

**TOWN OF GAINES**  
**PLANNING BOARD MEETING**  
**May 4, 2021**  
**TOWN HALL**

Meeting called to Order at 7:05 P. M. by Chairman Watt.  
Carole Patterson led the Pledge to the Flag.

**Present:** Christopher Watt, Chairman; Gerald Monagan; Carole Patterson; Brenda Radzinski  
**Absent:** Justin Kirby

**Guests in Attendance:** Mario Rice – AES, Adam Rowles, Jared Perram, Sherman Gittens – MRB Group; Attorney John Gavenda; Adam Winguard (Via Teleconference)

**APPROVAL OF MINUTES**

Chris Watt called for a Motion to approve the minutes of April 6, 2021, 1<sup>st</sup> by Carole Patterson and 2<sup>nd</sup> by Brenda Radzinski.

Ayes - 4; Nays – 0; 1 Absent – Justin Kirby

Motion Carried

**NEW BUSINESS**

**Subdivision of Dunham**

A land Tract is being separated into 2 separate parcels. The parties involved with this project have submitted all of the correct paperwork and a survey of each of the 2 parcels. The first parcel has a house on it and the second parcel has woods all behind it. The first parcel meets all of the requirements for road frontage, size and setbacks. The second parcel is behind the first parcel, but is being sold to the adjoining neighbor that has plenty of road frontage. Both parcels are being sold. Dunham is being represented by Attorney John Gavenda who was present at tonight's meeting. John Gavenda spoke to the board about the details in regards to the parcel Dunham is involved in. John stated that the property has 39 acres and wants to add more by purchasing the adjoining property and it will meet the requirements for road frontage, size and setbacks. Chairman Chris Watt stated Mr. Gavenda has submitted all of the paperwork the board needs, therefore it will now need a public hearing which will be June 1, 2021 at 7:00 PM at a location to be announced at a later time. No other comments from Mr. Gavenda or the board.

Chairman Chris Watt called for a Motion to send Subdivision of Dunham to a public hearing on June 1, 2021, 1<sup>st</sup> by Gerald Monagan and 2<sup>nd</sup> by Brenda Radzinski

Ayes – 4; Nays – 0; 1 - Absent – Justin Kirby

Motion Carried

**OLD BUSINESS:**

**Uderitz Solar/Gaines-Waterport**

The representatives for this project were not present at tonight's meeting and the board is still waiting on paperwork from them in regards to the terrain elevations. There was also a potential problem during the SEQR process. Chairman Chris Watt discussed the details about this project as it had gone to the Orleans County Board Meeting and passed. However after the meeting the board found out there were some conflicts with the Engineering regarding the main road where traffic will be going in and out such as maintenance and Emergency vehicles. The information for the issue had not been sent over for the board to review and Chairman Chris Watt was not happy about this. Sherman Gittens from the MRB Group then spoke and mentioned Janet Ward had not responded to The Soil and Water Conservation District, so this was going to cause an issue for the project as well. When they last spoke to Janet she mentioned she would get these issues taken care of and sent over. However it had been about a month and the board has not heard anything from her or had anything to review. Sherman Gittens from the MRB Group then handed out an email that Chris Watt, Dan Strong and he had received from Janet to share with the board (See Email Attached to Minutes). The email stated that Janet was not going to be attending tonight's meeting as she had not received written confirmation of approval from the Orleans County Board, so because of this she did not feel coming to the board would be beneficial. The email stated in the mean time she would have a few items to update in order to be able to attend the Planning Board Meeting in June. Chairman Chris Watt and Sherman Gittens from the MRB Group then discussed this email and what needs to be done in order to

move forward. Chairman Chris Watt recommended that Sherman possibly create a letter to send out to Janet Ward in respond to the email requesting that all of the paperwork that is needed to be sent to the board no later than May 14<sup>th</sup>. If the information is not received by the board in the allowed time it would then cause a conflict with the board as well as with the Soil and Water Conservation District. Sherman from the MRB Group stated he may be able to visit with the Soil and Water and see if they will allow us a little more time, but he was not able to guarantee this would be able to happen. At the end of the discussion Sherman stated he would create a letter and send it to Janet Ward to see if she can get the updated information sent to the board by the 14<sup>th</sup> of May so they can then review it and possibly have her be part of the June meeting. In the end, there is no action that needs to be taken at this time.

### **STENDTS Solar Project/Bacon Road**

The discussion on this project started with Mario Rice setting up the teleconference call with Adam Wingard who is the representative for this project. The board welcomed Adam and then started the discussion. Adam confirmed with Chairman Chris Watt and Sherman Gittens from the MRB Group that they had received his updated responses, Chairman Chris Watt spoke up and mentioned he had received the information, reviewed them and had a couple of concerns he was hoping Adam would be able to update. One of the concerns was the wording regarding the maintenance of the vegetation and the maintenance of the fencing, he wanted to make sure these were separated out so they each can be shown how they will be taken care of individually, rather than together with other maintenance. Showing how the fence will be fixed and how the vegetation (grass) will be taken care of. Adam stated he understood what Chairman Chris Watt was saying and would be very happy to get that updated. The other concern was the mowing of the grass and making sure it would not be any longer than 10 inches tall. Chairman Watt wanted to make sure Adam understood our climate is not the same here as it is out in Colorado where Adam resides. We mow our lawns a lot more than what they would. So Chairman Watt wanted to know what Adam was going to do in order to make sure the grass was mowed. Adam stated he understood this situation and was planning on hiring contractors from New York that are used to the climate and used to mowing lawns. These contractors will make sure they go and get the area mowed and maintained and set up a mowing schedule. Adam stated it may take a few times of mowing in order to set up an actual schedule. Once this happens they will then stick to this schedule. Chairman Chris Watt spoke up and understood where Adam was going, but was a little concerned as our climate is always changing and they might not be able to stick to the schedule they create. We could have a really wet season or really dry season or something in between, so the grass could grow a lot faster or not as fast, so they are really going to need to keep an eye on the situation so that it does not get overgrown. Adam understood this situation and stated this schedule would not be set in stone and would be able to modify it if possible. Adam also stated he would make sure the contractors would be checking on the area multiple times and also possibly adhere help from neighboring people that live in the area and have then get in touch with them about what the area looks like. In the end Adam understood what Chris had mentioned and would make sure to update the information and make any changes if need be. Chairman Watt than continued the discussion and mentioned to Adam that he would like these updates they spoke out back to the board by the 13<sup>th</sup> of May in order to move forward with a hearing that will be scheduled on the 1<sup>st</sup> of June. Adam stated that would not be a problem and would definitely get the updates to the board by that time. Just before they ended the discussion on this project Chairman Chris Watt spoke up and asked about getting letters out to the neighbors letting them know what will be going on. Adam spoke up and stated he had sent out letters, had a meeting the week before and everyone knows what will be happening. At this point Sherman Gittens from the MRB Group stepped in and asked if they wanted to set up a schedule for a hearing. Chairman Chris Watt called for a motion and vote. Possible location may be at the Carlton Rec Hall, but was not sure. Sherman stated he would reach out to Adam once a location is set.

Chairman Chris Watt called for a Motion to send STENDTS Solar Project/Bacon Road to a hearing on June 1, 2021, 1<sup>st</sup> by Brenda Radzinski and 2<sup>nd</sup> by Carole Patterson

Ayes – 4; Nays – 0; 1 - Absent – Justin Kirby

Motion Carried

After the motion was carried, Chairman Watt then spoke up and mentioned to Adam about the budget and that they may have to reach out for more funds as they are getting close to where they are as of right now with what they have in the budget. Adam stated it would not be a problem, will be happy to send whatever the board needs.

Adam Winguard asked to confirm a few other items he wanted to clarify before leaving the meeting. He wanted to know if there were any other comments from the Orleans County Board Meeting that he may need to update. Chairman Watt stated nothing had been sent over yet, but once something comes up Sherman

Gittens from the MRB Group would update Adam. The other items Adam was wondering about was the water maintenance and the decommission that the attorney is working on. Adam did not know if there was any other comments from the Attorney regarding either of these situations. Sherman Gittens stated there were no comments from the attorney at this time as he is out of commission for personal reasons. Sherman told Adam if anything came up he would let him know. Adam understood the situation and would wait until after the hearing to see if anything comes up. No other comments were made at this time and will visit more after the hearing.

### **Pescara Solar Project**

The discussion on this project started out with Chairman Chris Watt stating he had attended the Town of Carlton Board Meeting and they made a decision to let the Town of Gaines become the lead agency for the SEQR. Chris Watt then stated they did not discuss too much at the meeting as he had most of the information and had reviewed most of it before attending the meeting. However there is a few items that are still missing and needed to find a way to get the missing information. Sherman Gittens from the MRB Group stated it was the Town of Carlton's responsibility to get whatever information was needed to the Town of Gaines. Jared who is the representative for this project stated that he would be happy to help get whatever information that was needed to the Town of Gaines board. Chairman Chris Watt stated he would be fine with that. One of the items that Chairman Chris Watt mentioned to be fixed was the height of the grass, he wants to make sure that they are going to keep the area mowed down so the Vegetation (grass) does not exceed 10 inches. Jared stated that they are going to be doing something similar to what the STENDT project is going to be doing and would make sure the area was taken care of. Sherman Gittens from the MRB Group then mentioned the information Jared had submitted to him, it was in a spreadsheet form and it should have been in a Word Doc form. Jared stated he would be happy to fix that if Sherman would be able to send the PDF form so he could make it into a Word Doc form. Sherman stated he would be happy to send it to him. One other comment made by Sherman Gittens from the MRB Group was in regards to the wording "Temporary Disturbance". Sherman was not clear as to what they meant by using this wording. Sherman and Jared discussed how the wording should be used. Jared thought it might be a good idea to possible set up a call with the agency to visit about this a little more so they could all be on the same page. Sherman felt they would not need to do that and then showed Jared a copy of the information he had so Jared could see what he was actually talking about. Both Sherman and Jared looked over the information and discussed what needed to be done and how to take care of so that everyone is on the same page and is aware of the process. Chairman Chris Watt asked about getting a breakdown of the 2 areas showing what would be done with both of the areas, Town of Carlton and Town of Gaines. He wanted to know if this information would be able to get sent over to the board as soon as possible as well as the other updates needed to be fixed. Jared commented it would not be a problem and would get things updated and sent back over as soon as he could. After the discussions, Jared asked if the SEQR process gets taken care of tonight and all of the updates were taken care, would they be able to go to the Orleans County Board. Chairman Chris Watt felt that it might not be until August before they went to the County as they were going to have to see what happens with the updates and the comments that they get, so it could take some time. They will have to see how things go. At this time, Sherman Gittens from the MRB Group asked the board if they were ready to sign the Resolution and become lead agency of the SEQR for this project. Chairman Chris Watt and the board felt all the information they needed had been presented and are ready to become lead agency. The Town of Gaines Planning Board Resolution was then handed out to the board by Sherman Gittens from the MRB Group to have them look over to make sure all looked correct. After a few moments of looking over the resolution the board a motion was made and they then conducted a Roll call vote.

Chairman Watt called for a Motion to be lead agency for the SEQR, 1<sup>st</sup> by Gerald Monagan and 2<sup>nd</sup> by Brenda Radzinski.

Roll Call Vote: Brenda Radzinski – AYE  
 Carole Patterson – AYE  
 Gerald Monagan – AYE  
 Chairman Chris Watt – AYE  
 Justin Kirby - Absent

Ayes - 4; Nays – 0; 1 – Absent – Justin Kirby

Motion Carried

After the motion was carried and the discussion was complete, Chairman Chris Watt then mentioned to Jared the board may have to reach out to them again for more funds as after looking over the budget they may not have enough to cover the costs. Jared stated that would not be a problem and would happy to send more funds when need be.

No further business.

**AJOURNMENT**

Chairman Chris Watt called for a motion to adjourn at 8:20 P. M. 1<sup>st</sup> by Gerald Monagan, 2<sup>nd</sup> by Brenda Radzinski.

Ayes - 4; Nays – 0; 1 – Absent – Justin Kirby

Motion Carried

Respectfully submitted,  
Sarah Bradshaw, Secretary