

REGULAR JOINT TOWN AND VILLAGE PLANNING BOARD MEETING

April 15th, 2026, at 6:30pm | 103 Main Street, Mount Morris NY

Present: Acting Vice Chair Brianna Rawleigh; Planning Board Members Larry Woodworth and Joel Clester; Board Secretary Kaylee Leone; Town Engineering Consultant and Associate Engineer with MRB Group Sherman Gittens; Village Code Enforcement Officer Tim Dunham; Mayor Kelly Bacon; Attorney Jacob Zoghlan of Underberg & Kessler LLP; Sr. Project Manager Matt Moyon of Bohler Engineering; and Community Members Aaron Galvin, Matt Scully, and Patrick Scully

CALL TO ORDER AND REVIEW OF MINUTES

The regular meeting of the Joint Town and Village of Mount Morris Planning Board was called to order by Acting Chair Brianna Rawleigh at 6:38pm. Following introductions of board members, consultants, and applicant representatives, the Board reviewed the minutes from the January 21st, 2026, and March 18th, 2026, Planning Board meetings.

A motion to approve the submitted January 21st, 2026, and March 18th, 2026, meeting minutes was introduced by Larry Woodworth and seconded by Joel Clester, and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

CONTINUED REVIEW – ARI PRESBYTERIAN ROAD SOLAR AND STORAGE

The Board then proceeded to the primary agenda item concerning the ARI Presbyterian Road Solar Project Special Use Permit and Preliminary Site Plan review. Sherman Gittens of MRB Group explained that MRB had completed an initial review of the application materials and had identified several outstanding items requiring clarification or supplementation. He stated that Bohler Engineering had since provided additional documentation and responses sufficient for MRB to recommend that the application be deemed complete for purposes of commencing the formal review process. Mr. Gittens advised the Board that the applicant had also submitted visual assessments and additional technical information to address concerns raised during earlier meetings, and recommended that the Board begin the SEQRA coordination process and allow the applicant to present updated project details.

Engineer Matt Moyon of Bohler Engineering then presented updated project materials and site plans for the approximately 3 Presbyterian Road solar and battery energy storage project. Mr. Moyon explained that no substantive changes had been made to the overall project layout since the January meeting, though refinements had been made to stormwater management details and supporting technical documentation. He reported that the applicant had submitted a preliminary Stormwater Pollution Prevention Plan (SWPPP) to comply with New York State Department of Environmental Conservation requirements and had received several agency determinations, including confirmation from the DEC that there were no jurisdictional wetlands on the site, no permit requirements related to endangered species, a no-impact determination

from the State Historic Preservation Office (SHPO), and a “Determination of No Hazard” letter from the Federal Aviation Administration.

Mr. Moyen further reviewed emergency access improvements that had been incorporated into the site design, including the addition of turnaround areas, bypass roads, and interior circulation routes intended to comply with fire code requirements. Sherman Gittens informed the Board that Town Code Enforcement Officer Shawn Grasby had requested a future coordination meeting involving MRB Group, Bohler Engineering, and local fire officials to review emergency access and response considerations in greater detail.

Mr. Moyen next presented a series of visual impact renderings depicting views of the project from multiple vantage points along Presbyterian Road. Mr. Moyen explained that the renderings were intended to demonstrate the effects of existing topography and vegetation on project visibility. He noted that the visual simulations assumed the maximum possible panel height under full tilt conditions, despite normal operational heights being lower. According to the renderings, only limited portions of the project would potentially be visible from the roadway, with most views heavily screened by existing vegetation and terrain. Utility poles associated with the point of interconnection would remain visible from certain areas near the road frontage. Mr. Moyen stated that the applicant had not identified any additional locations from which the project would have significant visual prominence.

Discussion then turned to easements, access roads, and long-term site operations. Sherman Gittens explained that MRB Group had recommended that utility and access easements be formally established between parcels despite being under common ownership, in order to protect future interests and clarify long-term maintenance responsibilities.

Additional discussion addressed the proposed access road, portions of which would continue to be utilized by the landowner and agricultural equipment. Mr. Gittens noted concerns regarding the durability of a limited-use pervious access road under heavy farm use, and Mr. Moyen explained that the first approximately 2,000 feet of the access road would be reconstructed to accommodate agricultural traffic while the remaining sections serving only project infrastructure would remain limited-use pervious gravel access.

The Board also discussed the proposed battery energy storage system (BESS) and associated fire safety considerations. Mr. Moyen explained that the battery storage area would include gravel buffer zones surrounding the equipment pads and that current fire codes require internal separation systems within battery cells to limit thermal propagation.

Acting Chair Rawleigh raised questions regarding the proximity of nearby hay fields and the potential combustibility of surrounding vegetation. Applicant representative Matt Scully responded that hay fields are generally not substantially more combustible than normal vegetation and explained that the project design incorporated setbacks and gravel buffer areas intended to minimize fire risk. Additional discussion occurred regarding a prior fire incident

associated with another solar project in the Town, with applicant representatives clarifying that the prior incident had resulted from welding activities during construction rather than solar equipment operation itself.

Mr. Moyer also explained that the site would be seeded with a native perennial pollinator mix commonly referred to as “Fuzz and Buzz Mix,” which has become widely utilized on solar projects to support pollinator habitats. Acting Chair Rawleigh asked about earlier project layout revisions, and Mr. Moyer explained that portions of the array had been shifted westward into row crop areas in response to DEC concerns regarding potential habitat impacts to the Henslow’s sparrow.

Additional discussion focused on fencing, access control, and emergency response protocols. Mr. Moyer explained that the project would be enclosed by new fencing and include gated access points equipped with Knox Box or combination lock systems accessible to emergency responders. Sherman Gittens stated that emergency access procedures and lock information would ultimately be incorporated into the project’s finalized emergency response plan distributed to local emergency services.

Acting Chair Rawleigh raised concerns regarding whether local fire departments possessed adequate specialized equipment to address solar or battery-related fires given the growing number of such facilities within the Town. Applicant representatives responded that battery-related incidents are generally managed through observation and controlled isolation procedures until chemical reactions subside, rather than through direct suppression methods traditionally used for structure fires.

Following discussion, Sherman Gittens recommended that the Board proceed with the next phase of the SEQRA process by declaring its intent to serve as Lead Agency and authorizing circulation of materials to involved and interested agencies.

A motion declaring the Board’s intent to serve as Lead Agency for SEQRA review purposes was introduced by Joel Clester. The motion was seconded by Larry Woodworth and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

Mr. Gittens advised that formal notices would be circulated immediately following the meeting.

The Board next considered referral of the project to the Livingston County Planning Board pursuant to General Municipal Law §239-m. Larry Woodworth made a motion to refer the application to the County Planning Board, seconded by Joel Clester. The motion carried unanimously. Sherman Gittens then outlined the anticipated SEQRA timeline, explaining that

circulation to involved agencies would initiate a 30-day response period, after which the Board would proceed with review of Parts II and III of the Full Environmental Assessment Form with assistance from MRB Group. Mr. Gittens further advised that any identified moderate or large environmental impacts would need to be addressed through mitigation measures or written justification from the applicant.

Sherman Gittens additionally advised against scheduling a public hearing for the project at that time due to current vacancies and anticipated membership reductions on the Planning Board, explaining that the Board's limited membership created quorum concerns and reduced flexibility in the event of absences during the upcoming summer months. Joel Clester asked about the anticipated construction timeline for the project, and Matt Moyon responded that construction was tentatively expected to begin in the spring of the following year pending completion of the remaining engineering, permitting, and decommissioning agreement processes.

CONTINUED REVIEW – VILLAGE MINOR SUBDIVISION APPLICATION

The Board next resumed discussion regarding the 21 Connor Avenue subdivision application. Applicant representative Aaron Galvin described the proposal as a straightforward subdivision that complied with applicable zoning, frontage, and dimensional requirements and would resolve existing parcel configuration issues. Board members discussed floodplain classifications, wetlands, and prior environmental remediation concerns associated with nearby properties. It was clarified that the site was located within Flood Zone C and did not contain wetlands, and that previously identified remediation areas remained confined to separate parcels. Discussion also addressed an existing structure that had historically straddled parcel lines; however, Tim Dunham advised that he had located a Certificate of Occupancy establishing the structure as a lawful primary residence since approximately 1977, thereby resolving the Board's prior concerns regarding code compliance. Acting Chair Rawleigh stated that updated SEQRA materials and remediation information had satisfactorily addressed the Board's prior questions.

The Board then discussed notification procedures for the required public hearing. Due to the large number of neighboring properties requiring notice, the applicant requested permission to utilize personal service in lieu of certified mailing for certain notifications. The Board confirmed that personal service would be acceptable provided proper documentation of notification attempts was maintained.

A motion to schedule a public hearing on the subdivision application for the Board's next meeting on May 20th, 2026, was made by Larry Woodworth. The motion was seconded by Joel Clester and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously.

Board members further indicated that final subdivision approval could potentially occur on the same evening as the public hearing provided no significant concerns were raised.

PRELIMINARY REVIEW – TOWN MINOR SUBDIVISION APPLICATION

The Board then reviewed a preliminary subdivision proposal involving the Yoder property located on Mount Morris - Nunda Road. Secretary Leone explained that the proposal involved the conveyance of approximately five acres from one parcel to adjacent neighboring property owners. Board members discussed the need for updated survey maps clearly identifying acreage calculations, parcel configurations, and confirmation that the acreage calculations reflected net acreage exclusive of road rights-of-way and easements. Additional discussion occurred regarding the need for SHPO review and clarification regarding parcel ownership and boundary lines. No formal action was taken on the proposal pending submission of revised mapping materials and additional information.

OTHER BUSINESS

Under other business, the Board discussed the recent resignation of Planning Board Chair Jim Patrick. Secretary Leone explained that the Board would need to formally recommend a replacement chairperson for consideration by both the Town Board and Village Board, each of which would need to separately approve the appointment pursuant to the joint board structure.

Members discussed anticipated timelines for filling both the Chair position and additional Board vacancies, noting that because appointments require approval by both municipal boards, new members would likely not be seated until at least the June meeting.

EXECUTIVE SESSSION

A motion to enter into executive session for purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person was made by Joel Clester. The motion was seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously, and the Board entered into executive session at 7:36pm.

REGULAR JOINT TOWN AND VILLAGE PLANNING BOARD MEETING

April 15th, 2026, at 6:30pm | 103 Main Street, Mount Morris NY

A motion to exit executive session was made by Joel Clester. The motion was seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously, and the Board exited executive session at 7:43pm.

ADJOURNMENT

With no further business to discuss, a motion to adjourn was introduced by Joel Clester and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 3 (Clester, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion was carried unanimously, and the meeting adjourned at 7:44pm.

The next scheduled meeting of the Joint Planning Board is set for Wednesday, May 20th, 2026 at 6:30pm.

Respectfully submitted,

Kaylee R. Leone
Planning Board Secretary