

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
March 1, 2022**

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

Members absent: Kane Gascon

Also present: Terry Rech, Building Inspector

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

J. Burns made a motion to approve the minutes from 1/4/2022, seconded by M. Grasso and approved as follows:

Joseph Burns – aye
Mike Grasso -aye
Robert Hatch -aye
Laura Michaels -aye
Jay Coates -aye
Time Steves -abstain
Kane Gascon - absent

Old Business:

➤ ***AES - Ravich Solar***

This project will be on hold until June.

➤ **Bodhi Solar Project**

Lead agency requests have been sent out. County Comments and Engineers comments have been received. Bridget Cuddihy, from Cypress Creek was present remotely. She stated that a formal letter will be sent with their responses to the engineer's comments.

J. Coates stated that the Board has received updated information. This includes updated plans, views, and revised full environmental forms.

Ms. Cuddihy stated that Cypress Creek has updated information. She stated that the pole line up was updated. The plans changed from having 6 poles to having 4 poles and 2 pad mounts. The 2 pad mounts contain the utility meter and the customer meter. The landscaping plan has also been changed. They shifted from only evergreens to a blend of deciduous trees and evergreens. The SEQR has been revised to incorporate the Town of Wheatland's Ag and Farmland Protection Plan. A redacted version of the lease agreement with the owners has also been included.

J. Coates stated that they have had discussions about the screening plantings during their weekly calls with Cypress Creek. Ms. Cuddihy stated that they are looking at planting some smaller shrubs along with the trees to help with the screening. There have been discussions of whether to add a berm to the screening as well. Mark Sweeny, Attorney for Cypress Creek stated that the benefit of berms is that they raise plantings and add a hedgerow look, but it can be difficult for the plantings to thrive since they are raised up on the berm. If a berm is done for this project, it would be best to be lower so that the roots can grow down into the soil.

Mike Simons and Jonathon Spurr from LaBella Assoc. were present virtually to address the Board. He stated that they will be reviewing the Stormwater Management Pollution Protection Plan. This will be completed in a few weeks so that Cypress Creek will have time to review any comments before the Public Hearing.

R. Hatch made the following motion, seconded by L. Michaels. It was unanimously passed by the Board.

RESOLUTION ACCEPTING APPLICATION AS COMPLETE AND SETTING A PUBLIC HEARING FOR THE BODHI SOLAR PROJECT

WHEREAS, the Town of Wheatland Planning Board (the "Board") is considering an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Bodhi 1 Solar LLC (the "Applicant") for a 5.0 megawatt("MW") solar photovoltaic system (the "Project") on approximately 46.7 acres of a parcel located at 1699 Riga Mumford Road (Tax Map parcel 197.03-1-8.11) (the "Property").

WHEREAS, on or about December 1, 2021, the Applicant submitted an application package including a Town's application form, landowner authorization form , Civil site plan set, Full Environmental Assessment Form ("FEAF"), an Operations and Maintenance Plan, Decommissioning Plan and Estimate, a technical memorandum describing construction and measures to avoid or minimize potential environmental impacts, photographic visual simulations, a copy of the interconnection agreement for the Project, a farmland classification plan, the NYSDAM Notice of Intent, a glare analysis, a sound analysis and a proposed stormwater pollution prevention plan ("SWPPP");

WHEREAS, on or about January 4, 2022, the Applicant made an initial presentation to the Board on the Project and Application, received comments from the Board, the Building Inspector, and the public and the Board adopted a resolution declaring its intent to be Lead Agency under the State Environmental Quality Review Act (ECL Article 8 and its implementing regulations at 6 NYCRR Part 617, collectively ("SEQRA"));

WHEREAS, on or about January 10, 2022, the Monroe County Dept. Of Planning and Development having received a referral of the application from the Secretary to the Board pursuant to General Municipal Law

Section 239-m and Section 130-60 (c) of the Wheatland Town Code provided its determination and comments on the Application to the Board;

WHEREAS, on or about January 28, 2022, LaBella Associates, the Board’s engineering consultant, provided comments on the Application;

WHEREAS, on or about February 9, 2022, the Applicant submitted a supplemental package responding to the comments received from the Board, the Monroe County Planning and Development, LaBella Associates and the Public which included a revised site plan set, updated visual assessment analysis including visual simulations, a copy of the redacted agreement with the landowner for the Project, and a revised FEAF (the “Supplemental Submission”);

WHEREAS, on or about February 28, 2022, the Secretary of the Planning Board sent notices of the Board’s Intent to be Lead Agency to the Involved Agencies including the NYS Energy Research and Development Authority, NYS Dept. of Environmental Conservation, NYS Dept. of Transportation, NYS office of Park, Recreation and Historic Preservation, NYS Dept. of Agriculture and Markets, the Monroe County Dept. of Planning and Development, Monroe County Executive, the Wheatland Town Board, Mumford Fire District, Wheatland – Scottsville Fire District, Agriculture & Life Science Institute;

WHEREAS, the Board has reviewed the Application and Supplemental Submission and the comments from the other involved agencies;

NOW, THEREFORE, the Board hereby resolves the following:

1. The Application is complete for purposes of review in accordance with the Wheatland Town Code;
2. A public hearing shall be held on the Application on April 5, 2022 at 7:00 pm at the Wheatland Town Offices, 22 Main Street, Scottsville, New York 14546
3. The Secretary to the Board is directed and authorized to publish in the Town’s official newspaper, mail and/or post notices of the public hearing in accordance with the Wheatland Town Code; and
4. This Resolution shall take effect immediately.

Dated: March 1, 2022

PASSED AND ADOPTED by the Wheatland Planning Board on this 1st day of March 2022.

ROLL CALL VOTE

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> | <u>Abstain</u> |
|----------------|------------|------------|---------------|----------------|
| Chair Coates | X | | | |
| Mike Grasso | X | | | |
| Tim Steves | X | | | |
| Joe Burns | X | | | |
| Laura Michaels | X | | | |
| Robert Hatch | X | | | |
| Kane Gascon | | | X | |

T. Rech stated that the official address for this project is 1699 Riga Mumford Rd.

New Business: None

Future Business:

- Commercial Site Plan for 3721 Scottsville Rd.

There will be no work session in March.

R. Hatch made a motion to adjourn the meeting, seconded by T. Steves and unanimously approved. The meeting was adjourned at 7:24 P.M.

Respectfully submitted,

Renee Smith