

TOWN OF GAINES PLANNING BOARD MEETING

FEBRUARY 2, 2021

TOWN HALL

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

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

Guests in Attendance: Dan Strong — Town of Gaines; Sherman Gittens - MRB Group; Rachel Silva —TRC;
Teleconferenced in — Adam Winguard and Amy — Attorney representing Adam Winguard and his team
PLEDGE

Introduction of Gerald Monagan as newest member of the board

APPROVAL OF MINUTES

Motion to approve the minutes of January 5, 2021 by Carole Patterson and 2nd by Brenda Radzinski.

Ayes - 5; Nays - 0

Motion Carried.

OLD BUSINESS

Discussion regarding the application presented by Michael Walker for a used car lot located at the Smith's Driving School Building at 5 corners..

Michael Walker was not present at tonight's meeting and Chairman Watt stated that he had not heard from him in 2 weeks. He was hoping to get more information, however going over the code book he found the location can be left as is or run as a commercial home/Car Sales allowing only 2 cars on the lot. Chairman Chris Watt stated since he had not heard anything more from Mr. Walker he will try to get in touch with him via phone call or letter to see if he still planning to proceed with this plan, otherwise the application will be dismissed. No action needs to be taken at this time.

2378 Gaines-Waterport Road Solar Application

Chairman Watt then moved to the discussion regarding the solar project on Gaines- Waterport Road (Uteritz). At this time there is no action since comments regarding the SEQR process need to be reviewed. There was no need for the rep Janet Ward to come to the meeting and she had telephoned Chairman Watt to let him know she would not be attending.

Sherman Gittens from the MRB Group mentioned that he had received a couple of comments about the project from the Albion Central School and the New York Agriculture and Markets. Each letter shared the inputs and concerns regarding this solar project. Letters were handed out from both to the board explaining their concerns. Both Letters are included with the minutes. Chairman Watt also stated the DOT had sent in a letter with their input, but had not been reviewed yet, copies of this letter were also handed out to the board for review.

Sherman Gittens from MRB then discussed the Agriculture and Markets guidelines and how they should be used while moving forward with this solar project in order to keep the land as is and avoiding any soil movement. After the discussion they felt the next step was to create a motion.

Chairman Chris Watt called for a motion to use the New York Agriculture and Markets Guidelines while moving forward with this project as well as any other solar project, regarding the disturbance of the soil. Motion by Justin Kirby 2nd by

Brenda Radzinski
Ayes—5 Nays —0
Motion Carried

Page 2

Bacon Road Project

Chairman Watt started the discussion regarding the project on Bacon Road. Adam Winguard who is the rep for this project attended the meeting via teleconference which was set up by Rachel Silva. There were many discussions regarding concerns the board and Sherman Gittens from the MRB Group had about the project. Some examples included whether Adam was sticking with his original plans or changing, removal of dirt in order to create ponds, whether the solar panels will swivel from East to West as the sun rises and sets and if these panels would withstand high winds. Adam reassured the board and Sherman Gittens these issues could be resolved and updated and no one should be concerned. He will also review the other comments that the MRB Group had sent and get everything updated and sent over for the board to review to forward. Adam then questioned the board about moving forward with the SEQR process and to see if the Board wanted to take lead. Chairman Watt felt that they did not want to move forward at this time, but wanted to see the updates first and discuss more at the March meeting. The attorney for the solar company, Amy who was also part of the Teleconference and representing Adam and his team stepped in to speak about the situation and wanted to know why the board was making this decision. She felt that all of the concerns could be updated during the process with the public hearing going on. Once this comment was made the board then held a private discussion with Sherman Gittens from the MRB Group regarding these comments and whether or not this would work. After a short discussion with the board members and Sherman Gittens, they felt it would be okay to move forward with the SEQR process. Chairman Watt stated they would go ahead with the process as long as Adam Winguard and his team still updated all of the issues and send the information to the board to review. All was agreed upon. A SEQR Declaring Intent to Become a Lead Agency was created shown to the board. Chairman Chris Watt called for a motion to become the lead agency for the SEQR, motion by Justin Kirby 2nd by Brenda Radzinski

A' —5 Nays — 0, Absent
Motion Carried.

Pescara Solar Project

Next Chairman Watt started the discussion regarding the Pescara Solar project that would be located at Gaines Waterport Road.

The rep for this project was not present for tonight's meeting. The discussion started with Chairman Watt still concerned about moving forward with this project as he is concerned that part of the land is in the Town of Gaines and the other part is in the Town of Carlton, Chairman Watt is still not sure he wants the Town to get involved with this project as he is not sure the procedure with the Town of Carlton regarding their rules, protocols and regulations or if the Town of Carlton Board has even accepted it and is moving forward with the project.

Sherman Gittens from the MRB group stated he will be attending The Town of Carlton Board Meeting the next following night to get the information from them about where they are on their end with the project and will report back to the board in March as to what he finds out. At this time there is no action to be taken and more discussion will take place at the March meeting.

No further business.

AJOURNMENT

Motion to adjourn at 8:50 P. M. by Justin Kirby, 2nd by Brenda Radzinski. Ayes
- 5; Nays -0.

Respectfully submitted,
Arah Bradshaw, Secretary