

June 20, 2018

The regular meeting of the Wheatfield Planning and Zoning Board was called to order at the Wheatfield Town Hall at 7:00 p.m. by Chairman Walt Garrow.

Present: Susan Eberwein, Walt Garrow, Melissa Germann, Michael Polek and Don Proefrock.
Also Present: Tim Zuber - Town engineer Wendel; members of the public.

Moved by S. Eberwein, Seconded by D. Proefrock to approve the meeting minutes of June 6, 2018. Motion unanimously carried.

Summary of Agenda

Witmer Road Subdivision - East side of Witmer Road, between David Drive and Ferchen Street – Preliminary Major Subdivision Plat Review. The project proposes to subdivide the existing 34.07-ac lot. 4.13-acres fronting on Witmer Road will be subdivided into 10 – single family residential lots and the remaining 29.94-ac will be retained by the Town of Wheatfield. The property owner is Town of Wheatfield and the engineer for the project is Wendel. The land is zoned R-2 and Wendel will research whether the lots can be restricted to single family residences. The Planning Board requests notification to homeowners that potential development may happen in the vacant land behind their property.

Action

No action taken.

Borrego Solar Systems - 2469 Lockport Road – Site Plan Review. Reviewed the plans for the construction of a 6.1 Mw ground mounted utility grade solar energy system. The property is zoned A-R. All power produced will go to the grid and will make less expensive power available to local residents. A special use permit is required because the project is utility scale and the project will require a variance from the Zoning Board of Appeals for the setback from the utility corridor along the south. The location of the solar array has moved south since the applicant's last appearance before the Planning Board. Half of the array will be north and half south of the Niagara Mohawk Power Corporation and New York State Electric and Gas utility corridor running through the parcel. The relocation requires the removal of a house and 3 barns. Examples of Town Codes that apply include Solar, Airport Overlay and Conservation Area.

Action

Motion made by S. Eberwein and Seconded by M. Polek to initiate the SEQR process, a coordinated review with the Town of Wheatfield Planning Board acting as the lead agency and authorizing Wendel to assist.

Voting Results: Yeas: Garrow, Germann, Muscatello, Polek, Proefrock. Nays: none. Abstentions: none. Motion carried.

Motion made by S. Eberwein and Seconded by D. Proefrock to schedule a Special Use Permit public hearing. The hearing is scheduled for July 11th at 6:45 p.m.

Voting Results: Yeas: Garrow, Germann, Muscatello, Polek, Proefrock. Nays: none. Abstentions: none. Motion carried.

Other Board Business

None.

Next meeting: July 11, 2018.

Motion made by M. Polek, Seconded by W. Garrow to adjourn the meeting at 8:30 p.m. Motion carried.

Respectfully Submitted, Michael Polek – Acting Secretary.

TOWN OF WHEATFIELD PLANNING & ZONING BOARD
Site Review Process Results

1. **Type of Review ("X" one):**
- | | | |
|----|------------------------------------|-------------------------------|
| | Sketch Plat Review | Public Hearing Special Permit |
| | Site Plat Review | Final Subdivision Plat |
| XX | Preliminary Subdivision Plat-Major | Rezoning Request |
| | Special Use Permit - Temporary | Informational Meeting |

Site Plat Date – June 13, 2018

Review Date: June 20, 2018.

2. **Development Specifics: Witmer Road Subdivision**
- a. Property Identification & Location –East side of Witmer Road, between David Drive and Ferchen Street.
 - b. Owner(s) Name(s), Address & Phone No. – Town of Wheatfield, 2800 Church Road, Wheatfield, NY 14120. Phone: (716) 694-6440.
 - c. Developer (when different) Name, Address & Phone No. – Same as owner.
 - d. Architect/Engineer/Licensed Land Surveyor Name, Address & Phone No. – Wendel, 375 Essjay Road, Suite 200, Williamsville, NY 14221. Phone: (716) 688-0766.
 - e. Development Details (Explain) – The project proposes to subdivide the existing 34.07-ac lot. 4.13-acres fronting on Witmer Road will be subdivided into 10 – single family residential lots and the remaining 29.94-ac will be retained by the Town of Wheatfield.

3. **Planning & Zoning Board Mandated Conditions/Recommendations:**
- a. Zoned R-2. Lot sizes presented are consistent with R-1.
 - b. Wetland potential and tributary through area noted.
 - c. Information has been provided as to soil type.
 - d. Owner is Town of Wheatfield, engineer is Wendel,.
 - e. Use the Town's major subdivision checklist.
 - f. The project will leave a 66' right of way for access, in-between lots 5 & 6.
 - g. Lot #1 has a 40' sewer easement along the South side.
 - h. Applicant to verify utility capacities, water and sewer.
 - i. Wendel will research whether lots can be restricted to single family residences.
 - j. Planning Board requests notification to homeowners that potential development may happen in the vacant land behind their property.
 - k. Project will require SEQR review and a public hearing.

4. **Planning & Zoning Board Action:**

No action taken.

Authentication:

	June 20, 2018	
Planning & Zoning Board Representative	Date	Owner/Representative Signature

Distribution:	Town Clerk	Building Department	Town Board Members
	Town Assessor	Town Attorney	File Folder
	Enforcement Office	Applicant	

- y. Exposed grass at the site will be mowed twice per year. Low height grass will be planted.
- z. Applicant to provide permission from Niagara Mohawk Power Corporation and New York State Electric and Gas to install utilities prior to issuance of a building permit.
- aa. The location of the solar array has moved south since the applicant's last appearance before the Planning Board. Half of the array will be north and half south of the Niagara Mohawk Power Corporation and New York State Electric and Gas utility corridor running through the parcel. The relocation requires the removal of a house and 3 barns.
- bb. The project will require a variance from the Zoning Board of Appeals. The north array is required to have a 50' setback from the utility corridor along the south and it is currently at 20'.
- cc. The project will have an access road.
- dd. Drainage easement will be reviewed by the Town Engineer.
- ee. Boundary survey to be stamped and seal with the final submittal.
- ff. The site plan review fee will be \$1,750.00.

4. Planning & Zoning Board Action:

Motion made by S. Eberwein and Seconded by M. Polek to initiate the SEQR process, a coordinated review with the Town of Wheatfield Planning Board acting as the lead agency and authorizing Wendel to assist.

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