

TOWN OF GAINES PLANNING BOARD MEETING
CARLTON RECREATION HALL, 1853 OAK ORCHARD ROAD, ALBION, NY
SEPTEMBER 7, 2021

Meeting Called to Order by Chairman Watt at 7:07 P. M.

Pledge to the Flag led by Justin Kirby

PRESENT: Christopher Watt, Chairman; Gerald Monagan; Brenda Radzinski; Justin Kirby; Carole Patterson

GUESTS IN ATTENDANCE: Doug Bower, Walter Batt, Charlene Stillwell, Clark Stritzel, Jared Perram from the Pescara Solar Project, Andrew Gordon representing AES, Eric Will from AES, Craig Buechele from AES, Doug Heath Town of Gaines Attorney and Sherman Gittens, MRB Group

APPROVAL OF MINUTES

Chairman Watt asked for a motion to approve the minutes of August 3, 2021; Motion moved by Gerald Monagan and 2nd by Justin Kirby.

Ayes 5; Nays 0

Motion Carried.

PUBLIC HEARING FOR STENDTS SOLAR PROJECT/BACON ROAD OPENED AT 7:07 P.M. (CONTINUED – RECESSED FROM AUGUST 3, 2021 MEETING)

Chairman Watt asked who was at the meeting tonight representing the STENDTS Project. Andrew Gordon spoke up and stated that he was there and introduced the other 2 gentleman that were with him; Craig Buechele and Eric Will.

Chairman Watt then proceeded to inform everyone the revised information AES had sent the board and Sherman Gittens from the MRB Group did not arrive in time. Chairman Chris Watt stated that Sherman Gittens from MRG Group received his copy on Friday and the Town of Gaines Planning board received their copy on Tuesday September 7th (the day of the meeting). So they did not have much time to review the information.

Andrew commented that all of the responses that they had received were answered and revised and the board was welcome to skim through the information and ask any questions they may have. Chairman Watt stated the main concerns were the plans regarding the access road from 279 and the drainage to the wet lands.

As the engineer, with his plans, addressed the audience Mr. Watt stopped him and had him bring the plans closer to the board. Shortly afterwards announced that the plans had problems. "If you have stopped the natural flow, created more wet land and there is no way this access by plan will meet the load requirements, and we have to know where all the soil being removed is going and how much." Several discussions broke out and then it was suggested by Attorney Doug Heath for the board to close the hearing and set specific demands for AES to answer and finalize and reopen.

Motion to close Public Hearing on Stendts Bacon Road Project by Justin Kirby and 2nd by Carole Patterson.

Ayes 5; Nays 0

Motion Carried.

A Motion made to provide public with updated plans on 9/27/2021, with a foil request, for their consideration by Justin Kirby and 2nd by Gerald Monagan.

Ayes 5; Nays 0;

Motion Carried.

After the hearing was closed more discussion continued with questions from Andrew Gordon clarifying as to why this public hearing was being closed and they another was going to be scheduled. Attorney Doug Heath stated that the board would like to get the publics input, but the plans need to be reviewed in order for this to happen.

Board Time line: Specific request

Specify request to AES by Friday September 17, 2021.

Replies by AES September 24, 2021 to engineer and 10 full size copies of final plans to be delivered to the Town by September 27, 2021.

Doug Bower felt that this was an agreeable statement from Attorney Doug Heath and wanted to make sure that the public would be able to be part of the decision and be aware of everything that is happening with this application.

Andrew Gordon then spoke up and asked the board what other evidence the board would need in order for this to move forward. Chairman Chris Watt stated that they would like to see a copy of the letter that was sent out to the public letting them know about the construction and what will be going on in that area, the affidavit of mailings, the list of addresses that they used to mail out the letters, the receipt showing the letters were sent out certified and any responses or undelivered letters that came back to be included in documents to Town and list other items that needed to be completed would come from engineer.

At the end of the discussion Attorney Doug Heath stated that the plans should be finalized and then another public hearing can be scheduled.

Chairman Watt commented that all new revised plans need to be delivered to the Town of Gaines Office by the 27th of September. At that time they will then review the plans and then decide what they want to do at the next meeting which will be held on October 5th. They will then make their final decision and move forward at that time or not. If the deadline is not met, then this application would be done and it will not move forward.

Just before things ended with this discussion Andrew then questioned the board about the second part of the SEQR and was looking to see if they could get started on this. Chairman Watt stated that nothing more would be done at this until the new revisions were made, delivered and reviewed. Therefore, nothing more would be done at this time

OLD BUSINESS:

PESCARA Solar Project

Jared Perram was present as the representative for this project and he started the discussion by letting the board know after the Town of Carlton Meeting last month the landowner has agreed to land lock the property and merge both Town of Carlton and Town of Gaines together. The landowner signed a document that will allow this to happen as well as also be able to unmerge if things happen to fall out at any point. This information was passed onto Attorney Doug Heath to review.

The second item that he shared with the board was the information regarding the Crown Castle Cell Tower. He had a copy of the appraisal from the company for Attorney Doug Heath to review as well.

The final item Jared shared with the board was in regards to the Town of Gaines and Town of Carlton leases and how the land compliments each other. Jared advised the SEQR had to have revisions done to it in regards to the merger. A copy of the revised SEQR was also given to Attorney Doug Heath to review.

Jared stated that he only had one copy of each of these items for Attorney Doug Heath, but would be happy to get copies to the board if they wanted a copy.

Jared then moved on and asked the board about possible moving to the County Planning Board.

Chairman Chris Watt spoke up and stated the Town of Gaines and the Town of Carlton would need to correspond with each other directly in regards to the information Jared shared with them before the application could move to the County Planning Board, especially now that the 2 properties are being merged. The Town of Gaines would have to attend a Town of Carlton Meeting and the Town of Carlton would have to attend a Town of Gaines meeting to finalized all of the information and approve everything before moving forward. Mr. Watt further stated he would not go forward and would consider any thought Carlton had.

At this point nothing more will be done with this project, more discussion will take place at the October 5th meeting.

Uderitz Solar Project - Update

No representatives were present at tonight's meeting. Sherman stated that there was nothing new to report, he had not heard from the applicants. The one comment that Sherman shared with the Board was that Susan Heard will have to sign the approval with Corridents as she was the acting secretary at the time of the meeting where they reviewed this. At this time nothing more will be done with this project.

NEW BUSINESS:

Presentation from Buffalo, Solar on 400 KW Project on Beam property across from Intergrow Tomato Green Houses. The representative was not present at tonight's meeting. Chairman Chris Watt commented to the board that the application was not filled out correctly nor completely. Mr. Watt said he would explain what is necessary for the board to be able to accept an application and tell them the Town Board is considering a 6 month moratorium. At this time nothing more will be done with this project until further notice.

No further business

ADJOURNMENT

Motion to adjourn at 8:45 P. M. by Justin Kirby, 2nd by Brenda Radzinski.

Ayes 5; Nays 0

Respectfully submitted,
Sarah Bradshaw
Secretary