

TOWN OF RIDGEWAY
410 West Ave
Medina, NY 14103
PLANNING BOARD MINUTES
February 5, 2020

MEMBERS PRESENT:

Tom Fenton (Chairman)
Thomas Kline
Tim Elliott
Richard Fisher recused
Kathy Blackburn (vm)
Dan Fuller (vm)

Others Present

Kevin Overton
Olivia Meikle
Brian Napoli
Tony Moule
Mary Woodruff
Lorrie Thering
Ed Thering
Selwyn Spearin
Anna Callard
Shawn Callard
Darlene Witte
Bruce Witte
Michael Kuhmann
Jeff Toussaint
Heidi Marciniak
Brian T
James Sinner
M Huwyler
Andy Marciniak
Dan Wolfe
Kathy Bogan
Charles Malcolm

CALL TO ORDER:

Chairman Fenton opened the meeting with Pledge of Allegiance at 7:01 pm. He then asked Dan Fuller to sit in as a voting member.

APPROVAL OF THE AGENDA:

Chairman Fenton called for a motion to approve the February 5, 2020 Agenda. Motion was made by Kathy Blackburn to accept the meeting agenda; second by Dan Fuller. All in favor, the motion was carried

APPROVAL OF THE MINUTES:

Chairman Fenton called for the approval of minutes for the January 8, 2020 meeting.

Motion was made by Dan Fuller to accept the minutes as written, Tim Elliott seconded the motion. All in favor, the Motion was carried.

COMMUNICATIONS:

-Chairman Fenton passed around a notice from Heritage Wind to the board members. He also shared a letter sent from Zoghlin Group on behalf of residents of Swett Road concerning the proposed solar project.

OLD BUSINESS:

NEW BUSINESS:

Chairman Fenton asked for a motion to recommend setting a Moratorium on Battery Energy Storage Systems in the Town of Ridgeway for the next 6 months so that the Town Board and Planning Board can research Battery Storage Energy System Laws further per direction of the Ridgeway Town Board and the Town's attorney.

Charles Malcolm, special counsel to the Town for Energy Storage, explained that we have a draft Local Law stating we want to set a Moratorium on Battery Energy Storage Systems in the Town for the next 6 months to give the Town Board and Planning Board time to further study Energy Storage Systems before approving them. He explained what a Moratorium is and how it gives the Town Board the ability to hold approvals to evaluate concerns from the community and get information from independent experts. He laid out the process for a Moratorium: 1) Adopt Local Law 2) Public Hearing 3) Referred to Town Planning Board and County Planning Board, both of which will make recommendations as to adopt Moratorium or not 4) Town Board will then decide whether to adopt Moratorium based on recommendations from both boards. At this time, Tim Elliott announced that one board member, Richard Fisher, has recused himself from this meeting and any decisions made by the board in regard to this project. Kathy Blackburn made the motion, Dan Fuller seconded the motion. All were in favor and the motion carried. (Tom Fenton aye, Tim Elliott aye, Kathy Blackburn aye, Tom Kline aye and Dan Fuller aye.)

Chairman Fenton asked for a motion and resolution to declare the Town of Ridgeway Planning Board to act as SEQRA Lead Agency. Mr. Malcolm explained that this is for solar projects. The Planning Board must first classify the action, this a Type 1 Action, which allow us to perform environmental impacts ad further studies. We must inform other agencies of our intent and that we will be the lead agency. Materials were provided and Tim Elliott stated that they were available for everyone to look at if they wanted a copy.

Tim Elliott made the motion with a second by Kathy Blackburn. All were in favor and the motion carried. (Tom Fenton aye, Tim Elliott aye, Kathy Blackburn aye, Tom Kline aye and Dan Fuller aye.)

TOWN OF RIDGEWAY

**RESOLUTION DECLARING TOWN OF RIDGEWAY PLANNING BOARD'S
INTENT TO ACT AS SEORA LEAD AGENCY**

WHEREAS, the Planning Board is considering an application submitted by DG New York CS, LLC for a 3.19 megawatt ("MW") alternating current ("AC") solar energy system and energy storage project (the "Project") on a parcel located north of the intersection of Swett Road and Ridge Road with a mailing address of 2800 Swett Road, Lyndonville, New York 14103, SBL # 47.-1-65; and

WHEREAS, the Project is an action under the State Environmental Quality Review Act, ECL Article 8 and its implementing regulations at 6 NYCRR Part 617 (collectively, "SEQRA"); and

WHEREAS, the Planning Board desires to be assume Lead Agency status to allow it to conduct a coordinated environmental review of the Project.

NOW, THEREFORE, BE IT RESOLVED,

1. that the Project is classified as a Type I action under SEQRA;
2. that the following other agencies are SEQRA involved and/or interested agencies:
 - a. U.S. Army Corps of Engineers
 - b. New York State Energy Research and Development Authority
 - c. New York State Department of Environmental Conservation
 - d. New York State Office of Parks, Recreation and Historic Preservation
 - e. New York State Department of Transportation
 - f. Orleans County Planning and Development Department
 - g. Orleans County Economic Development Agency
 - h. Medina Central School District
 - i. Town of Ridgeway Zoning Board of Appeals
3. that the Board hereby states its intent to be Lead Agency for the Project pursuant to SEQRA regulations 6 NYCRR Part 617; and
4. that the Planning Board hereby authorizes and directs the Town Special Counsel to immediately circulate a Lead Agency Coordination Notice to all SEQRA involved and interested agencies and request their consent or objections.
5. This Resolution shall be effective immediately

PASSED AND ADOPTED by the Planning Board of the Town of Ridgeway on the 5th of February 2020.

Chairman Fenton asked for a motion to Table the Next Era Swett Road SUP application. Kathy Blackburn made the motion with a second by Tim Elliott. All were in favor and the motion carried. (Tom Fenton aye, Tim Elliott aye, Kathy Blackburn aye, Tom Kline aye and Dan Fuller aye.)

At this time Chairman Fenton announced that everything regarding the solar project was done for the evening and if anyone wanted to leave they could do so now. Tim Elliott added that there was no public comment period as we were moving on to the next topic on the agenda. (most of the audience left)

Site Plan Review application for Darlene and Bruce Witte for a Hair Salon at 3930 Salt Works Road. Tim Elliott and Kathy Blackburn will do the site plan later this week. There will be no road sign, just a sign on the building. The parking lot is paved. No public hearing will be required but the application will need to go to the County Planning Board as it is on a state road. The applicants are not required to attend as we have several members attending. The application will then be referred back to us with the county's recommendations and it will be discussed at the next town planning board meeting on March 4, 2020.

Chairman Fenton asked if there were any further questions or concerns. Since there were none, Chairman Fenton asked for a motion to adjourn the meeting. Kathy Blackburn made the motion and was seconded by Tim Elliott. All were in favor and the motion was carried. The meeting was adjourned at 7:25pm.

Next meeting is scheduled for March 4, 2020 at 7:00 pm.

Respectfully Submitted by
Joelle Brown
Planning Board Clerk