

TOWN OF RIDGEWAY
410 West Ave
Medina, NY 14103
PLANNING BOARD MINUTES
December 2, 2020

MEMBERS PRESENT:

Tom Fenton (Chairman)
Thomas Kline
Tim Elliott
Richard Fisher
Kathy Blackburn

Others Present

Shaun Logue- MRB
Michael Frateschi-TJA
Dan Wolfe

Others present VIA Telecommunication Meeting

Eric Kenna- C&S Engineers
Mark Sweeney- Sweeney Law

CALL TO ORDER:

Chairman Fenton opened the meeting with Pledge of Allegiance at 7:02 pm

APPROVAL OF THE AGENDA:

Chairman Fenton called for a motion to approve the December 2nd, 2020 Agenda. Motion was made by Richard Fisher to accept the meeting agenda; second by Tim Elliott. All were in favor and the motion was carried.

APPROVAL OF THE MINUTES:

Chairman Fenton called for the approval of minutes for the November 4th, 2020 meeting. Motion was made by Kathy Blackburn to accept the minutes as written; second by Richard Fisher. All were in favor and the motion was carried.

COMMUNICATIONS:

Chairman Fenton received a letter from Heritage Wind announcing a virtual public meeting on December 10, 2020 from 6-730pm.
Chairman Fenton thanked the board for all of their hard work this year.

OLD BUSINESS:

SUP for Medina Solar Projects at 11074 and 11202 Ridge Road. C&S sent revisions to address MRB Group's most recent recommendation letter. Included in this is a fence added along Richard Furness's property line. MRB received on Monday and will review. Shaun Logue and the Planning Board asked that the next revision submittal include the most recent information on all parts of the SUP to ensure we all have the most updated versions.

We received the County Planning Board recommendations on both sites and the Town Planning Board agreed with their recommendations. TJA has already talked to the County Emergency Management Office and a recommendation letter has been received as well. Both TJA Energy and MRB Group stated the recommendations are reasonable. The planning board members agreed. At this time the Board decided that they would not be moving forward until the next meeting to allow for MRB to review the revisions submitted on Monday. Mark Sweeney, Attorney for the projects, asked if the Board would consider holding a special meeting to move forward with the projects, as they are under time constraints. Both TJA Energy and C&S engineering consultants stated they could get all revisions done and to MRB and the planning board by 12/8/2020.

RESOLUTION 10: 12-2-2020

Resolution calling for a Planning Board Special Meeting to be held on Monday, December 14, 2020 at 1:00 pm.

Offered by Tim Elliott who moved its adoption.

Seconded by Kathy Blackburn.

Adopted: 4 Ayes (Chairman Fenton, Tim Elliott, Kathy Blackburn, Tom Kline)

0 Nays

1 Abstention (Richard Fisher)

Resolved to hold a Planning Board Special Meeting on Monday, December 14, 2020 at 1:00pm.

Dan Spitzer, special council Hodson Russ, had notified the Planning Board that the attorney for the Swett Road solar project had requested the Eastern Red Cedar Trees in the original plan be swapped out with the White Spruce Tree as they recently found out that they do not do well in this environment. There was a question as to whether or not we needed amended plans in addition to the resolution. Shaun Logue, MRB, wanted to make sure that when the company is ready to install that they are aware of the changes. He will reach out to Dan Spitzer.

RESOLUTION 11:12 -2-2020

Resolution Approving Revised Species for Landscaping Required for DG New York CS, LLC Solar Energy Project at 2800 Swett Road, Town of Ridgeway

WHEREAS, the Planning Board of the Town of Ridgeway (the "Planning Board") approved the application from DG New York CS, LLC for a 3.19 MWac solar energy generating facility at 2800 Swett Road, Lyndonville, New York 14103, SBL # 47.-1-65, in the Town of Ridgeway (the "Project"), which application, as amended called for Eastern Red Cedar as the plant to be used for landscaping; and

WHEREAS, Eastern Red Cedar does not thrive in the regional environment, is subject to harboring apples cedar rust, the pathogen that could harm local crops, and is subject to dear damage, and therefore the Applicant has requested that an alternative species be substituted, and upon review the Town Engineer is in agreement with the proposed substitution.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Town of Ridgeway that:

1. The Planning Board finds that substituting White Spruce for Easton Read Cedar is in the public interest, complies with the Town Code, creates no change in environmental issues except that it may provide hardier and better screening, and therefore substitution is approved

2. This Resolution is effective immediately

PASSED AND ADOPTED BY THE PLANNING BOARD OF THE TOWN OF RIDGEWAY
on the 2nd day of December, 2020

Offered by Kathy Blackburn who moved its adoption.

Seconded by Tom Kline.

Adopted: 4 Ayes (Chairman Fenton, Tim Elliott, Kathy Blackburn, Tom Kline)

0 Nays

1 Abstention (Richard Fisher)

The Ridgeway Town Board had requested that the planning board look at the Town's Solar Battery Storage Law as they have recently extended the moratorium another six months. The Planning Board Consulted with Special Council, Dan Spitzer, and made recommendations to the proposed Town Law. Dan Spitzer will be making those changes and submitting to the Town Board on behalf of the Planning Board.

NEW BUSINESS:

Chairman Fenton stated that going forward, the planning board should take into consideration the types of trees suggested in applications in regard to Eastern Red Cedar Trees. He also made mention that the previously approved Borrego Solar project on Beals Road has Eastern Red Cedar Trees in their plan. This project is near a fruit orchard. With Borrego replacing the tree line in the upcoming spring, Shaun Logue-MRB agreed to contact Special Council about requesting a different type of tree be used before they begin.

Chairman Fenton asked if there were any other issues 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 7:25 pm.

Next meeting is scheduled for January 6th, 2021 at 7:00 pm.

Respectfully Submitted by
Joelle Brown
Planning Board Clerk