

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, September 2, 2020 • 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months.

Board Members Present: Douglas Viets, *Acting Chairperson*
Timothy DeLucia
Shauncy Maloy

Board Members Excused: Adrian Bellis

Board Member Present via Telephone Conference: Edward Hemminger

Staff Present:

Ronald L. Brand, Town of Farmington Director of Development and Planning
Dan Delpriore, Town of Farmington Code Enforcement Officer
Don Giroux, Town of Farmington Highway and Parks Superintendent
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.

Applicants Present via Telephone Conference:

Glenn F. Thornton, P.E., Thornton Engineering LLP, 30 Assembly Drive, Suite 106,
Mendon, N.Y. 14506
Ty Allen, New Energy Works, 1180 Commercial Drive, Farmington, N.Y. 14425
Daniel Compitello, Solar Project Developer, Delaware River Solar, 130 North Winton Road,
#415, Rochester, N.Y. 14610

Applicants Present:

Roger and Carol Smith, 4790 Fox Road, Palmyra, N.Y. 14522
Ryan T. Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
Mary Steblein, LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Acting Chairperson Douglas Viets.

Mr. Viets said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 15, 2020, as amended above. Mr. Viets informed everyone that Planning Board member, Edward Hemminger, would be participating in tonight's meeting remotely and in accordance with the State's Open Meetings Law.

This meeting was held in person at the Farmington Town Hall. The safety measures were implemented in accordance with the Governor's relevant Executive Orders regarding the COVID-19 pandemic. Board members, Town staff and residents who were in attendance at the Town Hall remained at separated distances of at least six feet and used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. All persons speaking during the meeting were asked to identify themselves for the public record. Temperature checks were conducted by Town staff at the entrance to the Town Hall. Hand sanitizers were available throughout the building. Guidelines and safety measures were posted on the meeting room door and in the lobby of the Town Hall. Separate entrance and exit locations were used. Public access was restricted to the lobby, the main meeting room and the public restrooms.

2. APPROVAL OF MINUTES OF AUGUST 19, 2020

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the minutes of the August 19, 2020, meeting be approved.

Motion carried by voice vote.

3. NEW PRELIMINARY SITE PLAN

PB #0801-20 New Preliminary Site Plan Application

Name: Rochester Gas & Electric Corporation, 18 Link Drive,
Binghamton, N.Y. 13902

Location: Substation #168 (located on State Street adjacent to the Village of
Manchester, N.Y.)

Zoning District: GI General Industrial

Request: Preliminary Site Plan approval to erect a single-story 2,112-square-foot Parkline metal building to be used as a new Gas-Insulated

Switchgear (GIS) Control House and other related site improvements.

This application was reviewed by the Project Review Committee on July 2, 2020; and on August 7, 2020.

Mary Steblein presented this application.

Ms. Steblein is here from LaBella Associates representing the RG&E Substation #168 project. Substation #168 is an existing electrical substation located on State Street bordering the Village of Manchester. The substation would like to undergo a reinforcement and modernization project. The project involves sectionalizing the trunk line that is owned by National Grid which runs at the northside of the substation. In order to sectionalize that line, they would need to install new equipment inside the substation. The new equipment consists of a gas insulated switch gear which would then be installed inside a control house building. The control house building would be sited at the northwest corner of the substation. The substation will need to be expanded slightly to the northwest because the existing substation has to be operational throughout the construction of the new substation equipment. With bumping out the new substation yard new fencing would need to be installed. The fencing would consist of chain-link RG&E security fencing. Other items to be installed are grounding, conduit, cable twitches all things underground. There will be new lighting which will consist of wall packs on the building itself, perimeter lighting that will be on from dusk till dawn, and work lighting that will be installed that is usually only on when work is being done at the substation.

Ms. Steblein asks for clarification from the Town pertaining to the relocation of the Old Castle driveway. Currently the Old Castle driveway that serves the property to the west and south of the RG&E substation is located on RG&E's property. With bumping out the yard slightly to accommodate the control house they would like the driveway off of RG&E's property and back on to Old Castle's property. This has become a little more complicated because of everyone's interest in the Manchester Yard Project and potentially reusing this driveway as a dedicated road into and through the rail yard area. RG&E's intent is not necessarily to install a dedicated road in that area.

Mr. Brand replied that the County is currently completing their study of the feasibility of a dedicated road from State Street, in the Town, into and through a portion of the Village of Manchester connecting to State Route 21. Regardless of whether the new driveway entrance is to become a dedicated Town Road and then a Village Road, it makes sense to construct the driveway to the Town's Industrial Road Standards contained in the adopted Site Design and Development Criteria. Mr. Giroux agreed noting the wear upon the new driveway by tractor trailer trucks.

Ms. Steblein stated that she has received and seen the conditions of approval in the draft resolution and would like to address some of them. The wetlands that were shown on the plans were delineated by LaBella Associates and can be clarified in future submissions.

They are trying to avoid any impacts to those wetlands. If there are wetland impacts, those are Federal Wetlands, RG&E will self-certify them.

Mr. Viets then asks for staff comments.

Mr. Brand states that the application has been revised from its original submission. They are dealing with the relocation of the driveway access. The previous Old Castle site plan identified a Federal Wetland in the area of the relocated driveway. The Town is asking for clarification of that to be sure we are not creating a problem with the U.S. Army Corps of Engineers.

Mr. Brand states that this is a Type II Action and that this determination has been incorporated into the draft resolution to approve with conditions and he offers it to the Board for their consideration tonight.

Mr. Delpriore states that there are a few conditions in the draft resolution that Mr. Brand has drafted for consideration for tonight. He adds that we have a letter on file from Old Castle allowing RG&E to move the driveway to the proposed location reflected on the preliminary site plan. The application has also been submitted to the Ontario County Planning Board for their review and was referred to the Village of Manchester due to the substation location within the 500 feet of the town border. The Village of Manchester has replied to the Town stating that they are not doing a review of this project because they feel a review is not necessary. The comments that were received from the County have been addressed in the draft resolution.

Mr. Giroux has nothing further to add.

Mr. Brabant states that MRB Group issued a letter dated August 24, 2020, in regard to a possibly older submitted set of plans, pertaining to the administrative lot line information be shown on the site plan. He also added that some of the notations that were made during some of the previous PRC meetings be added to the plans. He also suggests that because maybe at some point in the future there is potential for the driveway to be a dedicated road that it be built with the correct thickness and width so that we have a road that is capable of meeting the requirements at that point and time.

Ms. Steblein states that the revised plans do show in more detail the more appropriate asphalt section but will need to check on the width to be sure it meets the requirement.

Mr. Viets then asks for board comments.

Mr. Maloy asks about the old driveway showing just a bit inside the right-of-way line as being removed and questions if the plan is to leave the asphalt in that section.

Ms. Steblein states that yes that it is currently the plan to remove all of the asphalt currently in the right-of-way. She adds that one of the conditions of the draft resolution is

to install street trees and install lawn area across the State Street frontage will help to improve the driveway and the site's appearance.

Mr. Maloy asks for clarification on the drawing because it does not look like the demo is taking out the line where the new building is going so, he is assuming that the redline is being relocated.

Ms. Steblein believes that the line will be going underground but does not have the details for that. She states that usually that type of operation is covered under RG&E's maintenance plan but if that is something that will need to be shown they can certainly update the plan to reflect that being underground. If it is the T3 line it is on Old Castle's property and it is a big four and a half KB line and is not a high voltage power line that will be undergrounded at that pole and come across Old Castle and connect back at the substation.

Mr. DeLucia, Mr. Hemminger and Mr. Viets have no questions or comments at this time.

Mr. Viets then again asks the applicant if she has reviewed the draft resolution and if she agrees with all the conditions.

Ms. Steblein questions Condition #8 which starts off with "If the intent of the realigned driveway to the Old Castle Site is to become a dedicated Town Highway, etc." and the way it reads it still says "IF" so it is not necessarily a commitment for RG&E to make that a dedicated road. She does not know what they are committing to if they move forward with this condition.

Mr. Brand states that it was not clear in the communications that he saw that the driveway for the Old Castle site was going to eventually become a Town dedicated road and eventually a Village connection as part of the County planning process. Basically, what we are looking for here is direction from the County if this will become a reality. They are working with Fisher Associates and we are unsure if their intentions are to want that to be a dedicated road or not. If it is going to be a dedicated road then it should be designed to Town standards. Honestly the fact that the driveway will be used by tractor trailer trucks carrying heavy loads it will probably be in everyone's best interest that it be installed correctly to meet Town standards to begin with whether it is eventually dedicated or not. If in the event, that before final approval, there is a decision made to make that a public highway then it needs to be designed to Town standards.

Ms. Steblein adds that her concern is that there has not been a clear direction or a definitive answer of what needs to be done or what the Town wants to be done.

Mr. Brand thinks the record needs to identify the fact that County Planning has been discussing this for some time and we are faced with the reality of having to make a decision. If there is something that the County wants us to know then they need to let us know which is the whole purpose of the County referral is to bring out intermunicipal and countywide considerations.

Mr. Giroux states that at the last meeting he attended the County and representatives from RG&E and Old Castle there was still some question between Old Castle and the County as to whether or not a future roadway was in the best interest there or not. As Mr. Brand has stated if the driveway does in fact become a dedicated road then there is no reason to build it without it meeting all the industrial road design specifications. He adds that the truck traffic will tear up the road if it is not built correctly. There are a few different classifications of a Town road. If that was an industrial Town road with all the trucks that go in there, there are different cross sections that are utilized as opposed to the cross sections used in a subdivision which would include another course binder which would include a base, a binder and a top opposed to just a binder and a top.

Mr. Viets asks if that is something that can be addressed at the Final Site Plan approval? He feels that right now it is almost better to leave it as an “if” in case something does happen between now and the final approval.

Ms. Steblein then agrees to the condition as listed in the prepared draft resolution.

Ms. Steblein then asks about Condition #10 discussing the mountable curb at State Street discouraging right turning traffic. She asks if the intent is to eliminate all right turns or discouraging all right turns not just truck traffic.

Mr. Brand states no that the intent there was to try to encourage the tractor trailer trucks coming out of Old Castle to turn left. This condition was to have the matter reviewed by the Manchester Volunteer Fire Department to show proof of acceptance of that design of the mountable curb. He does not want to unnecessarily cause any delays in response to their site. He also adds that he included the requirement for the public safety signage because there are two addresses there which are close to each other. One for the RG&E substation and the other for the Old Castle site and does not want there to be confusion or delay to first responders.

Ms. Steblein then states she has no further questions.

There were no further comments or questions on this application this evening.

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN—RG&E SUBSTATION #168
STATE STREET AT THE VILLAGE OF MANCHESTER BOUNDARY LINE**

PB #0801-20

**APPLICANT: LaBella Associates on behalf of RG&E Avangrid,
c/o Carol Howland, P.E., CPESC, Rochester Gas & Electric,**

18 Link Drive, P.O. Box 5224, Binghamton, N.Y. 13902

ACTION: **Preliminary Site Plan, Rochester Gas & Electric Avangrid Substation Site #168, located on the south side of State Street, west of the Village of Manchester; and relocation of the driveway from State Street to the adjacent Oldcastle Lawn & Garden Lands (Tax Map #43.00-1-49.210)**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an application from LaBella Associates, on behalf of Rochester Gas & Electric Corporation Avangrid, for Preliminary Site Plan amendment to construct one 34.5 k GIS control house (32-foot by 66-foot Parkline manufactured building) and related site improvements to the RG&E Substation #168 to be placed upon land owned by Rochester Gas & Electric Corporation and located along the south side of State Street adjacent to the Village of Manchester; and

WHEREAS, said application also involves the relocation of the driveway to the Oldcastle Lawn & Garden Site, which is adjacent to the above referenced RG&E Substation #168; and

WHEREAS, the proposed Action is identified under Part 617. 5. (c) (7) of Article 8 of the State Environmental Conservation Law, the State's Environmental Quality Review Regulations, as a Type II Action involving the construction of an accessory non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning and consistent with local land use controls; and

WHEREAS, the Planning Board has received testimony at tonight's public meeting regarding the proposed Preliminary Site Plan for the Rochester Gas & Electric Property and the relocated driveway on the adjacent Oldcastle Lawn & Garden Site.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby classify the proposed Action as being a Type II Action under the State's Environmental Quality Review (SEQR) Regulations.

BE IT FURTHER RESOLVED that Type II Actions are not subject to further review under Part 617 as this class of Actions have been determined not to have a significant impact upon the environment.

BE IT FURTHER RESOLVED that the Planning Board does hereby move to grant Preliminary Site Plan Approval for the above referenced Project with the following conditions:

1. Preliminary Site Plan Approval is based upon the Site Plan drawing prepared by LaBella Associates, identified as Station 168, Farmington, New York, Drawing No. C201, dated 08/11/2020; and the drawing prepared by LaBella Associates, identified as Construction Details, Sheet 1 of 3, entitled RG&E Avangrid Station

168, Farmington, New York,” and dated 08/11/2020 as hereby further amended in accordance with the conditions below.

2. Sheet Numbers C201 and C501 are to be Stamped as a Preliminary Site Plan and Construction Details, Sheet 1 of 3.
3. The Revision Box on Sheet Number C201 is to be amended to read . . . “Planning Board Prelim. Site Plan Amend. dated 9/02/20.”
4. The Revision Box on Sheet Number 1 of 3, Construction Details, Drawing Number C501 is to be amended to read . . . “Planning Board Prelim. Site Plan Amend. 9/02/2020.
5. At the time of submission of Final Site Plan drawings, Construction Details, Sheets 2 of 3 and 3 of 3 are to be included in the application, or drawing C501 is to be retitled to read Sheet 1 of 1.
6. All comments contained in the Town Engineers Letter, dated August 24, 2020, are to be addressed in writing and changes made to the two above referenced drawings as deemed necessary.
7. At the time of submission of Final Site Plan drawings, either the Federal Freshwater Wetland area shown on the Final Site Plan for the Oldcastle Lawn & Garden Site is to be delineated, or a note is to be added to the Final Site Plan for this application which identifies that there is no Federal Freshwater Wetland delineated on this portion of the Oldcastle Lawn & Garden Site. In the event there is a Federal Freshwater Wetland, then the need for U.S. Army Corps of Engineers Permit shall be identified.
8. If the intent of the realigned private driveway to the Oldcastle Site shown on the above referenced Preliminary Site Plan drawing is to become a dedicated Town Highway, then the applicant will need to construct said driveway to Town Highway Standards as identified in the adopted Town of Farmington Site Design and Development Criteria. The design criteria for this new driveway is to be shown on the Construction Details drawing when submitted.
9. All site lighting is to be in conformance with the Town’s Lighting Regulations contained in Chapter 165 of the Farmington Town Code. A note to this effect is to be placed on the Preliminary Site Plan drawing.
10. The Final Site Plan drawing is to show the design for a mountable curb at State Street to allow access by emergency equipment from the Village of Manchester, while discouraging right-turn traffic movements from the Oldcastle Site onto State Street and then into the Village of Manchester. The Manchester Volunteer Fire Department will be required to show proof of acceptance of the proposed design prior to the Town Planning Board granting Final Site Plan Approval.

11. The Final Site Plan drawing is to show the design details for a bump-out left turn area to be located on the north side of State Street which is to be accepted by the Town Highway Superintendent prior to the Planning Board taking action on any Final Site Plan.
12. The relocation of the Commercial Speech Sign and associated landscaping will need to be shown of the Final Site Plan drawing. A note is to be added to the Final Site Plan drawing which reads . . . “In the event, the Commercial Speech Sign for the Oldcastle Lawn & Garden Site and associated landscaping is not completed on or before October 31, 2020 then said site improvements are to be made on or before May 31, 2021.”
13. The Preliminary Site Plan drawing is to be further amended to identify that the entire site frontage between the east side of the new driveway entrance from State Street to the Oldcastle Lawn & Garden Site easterly to the Village of Manchester municipal boundary is to be regraded, brush removed, seeded and maintained as lawn between the south edge of pavement and the right-of-way line for State Street. A total of eight (8) street trees are to be planted and maintained along this frontage.
14. Public Safety Identification Signs are to be installed at the remaining driveway entrance to the RG&E Substation 168 Site and at the new driveway entrance to the Oldcastle Lawn & Garden Site. These sign specifications contained in the adopted Town of Farmington Site Design and Development Criteria Manual are to be delineated on the Final Site Plan drawing and installed prior to the issuance of the Certificate of Compliance by the Town Code Enforcement Officer.
15. Once these amendments have been made to the Preliminary Site Plan drawing and/or the Preliminary Construction Details drawing, one (1) copy is to be reviewed by and accepted by the Town Code Enforcement Officer and the Town Director of Planning and Development. Then a total of nine (9) additional prints of both drawings are to be submitted for signatures by the Town Departments and the Planning Board Chairperson. One signed copy of the set of Preliminary Site Plan and Preliminary Construction Detail drawings is to then be provided to each of the following: the Town Highway Superintendent; the Town Water and Sewer Superintendent; the Town Engineer; the Town Development Office and placed in the property file; the Clerk of the Village of Manchester; the Fire Chief of the Manchester Volunteer Fire Department; Stacy Bartl, Avangrid, Rochester, N.Y.; and the Ontario County Department of Planning. The remaining two (2) signed copies are to be returned to the Applicant and their Engineer.
16. This Preliminary Site Plan Amendment Approval is valid for a period of 180 days from today and shall expire unless the drawings identified above herein have been signed and filed with the Town Development Office.

Adrian Bellis

Excused

Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

4. NEW FINAL SITE PLAN

PB #0901-20 New Final Site Plan Application

Name: New Energy Works, 1180 Commercial Drive, Farmington, N.Y. 14425

Location: 1180 Commercial Drive

Zoning District: LI Limited Industrial

Request: Final Site Plan approval to erect a single-story 9,600-square-foot building to be used as storage of both finished and unfinished wood products, construction tools and equipment.

The State Environmental Quality Review (SEQR) classification for this application (Unlisted Action) and the Preliminary Site Plan (PB #0701-20) were approved by the Planning Board on July 15, 2020.

Mr. Thornton (Thornton Engineering LLP) and Mr. Allen (New Energy Works) presented this application both participated via audio conference.

Mr. Thornton states that some of the changes made were they tightened up the parking and the storage area. One of the preliminary site plan approval comments was that they accurately show the required number of parking spaces, which right now there are ninety eight (98) and they are adding four (4) more for the storage building with thirty two (32) land banked. Besides the parking the Planning Board wanted the final site plan to reflect the entire property before the site plan only showed the development area. The plans now reflect all existing and proposed parking spaces as well as the material storage.

Mr. Viets adds that they also received the color rendering in their packets for tonight’s meeting.

Mr. Viets then asks for staff comments.

Mr. Brand thanks Mr. Allen for taking the time to clean up the old material storage area located along the west side of the property. He states that he has drafted a resolution to approve the final site plan with conditions. He believes they, the applicant, has responded

to the Planning Board's preliminary conditions of approval and the board is ready to act on the resolution tonight.

Mr. Delpriore and Mr. Giroux have no further comments.

Mr. Brabant states that all of their comments have been addressed and he has nothing further.

Mr. Maloy, Mr. DeLucia, Mr. Hemminger, and Mr. Viets had no further comments.

Mr. Viets then asks the applicant if he has reviewed the draft resolution and if he agrees with all the conditions.

Mr. Allen replies that he agrees to all conditions.

There were no further comments or questions on this application this evening.

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN ACTION
NEW ENERGY WORKS STORAGE BUILDING**

PB #0901-20

**APPLICANT: New Energy Works 1180 Commercial Drive,
Farmington, N.Y. 14425**

**ACTION: Final Site Plan Approval to erect a 9,600-square-foot single
story building to be used for storage of both finished and
unfinished wood products, construction tools and equipment.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an application for Final Site Plan Approval for the above referenced Action; and

WHEREAS, the Board has completed its review of Parts 1 and 2 of the Short Environmental Assessment Form and has by separate resolution made a Determination of Non-Significance upon the proposed Action; and

WHEREAS, the Board has received and given consideration to the testimony received at tonight's public meeting upon said Action; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board’s comments and recommendation contained in County Referral #100-2020.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby grant Final Site Plan Approval with the following conditions:

1. Final Site Plan Approval is based upon the drawings prepared by Thornton Engineering, LLP, Sheet numbers S-1 and S-2, and D-1, dated July, 2020, Project No. 20-779 and entitled “Final Site Plan Storage Building New Energy Works, 1180 Commercial Drive, Farmington, New York;” and the drawing prepared by New Energy Works, identified as “Storage Building, New Energy Works, 1180 Commercial Drive, Farmington, New York” identified as Storage Building Renderings, issue date 07-23-20, Project 19-249, Drawing Number SD-1.0
2. A total of six (6) sets of paper prints of the Final Site Plan Drawings referenced above herein and six (6) sets of color paper prints of the Storage Building Renderings are to be submitted to the Town Code Enforcement Officer, in the Town Development Office, for his review and acceptance. Once accepted, then the six (6) sets of each of the drawings will be signed by: the Town Water and Sewer Superintendent; the Town Highway and Parks Superintendent; the Town Engineer; and then the Planning Board Chairperson. One signed set of each drawing will be filed in the Town Development Office. One signed set of each drawing will be filed with the Town Water and Sewer Superintendent; the Town Highway & Parks Superintendent; the Town Engineer; the Applicant’s Engineer; and the Applicant. If additional copies of the signed prints are required then those additional copies are to be provided at the time of signing the Final Site Plan drawings.
3. Once all Final site plan drawings have been signed, the Applicant may then apply for a Pre-Construction meeting and the issuing of Building Permits from the Town Code Enforcement Officer.
4. Final Site Plan Approval expires in 180 days from today. All conditions of Final Site Plan Approval must be placed on revised drawings and signatures of the above referenced Town Officials affixed thereto.

Adrian Bellis	Excused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

5. PLANNING BOARD ACTION ITEMS

A. **GLN Farmington Realty LLC—Acknowledge Receipt of Preliminary Site Plan Application (PB #0903-20) and Designate SEQR Lead Agency:**

Ryan Destro is present to speak on behalf of the above listed action. This property is a 27.2-acre parcel located on the southside of NYS Route 96. The applicant has decided to move forward with a preliminary application for Phase 1A at this time. Phase 1A consists of the three northern buildings which encompasses 32,750 square feet of general business space. The property is zoned GB General Business and is within the MTOD Major Thoroughfare Overlay District. While they are proceeding with the Phase 1A preliminary application they have prepared and submitted the overall preliminary plans, engineer report, and traffic study for the full buildout scenario. The intent would be to proceed with the Phase 1A site plan approvals but also at the same time have the project receive a SEQR Determination for the overall buildout. Access to the site will be off of NYS Route 96 via coordination with the adjacent Tops Market Center project. This will include an extension of Mercier Blvd, a dedicated road to the south, and will be constructed to Town and MTOD standards. Water connection will be from the north on NYS Route 96 and also have another water connection to the main on Mercier Blvd to the south. Sanitary Sewer connection will be to the south to the existing sanitary sewer manhole on Mercier Blvd. The Stormwater Management facility will be located in the southwestern portion of the parcel. The site generally drains from the northeastern corner to the southwestern corner since that is the lowest portion of the parcel. We would like to recommend that the Planning Board does designate themselves as Lead Agency tonight and begin the SEQR coordinated review for this Type I Action.

Mr. Viets then asks for comments from staff.

Mr. Brand would like to clarify that the Planning Board is declaring their intent to be Lead Agency and not designating themselves to be Lead Agency. They are initiating a thirty- (30-) day public review period and coordinating the project with the involved agencies. We have prepared a project notification letter that will be mailed out tomorrow. We have a list of Involved and Interested Agencies which was submitted with the draft planning board resolution tonight. If we receive no objections from the Involved Agencies, then when we meet again in October, we can then designate the board as the Lead Agency. This project is going through the complete SEQR process since there is no subdivision of land involved, and so that it is not a fragmented or segmented development. Everything will be owned by GLN and leased or rented by GLN. They have identified the need for a front setback variance from NYS Route 96 and by doing that it involves the Zoning Board of Appeals as an agency. The project is fairly consistent with the recommendation of the Comprehensive Plan it's in the community center and we hope to stimulate further development of the adjacent properties. To-

night's action is to declare intent to start the public review and comment period and to notify the involved agencies.

Mr. Delpriore states that a referral will be sent to Ontario County Planning to review the preliminary site plan for this project as well as any SEQR concerns. We anticipate having County Planning comments back so we can conduct a Public Hearing for this application at the October 7, 2020 Planning Board meeting.

Mr. Giroux had no comment at this time.

Mr. Brabant states that the MRB Group has received the overall plans and has also received the follow up "Phasing Plan." He is reviewing MRB comments and fine tuning some of the elements since he is looking at Phase 1A as a stand alone project to make sure that the storm water and easements are lined up properly, that there is access from the appropriate roads to make sure that the "Phasing Plan" makes sense. If not, then ask the appropriate questions to be sure we can accommodate what has been identified as Phase 1A as if it was going to be an independent project.

There were no further comments or questions at this time

■ A motion was made by MR. HEMMINGER, seconded by MR. DELUCIA that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
GLN FARMINGTON REALTY PROJECT (LEFROIS DEVELOPMENT PROJECT)**

PB #0903-20 Preliminary Overall Site Plan Application

APPLICANT: GLN Farmington Realty LLC, c/o LeFrois Builders and Developers, 1020 Lehigh Station Road, Henrietta, N.Y. 14467

ACTION: Preliminary Overall Site Plan approval to develop a 27.18-acre site, located along the south side of State Route 96, west of State Route 332 and north of Mercier Boulevard with a total of three (3) General Business Buildings having a total of 32,750 square feet; and four (4) Office/Flex Space Buildings having a total of 150,000 square feet; and related site improvements. This development (Action) involves the Planning Board's declaration of intent to be designated SEQR Lead Agency; and establishment of 30-day public review and comment period.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an application for Overall Preliminary Site Plan for the above referenced Action; and

WHEREAS, said Action is submitted in accordance with the provisions contained in Chapter 165 of the Town Code; and

WHEREAS, the Board understands the need to complete the environmental record upon this Action; and

WHEREAS, the Board further understands that the Action is subject to a 30-day public review period, a coordinated review with other Involved and Interested Agencies, and the need to have a Lead Agency established for completing the environmental record and for making a determination of significance upon said Action.

NOW, THEREFORE, BE IT RESOLVED that the Board determines the proposed Action to be a Type I Action as further defined in Section 617.4 (b) of Article 8 of the New York State Environmental Conservation Law (hereinafter referred to as SEQR).

BE IT FURTHER RESOLVED that the Board determines the proposed Actions under SEQR are subject to a coordinated review with Involved and Interested Agencies requiring a Lead Agency to be established.

BE IT FURTHER RESOLVED that the Board does hereby establish a 30 day public review period to commence on Thursday, September 3, 2020 and end on Friday, October 2, 2020.

BE IT FURTHER RESOLVED that the Board does hereby declare its intent to be designated Lead Agency for this Action at its' October 7, 2020 meeting.

BE IT FURTHER RESOLVED that the Board does hereby direct the Town Director of Planning and Development to send out a Town Project Notification Review Letter and a copy of the Town's SEQR Response Form, along with a complete set of drawings and reports to Involved and Interested Agencies, giving notice of a 30-day public review period; and providing notice of the above referenced declared intent of the Board to be designated Lead Agency.

BE IT FINALLY RESOLVED that the Board does hereby schedule and directs the publishing of a public hearing notice upon said Action that is hereby scheduled on Wednesday, October 7, 2020 commencing at 7:00 p.m., Eastern Daylight Savings Time; and to publish the legal notice thereof and cause said notice to be posted in accordance with established Town procedures.

Adrian Bellis	Excused
Timothy DeLucia	Aye

Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

B. Hathaway’s Corners Phase 1, Partial Letter of Credit Release #2:

Mr. Viets asks for staff comments.

Mr. Brand states that the Town Construction Inspector pointed out after the last Planning Board meeting that we failed to put this Letter of Credit release on our agenda for that meeting. The Town Board acted to accept the partial release of the Letter of Credit with a condition that the Planning Board review and recommend the release. All of the forms have been completed by Town Department Heads and is ready for the Planning Board to confirm the partial release.

There were no further comments.

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT—PARTIAL RELEASE (RELEASE #2)—SITE
IMPROVEMENTS HATHAWAY’S CORNERS INCENTIVE ZONING
PROJECT – PHASE 1.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 13, 2020, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, to recommend approval of a partial release of funds from the established Letter of Credit for site improvements that have been completed and approved by Town Staff, which are located within the Phase 1 portion of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit release letter along with the completed Town Surety Release Forms G-1.0; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested establishment of the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the

Town Board take formal action to approve the request for a partial release of funds from the established letter of credit in the total amount of \$233,667.86.

Doug Viets	-	Aye
Shauncy Maloy	-	Aye
Adrian Bellis	-	Excused
Tim DeLucia	-	Aye
Ed Hemminger	-	Aye

Motion carried.

Mr. Brand would like to add to the record that as a result of this oversight we now include the Town Construction Inspector in the reviews of all the Draft Agendas, so we do not make this mistake again.

C. Acknowledge Receipt of the Delaware River Solar Revised Special Use Permit Draft Approval Resolution (PB #1006-18):

Mr. Viets asks for staff comments.

Mr. Brand states earlier this year they had prepared a draft resolution with roughly 54 conditions for this project. That was reviewed and the Public Hearing was closed on August 5, 2020. The Planning Board received comments pertaining to that draft resolution. We, the staff and the special legal counsel for the Town reviewed those comments and we have provided an amended resolution to address everyone's concerns including comments from town staff and Planning Board members. This is merely a formality that you are receiving a document that replaces the one that from earlier this year that was drafted in May or June. This is the document that you will be considering action on when you continue the meeting on the 16th of September. This is only an acknowledgement of receipt of the revised resolution. The resolution will be posted tomorrow upon the Town's website and will be available for public to review during the next two-week time period.

Dan Compitello would like to verify that the resolution will be available tomorrow for review.

Mr. Brand states that the resolution could not be posted sooner in the event the Planning Board chose not to accept it this evening for whatever reason.

There were no further comments.

■ A motion was made by MR. DELUCIA, seconded by MR. HEMMINGER, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
DELAWARE RIVER SOLAR PROJECT, SPECIAL USE PERMIT**

**Resolution Acknowledging Receipt of Revised Draft Special Use Permit
Resolution**

PB#1006-18

APPLICANT: Delaware River Solar LLC on behalf of the property owners Roger and Carol Smith, 466 Yellow Mills Road Palmyra, N.Y. 14522

ACTION: Special Use Permit approval with conditions for the development of a 7-megawatt solar farm to be constructed upon approximately 45.105 acres of land (Lots #2, #3 and #4, Roger and Carol Smith Subdivision) and having a property address cited above herein.

WHEREAS, the Planning Board (hereinafter referred to as Board) on August 5, 2020, closed the Public Hearing upon the above referenced Action; and

WHEREAS, the Board has commenced its deliberations upon the above described Action; and

WHEREAS, the Board has, at tonight’s meeting, formally received from the Town’s Special Legal Counsel a revised draft resolution for its consideration.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to formally acknowledge receipt of the revised draft resolution for its consideration and continued deliberation upon the above referenced Action.

BE IT FURTHER RESOLVED that the Board does hereby direct the posting of this revised resolution on the Project Abstract, posting of this material on the Town’s website and directing that a copy thereof be provided to the Town Clerk’s Office for public review during normal business hours.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this revised resolution to: Roger and Carol Smith, 4790 Fox Road, Palmyra, N.Y. 14522; Peter Dolgos, Delaware River Solar, LLC, 140 East 45th Street, Suite 32-B1, New York, N.Y. 10017; David Matt, Schultz Associates, P.C., P.O. Box 89 Spencerport, N.Y. 14559; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Director of Planning and Development; the Town Code Enforcement Officer; and the Town Engineering Firm, MRB Group, D.P.C., Attn: Lance S. Brabant, CPESC, Director of Planning Services.

Adrian Bellis	Excused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

D. Delaware River Solar Preliminary Subdivision Plat—Request for the First 90-Day Extension (PB #1003-18):

Mr. Viets asked for staff comment.

Mr. Brand states that the preliminary approval for the four lot subdivision of the Smith farm on Yellow Mills and Fox Roads was acted upon earlier this year with the condition that it was valid for a period of 180 days, which is standard for the Planning Board. This allows the applicant time to make whatever changes to the drawing that are necessary to meet the conditions of approval. In this particular instance they (the applicant and their engineer) have been withholding submission of those drawings pending preliminary site plan approval just to make sure that nothing changed that may result in the need to further alter or change the boundary lines of those four parcels. We are currently working on the preliminary site plan that is subject of the public hearing that was continued to the September 16, 2020, meeting. He is recommending granting the 90-day extension.

There were no further comments.

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the following resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD CONTINUING RESOLUTION
90-DAY EXTENSION TO PRELIMINARY SUBDIVISION PLAT APPROVAL
DELAWARE RIVER SOLAR FOUR-LOT APPLICATION**

PB #1003-18

APPLICANT: Delaware River Solar, LLC on behalf of the property owners Roger and Carol Smith, 466 Yellow Mills Road, Palmyra, N.Y. 14522

ACTION: A 90-Day Extension to the Conditional Approval of the Preliminary Four-Lot Subdivision Plat granted by the Planning Board on March 4, 2020

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received a written request dated August 26, 2020, from Peter Dolgos, Senior Vice President, Delaware River Solar, LLC (hereinafter referred to as the Applicant), on behalf of the property owners Roger and Carol Smith, for a 90-day extension until November 30, 2020, upon the above referenced Action; and

WHEREAS, the Board’s original resolution of approval with conditions was dated March 4, 2020, and was valid for a period of 180 days; and

WHEREAS, the Preliminary Subdivision Plat Resolution required submission to the Town of revised Preliminary Subdivision Plat Drawings to the Town Development Office for signatures which has not happened as of this date and time.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to grant the 90-day extension to the Conditions of Preliminary Subdivision Plat Approval which is to end on Monday, November 30, 2020.

Adrian Bellis	Excused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

E. Monarch Manor Incentive Zoning Project, Section 2: Request for Second 90-Day Extension of Final Subdivision Plat Approval:

Mr. Viets asked for staff comments.

Mr. Brand states that the New York State Health Department, Geneva Office, is running a bit behind with their approvals of all of the public water and sewer plans. Without their approval the applicant is unable to file the drawings, so they identified the need for a 90-Day extension.

There were no other comments.

■ A motion was made by MR. DELUCIA, seconded by MR. HEMMINGER, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SUBDIVISION PLAT, SECTION 2**

PB #0701-19

APPLICANT: **A&D Real Estate Development Corporation, c/o Anthony DiPrima, 7 Beauclaire Lane, Fairport, N.Y. 14450**

ACTION: **Final Subdivision Plat Approval: Second 90-Day Extension Section 2, Monarch Manor Incentive Zoning Project**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a written request dated August 26, 2020, from Walter F. Baker, Engineering Manager, D.S.B. Engineers & Architects, P.C., for a 90-day extension to the conditions of approval for the above referenced Action; and

WHEREAS, the Planning Board did on June 3, 2020, grant the first 90-day extension for Final Subdivision Plat Approval which is to expire on Wednesday, September 2, 2020; and

WHEREAS, the Planning Board understands from the above referenced request that Mr. Baker is working to obtain signatures from both the New York State Department of Health and the New York State Department of Environmental Conservation.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to grant approval for a second 90-day extension to the conditions of approval for the Final Subdivision Plat for Section 2, Monarch Manor Incentive Zoning Project.

BE IT FURTHER RESOLVED that said 90-day period is to commence on September 3, 2020, and shall end on Wednesday, December 2, 2020.

Adrian Bellis	Excused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

6. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand said that the Phillips Landing Project on County Road 41 was approved as an 84-Lot Cluster Subdivision back in 2003. Since then we have had a request for one of the approved large lots that was created to be further subdivided simply because of the taxes on such a large parcel. In the process of reviewing that we identified that we could approve the subdivision of the land but had to have notes on the drawing that no building permits would be issued without site plan approval by the Planning Board. The mere creation of the lots did not increase the site density of the project they were just vacant parcels of land. We now have proposals to develop those two parcels of land and are increasing the overall density of the site. There were two rather large parcels of land involved with this overall project. One is located at the southwest corner of the roundabout at County Roads 8 and 41 and the other located on the south side of County Road 41 west of Fraser Way. This second parcel has access to County Road 41. The Zoning Board of Appeals granted the variance for the other parcel that is being created because it did not have the necessary frontage to Fraser Way. This matter was discussed with the Town Attorney and with the Cluster Provisions we (Chapter 144 of Town Code) have to ultimately decide that we are not increasing the permitted overall site density. Upon making such finding then the applicant will be required to have this overall preliminary subdivision plan date 8/27/03 revised to show the two additional lots. This is an administrative process that needs to be documented and signed by the Planning Board Chairman. A draft resolution will be prepared for the planning board's consideration at the September 16th meeting. Once this action has been completed and an overall plan map submitted and signed, then applications for site plan approvals may be introduced.

Mertensia Road Project—Town House project located at the southwest corner of Mertensia and Collett Roads. This project will incorporate a large wetland area which they will be avoiding. This project will be discussed at this Friday's PRC Meeting. Then it will be placed upon the planning board's meeting agenda for discussion at the September 16th meeting.

There will be a Town Board Public Hearing on September 8, 2020, on the Solar Moratorium. He has been working with the special legal counsel for the Town identifying items that need to be added to the code. Thanks were expressed to both Mr. Maloy and Mr. Viets for identifying some issues that were not included with the first code update.

The Pre-Construction meeting for Beaver Creek Park Phase 1 is tomorrow. Exciting project which many residents are also excited about. Site work is expected to begin next week with many components being worked on simultaneously in advance of the oncoming winter months.

Code Enforcement Officer:

Mr. Delpriore said that the BME/104 Contractors Mertensia Road project will be presented to PRC on Friday and will also present to the Planning Board as concept at the September 16, 2020, meeting.

Lyons National Bank has received a conditional certificate of occupancy. They are wrapping up a few pieces of their project. He will inform the Board of any opening ceremonies they will be having and encourages everyone to stop out. It is a very impressive project.

Highway and Parks Superintendent:

Mr. Giroux said that after the pre-construction meeting for the Beaver Creek Park tomorrow Monroe Roadways would like to begin work at the site.

The Highway Department has been working on some drainage issues and checking trees in front yards to prevent future hazards. Winding down on their summer work and prepping for fall and winter.

Lyons National Bank did make a request about making changes to some of the streetlights along Hathaway Drive. They wanted to move the light on County Road 41 north a bit on Hathaway Drive and wanted to move the light to the backside of the sidewalk as opposed to the narrow three-foot strip. They also requested to move the light to be in front of the RG&E substation back to the southside of the driveway, which causes concern.

Town Engineer:

Mr. Brabant has no further comments.

Planning Board Members:

Mr. Maloy asked about how long it will take to complete the Beaver Creek Park.

Mr. Giroux states that Phase 1 should be completed by mid-summer 2021. He noted that the playing fields would not be available for league play until the following spring. This is to allow the fields time to stabilize.

Mr. Maloy also asks if the Street Scape Plan will also apply to the GLN Farmington Realty LLC Project and asks about the variance required.

Mr. Brand says yes, they have stated that they intend to follow the street scape plan and the variance they are requesting is necessary because of the street scape plan is not maintaining the 100-foot setback from State Route 96.

7. PUBLIC COMMENTS

No comments.

8. TRAINING OPPORTUNITIES

American Planning Association:

<https://www.youtube.com/user/PlanningWebcast/videos>

New York Association of Towns Virtual Training:

Wednesday, September 9, 2020

8:45 a.m. to 12:30 p.m.

2020 Town Finance School

Wednesday, September 16, 2020

10:00 a.m. to 11:00 a.m.

Ask the Attorneys

Tuesday, September 29, 2020

10:00 a.m. to 11:00 a.m.

The Ups and Downs of Town Budgets

Wednesday, October 7, 2020

10:00 a.m. to 11:00 a.m.

Ask the Attorneys

Tuesday, October 20, 2020

10:00 a.m. to 11:00 a.m.

Roles and Responsibilities of the Town Board and Highway Superintendent

Free to Association of Towns members. Registration required, www.nytowns.org.

New York Planning Federation and Association of Towns

Planning and Zoning Basics

Friday, September 25, 2020

12:00 p.m. to 2:00 p.m.

Free webinar

To register:

<https://attendee.gotowebinar.com/register/4388352526130319886>

General Code e-Code

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.

Information:

<https://www.generalcode.com/training/>

Future Training Opportunities Online:

Ontario County Planning Department website now lists upcoming training:
<https://www.co.ontario.ny.us/192/Training>

9. ADJOURNMENT

■ A motion was made by MR. VIETS, seconded by MR. HEMMINGER, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 8:06 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, September 16, 2020, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

Following the meeting, Mr. Delpriore locked the front doors to the Town Hall.

Respectfully submitted,

Sarah Mitchell, Clerk *Pro Tem* of the Board L.S.