

**TOWN OF GAINES  
PLANNING BOARD MEETING  
JANUARY 5, 2021  
TOWN HALL**

Meeting called to Order at 7:00 P. M. by Chairman Watt.  
Justin Kirby led the Pledge to the Flag.

**Present:** Christopher Watt, Chairman; Justin Kirby; Brenda Radzinski.  
**Excused:** Carole Patterson

**Guests in Attendance:** Janet Ward from DG New York-Next Era Energy Resources; Michael Walker; Tim Uderitz; Dan Uderitz; Drazen Gasic from DG New York-Next Era Energy Resources; Kevin Overton Dan Strong – Town of Gaines; Andrew Gordon; Sherman Gittens – MRB Group; Teleconference in – Adam Winguard

**APPROVAL OF MINUTES**

Motion to approve the minutes of December 1, 2020 by Chairman Chris Watt, 1<sup>st</sup> by Justin Kirby and 2<sup>nd</sup> by Brenda Radzinski.

Ayes 3; Nays 0; Absent 1, Carole Patterson  
Motion Carried

**NEW BUSINESS**

Hearing opened at 7:05 PM for the discussion regarding the application presented by Michael Walker for a used car lot located at the old Mr. Smith's Driving School Building near 5 corners.

Discussion started with Chairman Chris Watt stating that he has several concerns regarding the application. Several updates need to be made to the layout map of the location that was included with the application. Examples given were the square footage of the property, layout of the parking lot such as where the cars for purchase will be parked, where customers will park and where the residents that live there where park. They also discussed concerns about how the inside of the building for business will be set up and how the residential part of the property will work around the business. The board also discussed the Specifics regarding the location of the septic tank, trees and needing to correspond with both the Town of Gaines and Town of Albion in regards to the water line, being aware of the surroundings such as neighbors and the intersection that has many accidents over the years. At the end of the discussion a decision was not going to be made at this time and there will be more discussion once the updates to the application are completed, which should take place at the February meeting.

Next Chairman Watt stated another application has been presented to the Board for another solar project that would be located at Gaines – Waterport Road (Pescara).

The rep for this project was not present. Chairman Chris Watt stated that the rep called him regarding the application. The discussion dealt with many concerns that he had regarding this project, many items need to be updated. The main concern regarding the project is that part of the land is in the Town of Gaines and the other part is in the Town of Carlton. Chairman Watt was not sure he wanted 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.

Sherman Gittens from the MRB group stated that he would like to contact the board from the Town of Carlton to get their side of this project and try to get some common ground with both the Town of Gaines and the Town of Carlton boards.

Chairman Watt call for a motion to send the application to the MRB Group to have them Evaluate the situation to see what can be done, by Brenda Radzinski 2<sup>nd</sup> by Justin Kirby.

Ayes – 3 Nays – 0 Absent 1, Carole Patterson  
Motion Carried

**OLD BUSINESS****2378 Gaines-Waterport Road Solar Application**

Chairman Chris Watt discussed starting the SEQR process. The discussion started with the conversation about the process of the SEQR and what had to be done in order to make this happen. There were discussions between Janet Ward from DG New York-Next Era Energy Resources and the board regarding information about holding a public hearing at the February meeting regarding the SEQR. However, there is no guarantee any actions would be taken. The board felt it would be best to do the hearing in March instead as that would give the public time to make their comments and it would also allow time to go to the County Planning Board. During the discussion regarding the SEQR and the public hearing, Drazen Gasic from DG New York-Next Era Energy Resources stated he was wondering if there were no comments made during the hearing in March would the hearing then close. Chairman Watt was not sure as you can't predict what can happen at this point. Discussion continued as both the board and Janet Ward from DG New York-Next Era Energy Resources tried to figure out the time line of the steps. Chairman Watt stated he could not at this time predict the time line, wanted to review everything and wait to see if any comments would be made.

In the end the Board decided to authorize to be the lead for the SEQR. Sherman Gittens from the MRB group read the Town of Gaines Planning Board Resolution Declaring Intent for us to become the lead Agency. Then a vote was made. Chairman Chris Wall called for a motion to become the lead agency for the SEQR, moved by Justin Kirby 2<sup>nd</sup> by Brenda Radzinski

Ayes – 3 Nays – 0, Absent – 1, Carole Patterson

Motion Carried

**Bacon Road Project**

Chairman Watt started the discussion regarding the project on Bacon Road (This is still a discussion between the rep and the engineers).

Adam Winguard who is the rep for this project attended the meeting via teleconference. There were many discussions regarding a few concerns that the board and Sherman Gittens from the MRB group had about the project. Some examples included the property lines where they have the project set up, landscaping such as trees, plants, grasses that will be planted, fencing that will be used and the distractions that will be in and around the solar panels. They reviewed a map layout of the land while discussing these issues. Chairman Watt stated that Adam needs to review these items and needs to be updated, get them fixed and answer the comments made by MRB in order to move forward. Adam Winguard stated that he understood where the board was coming from and would make sure to get these issues updated. Adam then questioned the board about the time line of the next steps to move forward. Chairman Chris Watt stated once the issues were updated, then there would be more discussion about the next steps. No decisions were made at the time of the discussion and there will be more to come once the issues get updated.

After the last discussion was completed MRB and the Board then had a discussion regarding Battery Back-up concern for each of these solar panel projects. Chairman Chris Watt felt this is something important to have. The board discussed about having Sherman Gittens from the MRB group create a moratorium for commercial battery back-up only to then be submitted to the Town Board Meeting to have them vote on it. Sherman stated that he would be happy to create something for the board.

Chairman Chris Watt made a motion to create the moratorium moved by Justin Kirby and 2<sup>nd</sup> by Brenda Radzinski

Ayes – 3; Nyes – 0; Absent -1, Carole Patterson

Motion Carried

**Final Discussion – Elections**

Discussion regarding the replace for Al Capurso. Chairman Watt stated that there was submission from an interested person that was looking to take the position Gerald Monogan. Justin Kirby and Brenda Radzinski felt that he would be a good replacement.

The next discussion was the renewal of Chris Watt as the Chairman of the Board. Chris stated that he would be willing to continue being in that position and asked both Brenda Radzinski and Justin Kirby how they felt. They both agreed that he knows what he is doing and is keeping the board on track. Mr. Watt will remain as the Chairman of the Planning Board.

Motion to keep Chris Watt as the Chairman of the Planning Board moved by Justin Kirby and 2<sup>nd</sup> by Brenda Radzinski  
Ayes 2; Nays 0; Absent – 1, Carol Patterson

No further business.

**AJOURNMENT**

Motion to adjourn at 9:30 P. M. by Chairman Watt, 1<sup>st</sup> by Justin Kirby, 2<sup>nd</sup> by Brenda Radzinski.

Ayes 3; Nays 0, Absent 1, Carol Patterson

Respectfully submitted,  
Sarah Bradshaw, Secretary