

10/24/17 MATTHEW LINDNER

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Town of Canandaigua
Planning Board
October 24, 2017

Ref: CPN-027-17 – Cypress Creek Renewables

As owners of 5206 Seneca Point Road, we want to address the Planning Board regarding CPN-027-17, Cypress Creek Renewables. I have prepared copies of what I shall be discussing for each board member.

I would like to start by addressing some specifics that were requested by this board during the Sept 26, 2017 meeting regarding the operations, maintenance and decommissioning plans as they relate to the documents submitted by Cypress Creek Renewables.

I quote:

‘Mr. Nadler requested that a revised statement of operations, maintenance plan and decommissioning plan be included with the revised plans to be submitted on October 2, 2017. He also suggested that photographs or photo simulations of a project of similar size or with similar views would be helpful for the Planning Board’s and the public’s review.’

“Mr. Brabant explained that the updated operation and maintenance plans should address each of the comments discussed at the meetings and that they must be site-specific to this application. He also requested that a construction sequence be provided.”

Mr. Staychock requested that the revised site plan be site-specific. He also noted that there are a number of species of canopy trees that would remain at low height. “

CCR Operations & Maintenance

The CCR Operations and Maintenance Template Scope of Services is nothing more than general and NOT SITE SPECIFIC, especially as it relates to Vegetation Maintenance. I refer to page 6 of this plan.

1. Not once is any discussion of exact type of vegetation discussed that shows how preventing runoff, carbon sequestration, pollination and other insect services, air quality concern, invasive species resistance, wildflower areas, or rate of fescue growth discussed.
2. Not once is the exact type, seeding rate, establishment rate of nutrients required, maintenance rate of fertility required, mowing requirements, nor soil test requirements for areas within the solar field itself discussed or defined.

As a board, this HAS BEEN REQUIRED, yet not provided.

Decommissioning Cost Estimate

Does the board realize that will be in excess of 270 tons or 5,400,000 lbs + or steel, wire and miscellaneous potential pollutants on this proposed 18.6 acre site? No one for sure, can state that these

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materials used will not, over time, become a hazardous waste the might flow into the Canandaigua Lake Watershed.

Landscape Planting

From the Sept 26, 2017 board minutes:

"Mr. Woolley said that he has tried to reach out to the neighbors. He said that he had a meeting with the neighbors and that Mr. Lindner's son attended. He said that he asked for Mr. Lindner's expertise regarding the plantings. He said that he sent the plans to Mr. Lindner via e-mail but that he did not receive a response. Mr. Woolley said that he requested that Cypress Creek incorporate several of Mr. Lindner's Tree Care Industry Association (TCIA) comments into the maintenance plan."

"Mr. Woolley said that he is taking into consideration the comments discussed at the Planning Board meetings and is implementing them."

I also state from an e-mail to Mr. Wooley from Matt Wendoroff, dated July 31, 2017

Travis,

I spoke with Jerry Hill, the landscape designer at Bristols Garden Center, this morning.

His feedback:

-The shade trees: Black Gum and Oak are going to be 14 to 16 feet on install and could reach max heights of 60 to 80 feet. Those are trees we definitely want out.

-The shade trees can be replaced with dwarf ornamentals like dwarf crab apple which have a maximum growth height of 8 to 10 feet and can easily be maintained to a max height of 8 feet or less.

-The Eastern Cedar / Junipers will grow to 20 to 30 foot long term so please remove those from the plans.

-Grove Junipers or Sea Green Junipers can be an alternative and will also only grow to a max height of 8 to 12 feet.

-He also mentioned Dwarf Blue Spruce.

-With any of the plantings they should be deer proof otherwise they won't last around here.

-I would request to add in maintenance to be at the 7 to 8 foot max height range for all plantings with a frequency of inspection twice per summer and trimming at least once per summer or 2x if needed. I would ask that we write that into the plan.

-I would also request the right to remove the plantings at the neighbors request if maximum heights aren't maintained. This way if it starts to impede our views for some reason we can go back to just the chain link fence.

I will let Mike, Matt, and Kevin add their comments.

Thanks.

Matt

On Jul 26, 2017 8:06 AM, "Travis" <twoolley1@hotmail.com> wrote:

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Hello neighbors, here are the preliminary plans for the solar farm. I will keep you all informed as I make progress with your questions between now and labor day. Thanks again for meeting to discuss.

Travis 585.202.3866

Sent from my LG V10, an AT&T 4G LTE smartphone

The original plans submitted had trees and landscape of massive heights and diameters, with various maintenance issues. During my presentation to the August 22, 2017 Board meeting, I discussed these trees and their issues.

I quote from my submission of 8/22:

"Canopy Trees

1. NS – Black Gum. These trees have a height of 30 + feet and have a diameter of 20 -30'
2. QR – Northern Red Oak. These trees have a height of 60 -75' and a diameter of 60"+. These trees are very susceptible to Oak Wilt, galls and mites.

Shrubs

1. AM - Black Chokeberry. These shrubs have a height of 5-8' and a width of 3 -6'. These shrubs MUST be pruned each spring, after flowering.
2. CA – Sweet Pepperbush. These shrubs have a height of 5 – 8' and a width of 4 – 6'. These shrubs are susceptible to Spider Mites that can defoliate the entire shrub, unless treated.
3. IV – Virginia Sweetspire. These shrubs have a height of 3 – 8' and a width of 3 -6'.
4. BV – Eastern Red Cedar – These trees have a height of 30-60' with a width of 8-25". These trees are very susceptible to twig blight, scale, bagworms, and mites.
5. RA – Fragrant Sumac – These shrubs have a height of 6-8' and a width of 30'. These shrubs are prone to vascular wilts."

The landscape plan recently submitted is EXACTLY THE SAME as the previous plan. THERE ARE NO CHANGES AND NO CONSIDERATION TO ANYTHING DISCUSSED BY MR. WENDOROFF TO MR. WOOLEY, nor does it take into account any TCIA planting specifications nor maintenance plans. If this land is not good for agriculture as stated by this board, how can trees be planted and maintained without proper fertilization, pruning and required maintenance? What happens if a tree or shrub dies....who is responsible for replacing them? Also, nowhere in the decommissioning plan, is removal of such vegetation discussed nor accounted for.

Nothing this board has requested, multiple times, has been submitted.

Nothing Mr. Wooley has stated regarding the landscape revisions, has been done nor changed. From the Sept 26 meeting:

1. Mr. Wooley stated "he cares about and appreciates his neighbors' concerns about their views of the lake and that he has attempted to meet with them and take their concerns into consideration." Mr. Wooley further states" that everyone's view of the lake will be

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maintained." Also" that the solar project is the best option for everyone. It will provide him with additional income."

As I stated during the Sept 26 meeting and again state today, actions speak louder than words and I see no action by either Cypress Creek nor Mr. Wooley, that indicates anything other than financial gain. I see the plans submitted to this board, after numerous requests, as nothing more than Cypress Creek ignoring everything asked for and believing their submittal of these documents as just "standard operational procedures" and snubbing their nose at the board and surrounding residents and making a mockery of this entire planning board.

Up until now, I have requested this board either deny the special use permit or request the entire solar field be moved to another location on Mr. Wooley's farm. Given the lack of respect for both this boards numerous requests and lack of requested input from surrounding neighbors, I see nothing else for this board to do than:

DENY the SPECIAL USE PERMIT!!!!!!!