**TOWN OF BRANT**

**PLANNING BOARD**

August 5, 2020

Brant Town Board

Supervisors Office

1272 Brant North Collins Road

Brant NY 14027

At the Planning Board meeting August 5, 2020 it was the recommendation of the board and the Code Enforcement Officer that the Town Board be designated as lead agency for the Omni Navitas Holdings Solar Project on the Sager Farm located at 885 Brant Farnham Road, Brant NY 14081. SBL 266.00-2-10.

We have attached various records we deemed necessary for the Board to perform the task.

In addition, the following comments and considerations were discussed in our review and we offer them for your consideration.

Comments and Considerations

1. The SEEQR law (6 NYCRR 617) classifies this project as a Type 1 action (617.4 6 i) a project or action that involves more than 10 acres. According to the EAF, page 9 of 13, 13.5 acres will be affected.
2. Since this is a type 1 action, and a full EAF form has been completed, a lead agency must be declared.
3. Since this project impacts major highway referral to Erie County Environment and Planning is required.
4. As a curb cut is proposed on US 20, referral must be made to Department of Transportation Region 5.
5. As this action disturbs agricultural property, The New York State division of Agriculture and Markets must also approve the projects.
6. We recommend a coordinated review by all affected agencies.
7. The Town Attorney recommends a $20,000 escrow fund to pay for consultant review of the project, since the land will not be farmed for several decades. Considering the size of the project this appears to be excessive. We recommend that the escrow amount be determined after the estimated cost of consulting services have been received and the type and extent of such services has been established.
8. A lead agency must be declared for the coordinated review.
9. The Town Board must approve the lead agency
10. The special use permit fee must be established. It was noted in our meeting that the application suggests a fee of $75.
11. There are two types of transformers which may be used. A dry transformer is air cooled. A wet transformer is oil cooled. If it is determined that a wet transformer is used, then the planning board recommends a soil contamination study be a part of the decommissioning plan. The CEO recommended a soil contamination test be performed as a benchmark prior to the project start.
12. A copy of the Surety Bond should be included as a part of the special use approval.
13. A copy of the site maintenance plan should be furnished as a part of the special use permit.
14. It was recommended by the planning board that natural screening be planted outside of the chain link fence to improve the aesthetic view.
15. The approvals of related agencies must be received before the special use permit is approved.
16. A public hearing must be held on the results of the SEQR
17. A public hearing must be held to approve the special use permit.
18. A copy of the lease must be furnished to the Town when executed.

Respectfully submitted,

Joseph Ostrowski, Planning Board Chairman