

PLANNING BOARD MEETING

February 10, 2026

Chairperson, Brandon Zeches, called the meeting to order at 5:30 p.m. at Warsaw Fire Hall, located at 40 East Buffalo Street, Warsaw NY 14569. The Pledge of Allegiance followed.

MEMBERS PRESENT:

Brandon Zeches, Co-Chairperson
Deborah Gillen
Kevin Miller
Chris Henrici
Barbara Mann, Secretary

GUEST:

Elijah McWhinney, Attorney, DiMatteo Roach & Kelly	
Kristen Felix	Tina Comstock
Matt Felix	Mary Ann Moore
Maureen Felix	Donna Mager
David Connelly	Roger Chaffee
Linda McGuire	Tom Reagan
Roberty Flowers	Sally Smith
Cynthia Perkins	Laura DeBadts
Jim Smith	John Gillen

Chairperson, Brandon Zeches, called for a motion to approve the previous meeting minutes of December 9, 2025.

MOTION MADE BY Member Chris Henrici to approve the minutes as presented. Seconded by Member Kevin Miller. All in favor. Motion carried.

EXECUTIVE SESSION – 5:31 p.m. – Engineering proposal review.

Adjourn Executive Session at 5:35 pm

Solar Project – Warsaw Solar/RIC, 1010 – 1018 West Buffalo Street:

Chairperson, Brandon Zeches read the following Resolutions and Agreement.

RESOLUTION #1 OF 2026

VILLAGE OF WARSAW

RESOLUTION TO ENTER INTO EXTENSION AGREEMENT RIC ENERGY SOLAR PROJECT

Adopted: February 10, 2026

WHEREAS, the Planning Board of the Village of Warsaw met at a regular board meeting at the Fire Hall of the Village of Warsaw located at 40 East Buffalo, Warsaw, New York 14569, commencing at 5:30 P.M. at which time and place the following members were:

Present:	Chairperson	Zeches
	Member	Gillen
	Member	Henrici
	Member	Miller
	Member	Vacant

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Planning Board of the Village of Warsaw received an application for a new solar project in the Village of Warsaw from RIC Energy LLC referred to as “Warsaw PV, LLC”, with such application having been received on or about September 25, 2025; and

WHEREAS, the Planning Board of the Village of Warsaw held a public hearing on the aforementioned application on November 18, 2025, triggering the sixty-two (62) day deadline under Sections 7-725-A(8) and 7-725-B(6) of Village Law for the Village to issue a decision on site plan review and the issuance of a special use permit for the Project, with such deadline set to expire on January 19, 2026; and

WHEREAS, as permitted under Sections 7-725-A(8) and 7-725-B(6) of Village Law, both the Planning Board and Warsaw PV, LLC feel that an extension of this deadline is necessary in order to ensure that the application is fully reviewed; and

WHEREAS, the Planning Board of the Village of Warsaw has received an Extension Agreement between itself and Warsaw PV, LLC, setting out the terms of such extension, the aforementioned Extension Agreement having been prepared by the Village Attorney and Counsel for Warsaw PV, LLC; and

WHEREAS, the Planning Board of the Village of Warsaw desires to enter into the Extension Agreement with Warsaw PV, LLC as part of reviewing the application for Site Plan Review and Special Use Permit; and

WHEREAS, the Planning Board of the Village of Warsaw finds that the Planning Board Chair is the appropriate officer to execute said Extension Agreement on behalf of the Village of Warsaw; and

NOW ON MOTION OF Member Chris Henrici which has been duly seconded by Member Deborah Gillen, be it

RESOLVED, that the Planning Board of the Village of Warsaw finds it to be in the best interests of the Village of Warsaw to enter into the Extension Agreement with Warsaw PV, LLC and hereby authorizes the Planning Board Chair to execute said agreement.

Ayes: 4

Nays: 0

CARRIED

**AGREEMENT TO EXTEND DEADLINE FOR DECISION ON SITE PLAN REVIEW
DETERMINATION AND ISSUANCE OF A SPECIAL USE PERMIT**

This Agreement, dated February 10 , 2026, is by and between the Village of Warsaw, Wyoming County, State of New York, a municipal corporation duly organized and existing under the Laws of the State of New York with its principal office located at 15 South Main Street, Warsaw, NY 14569 (the "Village"), and Warsaw PV, LLC, a New York Limited Liability Company with its principal place of business at 17 State Street, Suite 2320, New York, NY 10004, (the "Applicant"); The Village and the Applicant may sometimes be referred to herein individually, as a "party" and, collectively, as the "parties."

WHEREAS, the Applicant submitted an application to the Village on September 25, 2025 for site plan approval and related permits for the development of a large-scale solar energy project to be located at 1010-1018 West Buffalo Street in the Village of Warsaw, and identified on the Wyoming County Tax Map as Parcel Nos. 85.10-1-2 and 85.10-1-1 (the "Project"); and

WHEREAS, the Village of Warsaw held a public hearing on the application on November 18, 2025, triggering the sixty-two (62) day deadline under Sections 7-725-A(8) and 7-725-B(6) of Village Law for the Village to issue a decision on site plan review and the issuance of a special use permit for the Project, with such deadline set to expire on January 19, 2026; and

WHEREAS, as permitted under Sections 7-725-A(8) and 7-725-B(6) of Village Law, both Parties feel that an extension of this deadline is necessary in order to ensure that the application is fully reviewed; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Village and Applicant agree as follows:

1. The deadline for which the Village must issue a decision regarding site plan review and the issuance of a special use permit to the Project is hereby extended sixty (60) days from the date of execution of this Agreement.
2. Thereafter, such extension shall continue from month to month until the Applicant withdraws its consent to this extension with at least thirty (30) days' prior written notice to the Village Planning Board and the Village Attorney in writing. Upon such withdrawal, this extension shall conclude at the following

Village Planning Board meeting, whereat the Village Planning Board shall issue a decision regarding site plan review and the issuance of a special use permit, respectively, to the Project.

3. This extension shall cease in the event that the Village Planning Board, of its own accord, issues a decision regarding site plan review and the issuance of a special use permit, respectively, to the Project.
4. Any claims, causes of action, disputes, or controversies arising out of or relating to this Agreement that cannot be resolved through mediation shall be litigated exclusively in the Supreme Court of the State of New York, County of Wyoming. The Parties hereby consent to the personal jurisdiction of such court and waive any objections based on improper venue or forum non conveniens.
5. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.
6. If any provision of this Agreement is found to be invalid or unenforceable, the scope of such provision shall be reduced to the extent necessary to make it enforceable, and the remaining provisions shall continue in full force and effect.
7. This Agreement constitutes the entire understanding between the Parties and supersedes all prior discussions, agreements, or understandings of any kind. Any amendment or modification of, or waiver under, this Agreement shall be in writing and acknowledged by the Parties.

VILLAGE OF WARSAW

WARSAW PV, LLC

By: Brandon Zeckes

Print Name: Brandon Zeckes

Planning
Title: Board Chairman

Authorized Signatory

By: Robert Queirol - Digitally signed by Robert Queirol
C=US, E=rqueirol@ric_energy, CN= Robert Queirol
Date: 20260213 09156:21-05 '00'

Print Name: Robert Queirol

Title: Print — Development Director /

Date: 2/13/2026

RESOLUTION #2 OF 2026

**VILLAGE OF WARSAW
PLANNING BOARD**

**RESOLUTION TO RECOMMEND ENGINEER TO VILLAGE BOARD
FOR PROFESSIONAL SERVICES**

Adopted: February 10, 2026

WHEREAS, the Planning Board of the Village of Warsaw met at a regular board meeting at the Fire Hall located at 40 East Buffalo, Warsaw, New York 14569 on the 10th day of February 2026, commencing at 5:30 P.M., at which time and place the following members were:

Present:	Chairperson	Zeches
	Member	Gillen
	Member	Henrici
	Member	Miller
	Member	Vacant

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Planning Board of the Village of Warsaw received an application for a new solar project in the Village of Warsaw from RIC Energy LLC referred to as “Warsaw PV, LLC”; and

WHEREAS, recognizing the complexity that comes with siting and permitting solar energy facilities, the Village feels it is necessary to engage the services of an engineer familiar with the technical language of solar energy regulations who will be able to advise the Village and ensure that its decommissioning regulations are being followed; and

WHEREAS, the Village has entered into an escrow agreement with Warsaw PV, LLC to cover the expense of such engineer; and

WHEREAS, the Village of Warsaw authorized the issuance of a Request for Proposals to the following engineering firms to request sealed bids for engineering services regarding the siting and permitting of this solar project:

- i. Colliers Engineering and Design
- ii. Clark Patterson Lee
- iii. Labella Associates
- iv. Nussbaumer & Clarke, Inc.
- v.

WHEREAS, the Planning Board received proposals from Colliers Engineering and Design on January 5, 2026, and from Clark Patterson Lee on February 6, 2026; and

WHEREAS, the Planning Board, having reviewed such proposals, finds the terms and services offered by Clark Patterson Lee to be the most thorough and agreeable; and

WHEREAS, the Planning Board of the Village of Warsaw now desires to recommend the services of Clark Patterson Lee to the Village Board for their ultimate approval and engagement.

NOW ON MOTION OF Member Chris Henrici which has been duly seconded by Member Deborah Gillen, be it

RESOLVED, by the Planning Board of the Village of Warsaw, that the services of Clark Patterson Lee are hereby recommended to the Village Board of the Village of Warsaw for their ultimate approval and engagement for the review of the Warsaw PV, LLC solar project application.

Ayes: 3

Abstain: 1

Nays: 0

CARRIED

Land Separation Application – John MacCallum, 241 Wyoming Street:

The Planning Board revoted since the map was not filed and over 62 days from last approval for the land separation from October 14, 2025 meeting. Discussed the Land Separation for John MacCallum at 241 Wyoming Street. Currently this is a 43.26-acre parcel, and the owner wishes to separate the house. Once separated the house will sit on 3.54 acres with 402.21 feet of road frontage which leaves the remaining parcel to be 40.04 acres with 150 ft of road frontage.

RECORD OF VOTE:

Brandon Zeches, Co-Chair	Aye
Kevin Miller	Aye
Chris Henrici	Aye
Deborah Gillen	Aye

MOTION MADE BY Member Deborah Gillen to approve the land separation as mapped at 241 Wyoming Street. Seconded by Member Chris Hendrici. All in favor. Motion carried.

GreenSpark Project Solar Project – 38 Industrial Street:

Paused due to paperwork from GreenSpark.

NEXT MEETING IS SCHEDULED FOR March 10, 2026, AT 5:30 PM.

MOTION MADE BY Member Chris Henrici to adjourn the meeting. Seconded by Member Deborah Gillen. All in favor. Motion Carried.

Meeting Adjourned at 6:00 pm

Respectfully submitted,
Barbara J. Mann, Secretary