.

J. Coates stated that he believes a berm or shielding along the back of the houses may be needed since the panels would be so much closer to their property.

The Public hearing will be held in November or December.

➤ ***Angotti Subdivision, 1549 North Road***

R. Hatch recused himself from this part of the meeting since he is representing the Applicant. The Applicant is planning to do a resubdivision, lot line alteration. There was originally a plan approved for 2 houses on the lots, they are moving the lot that the house would go on to the east side. The driveway will come off the existing driveway to the barn. They will be putting in a 60-foot wide access and utility easement to cover the driveway. There is a transformer that comes down the driveway and a well that they will be using that is off the lot, so a line will need to run a line across the property line and up to the house.

The set back is around 55 feet from the back of the property line and a 100 feet setback from the barn. R. Hatch stated that there will be a revised site plan that will be going right to T. Rech. The Board was in consensus with this decision.

M. Grasso made a motion to waive the Public Hearing for Angotti Subdivision since the Board declared this a lot line alteration, seconded by D. Stokoe and unanimously approved, R. Hatch abstained.

➤ ***Woerner-DeAngelis Subdivision/Lot line alteration, 1482 North Road***

R. Hatch was representing this applicant also, so was again recused during this part of the meeting. Angelo DeAngelis wishes to purchase 15 acres of land in the back portion of the Woerner property, it would back up to his current property, he has parcels on Union Street. Mr. DeAngelis has no development plans for this land, he is just looking to increase his hunting land.

J. Coates stated that he was concerned that there was only a 25-foot access strip to North Rd. He wondered if Mr. DeAngelis may be able to combine this with another one of his properties. R. Hatch stated that he would ask the Applicant and see what he wants to do.

The Public Hearing will be in November.

➤ *1226 North Rd.*

R. Hatch stated that the Applicant is still deciding on plans.

Future Business:

- Solar with storage on Scottsville Mumford Road.
- Solar project on Spring Street
- Two area variances

There will be a work session on October 15, 2019.

R. Hatch made a motion to adjourn the meeting, seconded by D. Stokoe and unanimously approved. The meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
October 15, 2019**

Members present: Mike Grasso, Joseph Burns, Jay Coates, Tim Steves, Robert Hatch

Members absent: Debra Stokoe

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison

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

New Business:

➤ ***Blue Pond Manor***

David Livingston was present to speak to the Board representing Blue Pond Cottagers Assoc., Inc. He stated that Blue Pond Cottagers Assoc., Inc purchased 11 new lots, which are all located in Class 1 wetlands. They would like to combine all the lots into 1 parcel, the property will be forever wild, since there is no construction that can be done on wetlands.

R. Hatch made a motion that we declare the application of Blue Pond Manor to be a Lot line Alteration. Seconded by T. Steves and unanimously passed.

R. Hatch made a motion that we waive a Public Hearing for the Blue Pond Manor re-subdivision. Seconded by M. Grasso and unanimously passed.

➤ ***Spring Street Solar***

Chris Matthews, from AES Distributed Energy, was present to speak to the Board about the project. They are looking at developing a 5 MW AC Solar project with no storage. The project would have land that is in the Town of Wheatland, and land in the Town of Caledonia. They will be stand alone projects with their own interconnects with the utility company. There will be no storage. This project will be 36 acres, and will be a community solar project, which means that the energy will be purchased and used locally. Access for the project will be off Spring Street. The company has talked to the Genesee County Museum about having an emergency access road from their property. They plan to start construction in the summer of 2020. There will be a fence around the project with landscaping. The panels would be a single axis panel, they move to track the sun throughout the day.

Old Business:

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

Matt Newcomb from Passero Assoc. was present to speak to the Board. He stated that they have gone through most of the comments from MRB.

The traffic study was completed and will be sent electronically.

J. Coates asked for a plan of how surface drainage will be handled.

J. Coates stated that he would like to see a sidewalk bond or letter of credit to make sure that the sidewalks are completed even if Clearview does not finish all the proposed phases.

There was discussion about the dedication of roads and sewers. J. Coates stated that the main road, Robert Quigley Drive, and the road that will be going to Rolling Acres will be dedicated. The other access roads and parking lots will be maintained by Clearview Farms. The Town will take dedication of the sewers.

The maps that were brought in for the meeting showed the Townhouses being subdivided. This was never discussed before this meeting. The change would require all the individual lots to be surveyed, and another Public Hearing. M. Newcomb will check to make sure that the property lines are correct and will get back to T. Rech. There had been conversation about the Townhouses possibly being for sale at a later date, but the Applicant said nothing about subdividing the properties at this time. M. Newcomb stated that with Townhomes, they need to be subdivided because of the separate services and utilities.

➤ *Helios modification*

J. Coates stated that he received an email stating that they were pulling their application for the modification. They are still putting in the underground lines, which T. Rech can work on with them through his office, but they are not making the project any bigger.

New Business:

None

Future Business:

None

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

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
November 6, 2019**

Members present: Mike Grasso, Joseph Burns, Jay Coates, Tim Steves, Robert Hatch, Debra Stokoe

Members absent:

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison

Chairman Coates called the Planning Board meeting to order immediately following the Zoning Board meeting.

R. Hatch made a motion to approve the minutes from 10/1/19, seconded by T. Steves and unanimously approved.

M. Grasso made a motion to approve the minutes from 10/15/19, seconded by R. Hatch and unanimously approved. D. Stokoe abstained from the approval since she was not present at the 10/15/19 meeting.

Old Business:

➤ ***Wheatland Commons***

J. Coates mentioned that they have an open fill issue. The Board was in consensus that this is a code enforcement issue, and not a Planning Board issue.

➤ ***A Subdivision and Site Plan Review for Clearview Farms Phase IV.***

The Applicant would like to subdivide individual lots for the Townhouses, they have not submitted a Subdivision application or a subdivision map. The Board will need to look at the Townhouse ordinance as it relates to greenspace, HOAs and general rules. The Applicant and the engineers are researching the Code. The Applicant would like to come in for the November work session meeting. J. Coates stated that the Townhouses are involved in different phases of the project. They will need to do a Subdivision and Special Exception Application. There will need to be another Public Hearing, and new County Comments. The Applicant sent a letter asking to suspend the existing application pending this new application. M. Grasso suggested making a subdivision and then making a rectangular block. The architect would come up with plans to put the units inside the block, then it would be surveyed and divided up after construction.

➤ ***Scottsville Mumford Rd. Solar with storage***

There is no new information on this application.

➤ ***Helios Modification***

The Applicant has formally pulled their application for the modification. J. Coates and T. Rech are still working on the payment for decommissioning. The Board wanted a Cash deposit (escrow), but Helios would like to do a letter of credit.

➤ ***Angotti Subdivision***

R. Hatch recused himself from this part of the meeting since he is representing the Applicant. County comments were received. T. Rech stated that it seems straight forward.

R. Hatch stated that the foundation is 27.2 feet off the proposed property line.

The Board has no concerns.

The Public Hearing was waived at the last meeting.

M. Grasso made a motion to determine the Angotti Subdivision being a Re-Subdivision of Lots 1 and 2 of the Vieira Subdivision to be an unlisted action under SEQR. This was seconded by D. Stokoe, and unanimously approved. R. Hatch abstained from the vote.

M. Grasso made a motion to grant a negative declaration under SEQR for limited or no impact for the Angotti Subdivision resub of lots 1 and 2 of the Vieira Subdivision on North Road. This was seconded by J. Burns, and unanimously approved. R. Hatch abstained from the vote.

M. Grasso made a motion to approve the alteration of lot line for the Angotti Subdivision being a Re-Subdivision Lots 1 and 2 of the Vieira Subdivision, based on a map by Schultz and Assoc. last revised on 10/30/2019, project no. 19015, drawing C1. This was seconded by J. Burns, and passed as follows:

Mike Grasso – aye

Jay Coates -aye

Joseph Burns – aye

Tim Steves – aye

Debra Stokoe – aye

Robert Hatch – recused

➤ ***Woerner-DeAngelis Subdivision/Lot line alteration, 1482 North Road***

R. Hatch recused himself from this part of the meeting since he is representing the Applicant.

Mr. DeAngelis will be purchasing a parcel of land from Mrs. Woerner. He will be combining this with 2 of his other properties, which will give him around a 150-acre parcel.

Public Hearing:

Chairman Coates opened the Public Hearing at 8:09 P.M. by reading the 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 6, 2019** at 7:00 P.M. in the **Wheatland Municipal Building, 22 Main Street, Scottsville, NY** to consider the following:

The application of Shultz Associates as agent for Angelo DeAngelis to seek a Subdivision and Alteration of Lot Line (combination to adjacent lot) of approximately 15.8 acres from original approximate 26.8-acre parcel. The property, located at 1482 North Rd., 14546 is in an AR-2 Zoning district. The Tax I.D. number 199.01-1-6.1 and 199.01-1-3.11.

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

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: October 10, 2019

The following comment and concern were made by the public in attendance:

- **D. J. Nelson**, 9072 Union Street, Scottsville, NY
→ Mr. Nelson wants to know what his intent is for the land. He stated that Mr. DeAngelis purchased other property and uses it to store cars.

The Public Hearing was closed at 8:09 P.M. since there was no one else from the public who wished to speak.

M. Grasso made a motion to classify the Woerner-DeAngelis Subdivision, 1482 North Road and other lands to be an unlisted action under SEQR, and to determine it to be a negative Declaration as to small or no environmental impact. This was seconded by T. Steves, and unanimously approved. R. Hatch abstained from the vote.

D. Stokoe made a motion to approve the Woerner-DeAngelis Subdivision, 1482 North Road and other lands based on a map from Shultz Assoc. dated 11/5/2019, resubdivision and combining of lots. This was seconded by T. Steves, and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Joseph Burns – aye
Tim Steves – aye
Debra Stokoe – aye
Robert Hatch – recused

➤ ***Blue Pond Manor***

County Comments came back with a 16-foot private right of way with no tax account number. The County suggested combining this with the rest of the property. The updated maps were distributed to the Board members.

R. Hatch made a motion to classify the Blue Pond Manor Subdivision to be an unlisted action under SEQR, and to determine it to be a negative Declaration with no environmental impact. This was seconded by J. Burns, and unanimously approved.

R. Hatch made a motion to approve The Pond Subdivision being a Re-Subdivision of Lots 7-12 & 83-87 and other lands, based on a map prepared by Richard Maier of Maier Land surveying, dated 9/14/19, job # 19-076. This was seconded by D. Stokoe, and passed as follows:

Mike Grasso – aye
Jay Coates -aye
Joseph Burns – aye
Tim Steves – aye
Debra Stokoe – aye
Robert Hatch – aye

New Business:

None

Future Business:

➤ ***1226 North Road***

No new information currently.

➤ ***Spring Street Solar***

No new information currently.

➤ ***Subdivision of land for Michelle and Lucas Krenzer***

They will be subdividing 3.15 acres of land for the RG&E pipeline. There is currently no formal application. There will be a Public Hearing at the December Planning Board meeting.

There may be a work session for Planning Board on November 19th. J. Coates will decide and let the Board know.

T. Steves made a motion to adjourn the meeting, seconded by R. Hatch and unanimously approved. The meeting was adjourned at 8:26 P.M.

Respectfully submitted,

Renee Smith

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
December 3, 2019**

Members present: Mike Grasso, Joseph Burns, Jay Coates, Tim Steves, Robert Hatch, Debra Stokoe

Members absent:

Also present: Terry Rech, Building Inspector
Ed Shero, Town Board Liaison
Carl Schoenthal, Town Board Liaison
Raymond DiRaddo, Attorney for the Town

Chairman Coates called the Planning Board meeting to order immediately following the Zoning Board meeting.

J. Burns made a motion to approve the minutes from 11/6/19, seconded by T. Steves and unanimously approved, R. Hatch abstained.

Old Business:

➤ ***Clearview Farms.***

J. Coates stated that he, T. Rech and the engineers met with Clearview Farms prior to this meeting.

The Applicant stated that the Townhomes need to be subdivided because of the public utilities and right of way, it is not because the Applicant has the intent to sell them. Each Townhouse will be on its own lot with a subdivision line through the dividing wall between the two Townhouses. There will be a common area outside the dividing line that the HOA will maintain.

The Applicant would like to set a Public Hearing for Phase 1, which would be the Townhomes, and Lot 29 which has 2 apartment buildings. It would also include the Stormwater management facility and the storage units.

J. Coates specified that greenspace, open space and buffers need to be shown on the preliminary site plan.

J. Coates stated that there needs to be discussion about storm water easements and plans, and who will be maintaining the pond and drainage. The Applicant clarified that the HOA will need to have an agreement with the apartment management company, since the pond will be on the apartment parcel. There will be a maintenance agreement with the Town, so that the Town can enforce the maintenance if needed.

R. Hatch made a motion to set a Public Hearing for Tuesday January 7th, for the Subdivision application and Townhouse Special Exception application for Clearview farms Phase 1 Subdivision. This was seconded by M. Grasso and unanimously approved.

New Business:

➤ ***Krenzer Subdivision***

Corey Tuffano, DDS Companies, was present to speak on behalf of RG&E and the Krenzer's. The Applicant would like to subdivide a parcel of around 3.5 acres from an existing 100-acre parcel. There are no current plans for the piece of property. J. Coates clarified that the parcel is on the route of the proposed pipeline. There will be a notice on the subdivision map that it is not approved for building. J. Coates stated that there should also be a pipeline notice on the subdivision map.

Public Hearing:

Chairman Coates opened the Public Hearing at 8:30 P.M. by reading the 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, December 3, 2019** at 7:00 P.M. in the **Wheatland Municipal Building, 22 Main Street, Scottsville, NY** to consider the following:

The application of Cory Tufano, DDS Companies as agent for Michelle and Lucas Krenzer to seek a single lot subdivision (3.561 acres) off from a 100.66-acre farm parcel. The property, located at Wheatland Center Rd. and the NYS Thruway, is in an AR-2 Zoning district. The Tax I.D. number 185.04-1-4.1.

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

Jay D. Coates, Chairman
Wheatland Planning Board
Dated: November 14, 2019

The following comment was made by the public in attendance:

- ***Kathleen Krenzer-Stein***, 2425 Scottsville Rd, Scottsville, NY
→ Mrs. Krenzer-Stein read the following letter to the Board.

Date: December 3, 2019

To: Members of the Wheatland Planning Board

Mr Jay Coates (Chair)
Mr Tim Steves
Mr Mike Grasso
Mr Joe Burns
Ms Debra Stokoe
Mr Robert Hatch

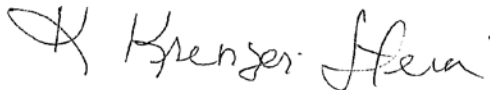
I am here to speak in regards to the application of Michelle and Lucas Krenzer who which to seek a single lot subdivision consisting of 3.561 acres off of a 100.66-acre farm parcel. The property, located at Wheatland Center Road and the NYS Thruway, is Tax I.D. number 185.04-1-4.1.

The property in question was bequeathed to Michelle and Lucas Krenzer following the passing of their grandfather, Thomas Krenzer. At the time of the bequest it was Thomas' general wish that *any property stay together as farming property as best as possible*. In addition, there were two (2) caveats written into the Will pertaining to the above tax number parcel. The first caveat being: said parcel is NOT to be sold within indicated period following the transfer of title, of which said period of time has yet to expire, and the second being there is a ROFR (Right of First Refusal) on said property.

With information presented, I am requested that you deny this application in order to respect the restrictive covenants in the Last Will of Thomas Krenzer which was filed with the Surrogate Court of Monroe County.

Lastly, I request that this letter be included in your meeting Minutes. Thank you for your time.

Signed,

A handwritten signature in black ink, appearing to read "K Krenzer-Stein". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'K'.

Kathleen Krenzer-Stein

A copy of this letter was given to DDS and to the Attorney for the Town.

The Public Hearing was closed at 8:35 P.M. since there was no one else from the public who wished to speak.

J. Coates stated that the Board will need to get the Attorney's opinion before a decision can be made on this application. R. DiRaddo, Attorney for the Town stated that he would need to do some research before moving forward with the application.

R. Hatch made a motion to table the application of DDS for a Subdivision on Wheatland Center Road till the January 7th Planning Board meeting. T. Steves seconded the motion and it was unanimously passed.

➤ ***1226 North Road***

R. Hatch recused himself from this part of the meeting since he is representing the Applicant. The Applicant is proposing a 5 lot residential subdivision on the remaining lands of the Bransfield Subdivision. There will be 2 front lots and 3 lots to the rear of the property, they will also be putting up a barn. There will be a private drive which the 3 rear lots would utilize. All the perc tests have been done.

Future Business:

None

There will be no work session for Planning Board on December 17th.

M. Grasso made a motion to thank Debra Stokoe for her years of service and dedication to the Town through her role as a Planning and Zoning Board member. R. Hatch seconded the motion and it was unanimously approved.

R. Hatch made a motion to adjourn the meeting, seconded by M. Grasso and unanimously approved. The meeting was adjourned at 8:50 P.M.

Respectfully submitted,

Renee Smith