

**TOWN OF WHEATLAND
PLANNING BOARD MINUTES
February 7, 2023**

Members present: Mike Grasso, Tim Steves, Robert Hatch
Kane Gascon, Jay Coates, Joe Burns, and
Laura Michaels-arrived late

Members absent:

Also present: Ed Shero, Town Board Liaison

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

M. Grasso made a motion to approve the Town of Wheatland Planning Board minutes from 1/3/2023, seconded by T. Steves and approved as follows:

Mike Grasso -aye
Laura Michaels -absent for vote
Jay Coates -aye
Time Steves -aye
Joe Burns – aye
Robert Hatch- aye
Kane Gascon -aye

Old Business:

➤ **Mumford Rezoning**

The Town of Wheatland would like to rezone the Village Industrial (VI) area in Mumford to R-12 zoning.

R. Hatch made a motion to recommend that the Town Board rezone the VI district in Mumford to R-12. This was seconded by J. Burns and approved unanimously.

➤ **Bodhi Solar Project**

**TOWN OF WHEATLAND PLANNING BOARD
BODHI I SOLAR LLC RESOLUTION CLARIFYING NAME OF
OWNER/APPLICANT**

At the meeting of the Town of Wheatland Planning Board held on February 7, 2023, Board Member Mike Grasso moved adoption of the following resolution: Board Member Robert Hatch seconded the motion. WHEREAS, on or about December 1, 2021, Cypress Creek Renewables LLC, on behalf of Bodhi I Solar LLC (the “Applicant”), submitted an application to the Town of Wheatland Planning Board (“Board”) for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code (the “Application”) for a 5.0 megawatt (“MW”) solar photovoltaic system (the “Project”) on approximately 46.7 acre portion of a parcel located at 1699 Riga Mumford Road (Tax Map parcel 197.03-1-8.11) (the “Property”), which correctly named Bodhi I Solar LLC as the Applicant,

WHEREAS, on or about January 3, 2023, the Board having thoroughly and extensively reviewed the Application adopted a negative declaration resolution under SEQRA and an approval resolution issuing a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code (the “Approval Resolutions”) wherein the Board cited the steps taken, the dates certain actions were taken by the Board toward the adoption of the Approval Resolutions, and the conditions of said approvals, WHEREAS, the Applicant subsequently noted that in the record of submittals, several documents, including the Approval Resolutions, incorrectly stated the name of the Applicant as either “Bodhi Solar 1 LLC”, “Bodhi Solar, LLC” or “Bodhi Solar” instead of the correct name of the Applicant: Bodhi I Solar LLC,

WHEREAS, on or about February 1, 2023, the Applicant made a request in writing to the Board to clarify and correct for the record that all submissions to the Board, approvals, resolutions, including the Approval Resolutions, should be considered to be in the name of Bodhi I Solar LLC, and that all such mis-labeled submissions were clerical errors only, as all such submissions were intended by the Applicant to be submitted in support of the Application submitted by Bodhi I Solar LLC, and

WHEREAS, all such submissions were reviewed by the Board and its designated engineers as part of its review of the Application and the Approval Resolutions were intended to apply to the Application submitted by and issued in the name of Bodhi I Solar LLC.

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

1. Confirms that all documents, maps, civil site plans, visual simulations, reports, exhibits and submissions made to the Board were made in support of and reviewed by the Board as part of its review of the Application and that all such submissions shall be deemed made in the name of the Applicant, Bodhi I Solar LLC, and
2. Confirms and corrects all resolutions relating to the Board’s review of the Project including, without limitation, the Approval Resolutions issued by the Board shall be deemed issued to Bodhi I Solar LLC, and all conditions and obligations of the Owner/Applicant in said Approval Resolutions shall be applicable to Bodhi I Solar LLC, and all assurances, representations and promises made on behalf of the Owner/Applicant shall be deemed made by and binding upon Bodhi I Solar LLC, and
3. The Board directs the Planning Board Secretary file within five (5) days from its adoption a copy of this clarification resolution in her office, in the office of the Town Clerk of Wheatland and with the Town of

Wheatland Planning Board Clerk and this clarification resolution shall be deemed incorporated into all documents, maps, exhibits and submittals in the file.

PASSED AND ADOPTED this 7th day of February 2023 by the Planning Board of the Town of Wheatland.

ROLL CALL VOTE

Joseph Burns AYE
Mike Grasso AYE
Robert Hatch AYE
Laura Michaels AYE
Timothy Steves AYE
Kane Gascon AYE
Chair Coates AYE

New Business:

➤ RGE application Station 541 regulator on Wheatland Center Road

The application of Michael Van Arsdale of LaBella Associates as agent for Rochester Gas & Electric to seek construction of a new public utility structure, facility (Natural Gas Regulator Station), interconnecting two existing high-pressure mains. The property address is 644 Wheatland Center Road located in an AR-2 zoning district. The Tax ID# is 185.04-1-4.12.

Dave Bovee from RG&E and Mike Van Arsdale from La Bella Associates were present to speak about the project. RG&E has been working on a project for the last 10 years to improve system reliability and redundancy within the RG&E natural gas infrastructure. This is the last step needed to complete the entire upgrade.

This will be a large concrete slab with the equipment above it and a false wall on the end for both visual appeal and to protect against the weather. There is an existing gravel drive off Wheatland Center Rd that will be utilized. There will be a fenced in enclosure around the station with a storm water retention basin outside the fence. This will be an above ground station.

County comments were received, there was nothing substantial.

R. Hatch made a motion to accept the application and set Public Hearing for the March 7, 2023 Planning Board meeting. This was seconded by J. Burns and unanimously approved.

Future Business:

There will be no work session in February.

T. Steves made a motion to adjourn the meeting, seconded by R. Hatch and unanimously approved. The meeting was adjourned at 7:17 P.M.

Respectfully submitted,

Renee Smith