

TOWN OF SWEDEN
Planning Board Minutes
August 13, 2018

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 13, 2018, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, Craig McAllister, Matthew Minor, Wayne Rickman, David Strabel.

Absent: Arnie Monno

Also present: Nat O. Lester, III, Planning Counsel; Tammy Baker, Town Assessor; Bill Johnson, Environmental Conservation Board; Shaun Logue, MRB; Kip Finley, Indus Development; Jodi Hunt, Tetra Tech; Kelsey Crane, Forefront Power; Tom Guzek, Helios Energy; Kris Schultz, Schultz Associates; Joe Hens, Ingalls Associates; Gail Gabriel; H. Haynes; Christopher and Ameer Lana; Bret Schmidt; Gilda and Brian Gowanlock; Robert Connors; William Isenberg; Sean Cliff; Lynette Hibsich; Mark Rabjohn; Roxanne Burne; Peggy Hale, Rhoda Collins, Forbes Court Reporting Services.

Chairman McAllister called the meeting to order at 7 p.m., and asked everyone present to say the Pledge of Allegiance.

Correspondence was passed to members for review.

At the request of the Town Attorney, James Bell, the meeting minutes were taken by Rhoda Collins, Court Reporter, for the following projects, and may be viewed on the Town's website at www.townofsweden.org.

Dollingers Subdivision. 4908 Lake Road. 084.01-1-2.4.

Mantisi Solar Farm Subdivision, Site Plan and Special Use Permit. 7397 Fourth Section Rd. 083.01-3-21.1.

Hibsich Solar Farm Subdivision, Site Plan and Special Use Permit. 7131 Fourth Section Rd. 083.01-3-21.1.

Helios Energy Solar Farm Subdivision, Site Plan and Special Use Permit. Lake Road and Swamp Road. 098.04-1-2.1.

Yaeger Subdivision and Site Plan. Sweden Walker Road and East Avenue. 069.02-2-13 and 069.02-2-14.11.

Bieber Amended Site Plan. 559 Ladue Road. 113.03-1-6.1.

The meeting was adjourned on motion at 8:45 p.m.

Respectfully submitted,
Phyllis Brudz - Planning Board Clerk

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PROCEEDINGS HELD BEFORE THE PLANNING BOARD AT 18 STATE STREET, BROCKPORT, NEW YORK ON AUGUST 13TH, 2018 AT APPROXIMATELY 7:00 **P.M.**

August 13th, 2018
Sweden Town Hall
18 State Street
Brockport, New York

PRESENT:

CRAIG MCALLISTER, CHAIRPERSON
RICHARD DOLLARD
DAVID HALE
MATTHEW MINOR
WAYNE RICKMAN
DAVID STRABEL

NAT. O. LESTER, III, ESQ.
Counsel

PHYLLIS BRUDZ
Coordinator

REPORTED BY: RHODA COLLINS, Court Reporter
FORBES COURT REPORTING SERVICES, LLC
21 Woodcrest Drive
Batavia, New York 14020

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CHAIRMAN MCALLISTER: Good evening. There is a sign up sheet in the back for anyone to sign in as they came in. I'd entertain a motion on the minutes of July 9th.

MR. DOLLARD: So moved.

MR. RICKMAN: Second.

CHAIRMAN MCALLISTER: Discussion? All in favor please say: Aye.

ALL MEMBERS: Aye.

CHAIRMAN MCALLISTER: Abstain? Opposed?
Thank you.

Next item we have on the agenda this evening is a Public Hearing for Dollingers Subdivision, Mantsi Solar Farm, Hibsich Solar Farm, Helios Energy New York Solar Farm. I entertain a motion to adjourn our regular meeting.

MR. STRABEL: I make that motion.

MR. DOLLARD: Second.

CHAIRMAN MCALLISTER: Discussion?
All in favor please say: Aye.

ALL MEMBERS: Aye.

CHAIRMAN MCALLISTER: Opposed? Abstained?
Thank you.

To start off the Public Hearing, know a couple of things. After a brief presentation I will open the floor

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3 for any questions, comments, or concerns. This is not an
4 informational meeting, this is only to get input from the
5 public. This is not to discuss the law, that goes to the
6 Town Board who creates the law, its the legislative branch.
7 So it's only comments, questions, concerns relevant to the
8 subdivision site plan of the solar farm.

9 Having said that, when you're identified to
10 speak please give your name and address. We have a
11 stenographer who is going to be taking the minutes this
12 evening, please speak up, and we will get started.

13 First we have Dollingers Subdivision.

14 MS. BRUDZ: If you could come to the podium,
15 please.

16 KRIS SCHULTZ: Just a brief description, Kris
17 Schultz, I'm a consulting engineer representing the
18 Dollingers.

19 This project is not a solar project.
20 Basically what we're doing is we're subdividing the
21 property in to two parcels. When the hotel was originally
22 built up on top of the hill, a Holiday Inn, it was set back
23 with the idea that the front portion of the property would
24 eventually have like an Applebee's or some other type of
25 business that would compliment the hotel.

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3 It never was built, but it was planned for and
4 at this time there's interest in an entity buying the hotel.
5 The owners would like to retain the front parcel to
6 potentially do something in line with a hotel in the future.
7 So we're doing a simple subdivision creating basically this
8 property line that subdivides off the property, and that's
9 all that's planned. There's no new buildings or improvements
10 planned at this time, it's just a simple subdivision making
11 two parcels from one.

12 CHAIRMAN MCALLISTER: Thank you, Kris.

13 Now opening the floor for any questions,
14 comments, concerns relative to this application? Okay, if
15 there's no interest we will move on to the next Public
16 Hearing.

17 Mantisi Solar Farm Subdivision, Site Plan and
18 Special Use Permit.

19 JODI HUNT: This new technology you gentlemen
20 have -- why isn't this coming up? Let me just start over, I
21 think this will go.

22 I'm Jodi Hunt, I work with Tetra Tech and this
23 is Kelsey Crane she's from ForeFront Power. ForeFront Power
24 and Tetra Tech work together, they are the developers, we do
25 the environmental site work and the engineering. Kelsey is

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3 going to talk you through a little bit about ForeFront and
4 I'll get into the project specifics quickly.

5 CHAIRMAN MCALLISTER: Since this is only
6 regarding subdivision and site plan, all we need to know is
7 that portion of your application pertaining to it. We don't
8 need the history of solar or the ties between your power and
9 environmental.

10 JODI HUNT: So environmental issues are not of
11 concern this evening?

12 CHAIRMAN MCALLISTER: They will be, in review.

13 JODI HUNT: Okay. We don't need to discuss
14 any of the environmental aspects this evening?

15 CHAIRMAN MCALLISTER: No, because this is not
16 an informational meeting, this is a presentation for a Public
17 Hearing. The public is going to give us their input on what's
18 up.

19 JODI HUNT: That's fine. Just quickly then,
20 Kelsey will just talk to you.

21 KELSEY CRANE: Yeah, I'll just give you a
22 little run down on ForeFront Power. We are a developer of
23 solar in the US. We are in all of these states you can see.
24 We have a lot of experience in all of these states. I'm on
25 an east coast team, so I work on projects in Maryland and New

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3 York. Our office is based in San Francisco, but that's just
4 the main office. We have satellite offices in New York City,
5 New Jersey, and in the DC area.

6 So we have developed over 700 megawatts of
7 projects and that's equal to almost 1,000 projects. We do
8 canopies, we do schools, we do ground mounts, just kind of a
9 mix. But on the east coast our bread and butter is really
10 community solar. We like the idea that we can build
11 something that everyone in the area can participate in.

12 JODI HUNT: Okay. So I'm going to skip
13 through a lot of our, you know, how we select things. A lot
14 of environmental work goes into these, we will save that for
15 later. You have stacks and stacks of paperwork about the
16 environmental work. This is our site plan and essentially
17 we're not doing a subdivision to permanently subdivide the
18 parcel, it's going to be leased.

19 CHAIRMAN MCALLISTER: This is not information,
20 just do your presentation, thank you. We'll get into the
21 review when we start the review.

22 JODI HUNT: So I guess that is the information
23 that I have. That we are requesting this 13 acres that is
24 shown on the subdivision maps to be used for a solar
25 facility. It is not a permanent subdivision, it's a --

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3 CHAIRMAN MCALLISTER: It will be. What your
4 application is for is a subdivision, a site plan, or you
5 wouldn't be meeting with this Board. That's what we do.

6 JODI HUNT: We were told that we needed to do
7 the subdivision, so we're doing that, yeah, that's right.

8 KELSEY CRANE: So we're subdividing the area
9 that we're going to be using out of the parcel.

10 JODI HUNT: And it's just an access road and
11 the panel array.

12 CHAIRMAN MCALLISTER: And any other ground
13 equipment.

14 JODI HUNT: The equipment will be just a small
15 cement pad with an inverter and a transformer located
16 centrally to the array so it doesn't take up additional
17 space.

18 CHAIRMAN MCALLISTER: Okay, thank you.

19 With that, I open the floor for any comments
20 questions, or concerns relative to this application? Any
21 comments, questions, or concerns relative to the application?
22 If not, thank you, we will move on to the next.

23 The Hibsich Solar Farm Subdivision, Site Plan
24 and Special Use Permit.

25 JODI HUNT: I'll skip through all of the other

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3 stuff and go right to subdivision. Again, we are requesting
4 a subdivision of approximately the same size here, and it's
5 the same thing. It's an access road, the solar panel array,
6 and a small area for the electrical equipment within the
7 array, central to the array. It will be subdivided from the
8 larger property, and leased by ForeFront from the landowner.

9 CHAIRMAN MCALLISTER: Thank you. The floor is
10 now open for any comments, questions, or concerns relative to
11 this application.

12 ROBERT CONNERS: I just have a couple
13 questions, and I doubt you will answer them. Robert Connors,
14 One Country View Terrace. The piece of property I have is
15 about just shy of 500 feet which will have a common border
16 with this. I don't understand the proceedings or why we are
17 here, but my understanding is the application is for a
18 commercial development in a residential area and my question
19 is, does this application fall on the current code as on file
20 today in the Town Code?

21 CHAIRMAN MCALLISTER: Next.

22 ROBERT CONNERS: That's it?

23 CHAIRMAN MCALLISTER: Yes. This is not
24 information, this is to get input from the community.

25 ROBERT CONNERS: That's puzzling for me, I

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believe most of us. So . . .

CHAIRMAN MCALLISTER: If this was a give-and-take informational meeting, but it is not, it is a Public Hearing to get input from the public solely. That's it.

ROBERT CONNERS: Input from the public solely. Okay.

CHAIRMAN MCALLISTER: Prior to us starting our review.

ROBERT CONNERS: As a property owner in the area then I would object to having a commercial site that's four corners of a residential area without going through the proper procedures to get there. I believe I'm done. Thank you.

CHAIRMAN MCALLISTER: Thank you.

WILLIAM ISENBERG: William Isenberg, 5121 Redman Road. The problem that I'm going to have with this whole entire plan you have is, my question I guess is environmental impact: Will it be visible? Visual is very important. My house sits right next to that field. I don't want to look out my window and see huge solar panels. To me that's a visual eyesore. We need to make sure that this is addressed in some mannerism.

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3 What is it going to do to the impact of my
4 house? What it's going to cost my house when I decide to
5 sell that property? Am I going to see a decrease in the
6 value of this home? Because it's going to be a very tough
7 market out there to try to sell a home that sits next to a
8 whole solar field.

9 My next question is: Did you by any chance
10 ask Miss Hibsich about the 13-acre field that she has buried
11 in the woods that's directly behind her house which would be
12 the perfect site plan for those solar panels. You wouldn't
13 have anyone upset, you wouldn't be destroying the beauty of
14 why we're living there, and I'm sure it would fall in your
15 category as to whatever you guys are going to use this
16 facility for.

17 What kind of financial gain does the community
18 get from this solar panel, this 13-acre solar panel? Is
19 there enough wattage output to be able to take care of the
20 Brockport School District? Good questions to be asked, I
21 believe.

22 So these are a lot of things that really need
23 to be looked at. Because I believe in my heart if you put
24 the solar panel field in there I'm going to lose 30 to 50
25 percent when I go to sell my house. Are you going to buy my

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3 house sitting right next to a big ole ugly solar panel, a
4 huge field of solar panels, if it's marketed for 140? Now
5 you say no, it's only worth 75, because I don't want to see
6 that ugly thing.

7 You have a whole field that's right behind her
8 house. She's the one that's going to gain, she's going to
9 get financial gain for this, not us. If she really wants
10 this that bad for her financial gain, you put it in that
11 field where no one can see it. It's completely surrounded by
12 woods in the middle of nowhere. It wouldn't affect anyone.
13 It wouldn't affect home value, it wouldn't affect us at all,
14 the surrounding neighbors that are around that field that
15 have to look at this thing. So there's a lot of questions
16 that need to be answered, I would have to say. So this is
17 what I bring to you folks.

18 CHAIRMAN MCALLISTER: Thank you very much.

19 JODI HUNT: Are we expected to respond to any
20 of it?

21 CHAIRMAN MCALLISTER: No. You will be
22 responding to us when we do the review.

23 JODI HUNT: I have responses and it's all
24 in --

25 CHAIRMAN MCALLISTER: When we do the review

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3 you will be responding to us.

4 JODI HUNT: Okay.

5 CHAIRMAN MCALLISTER: Yes, sir.

6 CHRIS LANA: My name is Chris Lana I live at
7 5086 Redman Road, which is directly across from the field
8 that this solar field is being proposed. Six years ago when
9 I purchased my house up on this road I purchased it because
10 of the location, because of the atmosphere, and the
11 environment, the fact that we can sit out on our front porch
12 to observe the wildlife. With a solar field going in on this
13 field we are not going to be able to do that. Not only that,
14 I'm concerned about the fact that it's going to depreciate
15 the value of my home.

16 I am curious to see what the Town's going to
17 get in regards to kickback for having the solar field
18 installed within the township, especially for changing
19 something that's zoned residential to commercial. Piggy
20 backing what Mr. Isenberg said, Miss Hibsich has property
21 that's buried in the woods that is open to use and I wouldn't
22 be opposed to that kind of property being used for her
23 benefit in that aspect because it is not something that's
24 visually seen from my front porch.

25 My wife and I just built the front porch on

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3 our house just two years ago to sit out front and enjoy
4 what's across the street. I don't want to look at a solar
5 farm across the street. I have no interest in that. The
6 fact that I'm going to lose property value on my house after
7 the tax assessment just got raised on it is not something I'm
8 going to be happy about.

9 So I'm real curious to see how you guys handle
10 this and what the environmental impact is, what it's going to
11 have on our land and around it. Because these solar panels
12 are sitting there and are articulating, and every morning I'm
13 going to wake up to some kind of glare in my face, or my
14 neighbor's face for that matter. That's not something I'm
15 interested in having there. That will definitely hurt the
16 impact as far as the sale value of our house.

17 CHAIRMAN MCALLISTER: Thank you very much.

18 MERLE ELDRIDGE: My name is Merle Eldridge,
19 5145 Redman. I certainly don't object to solar panels
20 because I have them, but they certainly don't sit out on a
21 road. I'm a little surprised they even accepted this
22 application. This is right on the road. Are you accepting
23 all applications, is that what you're doing? You don't even
24 look them over or anything?

25 CHAIRMAN MCALLISTER: Yes, we do.

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MERLE ELDRIDGE: You looked that over --

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CHAIRMAN MCALLISTER: No, we have not done a review yet. Let me start again. You do an accept for review. All you have to have is the amount of information required to do an accept for review, they have that. Then you have a public hearing to get input from the public on the project, what their concerns are, then we do our review.

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We're looking for your input prior to starting our review so that we cover all of your concerns.

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MERLE ELDRIDGE: I asked you a question.

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CHAIRMAN MCALLISTER: Yes.

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MERLE ELDRIDGE: Are you accepting all of these things no matter how the position of them or anything else, I mean, when they apply?

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CHAIRMAN MCALLISTER: Absolutely.

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MERLE ELDRIDGE: Interesting.

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CHAIRMAN MCALLISTER: That doesn't mean they get approved.

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MERLE ELDRIDGE: No, I understand that, I'm just surprised that we are going at it in that manner.

23

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CHAIRMAN MCALLISTER: We don't have the legal option not to.

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MERLE ELDRIDGE: I thought you were one in the

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3 Town?

4 CHAIRMAN MCALLISTER: No, this is the Planning
5 Board, that would be the Town Board.

6 MERLE ELDRIDGE: I'm sorry. Anyway, thank
7 you.

8 CHAIRMAN MCALLISTER: We are a long way from
9 that, Merle.

10 MERLE ELDRIDGE: Thank you.

11 CHAIRMAN MCALLISTER: Thank you. Yes.

12 PEGGY HALE: Peggy Hale, 26 Meadowview Drive.
13 Is it appropriate to ask for an informational meeting?

14 CHAIRMAN MCALLISTER: It is, depending on what
15 information you are looking for, you will probably want to
16 get to the right Board.

17 PEGGY HALE: I want to get what?

18 CHAIRMAN MCALLISTER: To the right Board. If
19 you are asking about the law and the legalities of the law
20 and where these things can be placed, that is the Town Board
21 that's not the Planning Board.

22 PEGGY HALE: Okay. Now, these ladies started
23 talking and you stopped them and said this is not an
24 informational meeting.

25 CHAIRMAN MCALLISTER: Exactly. This is a

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3 Public Hearing.

4 PEGGY HALE: Okay. So how can we create a
5 situation where they can speak to us and share their
6 information?

7 CHAIRMAN MCALLISTER: You can attend all of
8 the review sessions that the Planning Board has and all of
9 the information about the project will be heard.

10 PEGGY HALE: All of the review sessions,
11 that's after the Public Hearing?

12 CHAIRMAN MCALLISTER: Yes.

13 KELSEY CRANE: We can work with the Town and
14 see if we can hold something separate in this room at a
15 different time just to give you guys our presentation.

16 JODI HUNT: We do have responses, we can put
17 out a lot of these fires very quickly right now.

18 KELSEY CRANE: That's something we'd be
19 willing to meet with you guys on a separate time because it
20 is not part of the Town's process. We can make it part of
21 our process.

22 CHAIRMAN MCALLISTER: If you would like to
23 provide information and answer questions, that's fine. It
24 has nothing to do with our review as long as you understand
25 that and we are not participating.

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3 JODI HUNT: I understand completely and I
4 really do appreciate that. I don't want people chewing on
5 misinformation for the next few weeks. It just builds anger
6 and that's not what we're aiming for. So I appreciate that,
7 thank you. Should we wait until everybody asks their
8 questions and then just run down quickly?

9 CHAIRMAN MCALLISTER: We are not going to go
10 into the informational, go to questions, informational,
11 questions, and go back and forth all night long. You can do
12 a presentation and then they can ask questions.

13 JODI HUNT: You want us to do our
14 presentation?

15 CHAIRMAN MCALLISTER: That would be fine.

16 JODI HUNT: Thank you.

17 PEGGY HALE: It certainly would help me.

18 CHAIRMAN MCALLISTER: As it pertains to the
19 Town of Sweden please.

20 JODI HUNT: Understood.

21 PEGGY HALE: It certainly helped me to look at
22 the paperwork ahead of time.

23 CHAIRMAN MCALLISTER: That's why when we list
24 the Public Hearing we have all their information available at
25 least two weeks prior to the Public Hearing so people can get

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3 all that information up front.

4 PEGGY HALE: And is that in the letter that's
5 sent to the property owners?

6 CHAIRMAN MCALLISTER: That's in the notice
7 that goes out notifying people that there's going to be a
8 Public Hearing, yes.

9 PEGGY HALE: I feel that the Hibsich Solar Farm
10 is more troublesome. I'm pro-solar, by the way, but the
11 location and the proposal for the Hibsich Solar Farm is in an
12 area that is developing residentially. There are many more
13 houses, property owners there to be impacted by deduction in
14 the value of their property. Whereas the western proposal
15 has much more undeveloped land around it, and so I feel that
16 that's not as questionable and I would encourage people to
17 get the material that's available and read it. I read it
18 just before I came and, yeah, it helps.

19 CHAIRMAN MCALLISTER: It certainly does.

20 JODI HUNT: Okay. So again, my name is Jodi
21 Hunt and I'm the environmental consultant hired by ForeFront
22 to go through all of the environmental policies. For ten
23 years I lived at 1363 Redman Road. I am familiar with the
24 property and I'm familiar with your community, I've been a
25 neighbor for ten years. I just moved.

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3 We go through a whole site selection process.
4 We talk to the landowner, we talk to the DEC, we talk to the
5 agricultural department, the County, we talk to your Town.
6 And ultimately, I will go as quickly as I can for this, but
7 we come up with what are the best places we think for
8 everybody involved. And when I say we, I mean the Town, the
9 County, the State and the landowner.

10 We look at things like visibility, how is this
11 going to look? How can we make it look better? Can we put
12 it in a location that will be less visible to the neighbors?
13 Is there a screening that we can put up? Can we plant some
14 vegetation that might make it look better? Or can we use the
15 natural rolling of hills to make it not so visible from
16 porches?

17 Again, this is the site plan you have already
18 seen. It meets setback requirements for the Town, so it
19 would be in compliance with all of the requirements for the
20 Town. I don't need to go too much into --

21 ROBERT CONNERS: Could you just back up? You
22 said what would be in compliance?

23 JODI HUNT: All of the required setbacks by
24 the Town we are complying with in our requirements. We're
25 not going to go outside or do anything not allowed by the

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3 Town.

4 WILLIAM ISENBERG: The setback from the road
5 to where the project actually starts?

6 JODI HUNT: It is a project setback, yeah,
7 from the side, rear, and front.

8 CHAIRMAN MCALLISTER: Something you might want
9 to address that would be an immediate concern from what I'm
10 hearing is your berming and your vegetation planting and your
11 screening for the project. The height of the system and
12 what's actually going to be visual on the ground.

13 JODI HUNT: So the height of the panels is
14 approximately nine feet above ground. We like to say it's
15 typically lower than a mature cornfield. One of the things
16 that we do, and I received some e-mail comments, I know that
17 degradation of the soil is a concern.

18 So this is agricultural property out here.
19 Actually these properties they help to firm up the soil. You
20 can see in these pictures we've got a cornfield here and some
21 pretty massive soil erosion. But once we have our project
22 in, we put the panels in which really don't create any
23 disturbance. There's no massive land clearing, we don't go
24 in with bulldozers and knock it all down. These are going
25 into the ground with fence posts, drive in, no cement,

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3 hammered down in, very little ground disturbance. And
4 whatever mud does get made just from a skid steer or
5 whatever, we would replant depending on what the Town wants,
6 either a pollinator blend or a nutrient-rich blend that would
7 keep nutrients and/or pollinators on the site for the term of
8 the lease.

9 So actually once the project is decommissioned
10 it all gets pulled out and you have farmland that's been
11 fallow for 20-ish years. So if it's not in better condition
12 from being fallow, it's the same condition as it was before.

13 WILLIAM ISENBERG: So you're saying each panel
14 is pretty much temporary?

15 JODI HUNT: These panels are temporary, the
16 access road is temporary --

17 WILLIAM ISENBERG: How much longevity is in
18 these panels before they're removed?

19 KELSEY CRANE: Our lease is 25 to 30 years.

20 JODI HUNT: So one of the other comments that
21 was brought up was glare and screening. So this is a big
22 one. We actually run through four separate glare analysis on
23 all of our projects and they are all FAA compliant. So we
24 evaluate these projects from a glare standpoint. What is it
25 going to look like from an airplane? What is it going to

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3 look like from a big semi-truck, from a passenger vehicle,
4 from a first-story window, and from a second-story window?
5 And we go through the 24 hours in a day, what kind of glare
6 are you going to have? This has little to no glare at any
7 time during the day. The panels are south facing and they do
8 not move. They stay right where they are, they cannot move
9 at all. So glare does not change throughout the day.

10 Again, we use a really simple design here.
11 There's a fence and access road, the post driven -- it's
12 called a racking system -- they're fence posts just pushed
13 into the ground and panels sitting on top --

14 WILLIAM ISENBERG: Excuse me, William
15 Isenberg, 5121 Redman Road. So you're saying there's no
16 glare on these panels?

17 JODI HUNT: I'm saying there's little to no
18 glare. And we actually did a full glare analysis. I must
19 say it's just under 50 pages that is available through, I
20 mean the Town has it and that's a public document, I'm
21 assuming. But, yes, essentially there's little to no glare.

22 WILLIAM ISENBERG: So that south facing is
23 going to be glaring right into the side of my house.

24 JODI HUNT: So we've done a full glare
25 analysis like I said, and we've done it from the height of a

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3 first story and a second-story window. We've also done it
4 from the height of a commercial 18-wheeler truck and a
5 standard driver's height. There's little to no glare. And
6 that is because these panels have an antiglare coating on
7 them. It's called ARC, it's an antireflective coating. It's
8 very similar to the coating that you have on the windshield
9 of your car. If you didn't have that on the windshield of
10 your car we'd all be blinded driving down 390 in the morning.

11 WILLIAM ISENBERG: So you never had a car
12 coming at you with the lights perfectly shining into that
13 windshield, you looked at that windshield and you did not get
14 a glare back at you?

15 JODI HUNT: Of course I have.

16 WILLIAM ISENBERG: You've never done that?

17 JODI HUNT: Of course I have.

18 WILLIAM ISENBERG: So that panel has the
19 capability of doing the same thing. You just said that --

20 JODI HUNT: And I would say it is very
21 unlikely based on science and math, and we have the
22 paperwork. And at the risk -- I don't want to annoy the
23 Board.

24 WILLIAM ISENBERG: Okay.

25 JODI HUNT: But that glare analysis I'm sure

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3 is public information and I'm sure they would give it to you.

4 WILLIAM ISENBERG: And so the UV rays that are
5 reflecting off of that there's no thermal issue that's going
6 to be -- there's no heat coming off?

7 JODI HUNT: The point of these is to absorb
8 power. We don't want them to reflect it back up, that would
9 be useless. We want it to soak in and go into the grid.

10 WILLIAM ISENBERG: Thank you.

11 JODI HUNT: Of course.

12 KELSEY CRANE: And just to touch base on the
13 other slide about the farmland and the use of that, we don't
14 us pesticides, we don't use herbicides, we let it grow and
15 just cut it down. There's no chemicals, we don't care if
16 little weeds grow underneath.

17 JODI HUNT: So just to wrap it up, these are
18 temporary, they do preserve farmland, and there is a full
19 decommissioning plan of bond that will be held by the Town.
20 They will hold ForeFront's money so that, God forbid,
21 something happens they have -- you have the money to get rid
22 of all of it and recycle it and the land will be returned to
23 whatever the property owners want.

24 KELSEY CRANE: Yeah. And from what I'm
25 hearing obviously visual is the main concern and we do know

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3 that. So like we were asked, berm, vegetation, we are
4 willing to work with you guys and the landowner to get that
5 visual down to as minimum as possible. If the best option is
6 to put a berm, I believe the landowner would be willing to do
7 that. If the best option is to put a mixture of evergreen
8 and natural species that will grow throughout the whole year
9 and cover as best as possible, that's something we are
10 willing and able to do.

11 So it's good to hear those concerns. And it
12 might not show in the site plan right now, but if that's
13 something we need to add, we can do that. We do that a lot
14 and we understand that that's a concern.

15 AMY LANA: I'm Amy Lana, 5086 Redman Road. I
16 have a concern, I saw that you flipped over the safety and
17 health. I want to know more about -- I'm very concerned
18 about the health and safety over the course of years. I'm a
19 mom of three, I'm outside all of the time. I am so for the
20 solar energy, but this is a newer technology and I'm really
21 not comfortable with the fact that this could have a
22 long-term health effect for me and my family.

23 JODI HUNT: I understand, I'm a mom of two.
24 This is clean. There are studies that we can provide the
25 Board with, it's public information. It's glass, it's glass

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3 and its panels are contained. So you've got steel that's the
4 racking system, and you've got glass panels. It's a silicon
5 so there's really nothing -- and it comes down to being sand
6 melted into glass and it's got a special coating on it.

7 If a panel breaks, it breaks much like our
8 windshield would and it can be -- it's remotely monitored so
9 they will know right away if something breaks and somebody
10 will be out there to clean it up. There's no environmental
11 or health impact from having a panel break. Your kids would
12 never be near this because it's electricity, there's a big
13 fence, but that's just glass panels.

14 KELSEY CRANE: Like I was saying, there's no
15 herbicides, no pesticides, we don't clean them because of the
16 rain. There's no noise unless you're really close to the
17 inverter, which I don't think you can hear from the fence
18 line --

19 JODI HUNT: You can't get to it.

20 KELSEY CRANE: Unless you're working on it.
21 There's no radiation or EMF waves that come from it. If a
22 panel breaks we have local contractors to clean that up. And
23 there's rules about taking it all out, being careful and
24 recycling it. Like Jodi was saying part of the
25 decommissioning bond is having it as it is right now. We

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3 have done environmental site assessments just to know what's
4 on the property now and obviously there's no solar panel
5 broken on the ground, so we have to bring it back to that.
6 And we are not going to leave the broken panels on there
7 because then someone coming down to mow it and to maintain it
8 would, you know, there's a lot of other safety issues for
9 people around there.

10 And we have I think proposed right now a
11 6-foot fence with one foot of barbwire on top to keep people
12 out. Your kids would not be able to get in.

13 JODI HUNT: And it's a state requirement, you
14 have to have a 7-foot fence around these, it's electricity.
15 So that in itself is something that it's electricity, that
16 really is the biggest danger.

17 KELSEY CRANE: Yeah, and besides the
18 construction period there will be no giant trucks coming in
19 and out, we'll have, you know, little tractors, maintenance
20 crews. So there's no traffic that if your kids are playing
21 and their ball rolls into the street, there's no one hauling
22 things in and out of this.

23 JODI HUNT: Redman is 55 miles an hour anyway.

24 KELSEY CRANE: Yeah. So, you know, there's
25 big trucks that might not know the areas as well if they are

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3 contractors. They will not be there.

4 ROBERT CONNERS: I'm getting old, I'm losing
5 some hearing, it's Bob Connors again. Did you just say
6 you're going to install barbwire fencing in a
7 residential area?

8 JODI HUNT: So that's up to the Board and
9 that's up to you and your comments. It has to be a 7-foot
10 tall fence. It can be a lot of things. It can't be a picket
11 fence, you know, it's got to be probably a chain link fence,
12 but it can be a black poly coated --

13 ROBERT CONNERS: Well, she said barbwire.

14 KELSEY CRANE: That's the standard that we
15 propose and then --

16 JODI HUNT: Then we take the recommendation of
17 the Boards.

18 ROBERT CONNERS: My concern is it's a
19 residential neighborhood.

20 KELSEY CRANE: So if we want to take out the
21 barbwire on top right now, we can adjust it. The electric
22 code requires a 7-foot fence and the standard across the
23 industry is to have a 7-foot with barbwire, just because a
24 lot of people are concerned about people going in. But if
25 the Town and the neighbors don't want it that can go away.

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3 That's just what we proposed now and it's adjustable.

4 CHAIRMAN MCALLISTER: Except for what's listed
5 in the law.

6 KELSEY CRANE: Yes, we will do whatever the
7 Town says --

8 ROBERT CONNERS: Thank you.

9 KELSEY CRANE: -- we have to do. We have to
10 have a 7-foot fence by electric code, and how that fence is
11 made up is up to the Town. And whatever the public wants,
12 the Town can do.

13 CHAIRMAN MCALLISTER: Yes, sir.

14 WILLIAM ISENBERG: William Isenberg at
15 5121 Redman Road. In respect to what you're saying, that's a
16 law that there has to be barbwire on the top of that 7-foot
17 fence?

18 CHAIRMAN MCALLISTER: No. It's not a local
19 law.

20 WILLIAM ISENBERG: You do know about wildlife,
21 right?

22 CHAIRMAN MCALLISTER: Very well, and --

23 WILLIAM ISENBERG: They're four-legged animals
24 called deer, they can jump a 7-foot fence.

25 JODI HUNT: Deer?

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3 KELSEY CRANE: Deer.

4 WILLIAM ISENBERG: Yeah, those four-legged
5 funny looking guys.

6 KELSEY CRANE: No, this is brought up in other
7 meetings where people are worried about deer running in and
8 we're hoping if they decide to run in, they run out. There's
9 not much we can do about that, either way. We are just
10 hopeful they will graze on the outside because it will be
11 grass and plants.

12 JODI HUNT: I've personally seen almost 50 of
13 these get installed and I've seen 20 of them up and
14 operating. I've yet to see a deer get stranded in here.
15 It's not to say it can't happen, they get stranded in
16 cemeteries too.

17 KELSEY CRANE: If there's a deer in there and
18 someone calls with concern, we will get it out, him or her.

19 CHAIRMAN MCALLISTER: Anyone else?

20 SEAN CLIFF: Sean Cliff, 7131 4th Section
21 Road. I'm Lynette's fiance. She owns the property. Get
22 everything clear, they approached Lynette about this field.
23 We offered back, okay? This, the questions were asked
24 financially for the Town? No. That would be like saying is
25 the farmer going to give the Town a cut of the corn. That

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3 won't happen, it's not going to happen.

4 I'm a hunter and one of my biggest concerns
5 with these people is everybody around us. I mentioned the
6 berm to ForeFront. I also took their engineering drawings
7 that they sent to us first and I redrew it. And I can give
8 everybody that wants an e-mail my e-mail for ForeFront
9 stating I don't want to affect the people around us.

10 JODI HUNT: That's absolutely true. That
11 happened and a berm is something that we can do. Again,
12 berms, any sort of screening, I mean, let's talk about this,
13 we're flexible. If you guys want berms or if you want
14 vegetation now is probably your chance.

15 WILLIAM ISENBERG: William Isenberg,
16 5121 Redman Road. So if they did offer up the field behind
17 their house where there's an access road to go in there, why
18 was that not utilized instead of the one next to our homes?
19 What is the reason?

20 KELSEY CRANE: Yeah, there are reasons. So
21 there's multiple layers. The environmental, we don't want to
22 cut down trees. We can't be in wetlands, and we can't be too
23 far away from where we're going to interconnect on the
24 utility side. So you have to be able to interconnect to the
25 grid.

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3 SEAN CLIFF: I don't think everybody realizes
4 there's a 200-foot setback from the adjoining properties,
5 from your property line.

6 KELSEY CRANE: Where we can put said berm.

7 WILLIAM ISENBERG: From where they're putting
8 the solar field, it goes back towards Mr. Campbells?

9 SEAN CLIFF: The field, it's struck right
10 down. I can show you some pictures. We can talk later.

11 ROBERT CONNERS: You can see it now.

12 WILLIAM ISENBERG: Where you started putting
13 your new vegetation in with rack and planted it. That's what
14 you're saying that --

15 SEAN CLIFF: That's the front setback, but the
16 side setbacks are changed, it's even further than the front
17 setback.

18 ROBERT CONNERS: But the front setback it went
19 from the center road, the center of the road over onto me,
20 and then they went 200 feet the opposite way, because I had
21 to pull their stakes out to mow the lawn. They went from the
22 center of the road onto me, put in their stakes and then they
23 did their 200 feet.

24 KELSEY CRANE: The setbacks are based on the
25 property lines.

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3 ROBERT CONNERS: And you deem the property
4 line from the center of the road over.

5 JODI HUNT: Well, there's a right of way, yes,
6 so we have surveyors that go out and when they survey the
7 property it's based on properties. And again, they do meet
8 Town requirements. We do try to stay as far away from
9 adjoining properties and neighbors, we try to be considerate.
10 Like I said, I lived here too. I lived here for 10 years. I
11 raised kids here, I get it.

12 ROBERT CONNERS: And you said there was an
13 environmental impact study done, correct?

14 JODI HUNT: Yes, lots and lots. There's about
15 150 pages.

16 ROBERT CONNERS: These are going to be held by
17 ground anchors, correct?

18 JODI HUNT: By ground anchors? They'll be
19 pile driven into the ground.

20 ROBERT CONNERS: How far?

21 JODI HUNT: Well, we do a geotechnical
22 analysis to determine where the bedrock is, determine what
23 the soils look like. And then we make that determination if
24 it's safe to put them in, pile driven, if they need to be
25 screw mounted. Here's sort of a basic geotechnical. So we

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3 do borings and we see what the soil looks like and we
4 evaluate, we use engineers.

5 ROBERT CONNERS: I only bring that up because
6 we're on wells, and that piece of property is on the Niagara
7 Escarpment, Niagara Escarpment fault line.

8 JODI HUNT: Understood. And before we start
9 jamming things into the ground we know very well where all
10 those things are. We've got geologists on staff, I'm one,
11 we've got several. We take these things very seriously.

12 KELSEY CRANE: So we have a 200-foot setback
13 but any vegetation or berm within that we can work with.
14 Like, we met with the landowner and discussed this option but
15 we wanted to see what you all would prefer. And if it is
16 that berm, we will work with the Town to make sure we're
17 allowed to for its code and get those things moving. That's
18 kind of what this was for, to figure out what you guys are
19 concerned about and address it.

20 ROBERT CONNERS: I believe I can speak for the
21 four neighbors that are on each side of me. We're concerned
22 with putting a commercial enterprise in a four-cornered
23 residential area, period. Why the application came to the
24 Planning Board, I don't know. I don't understand. But as it
25 stands now, it doesn't meet the standing code in the Town of

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3 Sweden, and here we are. Maybe Mr. Lester can explain it,
4 because I don't understand it.

5 MR. LESTER: I definitely can explain it, but
6 I've explained it to my client which is the Planning Board.
7 Put wording in there about where the initial application gets
8 started, it doesn't say that's where it's concluded right off
9 the get go. It says where it comes in to the Town building
10 and now we start the process for discussion.

11 ROBERT CONNERS: It just seems we're putting
12 the cart before the horse.

13 MR. LESTER: This Board's bound by the current
14 code.

15 ROBERT CONNERS: The current code.

16 CHAIRMAN MCALLISTER: Bob, every application
17 that comes in to the Planning Board, part of the review is,
18 is the zoning correct for it. And if it's not correct for it
19 then it's, they are given other direction. But all projects
20 come to the Planning Board first and then a determination is
21 made whether it's appropriate for the area. That's part of
22 the review.

23 ROBERT CONNERS: Okay.

24 JODI HUNT: Again, I would say these projects
25 are quiet. There's essentially no noise. You're going to

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3 get a little bit of noise from the inverter, which is in the
4 center of the project and we do noise studies. I know you
5 don't want to look at it, I understand. There are things we
6 can do. It is safe and quiet. It is a whole lot less
7 traffic impact than having a subdivision or an apartment
8 complex or something like that put across. I understand what
9 you are saying and again, the Board will make a decision on
10 that.

11 WILLIAM ISENBERG: What are the decibel
12 readings coming off your hum box?

13 JODI HUNT: Decibels? All right, so again
14 there's a full study, there's a noise study. At the inverter
15 you get about an 80 decibel, which is about as much noise as
16 we are making right now. By the time you get to the fence
17 line, it's at 20 to 30 decibels, which is a whisper, if you
18 are right up at the fence line. But also you have to look at
19 ambient noise levels on Redman Road. So you have tractors,
20 you have farm equipment, you have cars. I mean, cars are up
21 over 80 decibels. This is quiet.

22 KELSEY CRANE: And then from the fence line we
23 have the 200 feet until the road, so you would have to get
24 200 feet into someone else's property in order to get to the
25 whisper and then break through the fence to get to the noise

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3 level.

4 JODI HUNT: This noise level.

5 KELSEY CRANE: We can work with some noise
6 studies --

7 JODI HUNT: The spec sheets are with the Town.

8 KELSEY CRANE: -- of where the public can go.
9 But, you know, we are not too concerned with even to the
10 fence. Because, again, unless the landowners say you can go
11 up there, we don't think it should be allowed at all. And
12 there are projects around this area that we can point you to
13 and you can stand on the road next to them and see what
14 you --

15 JODI HUNT: And there's a big one at RIT if
16 you want to see one. There are several in Batavia, there's
17 one in Canandaigua. They do exist, and you can go see them.

18 ROBERT CONNERS: Two in Canandaigua.

19 JODI HUNT: I'm buying power off of one of
20 them.

21 KELSEY CRANE: So that's always something we
22 can give you, the addresses of some of these. Don't go on
23 any private property, but go and see what those concerns are.
24 They are not our projects. The one at RIT didn't require
25 screening due to the placement, but you can see about the

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3 noise.

4 JODI HUNT: This is the one that's on campus.

5 KELSEY CRANE: So because it's in New York
6 already I think that's a great way for you guys to understand
7 that noise level. It's hard to explain noise from decibels.

8 WILLIAM ISENBERG: The berm Sean's talking
9 about how high is the berm going to be, 50, 10, 5?

10 SEAN CLIFF: Well, I initially proposed -- but
11 like I said if you want, I'll take your e-mail address and
12 I'll give you my correspondence with these guys, because my
13 number one concern was everybody around us. I am a hunter, I
14 love the country too. Farmers rent my land all over. They
15 approached us. This could help Lynette retire.

16 I know everybody loves to look into the field
17 and see the deer. I could put a berm up there now and
18 prevent anybody from seeing in the field if I wanted to.

19 WILLIAM ISENBERG: I'd rather see a berm than
20 solar panels, I'll tell you that right now.

21 SEAN CLIFF: I'm concerned about everybody and
22 like I said, that was -- I actually had that in there that
23 I'm a country boy too. My exact words. I care about the
24 community too. I don't want to look at it. The berms are
25 set up and I'll show you a picture, I got it set up, designed

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3 so that even if you look in the opening of the access
4 driveway, you can't see a panel. I was proposing an 8- to
5 9-foot berm.

6 KELSEY CRANE: And we are in support of doing
7 the berm. We've had this discussion and it's something that
8 we want to work with the Town through its process in order to
9 get the berm done. And so that no work is put into the berm,
10 if for some reason it gets shut down or the Town or everyone
11 was against a berm.

12 So it seems like this is a good option. We
13 can definitely work when we update the plans to get his specs
14 on what he thinks and how high you guys think it should be if
15 it's something the Town will allow. I'm hoping they will, it
16 sounds like the people want it.

17 SEAN CLIFF: I don't want anybody to see it
18 either, I don't. And it's still going to be a field in front
19 of and around it.

20 WILLIAM ISENBERG: You know deer run across
21 there.

22 SEAN CLIFF: Oh, yeah.

23 WILLIAM ISENBERG: You know as well as I do.
24 You put that in there --

25 SEAN CLIFF: Well, hopefully they come to my

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3 tree stand. As far as financially for her, you know, I don't
4 think it's a bad thing. I understand everybody's concerns
5 and like I said, I will give you the e-mails where I
6 corresponded with them. I don't want to affect the
7 neighborhood. I love the country, I want see it, you know,
8 so . . .

9 JODI HUNT: And this is green energy, too.
10 This is not a coal fire power plant. This is not dirty
11 electricity, this is green, clean energy. And I know, I have
12 land. I owned 15 acres here. I don't want my land trashed
13 either. My husband hunts, I completely understand.

14 This is clean and this is what we need to do.
15 When we turn on a light switch that power has to come from
16 somewhere. This is enough electricity to power 350 homes
17 locally. It's got to come from somewhere, or we'd be sitting
18 in the dark here. We just can't keep continuing to wreck the
19 Earth with our current ways of getting electricity and
20 running our cars. We have to move on to something that's
21 cleaner. This is a small way that we can do it.

22 KELSEY CRANE: And someone brought up the
23 financial kickbacks in the area. So you as local residents
24 who get National Grid power can sign up for this project, you
25 don't have to sign up for ours if you don't support it, but

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3 you can sign up and then you get a discount on your utility
4 bill.

5 We pay property tax on this project. That
6 number obviously will be negotiated way down the line, so you
7 have the opportunity to save a little money on your bill. We
8 are contributing to property tax in the area which is higher
9 tax than --

10 JODI HUNT: We have talked way more than you
11 wanted us to, so --

12 ROBERT CONNERS: Just one more because she
13 keeps mentioning things. You said wreck the environment.
14 You're obviously -- which one's from California?

15 JODI HUNT: Neither of us are from California.

16 ROBERT CONNERS: Are you familiar with the
17 Berkley study on the amount of solar panels that are existing
18 today?

19 JODI HUNT: There are a lot of studies. What
20 is that one in particular?

21 ROBERT CONNERS: It's the one that says
22 there's no room for them in 25 to 30 years for their
23 decommissioning and disposal.

24 AUDIENCE MEMBER: There's no place to dispose
25 of them.

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ROBERT CONNERS: Bingo.

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AUDIENCE MEMBER: There's no dump.

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ROBERT CONNERS: There's no place. If you read the Berkeley study it will outline it. It has to do a lot with Japan and China.

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JODI HUNT: You have to be really careful reading studies, and you have to think for yourself when you read these studies. We recycle glass and this is glass, and we reuse steel all of the time. There will be no room for any of our waste 20 years from now. Any of your household waste, it's going to have to go somewhere else, right?

So we are aware of that. And the recycling cost and the waste disposal costs are included in the bond and in the decommissioning plan.

TAMMY BAKER: Tammy Baker, Town Assessor. Are you aware that you have to pay back agg penalties?

KELSEY CRANE: Yes, we are. We know that's modeled -- and that's our responsibility not the landowner's. With the subdivision it does make it much --

TAMMY BAKER: So it's going to be right in the lease that you're going to be responsible for paying it back?

KELSEY CRANE: Yes.

CHAIRMAN MCALLISTER: Any other questions?

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3 GUILDA GOWANLOCK: Guilda Gowanlock, 151 West
4 Sweden. Everything you are talking about with this one over
5 by Redman Road, is that the same thing? That's all going to
6 be the same for the first one that you went through that we
7 didn't get to hear all this stuff?

8 JODI HUNT: The two projects are all located
9 exactly the same.

10 GUILDA GOWANLOCK: So you plan on doing both
11 of them or are they picking and choosing? Are you going to
12 have a solar farm at both places?

13 JODI HUNT: Ideally.

14 GUILDA GOWANLOCK: Within a mile of each
15 other?

16 JODI HUNT: That is up to the Town.

17 GUILDA GOWANLOCK: Because I don't want to
18 look out my window either and see that.

19 KELSEY CRANE: So we were talking about the
20 berm for the project we were mostly touching on, but we can
21 look at berms or vegetation for that project also.

22 GUILDA GOWANLOCK: There are a ton of deer
23 that run through there, across the street from there. I
24 mean, the geese that are flying all over the place. What
25 about the birds that are going to fly in there and run into

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3 them?

4 JODI HUNT: No, no. So part of our
5 environmental study, we work with the DEC and with the US
6 Fish and Wildlife Service, we have no impact on wildlife.
7 And birds, you have got big, huge solar projects --

8 GUILDA GOWANLOCK: Birds fly into windows, I
9 mean, whose to say they're not going to run into a panel?

10 JODI HUNT: So a bird diving into a solar
11 panel? They run into your window, but like I said, that's --
12 we have to have windows.

13 GUILDA GOWANLOCK: But my window is a heck of
14 a lot smaller than a solar panel.

15 JODI HUNT: And again, we've got numbers on
16 all of these things that were submitted as part of our
17 project. I think it comes out to if you do the math and you
18 compare the ornithology, which is the study of birds, which
19 we did as part of this environmental site. If you study
20 these big, huge projects in the middle of the desert where
21 they look like lakes, birds might dive into them. You have
22 three to four bird deaths per year. These are on huge, huge
23 hundreds of acres of projects, and if you do the math and
24 crunch it down to these 13 acres, I forget what our
25 documentation says but it's something like .01 birds over the

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3 lifespan of the project might crash into a panel.

4 CHAIRMAN MCALLISTER: Okay. The last comment,
5 question or concern because we are rehashing the same things
6 over and over.

7 CHRIS LANA: I have one. Is there any studies
8 done on the property evaluation? I mean, what am I going to
9 be facing in 15/20 years? My kids are out of the house, I
10 want to move. That's my biggest concern is my property value
11 is going to decrease because nobody's going to want to buy my
12 house looking at a solar field or a 9-foot berm or a fence
13 with barbwire at the top.

14 JODI HUNT: I meant to address that.

15 SEAN CLIFF: I could put that berm up tomorrow
16 and make it so nobody looks at the field. My concern was
17 about everybody.

18 JODI HUNT: So somebody mentioned that solar
19 is relatively new. In New York it is, however, so what we do
20 is we use wind farms. So wind farms have this huge impact on
21 the environment. There are not --

22 CHRIS LANA: I don't have a problem with solar
23 energy, I think it's a great idea. I don't want to see it
24 though. That's my problem.

25 JODI HUNT: And I understand. You're asking

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3 about property values --

4 CHAIRMAN MCALLISTER: So now that's the same
5 thing we have been talking about. We've got that point many,
6 many times over tonight. I appreciate the input, but when we
7 get into the evaluation we will take care of that. I'm
8 closing out this project right now. I believe I'm rehearsing
9 rehashing over and over again. We're going to move on to the
10 next project.

11 Helios Energy New York Sweden Solar Farm
12 Subdivision, Site Plan and Special Use permit.

13 TOM GUZEK: Good evening, my name is Tom Guzek
14 and I am a managing general partner with Helios Solar Park
15 Energy. I would like to thank the ladies for taking a lot of
16 arrows. Our project is somewhat similar, but different and I
17 can answer a lot of the questions they had difficulty with.

18 I'm an electrical engineer by training. I
19 graduated from the University of Buffalo. I'm a New York
20 State born and bred individual, and our company is a New York
21 State company. So we are not coming from California to do
22 this. We worked very diligently with New York State in
23 Albany to develop a community solar project program.

24 The community solar program of which our
25 project is supporting is going to enable small businesses,

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3 small apartment dwellers, consumers who have homes whose
4 roofs cannot handle solar, just don't want to have solar on
5 their homes. You can participate and utilize and get the
6 savings of solar energy by virtue of using community solar.

7 It's generated at a single location, it's
8 interconnected to the utility, and it's delivered to homes
9 within the zones that New York State is divided into. So,
10 for example, any of the energy that is created in your area
11 can be sold to consumers throughout what's called NYSO
12 Zone A, that's all of Western New York. Goes all the way to
13 Canada, to Pennsylvania on the south and over to Zone B,
14 starts actually on the other side of 390, and goes into the
15 Rochester Gas and Electric area and the NYSEG area that
16 encompasses a couple of counties that are east of here.

17 So the zone that could receive energy from
18 these plants or from the generation of these facilities goes
19 into that general area.

20 CHAIRMAN MCALLISTER: Tom, something that
21 might be helpful for folks here is if you identify the
22 location of your project.

23 TOM GUZEK: The address is on --

24 JOE HENS: My name is Joe Hens, I'm with
25 Engels and Associates, I'm the civil engineer for the

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3 project. The address for the property is at Swamp Road and
4 Lake Road, it's right at the corner there. It's a big lot.

5 We are proposing two 7.5 megawatt DC arrays
6 with a 20-foot wide access road and associated turnaround,
7 and an 8-foot high chain link fence surrounding the site.

8 TOM GUZEK: So we are not utilizing any kind
9 of barbwire. Ours is a tall fence, it's PVC coated in green.
10 We'll put berms or plants or slats to reduce any kind of
11 visibility from any location. This fortunately is a
12 significantly lower impact area in terms of residential.
13 Really, I think there's only one house that is located right
14 here, so there's really no homes around it.

15 This project will be enough power to supply
16 about 2,500 individual homes in the area. The difference
17 between this project and their project is that ours is a
18 tracker, meaning that it follows the sun. So at night the
19 panels go to a flat base so you don't see anything, and in
20 the morning picks up the sun and it travels with the sun east
21 to west, and then falls back to a level where you cannot see
22 the panels in the air.

23 Relative to noise an inverter puts out 27 DBs
24 at a 100-foot level. Give you a comparison, your
25 refrigerator puts out 40 DBs. So if you are even next to

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3 these panels you're not really going to hear anything other
4 than a very low hum.

5 The panels are on a central -- the panels turn
6 on a central access. It's a low voltage DC motor that causes
7 the panels to slowly move and it also gives us the ability
8 during wintertime to shake the snow loose. The panels can
9 move side to side to knock the snow off.

10 We've given you a complete docket of all of
11 the information that's been required by the Town and we are
12 here to answer any questions you may have. But as I said, we
13 are a local company, we are doing a number of these projects
14 throughout Western and Central New York. We are only doing
15 them in Western and Central New York. That's the basis for
16 our corporation and what we do. So with that, any questions?

17 CHAIRMAN MCALLISTER: Do you have any
18 comments, questions relative to this project? If not, we
19 thank you all for your input. It's very relative input for
20 our evaluation and I would entertain a motion to adjourn the
21 Public Hearing.

22 MR. HALE: I motion.

23 MR. STRABEL: Second.

24 CHAIRMAN MCALLISTER: Any discussion?

25 All in favor please say: Aye.

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ALL MEMBERS: Aye.

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CHAIRMAN MCALLISTER: Those opposed or
abstained? Thank you.

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After we accept the review, Kris will speak.

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KRIS SCHULTZ: Yes.

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(There is a short pause in the proceedings.)

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CHAIRMAN MCALLISTER: Yaeger Subdivision and
Site Plan.

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KRIS SCHULTZ: Kris Schultz. So Roland
Yaeger's been a client of mine for a number of years, he has
a parcel on Sweden Walker Road. The parcel basically was
smaller in size and we made many attempts to get water
brought up Sweden Walker Road and tried every which way.
Finally the solution was to divide the property off the lot
north and adjacent to them, that land on East Ave, which
consequently will have water in it.

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So we designed this thing so that there would
be an extension of the water main westerly off of the
existing main of Sweden Walker Road, run down a short
distance, sufficient to basically provide water to the
frontage of the parcels. This is the geometry of the lot.
The one is really neat, you can see a little finger that runs
out of East Ave. The sole purpose of this is to basically be

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3 able to bring water back up to here.

4 The site also has a major creek that runs
5 through it, so we put the driveway together that shows on the
6 next sheet to limit the impact on the creek. Also to keep
7 the costs associated with getting up over the creek, up to
8 the high and dry land.

9 We did end up getting good perk tests on both
10 lots. They're both in-ground systems of minimum-sized leach
11 beds. So from the standpoint of the layout, lot sizes,
12 lifts, setbacks, all meet the code. We will end up
13 developing the water main, as I've mentioned, up along East
14 Ave from here to the two water services servicing the lot.

15 I have already sent this out to the Water
16 Authority to confirm that it meets their standard. And they
17 also mentioned the development across the street has finally
18 progressed to the point that they may actually be installing
19 a water main up East Avenue.

20 So it's a horse race whoever gets there first
21 puts the main in. We have designed this as a standalone, so
22 if this project dies or slows down, you can still put in this
23 run of water main and be able to service the lots.

24 So Mr. Yaeger has the property which is
25 constituting a majority of Lot 2 under contract right now,

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3 pending the approvals from this Board, purchase it, and we'll
4 go through and subdivide. This is kind of a long time coming
5 to get to this point, a challenging site but it actually
6 worked out kind of nice.

7 You drive down along Sweden Walker Road, it's
8 a big wooded area that's been developed with a single
9 driveway that swings up through there, a majority of the
10 woods along Sweden Walker Road.

11 MR. STRABEL: Why didn't you come off of East
12 Avenue?

13 KRIS SCHULTZ: You have a hill here. If you
14 look at it, we looked at it multiple times and I just wasn't
15 comfortable pushing it. You could do it, but it's one of
16 these things, why bother? Work with one driveway, share it,
17 it's safe, and it's a good distance down from the
18 intersection. That's the project.

19 CHAIRMAN MCALLISTER: What we're looking at
20 tonight is we have enough information to accept the review.
21 So I entertain a motion.

22 MR. STRABEL: I make a motion to accept the
23 review.

24 MR. HALE: Second.

25 CHAIRMAN MCALLISTER: Discussion?

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MR. DOLLARD: This says it's under contract?

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KRIS SCHULTZ: Yeah, basically he has the second lot.

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MR. DOLLARD: You don't know who the owner is?

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KRIS SCHULTZ: This is Yaeger and this is Kreher Farms. Believe it or not, when they bought out Sodoma, this lot existed as a separate lot. They had it all along. When Mr. Yaeger approached them, they said, we are never going to use it, never bothered clearing it for farming. Yeah, sure, we'll sell it to you.

MR. DOLLARD: I'm good.

CHAIRMAN MCALLISTER: If there's no other discussion, all in favor please say: Aye.

ALL MEMBERS: Aye.

CHAIRMAN MCALLISTER: Those opposed or abstained? Thank you.

Bieber Amended Site Plan.

KRIS SCHULTZ: You folks actually reviewed and approved this project a number of years ago. On that one, they had the leach system in the house proposed way back here, approximate to the DEC reg wetland. And that was at the desire of the owner.

Currently, Mr. Christian does not wish to have

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3 the house way back here next to the wetland, he wants to have
4 it up front, reduce his cost. They also had done some
5 ditching and messing around to try to improve the drainage on
6 this. That wouldn't interfere with any of the land.

7 So this is an amended site plan, it reflects
8 the previous work but also we did the perk test here, that's
9 the exact house footprint he's going to drop in. It's less
10 impact potential to the wetland, straight forward from the
11 standpoint of certainly a lot of --

12 CHAIRMAN MCALLISTER: Again, we have enough
13 information to accept for review, I entertain the motion to
14 accept for review.

15 MR. RICKMAN: So moved.

16 MR. HALE: Second.

17 CHAIRMAN MCALLISTER: Any discussion? If
18 there's no discussion, all in favor please say: Aye.

19 ALL MEMBERS: Aye.

20 CHAIRMAN MCALLISTER: Those opposed?
21 Abstained? Thank you.

22 Dollingers Subdivision.

23 KRIS SCHULTZ: So basically, as I mentioned,
24 we did the Public Hearing, this is a simple subdivision to
25 create -- separate the out parcels, so to speak, out front

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3 that was originally planned to allow for an Applebee's or
4 some other restaurant or some other use along with the hotel.

5 The way we handled the utilities and the
6 access you can see a simple reciprocal cross access units
7 that can hover with the current storm access water and also
8 set up so that the development of the front lot can still be
9 using the same entryways. You wouldn't be having to bring
10 any major utilities from off site on, so you have your
11 sanitary storm.

12 Also included, he's been around the storm
13 water facility which was sized to allow for the build out of
14 the front lot. Really, the only other thing which is unusual
15 we actually had approval from the Board for an expansion onto
16 the Holiday Inn Express and that was approved but never
17 built.

18 CHAIRMAN MCALLISTER: Years ago.

19 KRIS SCHULTZ: Years and years ago, just as a
20 point of interest. So all that information will be passed
21 along to the previous -- so at this point this is just a
22 simple subdivision for the property lines.

23 Okay. Look through these and come up with
24 reasonable answers. Yes, Lake View Cemetery is on the
25 listing. Certainly, when we did the original development it

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3 was still Lake View Cemetery, we did look into those
4 concerns. If we would need to do anything additional with
5 the development of the retained parcel that would be part of
6 the site planning process. So we are not proposing any
7 physical disturbance, that would not come into play at this
8 point.

9 Number 2 . . .

10 CHAIRMAN MCALLISTER: Start right with
11 Number 1, Kris, is the project located in an archeologically
12 sensitive area.

13 KRIS SCHULTZ: I just talked about it.

14 CHAIRMAN MCALLISTER: I didn't hear it.

15 KRIS SCHULTZ: Oh, I'm sorry. So, certainly,
16 I will read the whole comment instead of just assuming you
17 are reading it at the same time I'm reading it.

18 Okay. So the Planning Board should be aware
19 that the property to the south, Lake View Cemetery, is listed
20 in the National Register of Historic Places, and that the
21 proposed project is located in an archeologically sensitive
22 area. So that's part of the circle square map and it
23 basically shows any areas that are potentially adjacent to
24 things in that point of interest.

25 Archeologically sensitive areas are like

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3 anything within 500 feet of the canal, anything that in the
4 past may have had some interest. What typically happens is
5 during the coming here the review is picked up and if
6 warranted, you go and do testing, go out and have tests --

7 MR. HALE: I know that. We've had that done
8 like at the church we found some partially broken bricks.

9 KRIS SCHULTZ: Yeah. So in this instance
10 since this application doesn't propose any improvements, any
11 land disturbance, we wouldn't need to be involved with having
12 that concern until there was site planning associated with
13 some improvements for the parcel we are creating.

14 It's good to know. I think it may have come
15 up when we did the original review. Hadn't bothered even
16 looking at it because we're not proposing to do anything on
17 the property.

18 MR. STRABEL: There's a substantial treeline
19 and I doubt you're planning to take your side of it down
20 without the Town's planning on taking our side of it down.

21 KRIS SCHULTZ: You would not do that anyways,
22 it's within the setback. When they brought the sanitary
23 sewer ladder in it, the Holiday Inn, actually during
24 construction it shifted a little bit further north than what
25 was proposed. That's why the easement on this map is bigger

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3 than the existing even because they were avoiding some of
4 those trees.

5 CHAIRMAN MCALLISTER: Speaking of setbacks,
6 Number 2.

7 KRIS SCHULTZ: Number 2, site development
8 statistics information should be revised to provide the
9 setbacks, coverages, and area for proposed conditions for
10 each lot and existing conditions. The wording of "required
11 width" should also be revised as the zoning code specifies a
12 minimum required "frontage" width of 100 feet. The language
13 used should match that of the zoning code.

14 So the first part here, we're not proposing
15 any buildings on the out parcel.

16 CHAIRMAN MCALLISTER: Well, you're changing
17 the setbacks of the hotel parcel.

18 KRIS SCHULTZ: Yes.

19 CHAIRMAN MCALLISTER: I believe that's what
20 that is referring to.

21 KRIS SCHULTZ: All right. So we can address
22 that. Required frontage of 100 feet, are you referring to
23 the flag that --

24 SHAUN LOGUE: A lot of it comes when you get
25 into a flagged lot. Shaun Logue, MRB Group, Town Engineer.

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3 Particularly with flag lots you're not going to meet lot
4 width requirements. So sometimes a lot of codes are
5 measuring the width from where that flag ends. So the way I
6 attributed it to code is lot frontage. I can see that
7 requirement in there, so we can work with Schultz.

8 KRIS SCHULTZ: Yeah. What we usually do with
9 lot width on flags is we customarily always require at least
10 60 foot to get back and we have that. And then the actual
11 lot width requirement is construed as a front setback on a
12 house. I think we're okay on this, but pull out the code and
13 I'll show you that stuff.

14 Number 3, please note that the proposed
15 Lot 2 does not meet the minimum 100-foot frontage requirement
16 and may require a variance. Yeah, I think we're okay. I
17 don't think we need to get a variance.

18 Setback lines should be shown for Lot 2. We
19 can do that.

20 All existing structures should be labeled on
21 the plat. It would appear that there is a small structure to
22 the east of the existing building. Dumpster enclosure,
23 usually the plats we try to keep clean when we show, you
24 know, we purposely don't show improvements just because it
25 clutters it. But if you would like us to show the structures

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3 and setbacks on the plat we can do that.

4 SHAUN LOGUE: We just like to see that. In
5 the essential restructure, we don't want to see that.

6 KRIS SCHULTZ: Okay. We can do that, that's
7 not a problem.

8 Number 6, the sizes of all utilities shown
9 should be labeled, if known. Also, the existing electrical
10 service should be shown, if known. I don't know if we have
11 the electrical, we can look into that. We do have Hazbuilts
12 from years ago going underground. I'd like to give you that
13 separately again, just so the map doesn't get so cluttered.
14 We run into that problem with filing. We keep it clean on a
15 subdivision and put details on the site plan for
16 improvements, it comes out a little better.

17 All existing easements and associated liber
18 and pages should be noted on the plans. So the way we're
19 doing the process is, once this Board is satisfied with it,
20 the easement themselves will be created and filed as part of
21 it. They need to be comfortable with what we are showing for
22 easements too. Then the attorneys for the buyers and
23 sellers, same thing. They'll basically be filed along with
24 the transfer, so we can make sure you get that.

25 Number 8, maps and descriptions for all

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3 proposed easements should be provided to the Town and MRB
4 Group for review and approval. Also, multiple easement
5 labels do not identify who the easement is being granted to.
6 This information should be included in the labels. If you
7 would like to review them?

8 SHAUN LOGUE: I don't have a problem reviewing
9 them.

10 KRIS SCHULTZ: I appreciate having a second
11 set of eyes run through those.

12 MR. HALE: This is where we're talking
13 specifically about the process with the access?

14 KRIS SCHULTZ: Yes.

15 MR. LESTER: I'd like to see the title before
16 and the abstract, easement?

17 KRIS SCHULTZ: We'll hook you up with the
18 attorneys. You are in the loop also. Oftentimes when you do
19 this you have many fingers in the pot. The attorneys on both
20 sides have to be comfortable with it. The engineer for the
21 other side also has to be comfortable. The first thing is to
22 get a map acceptable for this Planning Board.

23 The signature lines for the Town Clerk and
24 Town Attorney should be removed. We can do that.

25 Would access to Lot 1 be through the existing

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3 drive included in proposed Lot 2? Yes. And the cross access
4 easement has been noted. When we did the initial submission
5 what we had was a bunch of separate utility and cross acces
6 easements and the map itself was very busy, so I cleaned it
7 up and resubmitted. It's basically very clean. I don't know
8 if you have that map.

9 SHAUN LOGUE: I don't.

10 KRIS SCHULTZ: So when you see the updated map
11 tonight, it's a lot better. It's easier to follow.

12 Last one, Number 11, there's an existing storm
13 sewer which would cross Lots 1 and 2. In which lot is the
14 discharge located? A drainage easement or agreement -- and
15 that's also shown on the cleaned up one. So we included it,
16 we showed what was originally to the Town and the front lot.

17 I can also get you copies of the original two
18 plans that has this that shows everything. So you can have
19 something to look at. Yeah, nothing here that's show
20 stopping. We will get the Town Engineer the information in
21 response to these. I'm sorry, I'm sure Phyllis sent this to
22 me, I just missed them.

23 MS. BRUDZ: Well, MRB mails them, so I don't.

24 SHAUN LOGUE: I apologize if you didn't
25 receive them.

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3 KRIS SCHULTZ: Okay. We work with these guys
4 all the time. There's nothing here that's an issue.

5 MR. STRABEL: I can't remember, whereabouts is
6 the sign?

7 KRIS SCHULTZ: The sign is on the north side
8 of the entrance. So it will be controlled by the --

9 MR. STRABEL: So it's on the flag lot, not on
10 Lot 1?

11 KRIS SCHULTZ: That's correct. Then what will
12 happen is if this other site develops, they would have a
13 secondary sign.

14 MR. STRABEL: The other thing with the sign,
15 it's lit. Do we know the wiring is on that property and not
16 cutting diagonally across heading straight to the building?

17 KRIS SCHULTZ: I do not know. I would assume
18 it would run parallel to the road.

19 CHAIRMAN MCALLISTER: It should appear on the
20 end of the building, correct?

21 KRIS SCHULTZ: Not the underground wiring. It
22 may be wired out to the pole right out there. They may not
23 have brought it to the building out front. I don't know, but
24 I can look into that.

25 CHAIRMAN MCALLISTER: Department of Planning

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3 and Development.

4 KRIS SCHULTZ: Yes, these guys are beauties.
5 First thing basically says that they don't have any comments.
6 Then they send it out to the other agencies, Health
7 Department does not require to approve this, but they will
8 put a stamp on that says we are not required to approve it.
9 That stamp is required beyond it so you can file the map. So
10 that just shows that they say we don't need to look at it.

11 Standard monumentation be checked by the site
12 survey office, and then the other guys got no comment. So
13 the DRC was pretty straight forward.

14 CHAIRMAN MCALLISTER: Send us a check.

15 KRIS SCHULTZ: If you have a monument that
16 would potentially be damaged as part of the construction
17 shown on your plans, then they like you to do a \$2,500 check
18 as a security to replace the monument. But since we're not
19 proposing any improvements, no one's put a shovel in the
20 ground, that's standard. Because there's no monumentation in
21 the area and no improvements proposed, there's no threat to
22 the existing County monumentation. So the \$2,500 deposit
23 check is not required for this project.

24 CHAIRMAN MCALLISTER: Mr. Hale?

25 MR. HALE: How far home do we want to go?

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3 Whereas the Planning Board has received the application for
4 the Dollingers Subdivision located at 4908 Lake Road.

5 Whereas the Planning Board held a Public Hearing on
6 August 13, 2018, all persons wishing to be heard were heard.

7 Whereas the Planning Board has reviewed the short
8 Environmental Assessment Form, and comments of the Town
9 Engineer and Monroe County Planning and Development.

10 Therefore be it resolved that the Planning
11 Board declares itself lead agency for an environmental
12 review. Further resolved that the Planning Board determines
13 that the Dollingers Subdivision will not have a significant
14 impact on the environment. Further resolved that the
15 Planning Board grants the Subdivision preliminary approval.
16 Further resolved that the final hearing be waived and the
17 Subdivision be granted final approval contingent upon all
18 signatures being obtained and the Chairman be authorized to
19 sign. So moved.

20 MR. DOLLARD: Second.

21 CHAIRMAN MCALLISTER: Discussion?

22 MR. STRABEL: Did we pick up all the little
23 changes that we asked for in the MRB?

24 MR. HALE: Nothing happens until those little
25 changes are made.

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MR. STRABEL: I didn't hear you say that.

MR. HALE: MRB wouldn't sign until they are made. All required signatures means MRB.

CHAIRMAN MCALLISTER: All the things declared by MRB, without those signatures it wouldn't be proper. Accept the amendment?

MR. HALE: Accept the amendment.

MR. RICKMAN: Second.

CHAIRMAN MCALLISTER: If there's no other discussion, all in favor please say: Aye.

ALL MEMBERS: Aye.

CHAIRMAN MCALLISTER: Opposed? Abstained?
Thank you.

MR. HALE: Motion to adjourn.

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REPORTER CERTIFICATE

I, Rhoda Collins, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter;

Further, that the foregoing transcript is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth.

Dated this 29th day of August, 2018.

At Rochester, New York


Rhoda Collins