

August 18, 2021

The regular meeting of the Wheatfield Planning Board was called to order in the Town Hall Chambers at 6:30 PM, by Chairman Walt Garrow.

Board Members Present: Susan Agnello-Eberwein, Walt Garrow, Melissa Germann, Doug Kalota, Mike Polek, Corey Wilson (alternate). Also present: Tim Zuber – Town Engineer, Members of the Public. There was a forum.

Moved by M. Germann, seconded by D. Kalota to approve the meeting minutes of July 21, 2021. Motion unanimously approved.

COMMUNICATIONS: The Board received a letter of communication regarding 5G roll out in the area; Wendel provided the Board SEQR documents for the DePaul project; The Board received notice that the Town Board waived the fence barb wire requirement for the Niagara County Sheriff's communication tower project.

SUMMARY OF AGENDA

Special Use Permit Annual Review – Borrego Solar – 2469 Lockport Road. Continued the annual review of the Special Use Permit (SUP) for a 6.1 MW ground mounted utility scale solar energy system. The review began at the June 2, 2021 Planning Board meeting. At that meeting 13 noted conditions of the SUP were reviewed and in two areas the applicant was found to be deficient. First, emergency plans needed to be updated and the local emergency responders had to be trained on the nuances of the plan and they were to be given a site tour for familiarity. Second, the landscaping did not match the approved plans, many trees were dying and had not been replaced, and a large portion of the landscape visual barrier along Lockport Road had been removed. Since the June meeting, the applicant has been on the agenda for two other Planning Board meetings, they did not show up for either of them.

Tonight, the applicant returned to resolve the issues. Proof was provided resolving the emergency planning issues but the landscaping was not resolved. Landscaping deficiencies were discussed and the applicant will be submitting a new landscaping plan to include increased plantings along the east and west sides of the solar array. The Planning Board requested renditions of the future plantings to ensure visual barrier coverage. The board also requested a planting schedule with dates as it is getting late in the year to plant. The applicant did present a product for use in addition to plantings, which were fence slats that make a fence look like vegetation. The Board liked the product and the applicant agreed to have them installed.

The Board chairman explained citation and the SUP non-conformance processes that the applicant is heading towards. Part of that process is to hold a Public Information Meeting to get public input regarding the status of the project and the SUP deficiencies. That meeting was scheduled for September 15th, 2021, at 6:35 PM. The new owner of the solar project was

present.

Action: *Motion by S. Agnello-Eberwein, seconded by D. Kalota to approve the proposed installation of "Hedgeline" fence slats along the entire fence surrounding the project. Motion unanimously approved.*

Site Plan Review – DG New York Solar CS - 6714 Townline Road. Reviewed the Site Plan for 3.3 MW utility scale solar energy system. The applicant for this project was last before the Planning Board in November 2020. The project documents and conditions/recommendations from the last meeting were reviewed. A change to the project was that they would no longer be buying part of the parcel along Townline Road. That will change the address to a Shawnee Road address. None of the drawings showed the updated property lines and solar panel area.

Other items discussed was the battery banks the project will utilize, the written Emergency Response Plan, the road profile and the applicant stated that they are working on a robust landscaping plan that includes existing landscaping along the east and southeast sides. The Board made sure the applicant was aware of the Niagara County Planning Board recycling law in relation to their decommissioning plan.

Other board business: None.

Next meeting: September 1st, 2021.

Motion made by D. Kalota, Seconded by S. Agnello-Eberwein to adjourn the meeting at 8:23 PM. Motion unanimously approved.

Sincerely submitted,
Jaimelyn Bator - Secretary