

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

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

Members absent: Kane Gascon

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

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

**Old Business:**

➤ **GreenSpark Solar-CS Wheatland Solar**

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

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

**CS WHEATLAND SOLAR LLC**

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

WHEREAS, on or about July 3, 2025, the Town of Wheatland Planning Board (the “Board”) received an application for a Special Exception Use and Site Plan Approval pursuant to Section 130-62 W. Solar Energy Systems of the Wheatland Town Code submitted by Greenspark Solar on behalf of CS Wheatland Solar LLC (together the “Applicant”) for a ±2.375 megawatt (“MW”) AC solar photovoltaic system (the “CS Wheatland Project”) on ±10.81 acres of a ±43.1 acre parcel located at 1739<sup>1</sup> Scottsville-Chili Road (Tax Map Parcel 186.04-1-1.1) (the “Property”) within the Agricultural Rural (A-2) Zoning District;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**1. General Conditions**.

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

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

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

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

- d) Decommissioning. A copy of the fully executed Decommissioning Agreement and an original Decommissioning Bond shall be delivered to the Building Inspector.
- e) Insurance. The Applicant shall certify that they have commercial liability insurance against liability which might result from the construction, operation, and removal of the facility.

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

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

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

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

ROLL CALL VOTE

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

Document	Version 1: Date Created	Version 1: Date Sent	Version 2: Date Created	Version 2: Date Sent	File link	Notes
Cover Letter / Community Needs Letter	7/1/2025	7/2/2025			<a href="#">1. CS Wheatland Solar Cover Letter_07.01.2025_Signed.pdf</a>	
Appendix H. Krenzer	7/1/2025	7/2/2025			<a href="#">2. Appendix H_CS Wheatland_Krenzer_07.01.2025</a>	
Access Road Easement	7/1/2025	7/2/2025			<a href="#">3. Scott Krenzer_Access Road Easement_07.01.2025</a>	
EAF Part 1 (Full form)	5/2/2025	7/2/2025			<a href="#">4. NW_CS_EAF_FINAL_07.01.2025_Signed.pdf</a>	
Site Plans	7/1/2025	7/2/2025			<a href="#">5. CS_Wheatland_Prelim_Site_Plan_07.01.2025</a>	

Electrical Design - Site Plan / 3 line / 1 line	7/1/2025	7/2/2025	<a href="#">6. CS Wheatland_3-line electrical design_07.01.2025</a>
Equipment Specs	7/1/2025	7/2/2025	<a href="#">7. CS_Eqp. Specs_07.01.2025</a>
Wetland Delineation Report/drawing	7/1/2025	7/2/2025	<a href="#">8. CS Wheatland Solar_Wetland and Watercoruse Delineation_07.01.2025</a>
Draft SWPPP	7/1/2025	7/2/2025	<a href="#">9. cs_wheatland_solar_swppp_07.01.2025.pdf</a>
Addendum to the SWPPP	7/1/2025	7/2/2025	<a href="#">10. Addendum to SWPPP_07.01.2025</a>
Decommissioning Plan & Estimate	7/1/2025	7/2/2025	<a href="#">11. CS Wheatland Solar_GSS Decommissioning Plan .docx (part 1) - signed.pdf</a>
O&M Plan [DRAFT]	7/1/2025	7/2/2025	<a href="#">12. CS Wheatland O&amp;M Plan_07.01.2025.pdf</a>
Phase I ESA	7/1/2025	7/2/2025	<a href="#">13. CS Wheatland Phase 1 ESA_07.01.2025</a>
Line of site analysis	7/1/2025	7/2/2025	<a href="#">14. CS Line of Site_07.01.2025</a>
Visual Study	7/1/2025	7/2/2025	<a href="#">15. NW &amp; CS Viz Sim hard copy_07.01.2025.pdf</a>

### Future Business:

- None

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

Respectfully submitted,

Renee Smith