

TOWN OF RIDGEWAY
410 West Ave
Medina, NY 14103
PLANNING BOARD MINUTES
September 9, 2020

MEMBERS PRESENT:

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

Others Present

Janet Ward- Next Era
Shaun Logue- MRB
Michael Frateschi- TJA
Sherman Gittens- MRB
Eric Kenna- C&S Engineering
Drazen Gasic- Labella Associates
Dan Wolfe
Karen Kaiser
Mark Sweeney- Sweeney Law

Others present VIA Telecommunication Meeting

Anna Callard
Trisha Laszewski
Joe Hamel- Next Era
Jennifer Cameron- Hodson Russ
Ed Thering

CALL TO ORDER:

Chairman Fenton opened the meeting with Pledge of Allegiance at 2:00 pm

He then announced the continuation of the 2800 Swett Road Public Hearing from Wednesday September 2, 2020 at 2:01 pm.

The public hearing was closed at 2:04pm. And the regular board meeting resumed.

APPROVAL OF THE AGENDA:

Chairman Fenton called for a motion to approve the September 9, 2020 Agenda. Motion was made by Kathy Blackburn to accept the meeting agenda; second by Richard Fisher. All in favor, the motion was carried.

APPROVAL OF THE MINUTES:

Chairman Fenton called for the approval of minutes for the August 5, 2020 meeting.

Motion was made by Kathy Blackburn to accept the minutes as written; Richard Fisher seconded the motion. All in favor, the Motion was carried.

COMMUNICATIONS:

Upcoming training-Association of Towns- webinar 9/25/2020 12-2pm on Planning & Zoning Basics and Citing of Major Solar, Wind and Alternative Energy Generation: New Legislation. Tom Fenton has already signed up. Let Joelle know if you attend so you get credit.

OLD BUSINESS:

2800 Swett Road Solar Project

The plan was sent to the Orleans County Planning Board and was not accepted. Dan Wolfe stated it is not on or within 500' of a county or state road. It's a town road.

Negative Declaration for Swett Road Solar. Chairman Fenton asked for a motion to make a resolution to declare a negative declaration. Motion was made by Tim Elliott with a second by Kathy Blackburn. 3 Ayes (Tom Fenton, Kathy Blackburn, Tim Elliott) 0 nays and 1 Abstention (Richard Fisher). The motion was carried.

Part 2 of SEQRA for Swett Road Solar. There was no other input on Part 2. Chairman Fenton asked for a motion to approve part 2 of the SEQRA. Kathy Blackburn made the motion with a second by Tim Elliott. 3 ayes (Tom Fenton, Kathy Blackburn, Tim Elliott) 0 Nays, 1 Abstention (Richard Fisher). The motion was carried.

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PART 2 SEQRA ATTACHED HERE

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Agency Use Only [If applicable]

DG New York CS, LLC
Solar

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the Awhole action@.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<input type="radio"/> NO		<input checked="" type="radio"/> YES	
1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)			
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>

h. Other impacts:

temporary as land will be restored, no important habitat

minor loss of ag land,

9

9

FEAF 2019

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, NO minerals, fossils, caves). (See Part 1. E.2.g)

6

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	9	9
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	9	9
c. Other impacts: _____		9	9

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

6 NC

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	9	9
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	9	9
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	9	9
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	9	9
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	9	9
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	9	9
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	9	9
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	9	9

i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	9	9
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	9	9
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	9	9

l. Other impacts: _____ _____		9	9
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4. Impact on groundwater YES
 The proposed action may result in new or additional use of ground water, or NO may have the potential to introduce contaminants to ground water or an aquifer.
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	9	9
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	9	9
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	9	9
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	9	9
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	9	9
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	9	9
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	9	9
h. Other impacts: _____ _____		9	9

5. Impact on Flooding NO YES
 The proposed action may result in development on lands subject to flooding.
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	9	9
b. The proposed action may result in development within a 100 year floodplain.	E2j	9	9

c. The proposed action may result in development within a 500 year floodplain.	E2k	9	9
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	9	9
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	9	9
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	9	9

g. Other impacts: _____		9	9
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6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g)

NO

YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflouorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input checked="" type="checkbox"/> 9 <input checked="" type="checkbox"/> 9 <input checked="" type="checkbox"/> 9 <input checked="" type="checkbox"/> 9 <input checked="" type="checkbox"/> 9 <input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9 <input type="checkbox"/> 9 <input type="checkbox"/> 9 <input type="checkbox"/> 9 <input type="checkbox"/> 9 <input type="checkbox"/> 9
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU=s per hour.	D2f, D2g	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
f. Other impacts: _____ minor short term construction related impact		<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

NO

YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur

a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ One northern harrier (State-listed Threatened) and five short-eared owl (State-listed Endangered) _____ observations were recorded during the 2020 wintering grassland raptor surveys.	E1b	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
j. Other impacts: _____ _____		<input type="checkbox"/> 9	<input type="checkbox"/> 9

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) *If "Yes", answer questions a - h. If "No", move on to Section 9.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9

f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9
h. Other impacts: _____ non-Ag use, solis preserved _____ Temporary conversion to _____		<input checked="" type="checkbox"/> 9	<input type="checkbox"/> 9

9. Impact on Aesthetic Resources NO YES
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	9	9
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	9	9
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	9 9	9 9
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	9 9	9 9
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	9	9
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	9	9
g. Other impacts: _____ _____		9	9

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological NO YES resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur

a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	9	9
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	9	9
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	9	9

d. Other impacts: _____ _____		9	9
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If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
e.			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f		
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	9	9
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	9	9

11. Impact on Open Space and Recreation
 The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
 (See Part 1. C.2.c, E.1.c., E.2.q.)
 If "Yes", answer questions a - e. If "No", go to Section 12.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	9	9
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	9	9
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	9	9
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	9	9
e. Other impacts: _____ _____		9	9

12. Impact on Critical Environmental Areas
 The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
 If "Yes", answer questions a - c. If "No", go to Section 13.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	9	9
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	9	9
c. Other impacts: _____ _____		9	9

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems (See Part 1. D.2.j)



NO



YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	9	9
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	9	9
c. The proposed action will degrade existing transit access.	D2j	9	9
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	9	9
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	9	9
f. Other impacts: _____ _____		9	9

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

(See Part 1. D.2.k)



NO



YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	9	9
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	9	9
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	9	9
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	9	9
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

YES

The proposed action may result in an increase in noise, odors, or outdoor lighting. NO

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	9	9
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	9	9
c. The proposed action may result in routine odors for more than one hour per day.	D2o	9	9

d. The proposed action may result in light shining onto adjoining properties.	D2n	9	9
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	9	9
f. Other impacts: _____		9	9

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES to

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	9	9
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	9	9
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	9	9
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	9	9
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	9	9
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	9	9
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	9	9
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	9	9
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	9	9

j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	9	9
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	9	9
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	9	9
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	9	9
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	9	9
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	9	9
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	9	9
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	9	9
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	9	9
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	9	9
h. Other: _____ _____		9	9

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	9	9
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	9	9

c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	9	9
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	9	9
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	9	9
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	9	9
g. Other impacts: _____ _____		9	9

PRINT FULL FORM

Part 3 of SEQRA for Swett Road Solar. MRB is satisfied with the SEQRA process and recommended signed approval. Chairman Fenton called for a motion to approve and sign the Part 3 of SEQRA. Kathy Blackburn made the motion with a second by Tim Elliott. 3 Ayes (Tom Fenton, Kathy Blackburn, Tim Elliott) nays and 1 Abstention (Richard Fisher). The motion was carried.

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PART 3 SEQRA ATTACHED HERE

[If Applicable] Project :
Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination: To
complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

In regard to important habitat, the DEC confirmed the Sites are not habitat for threatened or endangered species, nor any other impacts to natural resources.

In regard to agricultural resources, there will be a temporary loss as the site is currently a farm growing corn. The site is not in an agricultural district. Agriculture and solar are compatible uses. Solar does not create permanent impacts to the agricultural resource. Alternative uses of the property allowable under the local codes, such as residential development, would permanently impair agricultural value. The growth of agrivoltaics through programs promoted by the National Renewable Energy Laboratory, demonstrate that the proposed use is consistent with state agricultural policies and state energy policy. The income produced by the lease will help preserve other farming activity. The applicant is employing construction mitigation guidelines that will minimize loss of top soil. It is not possible to relocate the panels to reduce agricultural impacts. There is no drainage on the property, and the soils cannot be employed for a better agricultural use.

The project contains significant screening to reduce visual impacts. The project is set significantly back from property lines. Access points are based on existing access points to limit disturbance. Where required by the utility company the access road follows the utility poles. Proposed screening limits visibility of the poles added for the project as much as possible.

SEQR Status:

Type 1

Unlisted

Identify portions of EAF completed for this Project: Part 1

Part 2

Part 3

FEAF 2019

Upon review of the information recorded on this EAF, as noted, plus this additional support information public hearing, responses to notice of intent

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Allegheny County IDA as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: DG New York CS, LLC

Name of Lead Agency: Town of Ridgeway Planning Board

Name of Responsible Officer in Lead Agency: Tom Fenton

Title of Responsible Officer: Planning Board Chair

Signature of Responsible Officer in Lead Agency:



Date: September 2020

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Tom Fenton

Address: 419 West Avenue, Medina, NY, 14103

Telephone Number: 585-798-0730

E-mail: jbrown@townridgeway.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Jennifer Cameron from Hodson Russ asked if we made the negative declaration. The board responded that we did that first. She recommended doing it at this point, as we had to agree to Part 2 and 3 of the SEQRA first.

Tim Elliott stated we had received notification that there were some issues with some of the panels being close to the 500 Ft Setback. Dan Spitzer had commented by email stating that as he read through the Towns zoning code, inches are inches. Some towns have a 6-inch rule. Ours does not. This would be Dan Wolfe and/or the Planning Boards call if it is deminimis. Drazen Gasic-Labela Associates- clarified that the structures they are budding against was a garage and structure building with a roof drip line. It is well outside of the 500' setback. The area is off the garage, this is technically not a dwelling. The board acknowledges receipt of the setback concerns and agreed to do nothing with it and follows the council's recommendation.

Shaun Logue- MRB-as far as the site plan comments and decommissioning all was being addressed as per code.

Jennifer Cameron- Hodson Russ- asked that we make the negative declaration again at this point as the board did so out of order having to approve Part 2 and Part # of the SEQRA first.

Chairman Fenton asked for a motion to make a resolution to declare a negative declaration. Motion was made by Tim Elliott with a second by Kathy Blackburn. 3 ayes (Tim Elliott, Kathy Blackburn, Tom Fenton) 0 nays and 1 abstention (Richard Fisher). The motion was carried.

RESOLUTION 4: 9-9-2020

**RESOLUTION ISSUING A NEGATIVE
DECLARATION FOR THE DG NEW YORK
CS, LLC SOLAR ENGERGY PROJECT AT
2800 SWETT ROAD, TOWN OF
RIDGEWAY**

WHEREAS, the Planning Board of the Town of Ridgeway (the "Planning Board") has received an application from DG New York CS, LLC for a 3.19 MW ac solar energy generating facility at 2800 Swett Road, Lyndonville, New York 14103, SBL # 47.-1-65, in the Town of Ridgeway (the "Action"), which application, as amended deleted the energy storage facility and made other changes to conform to the requirements of the Town Code; and

WHEREAS, the Planning Board issued a Notice of Intent to act as Lead Agency pursuant to the State Environmental Quality Review Act ("SEQRA"), and no agency has objected to the Town acting as Lead Agency; and

WHEREAS, the Planning Board has determined that the Action is a "Type I" action under SEQRA; and

WHEREAS, the Planning Board has duly considered the Action, the comments of the public at a public hearing and written submissions, the full Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), the draft Negative Declaration, and such other information deemed appropriate; and

WHEREAS, the Planning Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination;

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

1. The Planning Board declares itself to be the Lead Agency under SEQRA.
2. Based upon a thorough review and examination of the known facts relating to the Action and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings relating to the Action, the Board finds that the Action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared.
3. The attached negative declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the attached negative declaration.
4. The Town Special Counsel and/or Town staff are hereby authorized and directed to distribute copies of the resolution as necessary and to publish the requisite notice in the ENB.
5. This resolution is effective immediately.

PASSED AND ADOPTED this 9th day of September, 2020 by the Planning Board of the Town of Ridgeway.

Offered by Tim Elliott who moved its adoption.

Seconded by Kathy Blackburn.

Adopted: 3 Ayes (Chairman Fenton, Kathy Blackburn, Tim Elliot)

0 Nays

1 Abstention (Richard Fisher)

The planning board would like to table the decision to approve/disapprove the project plan until the next meeting on October 7, 2020 based on the recommendations of Council and the Code Enforcement Officer. Tim Elliott made the motion to table the decision to the next meeting with a second by Kathy Blackburn. 3 ayes (Tim Elliott, Kathy Blackburn, Tom Fenton) 0 nays and 1 abstention (Richard Fisher). The motion was carried.

Medina Ridgeway Solar Project- two sites- 11074 and 11202 Ridge Road. Michael Frateschi- from TJA, Eric Kenna from C&S Engineering and Mark Sweeney-Sweeney Law were here to present the two plans to the Board. Michael stated that these two community solar projects are two separate projects. 11074 Ridge Rd (west), owned by Richard Fisher, is a 3000 kW PV generator system 2000 kW/4384kWH DC Coupled Battery Energy Storage System with interconnection to the West Region/Genesee Region.

11202 Ridge Rd, owned by Kenneth Fisher, is a 5000 kW PV generator system 4000 kW/8768 kWhr DC Coupled Battery Energy Storage System with interconnection to the West Region/Genesee Region. (The only thing in common is the interconnection site on North Gravel Road.) They are all approved with National Grid, just waiting to see about the access drive so they don't have to cross the creek. Eric Kenna- C&S Engineering- stated that the 11074 would use the owners existing driveway to enter the project. 12202 would use a North Gravel Access that crosses the creek. They are currently working with national grid to get approval that would access by 104 through the 11074 to eliminate crossing the creek. Dan Wolfe-code enforcement- questioned if the projects go over the property lines? Would easements be needed, etc. Eric stated that they would be moving the property line- after the projects are done, new deeds would be issued. Tim Elliott, stated he realized that its two separate projects, but asked if they could have a map that showed both projects together. Eric and Mike both stated that would be possible. Eric went on to state they have submitted revision to MRB Group and the town on 9/2/2020- town received on 9/8/2020. They are working with national grid to take the 2 physical separate points of interconnection vs. 1 and eliminating the creek crossing. The CESIR on both projects have been completed, they are just working out the layout with interconnections on North Gravel. They are in hopes of having all comments back by the public hearing on these projects. Board members asked exactly where the projects are and if they are visible from the road. The 11074 is visible in one small area and they have a landscape plan to hide this. 11202 is not visible from the road. The fence line is 513' from McCauley Canvas on North Gravel.

Tim Elliott suggested we hold off calling for a public hearing and sending to the County Planning Board until next month as well as declaring lead agency as this has expired seeing how one of the board members was not present. The board was in agreement. Tim Elliott also asked if the subdivisions would need to go to Zoning. Dan Wolfe stated they may not need to do this due to the setbacks. Sherman Gittens-MRB suggested to clearly delineate setbacks in the plans to clear up any confusion in the future.

NEW BUSINESS:

Application for a site plan review/Special Use Permit- Steven Miller- would like to dig a 40,000 sq ft recreational pond at 10749 Ridge Road, Medina, Town of Ridgeway the area he would like to put the pond is zoned Agricultural/residential. Dan Wolfe stated that this would require a public hearing as well as needing to go to the County Planning Board. Tom Fenton and Dan Wolfe will conduct the site plan review.

Chairman Fenton called for a motion to adopt a resolution to send 10749 Ridge Road pond Special Use Permit to the county planning board.

RESOLUTION 5: 9-9-2020

RESOLUTION CALLING FOR THE 10749 RIDGE ROAD POND SPECIAL USE PERMIT TO BE REFERRED TO THE COUNTY PLANNING BOARD

WHEREAS, the Planning Board is considering an application submitted by Steven Miller, for a 40,000 Sq Ft recreational pond located at 10749 Ridge Road, Medina, NY, SBL # 57.-1-11.1; and

WHEREAS, the Planning Board wishes to receive input from the County Planning Board.

NOW, THEREFORE, BE IT RESOLVED,

1. The Project application shall be referred to the County Planning Board
2. This Resolution shall be effective immediately

PASSED AND ADOPTED by the Planning Board of the Town of Ridgeway on the 9th of September, 2020.

Offered by Tim Elliott who moved its adoption.

Seconded by Richard Fisher.

Adopted: 4 Ayes (Chairman Fenton, Kathy Blackburn, Tim Elliot, Richard Fisher)

0 Nays

Chairman Fenton called for a motion to adopt a resolution calling for a public hearing for the proposed 10749 Ridge Road pond Special Use Permit.

RESOLUTION 6: 9-9-2020

**RESOLUTION CALLING FOR A PUBLIC
HEARING ON THE 10749 RIDGE ROAD
POND SPECIAL USE PERMIT**

WHEREAS, the Planning Board is considering an application submitted by Steven Miller, for a 40,000 Sq Ft recreational pond located at 10749 Ridge Road, Medina, NY, SBL # 57.-1-11.1; and

WHEREAS, the Planning Board wishes to hold a public hearing on the Project

NOW, THEREFORE, BE IT RESOLVED,

1. A public hearing will be held on the Project on October 7, at 7:05 p.m. at Town Hall. The Town Clerk shall publish notice of the hearing in the Town's official newspaper and post the notice.
2. This Resolution shall be effective immediately

PASSED AND ADOPTED by the Planning Board of the Town of Ridgeway on the 9th of September, 2020.

Offered by Kathy Blackburn who moved its adoption.

Seconded by Richard Fisher.

Adopted: 4 Ayes (Chairman Fenton, Kathy Blackburn, Tim Elliot, Richard Fisher)

0 Nays

Chairman Fenton asked if there were any other issues or concerns. Since there were none, Chairman Fenton asked for a motion to adjourn the meeting. Tim Elliott made the motion and was seconded by

Kathy Blackburn and Richard Fisher. All were in favor and the motion was carried. The meeting was adjourned at 3:15pm.

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

Respectfully Submitted by
Joelle Brown
Planning Board Clerk