

*Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, September 19, 2018, 2018, 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:** Edward Hemminger, *Chairperson*  
Adrian Bellis  
Mary Neale  
Douglas Viets

**Board Member Excused:** Shauncy Maloy

**Staff Present:**

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group, D.P.C.  
Ronald L. Brand, Town of Farmington Director of Development and Planning  
David Degear, Town of Farmington Water and Sewer Superintendent  
Dan Delpriore, Town of Farmington Code Enforcement Officer

**Applicants Present:**

Stephen Ashley, S. B. Ashley and Associates Ventury Co. LLC, 700 Powers Building,  
16 West Main Street, Rochester, N.Y. 14614  
Aaron Beyler, BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450  
Dave Cali, Meyer’s RV Superstores, 100 Sanford Road North, Churchville, N.Y. 14428  
Robert J. Cantwell, R.L.A., BME Associates, 10 Lift Bridge Lane East,  
Fairport, N.Y. 14450  
Michael Cerone, MIII Enterprises LLC, P.O. Box 509, Webster, N.Y. 14580  
Paul Colucci, Vice President, DiMarco Group, 1950 Brighton–Henrietta Town Line Road,  
Rochest  
Veronica Dasher, Rochester Gas & Electric  
Mark Kirschbaum, P.E., PMP, The United Illuminating Company, 180 Marsh Hill Road,  
Orange, Connecticut 06477-3629  
Patrick Laber, P.E., Project Engineer, Schultz Associates Engineers and Land Surveyors PC,  
129 S. Union Street, Spencerport, N.Y. 14559  
Kieran Siao, Project Manager, Siting and Environmental Permitting, Tesla, 81 Prospect  
Street, Brooklyn, N.Y. 11201

Mark Stevens, S. B. Ashley and Associates Ventury Co. LLC, 700 Powers Building,  
16 West Main Street, Rochester, N.Y. 14614

Margaret D. Stroka, Esq., Phillips Lytle LLP, One Canalside, 125 Main Street,  
Williamsville, N.Y. 14221-5887

Charles Wallis, The United Illuminating Company, 180 Marsh Hill Road,  
Orange, Connecticut 06477-3629

Adam S. Walters, Esq., Partner, Phillips Lytle LLP, One Canalside, 125 Main Street,  
Williamsville, N.Y. 14221-5887

**Residents Present:**

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425

James Falanga, 395 Ellsworth Road, Palmyra, N.Y. 14522

**1. MEETING OPENING**

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited, Mr. Hemminger explained the emergency evacuation procedures and noted that copies of the evening’s agenda were available on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 7, 2018.

**2. APPROVAL OF MINUTES OF SEPTEMBER 5, 2018**

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the September 5, 2018, meeting be approved.

Motion carried by voice vote.

**3a. CONTINUED PRELIMINARY SUBDIVISION**

**PB #0703-18                      Continued Preliminary Subdivision Application**

**Name:**                              S. B. Ashley and Associates Venture Co., LLC, 700 Powers Building, 16 West Main Street, Rochester, N.Y. 14614

**Location:**                        Hathaway’s Corners Project  
Southwest corner of State Route 332 and County Road 41

**Zoning District:**                Incentive Zoning

**Request:** Preliminary Subdivision approval to develop 130.8 acres, includes 85 single-family lots, 61 single-family villas lots, 79 one-story townhomes (4-unit structures), 72 two-story townhomes (4-unit structures), 88 two-story apartments (8-unit structures), approximately 95,900 square feet of commercial/office buildings, an open space area of approximately 12 acres of land surrounding the Hathaway Cemetery, and a community clubhouse/office.

### 3b. CONTINUED PRELIMINARY OVERALL SITE PLAN

#### **PB #0704-18 Continued Preliminary Overall Site Plan Application**

**Name:** S. B. Ashley and Associates Venture Co., LLC, 700 Powers Building, 16 West Main Street, Rochester, N.Y. 14614

**Location:** Hathaway's Corners Project  
Southwest corner of State Route 332 and County Road 41

**Zoning District:** Incentive Zoning

**Request:** Preliminary Subdivision approval to develop 130.8 acres, includes 85 single-family lots, 61 single-family villas lots, 79 one-story townhomes (4-unit structures), 72 two-story townhomes (4-unit structures), 88 two-story apartments (8-unit structures), approximately 95,900 square feet of commercial/office buildings, an open space area of approximately 12 acres of land surrounding the Hathaway Cemetery, and a community clubhouse/office.

Mr. Hemminger resumed the discussion of PB #0703-18 (Preliminary Subdivision) from the meetings August 1, 2018, and September 5, 2018. He concurrently resumed the discussion of PB #0704-18 (Preliminary Overall Site Plan) from the meetings on August 1, 2018, and September 5, 2018.

These applications were reviewed by the Project Review Committee on July 28, 2017; September 29, 2017; April 6, 2018; June 1, 2018; July 13, 2018; and September 7, 2018.

On July 18, 2018, the Planning Board declared its intent to be designated as Lead Agency for making the State Environmental Quality Review (SEQR) determination of significance upon this application and established the 30-day SEQR public review and comment period which began on July 19, 2018, and which concluded at 12:00 p.m. on Monday, August 20, 2018.

The Public Hearing on these applications was opened on August 1, 2018, and continued on September 5, 2018. The Public Hearing was closed on September 5, 2018.

On September 5, 2018, the Planning Board declared itself as the Lead Agency for making the State Environmental Quality Review (SEQR) determination on these applications.

The following Involved Agencies and Interested Agencies have been identified for these applications:

**Involved Agencies:**

New York State Department of Environmental Conservation, Region 8 Office  
New York State Department of Transportation, Region 4 Office  
New York State Department of Transportation, Ontario County Office  
New York State Department of Health, Geneva Regional Office  
Ontario County Department of Public Works  
Canandaigua–Farmington Water and Sewer District  
Town of Farmington Highway and Parks Department

**Interested Agencies:**

Ontario County Department of Planning  
Lance S. Brabant, Director of Planning, MRB Group, D.P.C.  
James Morse, Town of Farmington Code Enforcement Officer  
Matt Heilmann, Town of Farmington Construction Inspector

Mr. Cantwell (BME Associates) presented these applications. Also attending were Mr. Ashley and Mr. Stevens (S. B. Ashley and Associates Venture Co. LLC); and Mr. Beyler (BME Associates).

Mr. Cantwell acknowledged receipt of comments on these applications from the Ontario County Department of Public Works (DPW), the New York State Department of Transportation, (DOT), MRB Group (the Town engineering firm) and Mr. Brand (Farmington Director of Development and Planning). He said that it is his intention to address all comments in writing.

Mr. Cantwell said that replies to additional comments which may be received from the Planning Board this evening will also be provided in his engineering response.

He noted that one of the revisions which will be made to the plans involves the locations of sidewalks which will not be installed atop water mains, as requested by Mr. Degear, the Farmington Water and Sewer Superintendent.

Mr. Cantwell said that he and Mr. Stevens attended the Project Review Committee meeting on September 7, 2018, at which technical comments and submission requirements for the Grading Permit were discussed. He said that Mr. Brand's comments focused on pedestrian access, roads, and linkages to connections to the Auburn Trail. Mr. Cantwell also said that the DOT agreed with the results of the applicant's Traffic Impact Study and the proposed traffic mitigation measures to be installed during Phase 1 of the project. He said that the County DPW comments were technical in nature and involved logistical

work permits, drainage, earthwork, intersection improvements, stormwater management calculations and intersection sight distances.

Mr. Hemminger expressed appreciation for the attendance of Amy Dake, P.E. (the applicant's traffic engineer) at the meeting on September 5, 2018, during which Ms. Dake explained the Traffic Impact Study and answered questions from the Town staff and residents on the existing and expected traffic volumes, and on the proposed traffic mitigation measures.

As requested by the board at the previous meeting, Mr. Brand prepared for the board's consideration this evening drafts of the State Environmental Quality Review (SEQR) Full Environmental Assessment Form (FEAF), Part 2 and Part 3. If accepted, he said that the next step would be for the board to make the SEQR determination on these applications. Mr. Brand said that each of the potential environmental impact which have been identified in the FEAF can be mitigated with the design measures which have been included in the proposed Overall Preliminary Site Plan by the applicant. With this consideration, Mr. Brand said that the board should be able to make a SEQR determination of non-significance.

Mr. Brand also prepared an extensive narrative to the FEAF which provided supplemental findings to the environmental impacts which were identified in Part 2 of the FEAF.

He said that one remaining issue concerns the width of the easement which is to be granted to the Town along the south side of County Road 41 to provide sufficient room for sidewalks to be located away from underground water and utility mains. He said that this issue must be resolved prior to the Planning Board's consideration of the Overall Preliminary Site Plan application.

Mr. Delpriore said that Mr. Morse and Mr. Kincaid attended the Project Review Committee on September 7, 2018, at which the technical details of the applications were discussed. He said that the Building Department is comfortable with the process which has been followed in the review of the applications.

Mr. Brabant acknowledged that he is working with Mr. Cantwell as Mr. Cantwell addresses the engineering comments. Mr. Brabant said that the applicant's forthcoming Grading Plan must include the identification of the limits of disturbance to be associated with the permit based upon the Overall Site Plan. He said that the Grading Plan must follow the proposed erosion and sediment control measures which are associated with Phase 1 of the development.

Mr. Brabant said that the Grading Plan will require a separate approval from the Subdivision Plat and Overall Site Plan. He said that the Grading Plan also will require a Letter of Credit and a Stormwater Management Agreement. He also noted that the Stormwater Pollution Protection Plan (SWPPP) for the complete project or a separate SWPPP for the grading must be acknowledged by the New York State Department of Environ-

mental Conservation (DEC) if more than one acre is to be disturbed. He said that a five-acre waiver would be required if more than five acres are to be disturbed. Mr. Brabant said that a Pre-Construction Meeting for the grading work would be scheduled after all items have been submitted and approved.

Mr. Cantwell said that it is his intention to submit the Grading Plan and each of the items discussed by Mr. Brabant by the end of this week (i.e., SWPPP, Letter of Credit, Stormwater Management Agreement, etc.).

Mr. Cantwell also said that the two permanent stormwater management facilities to be located along County Road 41 would be included for on the Grading Plan and will be part of the initial site work on the property.

Mr. Viets asked if the Farmington Gardens II project traffic volume counts were included in the applicant's Traffic Impact Study. Mr. Brand said yes, and that that traffic counts for the Pintail Crossing Subdivision, the Redfield Grove Subdivision, and for Section 3 of the Collett Woods residential development also were provided and considered in the Traffic Impact Study.

Ms. Neale asked if there would be a diversity in the design of the residential homes. Mr. Cantwell and Mr. Stevens said that there would be a variety of design styles among the single-family homes, one- and two-story townhouses, villas with garages, and apartments.

Mr. Neale also requested that color renderings of the homes and other structures (i.e., the community building, etc.) be provided. Mr. Cantwell said that these will be submitted.

There were no further comments or questions on these applications this evening.

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the readings of the following SEQR Criteria for Determining Significance resolution and the accompanying Environmental Narrative FEAF Part 3 Supplement be waived, and that the resolution and Narrative be approved as submitted by Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
CRITERIA FOR DETERMINING SIGNIFICANCE**

**PB #0703-18                      Preliminary Subdivision Plat  
PB #0704-18                      Preliminary Overall Site Plan**

**APPLICANT:                      S. B. Ashley and Associates Venture Co. LLC, 700 Powers  
Building, 16 West Main Street, Rochester, N.Y. 14614**

**ACTIONS:                              Preliminary Subdivision Plat and Overall Preliminary Site  
Plan SEQR Criteria for Determining Significance for the  
development of approximately 130 acres of land located at the**

**southwest corner of the intersection of State Route 332 and  
County Road 41, in accordance with the conditions of approval  
for the Hathaway's Corners Incentive Zoning Project**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.4 (b) (5) and (6) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, finds the above referenced Preliminary Subdivision Plat and Overall Preliminary Site Plan to be Type I Actions; and

**WHEREAS**, the Planning Board has reviewed Parts 2 and 3, plus the Part 3 Narrative Supplement of the Full Environmental Assessment Form (hereinafter referred to as FEAF).

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Part 2 of the FEAF.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby accept the findings contained in the Part 3 Narrative Supplement of the FEAF and directs the Planning Board Chairperson to sign and date this supplement.

**BE IT FURTHER RESOLVED** that the Planning Board has determined that it has made a reasoned written elaboration of the anticipated environmental impacts likely to result from the proposed Actions described above herein.

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Actions, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;

- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there one known important historical, archeological, architectural, or aesthetic resources on the site, the Hathaway's Cemetery; the proposed action will not impair this important resource, or will it adversely affect the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

**BE IT FURTHER RESOLVED** that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed action WILL NOT result in any significant adverse environmental impacts.

**BE IT FURTHER RESOLVED** that based upon this determination the Planning Board does hereby direct the Planning Board Chairperson to sign and date the Part 3 Determination of Impacts upon the Environment.

**BE IT FINALLY RESOLVED** that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

**HATHAWAY’S CORNERS INCENTIVE ZONING PROJECT  
 PRELIMINARY SUBDIVISION PLAT AND OVERALL PRELIMINARY SITE PLAN  
 APPLICATIONS  
 ENVIRONMENTAL NARRATIVE  
 FULL ENVIRONMENTAL ASSESSMENT FORM PART 3 SUPPLEMENT**

**APPLICANT: S. B. Ashley and Associates Venture Co. LLC, 700 Powers Building, 16 West Main Street, Rochester, N.Y. 14614**

**ACTIONS: Preliminary Subdivision Plat and Overall Preliminary Site Plan approvals for the development of approximately 130 acres of land located at the southwest corner of the intersection of State Route 332 and County Road 41, in accordance with the conditions of approval for the Hathaway’s Corners Incentive Zoning Project**

The Town of Farmington Planning Board has completed its reviews of Parts 1 and 2 of the Full Environmental Assessment Form (FEAF), a part of the environmental record that has been prepared for the two projects known as the Preliminary Subdivision Plat and Overall Preliminary Site Plan for the Hathaway’s Corners Incentive Zoning Project (Actions). The Planning Board, based upon their review and acceptance of Parts 1 and 2 of the FEAF does hereby make the following supplemental findings of the impacts identified on the Part 2—Identification of Potential Project Impacts Form.

1. **Impact on Land.** The Planning Board finds that the proposed Actions will enable construction on, or physical alteration of the land surface of the proposed site. The Board finds that: there will be portions of the site where the depth to water table is less than 3 feet (these areas exist near the Beaver Creek portion of the site and the site’s federal wetland areas). In both instances there is avoidance of these natural resource areas; there are no areas of the site where construction is proposed on slopes of 15% or greater; there may be construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface (this condition is most prevalent along the route of the proposed sewer main extension off-site and along Hathaway Drive.); the earth excavation is planned to balance the cut and fill areas on site (there may be excess top soil that will be created. This top soil will be trucked off-site to an approved location.); construction of this site is likely to continue for more than one calendar year, with the construction of the commercial sites and the apartment units being phased to complement the mixed residential areas being constructed in the first phase of the project; the project will not result in increased erosion as this aspect of site development will be controlled as part of the Town’s MS4 Program regulations; the proposed Action is not located within a Coastal Erosion hazard area. The Planning Board, after making these findings determines that although there will be physical alteration of the land surface the cumulative effect of these identified impacts is either no impact, or a small impact which is likely to occur.

2. **No Impact on Geological Features.** No anticipated impacts have been identified for this component of the project.
3. **Impacts on Surface Waters.** The Planning Board finds that the proposed Actions may affect one or more wetlands or other surface water bodies. The Board finds that new water bodies may be created to control the surface runoff from the developed portions of the site. These water bodies will be designed in accordance with the Town's MS4 Stormwater Regulations. The Board finds that categories 3.b.,c.,d.,e.,f.,g.,h., i., j., and k. are not anticipated to occur as the result of the proposed site development. Each of these categories have been addressed in the Applicant's Engineering Report and as part of the MS4 Permitting process regulated by the NYSDEC and the Town of Farmington MS4 Officer.
4. **Impact on Groundwater.** No anticipated impacts have been identified for this component of the project.
5. **Impact on Flooding.** The Planning Board finds that while some neighbors living in proximity to the project's site do experience surface drainage problems, primarily those living along Beaver Creek, the proposed site does not lie within a delineated Area of Special Flood Hazard. In addition, the site's development in accordance with the Town's MS4 Program requirements is felt not likely to contribute to those identified areas of concern. The Board further finds that any drainage problems existing along Beaver Creek are located on land within the Town's Drainage District and that Town records show that there is periodic cleaning of the drainage channel. There are no known records of complaints on file with the Town Highway Department at this time. The Board further finds that the referenced Beaver Creek has been identified, to the Federal Emergency Management Agency (FEMA) as a potential area of flooding concern. The response from FEMA, after reviewing a completed HEC/RAS Study of a portion of the downstream area is that it will not be further evaluated or mapped at this time. The Planning Board, based upon these findings concludes that there will either be no, or only a small impact likely to occur as the result of the proposed Action.
6. **Impacts on Air.** No anticipated impacts have been identified for this component of the project.
7. **Impacts on Plants and Animals.** The proposed action will likely result in the loss of flora and fauna from the site's present setting. There are no known threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. There has been no identified special concern and conservation need, listed by New York State or the Federal government, that use the site, or are found on, over, or near the site. The Planning Board finds that items e. through i. are not likely to result in any major adverse impacts upon the environment as the result of the proposed development.

8. **Impact on Agricultural Resources.** The Planning Board finds that there will be a small impact likely to result from the loss of soils classified within soil group 1 through 4 of the New York State Land Classification System. This loss, however, is located outside of the Town's identified Strategic Farmland Protection Area shown in the adopted *Town of Farmington Agriculture and Farmland Protection Plan*. The Board further finds that there are a number of impacts associated with this determination including: the site lies within the southwest portion of the town, the area shown on the adopted Future Land Use Plan Map, a part of the adopted 2011 Edition of the *Town of Farmington Comprehensive Plan*, as the area for accommodating land development consistent with the proposed mix of land uses associated with the Hathaway's Corners Incentive Zoning Project. The Board further finds that past agricultural operations on the property consisted primarily of field crops (i.e. corn, hay and grains). The Board further finds that these lands have been rented in the past to local farmers for use as part of their agricultural operations. However, the Board understands that these farmers have had to compete with moving large pieces of farm machinery through and long this area of town experiencing increasing volumes of traffic along the two major highways serving the site, State Route 332 and County Road 41. The Board finds that this condition has contributed to the lack of agricultural operations occurring on the site for the past four years and the likely hood that continued agricultural operations on this site is very doubtful in the future. The Planning Board based upon their review of the remaining impacts concludes that the Action will result in either no, or a small impact that cannot be avoided.
9. **Impact on Aesthetic Resources.** No anticipated impacts have been identified for this component of the project.
10. **Impact on Historic and Archeological Resources.** The Board finds that there is a historic resource located within the project's site. This resource is the Hathaway's Cemetery, a Town-owned cemetery, that will be protected from any disturbance as the result of site construction. The Board also finds that the proposed project will open up the cemetery to greater public awareness and, according to current plans, provide public access to the cemetery via dedicated streets and a parking lot. The Board finds that there will be a positive impact upon the environment resulting from the development of the Hathaway's Corners Incentive Zoning Project.
11. **Impact on Open Space and Recreation.** The Board finds that the proposed Actions will not result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. The Board finds that the proposed Actions will provide both public and private recreational opportunities that complement the adopted *Town of Farmington Parks & Recreation Master Plan—2017; the Auburn Trail Connector Project* (now under construction); the land use recommendations contained within the adopted *Town of Farmington Comprehensive Plan, 2011 Edition*; and the adopted *Town of Farmington Agriculture and Farmland Protection Plan*. Based upon these

findings, the Board concludes that the proposed Actions will likely have positive impacts upon open space and recreational opportunities.

12. **Impact on Critical Environmental Areas.** The Board finds that the site does not contain any critical environmental areas (CEA). No anticipated impacts have been identified for this component of the project.
13. **Impact on Transportation.** The Board has given considerable attention to this impact, as it has been coordinated with traffic consultants and state, county and town highway officials resulting in conditions of incentive zoning approvals for off-site improvements. These improvements are at the intersection of State Route 332 and County Road 41, as well as the installation of a future traffic signal on State Route 332, along with the removal of a portion of the existing “Michigan U-turn” facilities located along this major highway. The Board also acknowledges that additional traffic studies will be required as part of subsequent site plan approvals for development of the commercial sites shown on the Overall Preliminary Site Plan for Hathaway’s Corners. The Board finds that the traffic study has identified that the projected traffic increase likely to result from these Actions does not exceed the capacities of the two adjacent major highways and with the required improvements at the intersection of State Route 332 and County Road 41. The Board finds that this conclusion has not been refuted by state, county or town highway officials. The Board, based upon this finding, concludes that the Actions will have a positive impact upon the existing traffic conditions. The Board also finds that with the reservation of right-of-way for the future Carmen’s Way, the Action will provide an additional point of relief to existing traffic patterns occurring and projected to occur along both major highways cited above. The Board acknowledges the concerns from neighboring residents with the speed of vehicles using County Road 41, including the recent detour route designation that has resulted in additional traffic volumes. The Board finds that these conditions exist without the proposed Actions and that based upon the Traffic Studies completed to date by the Applicant’s Traffic Consultant, the County’s Traffic Consultant and the Town Engineer’s reviews, there is no evidence that existing conditions cannot be improved through stricter traffic enforcement by law enforcement agencies. The Board, based upon these findings, concludes that adequate mitigation measures are in place to mitigate any potentially significant adverse traffic impacts associated with the proposed Actions.
14. **Impact on Energy.** The Board finds that the proposed Actions will likely cause an increase in use of any form of energy. The Board also finds that the local energy provider, Rochester Gas & Electric, is currently expanding its existing substation in anticipation of these Actions and others occurring within the town. The Board further finds that there are pending applications in the town for the development of solar farms which will help the local energy provider meet the future demands for electrical service. The Board, based upon these findings, determines that there is not likely to be a significant adverse energy impact upon the environment resulting from these Actions.

15. **Impact on Noise, Odor and Light.** The Board recognizes that during site construction there may be increased noise levels associated with site development. These noise levels will be periodic during the day when construction is ongoing. These noise levels are expected to be short term, in that they will be occurring only during construction and do not involve any ongoing land uses that are associated with noise generation. The Board does not anticipate any odors likely to result from these Actions. The Board also does not anticipate any significant adverse outdoor lighting to result from these Actions as lighting is further regulated in the Town Code. Based upon these findings, the Board does not anticipate any potentially significant adverse impacts upon the environment.
16. **Impact on Human Health.** No anticipated impacts have been identified for this component of the project.
17. **Consistency with Community Plans.** No anticipated impacts have been identified for this component of the project.
18. **Consistency with Community Character.** The Board finds that the character of this portion of the community is experiencing controlled growth and development in accordance with the adopted goals and policies contained in the *Town of Farmington Comprehensive Plan—2011*, the adopted *Town of Farmington Site Design & Development Criteria*, the adopted *Town of Farmington Major Thoroughfare Overlay District (MTOD) Guidelines*, the adopted *Town of Farmington Parks & Recreation Master Plan—2017*, and the adopted *Chapter 138 of the Farmington Town Code, Stormwater Management and Erosion and Sediment Control*. The Board further finds that the proposed Actions will not replace or eliminate areas of historic importance to the community. The Board further finds that while the proposed Actions may likely create a demand for additional community services that these demands are not likely to have a major impact upon the environment. The Board further finds that the Victor Central School District has been contacted and that they support the proposed Actions. The Board finds that the proposed Actions will not displace affordable or low-income housing in an area where there is a shortage of such housing. The Board further finds that the proposed Actions will not interfere with the enjoyment or use of officially recognized or designated public resources. The Board also finds that the proposed Actions will be consistent with the predominant architectural scale and character of the community, as evidenced in the above design regulations. The Board further finds that the proposed Actions are not inconsistent with the developing character of this portion of the community.

The Planning Board, based upon its reasoned elaboration of the potentially significant adverse impacts identified in Part 2 of the Full EAF for these Actions, concludes that it has complied with the procedural requirements set forth in Part 617.7, (a), (b) and (c) of Article 8 of the New York State Environmental Conservation Law. The Planning Board has given consideration to these impacts making findings set forth in the attached Plan-

ning Board Resolution for Determination of Significance upon these Actions, which is hereby made part of the environmental record upon the Actions listed above herein.

Edward Hemminger, Chairperson  
Town of Farmington Planning Board

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Mr. Hemminger then asked Mr. Cantwell if he has reviewed the draft Preliminary Subdivision Plat resolution and if he agrees with the conditions of approval. Mr. Cantwell said that he has reviewed the draft Preliminary Subdivision Plat resolution and that he agrees with the conditions.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the following resolution be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SUBDIVISION PLAT**

**PB #0703-18**

**APPLICANT: S. B. Ashley and Associates Venture Co. LLC, 700 Powers Building, 16 West Main Street, Rochester, N.Y. 14614**

**ACTIONS: Preliminary Subdivision Plat approval for the development of approximately 130 acres of land located at the southwest corner of the intersection of State Route 332 and County Road 41, in accordance with the conditions of approval for the Hathaway’s Corners Incentive Zoning Project: Designation of SEQR Lead Agency Status**

**WHEREAS,** the Town of Farmington Planning Board has been designated as the lead agency under the provisions of §617 of NYCRR, Article 8, New York State Environmental Conservation Law for the coordinated review of this Action; and,

**WHEREAS,** the Planning Board, as the lead agency has made a determination of non-significance upon this Action; and

**WHEREAS,** the Planning Board has conducted a public hearing upon this proposed Action; and

**WHEREAS**, the Planning Board has given consideration to the public hearing record and to the Ontario County Planning Board referral #111.1-2018, dated July 11, 2018, classified as a Class 2 recommendation of approval with comments.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve of the Preliminary Subdivision Plat application with the following conditions:

1. Preliminary Subdivision Plat Approval is based upon the set of drawings prepared by BME Associates, dated June 2018, Project No. 2540, Drawing Numbers 11, 12, 13 and 14, entitled “Preliminary Subdivision Plat, Hathaway’s Corners,” as is further hereby amended by these conditions of approval contained below herein.
2. Drawings Number 11 and 14 are to be amended to properly identify the proposed easement widths to be provided to the Town along the south side of County Road 41, between the western property boundary and the right-of-way for State Route 332, for placing the proposed 12-inch-diameter water main, a ten-foot-wide pedestrian access easement with a five-foot-wide concrete sidewalk and the width necessary for the construction of a box culvert addition to the culvert underneath County Road 41, at the Beaver Creek crossing.
3. All preliminary plat subdivision comments contained in the MRB Group letter, dated August 16, 2018, are to be addressed in writing and any changes made to the drawings referenced above are to be made prior to the drawings being signed by the Town Engineer.
4. Once all conditions of Preliminary Subdivision Plat Approval have been made on the drawings and specifically those conditions set out in sections 1–3 herein above, one (1) copy of these four drawings is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a total of eight (8) sets of revised preliminary plat drawings are to be submitted to the Town for signing. One copy of the signed Preliminary Subdivision Plat drawings are to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Assistant Resident Engineer, New York State Department of Transportation, Ontario County Office; the Ontario County Department of Public Works; the Town Engineer; the Town Development Office; and two (2) sets are to be returned to the Applicant’s Engineers, BME Associates. If additional copies of the Preliminary Plat drawings are deemed necessary, then those copies are to be provided at the time of signing. Once all signatures have been affixed to the Preliminary Subdivision Plat Drawings then the Town Code Enforcement Officer will entertain an application for Final Subdivision Plat Approval and schedule the action for a future planning board meeting.
5. Preliminary Subdivision Plat Approval is valid for a period of 180 days and shall expire unless renewed, or signatures have been made to the revised drawings.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**4a. CONTINUED PRELIMINARY SITE PLAN**

**PB #0701-18 Continued Preliminary Site Plan Application**

**Name:** Meyer’s RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428

**Location:** 6186 and 6200 NYS Route 96

**Zoning District:** GB General Business

**Request:** Preliminary Site Plan approval to construct a 12,000-square-foot building to operate a recreational vehicles sales and repair dealership, a 40-space customer/employee parking lot, a 101-space RV sales display yard, new utilities and a stormwater management facility.

**4b. CONTINUED SPECIAL USE PERMIT**

**PB #0702-18 Continued Special Use Permit Application**

**Name:** Meyer’s RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428

**Location:** 6186 and 6200 NYS Route 96

**Zoning District:** GB General Business

**Request:** Special Use Permit approval, in accordance with the provisions of Chapter 165, Article IV, Section 28 D (4) of the Town Code, to operate a recreational vehicle sales and repair dealership on approximately 7.28 acres of land located on the northeast corner of State Route 96 and Mertensia Road.

Mr. Hemminger resumed the discussion on PB #0701-18 (Preliminary Site Plan) from the meetings on August 15, 2018, and September 5, 2018. He concurrently resumed the

discussion on PB #0702-18 (Special Use Permit) from the meetings on August 15, 2018, and September 5, 2018.

These applications were reviewed by the Project Review Committee on July 13, 2018, and September 7, 2018.

On July 18, 2018, the Planning Board declared its intent to be designated as the Lead Agency for making the State Environmental Quality Review (SEQR) determination and established the 30-day public review and comment period from Thursday, July 19, 2018, to Monday, August 20, 2018, at 12:00 p.m.

The Public Hearing on these applications was opened on August 15, 2018, and continued on September 5, 2018. The Public Hearing was closed on September 5, 2018.

The following Involved Agencies and Interested Agencies were identified for these applications:

**Involved Agencies:**

New York State Department of Environmental Conservation, Region 8 Office  
New York State Department of Transportation, Region 4 Office  
New York State Department of Transportation, Ontario County Office  
New York State Department of Health, Geneva Regional Office  
Canandaigua–Farmington Water and Sewer District  
Town of Farmington Highway and Parks Department

**Interested Agencies:**

Ontario County Department of Planning  
Lance S. Brabant, CPESC, Director of Planning, MRB Group, D.P.C.  
James Morse, Town of Farmington Code Enforcement Officer  
Matt Heilmann, Town of Farmington Construction Inspector

Mr. Laber (Schultz Associates Engineers and Land Surveyors PC) presented this application. Mr. Cali (Meyer's RV Superstores) also attended.

Mr. Laber reviewed the revisions which have been incorporated into the design of the structure by Hanlon Architects since the previous presentation to the Planning Board. These include additional use of the simulated stone veneer at a height of nine feet along the west elevation of the building and extending up to the first overhead door entrance. The simulated stone veneer height along the south elevation will match the height between the corner of the structure and the glass treatment.

Mr. Laber also described a mural which will be installed on the front of the structure (the south façade facing State Route 96).

He acknowledged receipt of the MRB Group engineering comment letter. He said that most of the comments were technical in nature and that all comments will be addressed.

Mr. Laber also said that the orientation of the propane tank has been changed from vertical to horizontal.

As requested by the board at the previous meeting, Mr. Brand prepared drafts of the State Environmental Quality Review (SEQR) Full Environmental Assessment Form (FEAF), Part 2 and Part 3, for the board's consideration this evening. If accepted, he said that the next step would be for the board to make the SEQR determination on these applications, followed by consideration of the Preliminary Site Plan and Special Use Permit applications.

Mr. Brand asked about the height of the simulated stone veneer. Mr. Laber said that the height will be nine feet until it reaches the mural, at which point the height would lower to three feet.

Mr. Degear said that he is continuing to work with the applicant on the specifications for the sewage dumping station.

Mr. Brabant said that an MRB Group engineering comment letter was issued to the applicant on September 17, 2018. He said that he is continuing to work with Mr. Laber as the comments are addressed. Mr. Brabant also said that the dumping station must comply with State and Town requirements and with the Town's Sewer Use Law.

Mr. Bellis said that he was glad to see the additional stone veneer and the mural which will help to break up the expanse of the structure as seen from the roads. He also said that he was pleased to see that the propane tank has been changed from vertical to horizontal.

Mr. Brand suggested stepping down the stone veneer near the front entrance to the structure. Mr. Hemminger said that this would be for the applicant's consideration.

Mr. Viets expressed concern about the back-up of recreational vehicles and the length of the queue as they wait to fill up at the propane tank. He said that there doesn't seem to be enough room. Mr. Laber said that recreational vehicles waiting to fill up would be able to pull off the driveway on the lanes to the south. Mr. Viets said that he was concerned about the turning radius for vehicles entering off Mertensia Road. Mr. Brabant said that the driveway will be wide enough to accommodate two-way traffic movement and that parking for three recreational vehicles would be available along the internal loop road on the condition that recreational vehicles enter from Mertensia Road and not from State Route 96. He said that signage at the State Route 96 entrance would direct vehicles to enter from Mertensia Road.

Mr. Viets said that he is concerned about recreational vehicles entering from State Route 96. Mr. Bellis said that he did not think that there would be a large number of recreational vehicles entering at any one time. Mr. Laber said that the propane fill-up is about a five-minute process and that vehicles would not be at the propane tank station for long periods of time.

Mr. Viets asked about fencing around the propane tank. Mr. Laber said that bollards will be installed.

Mr. Brand asked about the length of time for the use of the sewage dumping station. Mr. Laber said that a recreational vehicle service time at the sewage dumping station is about 10 minutes. He noted that Mr. Meyer said that about three vehicles per day use the sewage dumping station at the company's location in Churchville, N.Y.

Ms. Neale said that she is pleased with the design of the structure and that the architect has done a very good job.

Mr. Viets asked about the mural material and its ability to withstand the elements. Mr. Laber said that he will provide this information.

Mr. Brand requested that the Final Site Plan incorporate the illumination pattern from the lights at the adjacent dollar store. He said that the current illumination pattern indicates a dark spot in this area. Mr. Laber said that a revised pattern will be shown on the final plans.

Mr. Brand also requested that landing areas for the sidewalks at the State Route 96/Mertensia Road intersection and the pedestrian crosswalks be shown on the Final Site Plan. Mr. Laber said that these would be shown.

Mr. Brand said that the change from a vertical to a horizontal propane tank will provide the benefit of additional landscaping on the site. He said that several draft conditions of approval of the Preliminary Site Plan refer to landscaping and the specific species.

Mr. Bellis asked about the safety area around the propane tank. Mr. Laber said that the bollards meet the Town Code requirements and that the Town Fire Marshal has reviewed the plans. He said that the applicant is aware of the safety and shut-down procedures. Mr. Bellis said that he is concerned about a vehicle which may run off State Route 96 toward the propane tank. Mr. Delpriore said that this and other issues would be reviewed by the Code Enforcement Officer and the Fire Marshal during the permitting process.

There were no further comments or questions on these applications this evening.

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the reading of the following SEQR Criteria for Determining Significance resolution be waived and that the resolution be approved as submitted by Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
CRITERIA FOR DETERMINING SIGNIFICANCE**

**PB #0701-18                      Preliminary Site Plan**  
**PB #0702-18                      Special Use Permit**

**APPLICANT:** Meyer's RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428

**ACTIONS:** Preliminary Site Plan and Special Use Permit for the development of approximately 7.28 acres of land located at the northeast corner of the intersection of State Route 96 and Mertensia Road to operate a recreational vehicles sales and repair dealership

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.2 (a) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, finds the above referenced Preliminary Subdivision Plat to be an Unlisted Action; and

**WHEREAS**, the Planning Board has reviewed Part 2 of the Short Environmental Assessment Form (hereinafter referred to as EAF).

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Part 2 of the EAF and directs the Planning Board Chairperson to sign and date the EAF Part 3.

**BE IT FURTHER RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;

- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

**BE IT FURTHER RESOLVED** that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed action WILL NOT result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED** that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Mr. Hemminger then referred to the draft Preliminary Site Plan resolution which was submitted by the Town staff. He discussed Draft Condition #14 regarding the height of the simulated stone veneer on the west elevation extending up to the first overhead door entrance. Following discussion, it was agreed by Mr. Laber that the height will be nine feet.

Mr. Hemminger then asked Mr. Laber if he has reviewed the draft Preliminary Site Plan resolution and if he agrees with the conditions of approval. Mr. Laber said that he has reviewed the draft Preliminary Site Plan resolution and that he agrees with the conditions.

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the following resolution be approved.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN**

**PB #0701-18**

**APPLICANT: Meyer’s RV Superstore of Farmington, 100 Sanford Road  
North, Churchville, N.Y. 14428**

**ACTION: Preliminary Site Plan approval for the development of  
approximately 7.28 acres of land located at the northeast  
corner of the intersection of State Route 96 and Mertensia  
Road to operate a recreational vehicles sales and repair  
dealership**

**WHEREAS**, the Town of Farmington Planning Board has been designated as the lead agency under the provisions of §617 of NYCRR, Article 8, New York State Environmental Conservation Law for the coordinated review of this Action; and,

**WHEREAS**, the Planning Board, as the Lead Agency has made a determination of non-significance upon this Action; and

**WHEREAS**, the Planning Board has conducted a Public Hearing upon this proposed Action; and

**WHEREAS**, the Planning Board has given consideration to the public hearing record and to the Ontario County Planning Board referral #110-2018, dated July 11, 2018, classified as a Class 1 with comments.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve of the Preliminary Site Plan application with the following conditions:

1. Preliminary Site Plan Approval is based upon the set of drawings prepared by Schultz Associates, Engineers & Land Surveyors, P.C., dated June 7, 2018 and having the latest revision date of 8/28/18, Project No. 18-104, Drawing Number C-3, entitled “Preliminary Site Plan,” as is further hereby amended by these conditions of approval contained below herein.
2. Site Plan approval is granted based upon a note being added to the Drawing Number C-3 that reads . . . “The Applicant, by accepting these conditions of Preliminary Site Plan Approval, is committed to installing the future five-foot-wide concrete sidewalks along the frontages of both State Route 96 and Mertensia Road and within the easements that are to be dedicated to the Town of Farmington, filed with the County Clerk’s Office and recorded in the Town

Building Department, prior to the issuance of any Building Permit for this site development, in the event the Town of Farmington does not receive funding authorization of the 2018 Transportation Alternatives Program (TAP) Grant.”

3. All proposed easements are to be filed in the Ontario County Clerk’s Office and recorded in the Town Development Office prior to the issuance of any Building Permits for this site’s development.
4. Drawing Number C-3, Preliminary Site Plan, is to be amended to properly identify the proposed propane tank is going to be a horizontal style and not a vertical style.
5. Drawing Number C-3, Preliminary Site Plan, is to be amended to show the two public safety signs that are to be installed near the entrances on State Route 96 and Mertensia Road.
6. Drawing Number C-3, Preliminary Site Plan, is showing only one sign which reads . . . “RVs to Enter From Mertensia Road.” Drawing Number A-2, prepared by Hanlon Architects, is showing only the “Meyer’s Finger Lakes RV” building mounted sign. If additional commercial speech signs are to be proposed, then when a Final Site Plan submission is made, there should be a detailed Sign Site Plan drawing included. This Preliminary Site Plan Approval is only for the two signs shown and the two public safety signs required by Town Code.
7. Drawing Number C-4, Preliminary Utility Plan, is to be amended to include all designs and specifications for the proposed Sanitary Dumping Station. All details are to be shown on Drawing Number C-10, Preliminary Details.
8. Drawing Number C-10, Preliminary Details, is to be amended to show the public safety signs details.
9. All drawings showing the sidewalk delineation at the intersection of State Route 96 and Mertensia Road are to be amended to show the delineation of the easement area deemed necessary to accommodate the future sidewalk, handicap ramps, and the space necessary for the installation of a new pedestrian crossing signal in the northeast corner of the intersection of State Route 96 and Mertensia Road.
10. Drawing C-6, Preliminary Landscaping Plan, is to be amended to reflect five (5) additional Serbian Spruce Trees are going to be added in the southwest portion of the site in accordance with the amended Landscaping Plan submitted on Tuesday, September 18, 2018.
11. Drawing C-6, Preliminary Landscaping Plan, is to be amended to include the five (5) additional Serbian Spruce Trees that are to be installed in the locations shown on the amended Landscaping Plan submitted on Tuesday, September 18, 2018.

12. Drawing C-6, Preliminary Landscaping Plan, is to have the Plant List Amended to include descriptions of both the AF 3 and AF 1 Trees.
13. Drawing C-7, Preliminary Site Lighting Plan, is to be amended to show the illumination pattern existing from the two lighting fixtures located on the adjacent Dollar Tree Site.
14. The Building Elevation Drawing, Sheet A-2, submitted by Hanlon Architects, identified as “Meyers RV New Facility,” is to be amended to the “simulated stone veneer” at a height of nine (9) feet along the west elevation extending up to the first overhead door entrance. This “simulated stone veneer” height along the south elevation is to match this height between the corner of the building and the glass treatment.
15. The Building Elevation Drawing, Sheet A-2, is to show the two building mounted lights shown on Drawing C-7, the Preliminary Site Lighting Plan and the light shown over the proposed insulated metal door is to be removed.
16. The Building Elevation Drawing, Sheet A-2, is to be revised according to these conditions of approval, with signature line added for the Planning Board Chairperson’s signature and date.
17. All comments contained in the MRB Group letter, dated September 17, 2018 are to be addressed in writing and changes made to the drawings referenced prior to the drawings being signed by the Town Engineer.
18. Once all conditions of Preliminary Site Plan Approval have been made on the drawings, one (1) copy is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a total of seven (7) sets of revised drawings and Building Elevation drawings are to be submitted to the Town for signing. One copy of the signed Preliminary Site Plans and Building Elevation drawings are to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Assistant Resident Engineer, New York State Department of Transportation, Ontario County Office; the Town Engineer; the Town Development Office; and two (2) sets returned to the Applicant’s Engineers, Schultz Associates. If additional copies of the Preliminary Plans are deemed necessary, then those copies are to be provided at the time of signing. Once all signatures have been affixed to the Preliminary Site Plans and Building Elevation Drawings then the Town Code Enforcement Officer will entertain an application for Final Site Plan Approval and schedule the action for a future planning board meeting.
19. Preliminary Site Plan Approval is valid for a period of 180 days and shall expire unless renewed, or signatures have been made to the revised drawings.

Adrian Bellis

Aye

Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Mr. Hemminger then discussed the conditions of approval of the draft Special Use Permit resolution.

Mr. Brand said that the maximum number of recreational vehicles to placed upon the property and located within the fenced portion of the site at any one time must be included in the resolution.

Mr. Cali said that this would be approximately 200 to 250 vehicles. Mr. Brand said that all the vehicles must be within the fenced area. Mr. Brabant said that fire lanes must remain open and maintained at all times. He said that parked vehicles may not block the fire lanes at any time.

Mr. Bellis asked about the size of the parking spaces. Mr. Cali said that the spaces are approximately 20 feet wide by 35 feet deep.

Ms. Neale asked how many recreational vehicles are on the site at the present time. Mr. Cali said that there are just over 100 vehicles on the site now and that there is room for additional vehicles on the back portion of the property which has not yet been used.

Mr. Bellis estimated that the there would be approximately 200 new vehicles and 50 vehicles in for service on the property at any one time. He said that the vehicles which are in for service would be entering and leaving the site on a regular basis.

Mr. Brabant said that the resolution should include that all vehicles must be parked within the fenced area and that fire lanes must be open and maintained at all times. He said that this will provide the Code Enforcement Officer with specific parameters to assure compliance with the resolution.

Mr. Bellis asked about the size of the property in the northern portion of the site which has not yet been developed. Mr. Laber said that the back portion of the site is approximately 3.5 acres, which is approximately the size of the southern portion of the property which is now being used.

Mr. Laber asked for clarification of draft Condition #7 concerning display and parking of vehicles on the front setbacks of the property along State Route 96 and Mertensia Road. Mr. Brand said that the purpose of this condition is to avoid vehicle clutter at the State Route 96/Mertensia Road intersection.

Following discussion, the following amendments were offered:

New Condition #2: There shall be no more than 250 recreational vehicles placed upon the property and located within the fenced portion of the site at any one time, while maintain fire lanes at all times.

Draft Condition #6: Deleted

New Condition #6: There shall be no parking of display or for-sale recreational vehicles allowed on the property within the front setback portions of the site.

Mr. Hemminger then asked the clerk to read aloud the conditions of approval from the following complete resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SPECIAL USE PERMIT**

**PB #0702-18**

**APPLICANT: Meyer’s RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428**

**ACTION: Special Use Permit approval for the development of approximately 7.28 acres of land located at the northeast corner of the intersection of State Route 96 and Mertensia Road to operate a recreational vehicles sales and repair dealership**

**WHEREAS**, the Town of Farmington Planning Board has been designated as the lead agency under the provisions of §617 of NYCRR, Article 8, New York State Environmental Conservation Law for the coordinated review of this Action; and,

**WHEREAS**, the Planning Board, as the Lead Agency has made a determination of non-significance upon this Action; and

**WHEREAS**, the Planning Board has conducted a Public Hearing upon this proposed Action; and

**WHEREAS**, the Planning Board has given consideration to the Public Hearing record and to the Ontario County Planning Board referral #110.1-2018, dated July 11, 2018, classified as a Class 1 with comments.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby approve of the Special Use Permit application for a new or used recreational vehicle sales and service operation with the following conditions:

1. The Special Use Permit is granted based upon the approved Final Site Plan for the Meyer’s RV Site. Any change in ownership of the property will require review by the Planning Board to determine if a revised Site Plan is necessary.
2. There shall be not more than 250 recreational vehicles placed upon the property and located within the fenced portion of the site at any one time, while maintaining fire lanes at all times.
3. All major recreational vehicle sales promotional events shall not be allowed on this site. Only events that can accommodate the number of customer spaces shown on the Final Site Plan Drawings will be allowed. No parking of customers will be allowed on adjacent sites or within the highway rights-of-way.
4. There shall be no outdoor storage of damaged recreational vehicles allowed on the property.
5. There shall be no parking of recreational vehicles permitted within the rights-of-way of either State Route 96 or Mertensia Road.
6. There shall be no parking or display of for-sale recreational vehicles allowed on the property within the front setback portions of the site.
7. All conditions of Final Site Plan Approval shall be made part of these conditions of approval for the requested Special Use Permit.
8. Site Plan approval is granted based upon a note being added to the Drawing Number C-3 that reads . . . “The Applicant, by accepting these conditions of Preliminary Site Plan Approval, is committed to installing the future-five-foot wide concrete sidewalks along the frontages of both State Route 96 and Mertensia Road and within the easements that are to be dedicated to the Town of Farmington, filed with the County Clerk’s Office and recorded in the Town Building Department, prior to the issuance of any Building Permit for this site development, in the event the Town of Farmington does not receive funding authorization of the 2018 Transportation Alternatives Program (TAP) Grant.”

Mr. Hemminger asked Mr. Laber if he understood the resolution and agreed with the conditions. Mr. Laber said that he understood the resolution and agreed with the conditions.

■ A motion was made by MR. BELLIS, seconded by MS. NEALE, that the preceding resolution be approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye



be improved to Town specifications and dedicated to the Town as a public road.

Mr. Walters and representatives from National Fuel Gas Supply Corporation and Haley & Aldrich attended the Project Review Committee meeting on September 7, 2018, at which the amendments were presented and reviewed.

Mr. Walters said that the applicant is continuing in the process of addressing the MRB Group engineering comments and intends to submit the Final Site Plan application in October for presentation at a November Planning Board meeting.

Mr. Brabant acknowledged receipt of the applicant’s responses to his engineering comment letter. He noted that an additional comment will be forthcoming.

Mr. Bellis and Ms. Neale requested that color elevations of the proposed structures be provided. Mr. Walters said that these will be provided with the Final Site Plan materials.

There were no further comments or questions on these applications this evening.

Mr. Hemminger then asked the clerk to read aloud the conditions of approval from the following complete Preliminary Subdivision resolution:

**FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN AMENDMENT**

**PB #0505-18**

**APPLICANT: Empire Pipeline Inc., 6363 Main Street, Williamsville, N.Y. 14221**

**ACTION: Preliminary Site Plan Amendment Application for the construction of an electric motor-driven natural gas compressor station and related site improvements to be constructed upon approximately 12.7 acres of a 92.399 acre site located east of Hook Road, south of and adjacent to I-90 (NYS Thruway) and north of the Town Highway Campus**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as the Board) has opened the public meeting tonight upon this application; and

**WHEREAS,** the Board has given consideration to the public comments entered into the public record upon said project; and

**WHEREAS,** the Board has given consideration to the Ontario County Planning Board Referral #64.1-2018, dated May 9, 2018; and

**WHEREAS**, the Board understands that the proposed Special Use Permit is part of an overall project (hereinafter referred to as Project) that is regulated under the Federal Energy Regulatory Commission (FERC) and that FERC completes a National Environmental Protection Act (NEPA) analysis which pre-empts local agencies from performing a State Environmental Quality Review (SEQR) under Article 8 of the New York State Environmental Conservation Law.

**NOW, THEREFORE, BE IT FURTHER RESOLVED THAT** the Board acknowledges that the Action is not subject to SEQR review and determination and that NEPA review and decision by FERC will ensure that the Project will not create a significant adverse impact upon the environment, or impact the health and safety of the Town and its residents.

**BE IT FURTHER RESOLVED THAT** the Board grants this amendment to the Preliminary Site Plan approval, previously granted with conditions on May 16, 2018, of this year.

**BE IT FURTHER RESOLVED THAT** the Planning Board finds that the Amended Preliminary Site Plan addresses all comments contained in the May 11, 2018, MRB Group D.P.C., report to the Town Director of Planning and Development.

**BE IT FURTHER RESOLVED THAT** no construction of buildings and/or structures in association with the Project shall commence until final site plan approval has been granted by the Planning Board and permits have been issued by all governmental agencies involved.

**BE IT FURTHER RESOLVED THAT** two (2) sets of revised drawings, having revision dates, are to be provided to the Town Development Office for review and acceptance. Once accepted by the Town Code Enforcement Officer, then a total of seven (7) sets of revised drawings are to be submitted for town signatures. Of the seven (7) sets, one set each is to be returned to: the Town Highway Superintendent; the Town Water and Sewer Superintendent; the Town Engineers, MRB Group, D.P.C.; the Town Development Office; the New York State Thruway Authority, Syracuse Office; the applicant; and the applicant's engineer. If additional signed copies of the preliminary site plan drawings are required then the applicant is to provide the number of additional copies at the time of signing.

**BE IT FINALLY RESOLVED THAT** upon receipt of final site plan drawings and review and acceptance by the Town Code Enforcement Officer and Town Director of Planning and Development, the application for final site plan approval will be placed upon a future planning board meeting agenda.

Mr. Hemminger asked Mr. Walters if he understood the resolution and agreed with the conditions. Mr. Walters said that he understood the resolution and agreed with the conditions.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the preceding resolution be approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**6. FINAL SITE PLAN AMENDMENT**

**PB #0505-16 Final Site Plan Amendment Application**

**Name:** DiFelice Development Corporation, 91 Victor Heights Parkway, Victor, N.Y. 14564

**Location:** Lot #36, Redfield Grove Incentive Zoning Project, Section 1

**Zoning District:** IZ Incentive Zoning

**Request:** Amendment to the Final Site Plan for Lot #36 of the Redfield Grove Incentive Zoning Project by reducing the front setback for Lot #36, located along Redfield Drive, from 50 feet to 30 feet, and reducing the total lot area for Lot #36 from 17,800 square feet to 17,586 square feet

The Final Subdivision Plat and Final Site Plan approval for Section 1 of the Redfield Grove Incentive Zoning Project were approved by the Planning Board on May 4, 2016. Extensions were approved on December 21, 2016, and March 1, 2017.

Mr. Brand discussed this application. He said that the applicant has requested to reduce the front setback for Lot #36 from 50 feet to 30 feet (only for the front setback portion of the lot from Redfield Drive) and to amend the minimum size of Lot #36 reducing it in size from 17,800 square feet to 17,586 square feet for the purpose of constructing an attached garage to the single-family dwelling.

The Town Board requested a Planning Board review and recommendation of this request (Town Board Resolution #378-2018) on August 28, 2018. The Planning Board’s report was approved and transmitted to the Town Board on September 5, 2018.

There were no further comments or questions on these applications this evening.

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the reading of the Final Site Plan Amendment resolution be waived and that the following resolution be approved as submitted by Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SITE PLAN AMENDMENT, LOT #36, SECTION 1  
REDFIELD GROVE INCENTIVE ZONING PROJECT**

**PB #0505-16**

**APPLICANT: DiFelice Development Corporation, 91 Victor Heights  
Parkway, Victor, N.Y. 14564**

**ACTION: Amendment to Final Site Plan Approval, Lot #36, Section 1,  
Redfield Grove Incentive Zoning Project, located along the  
west side of Hook Road opposite King Hill Drive and the south  
side of Redfield Drive**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a copy of Town Board Resolution #389-2018, dated September 11, 2018, approving the requested amendments to the conditions of Incentive Zoning approval for Lot #36 of the Redfield Grove Incentive Zoning Project; and

**WHEREAS**, the Planning Board has previously made a determination of non-significance upon the proposed Overall Subdivision and Site Plan for the Incentive Zoning Project, thereby satisfying the procedural requirements under Article 8 of the New York State Environmental Conservation Law; and

**WHEREAS**, the Planning Board has received testimony at tonight's public meeting regarding the proposed amendments to Lot #36, as shown on the Final Site Plan drawing dated August 17, 2018, prepared by Parrone Engineering, identified as Drawing No. C1.0, job No. 6931 and entitled "Site Plan for Incentive Zoning Amendment of Lot 36 of the Redfield Grove Incentive Zoning Project."

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to grant Final Site Plan Approval for Lot #36 of the above referenced Redfield Grove Incentive Zoning Project with the following conditions:

1. Final Site Plan Approval is based upon the above referenced drawing prepared by Parrone Engineering as is to be further amended in accordance with the conditions below.
2. The label on the drawing which reads . . . "Proposed 30' setback" is to be removed.

- 3. The label on the drawing which reads . . . “Existing 50' setback” from Redfield Drive is to be removed. The label on the drawing that identifies the “Existing 50' setback” from Hook Road is to remain.
- 4. The Note on the drawing which reads . . . “Town Board Resolution #103 of 2015, dated February 24, 2018” is to be changed to read 2015.
- 5. The Revision Box is to be amended to read . . . “Planning Board Final Site Plan Amend., dated 9/19/18.”
- 6. Once these amendments have been made to the Final Site Plan Drawing, reviewed by and accepted by the Town Code Enforcement Officer, then a total of five (5) additional prints are to be submitted for signatures by the Town Departments and the Planning Board Chairperson. One signed copy of the amended Final Site Plan for Lot #36 is to be provided to the Town Highway Superintendent, one copy to the Town Water & Sewer Superintendent, one copy to the Town Engineer and one copy is to be placed on file with the Town Development Office and placed in the property file. The remaining two (2) signed copies are to be returned to the Applicant and his Engineer.
- 7. Final Site Plan Approval is valid for a period of 180 days from today and shall expire unless the drawings have been revised, submitted and signed.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**7. FINAL SITE PLAN AMENDMENT**

**PB #0904-18 Final Site Plan Amendment Application**

**Name:** Black & Veatch representing Tesla Energy Operations, Inc., 197 Wood Hill Road, Narragansett, Rhode Island 02882

**Location:** Rochester Gas & Electric Corporation Substation, 961 Hook Road

**Zoning District:** GI General Industrial with Major Thoroughfare Overlay District (MTOD)

**Request:** Final Site Plan Amendment for a 2 MW-capacity battery energy storage system installation adjacent to the existing RG&E

Substation consisting of related inverters, transformers and a security fence surrounding at 70-foot x 70-foot gravel project footprint which includes a series of small concrete pads to support a total of 63 battery storage units

This application was reviewed by the Project Review Committee on September 7, 2018.

Mr. Kirschbaum (The United Illuminating Company) and Mr. Siao (Tesla Energy Operations Inc.) presented this application. Mr. Wallis (The United Illuminating Company) and Ms. Dasher (Rochester Gas & Electric Corporation) also attended.

Mr. Kirschbaum said that two existing electric substations are located on the 21-acre Hook Road site which abuts the New York State Thruway and which is bisected by overhead electric lines. The proposed battery storage installation is for the easternmost substation. This substation will be overloaded by 2020 due to the increased demand for electricity from the growth and development which is occurring within the community. In addition, the NY Rev had mandated all investor-owned utility companies in New York complete at least two energy storage projects by the end of the year. The proposed installation of battery storage units will accommodate the projected increased load. The purpose of the proposed battery storage installation is to retain electricity which is generated during the low-use periods of the day and to provide the electricity when needed at high-use periods, i.e., to shave the peaks and valleys of use and provide consistent electricity throughout the day.

Mr. Kirschbaum said that RG&E issued a Request for Proposals and that Tesla was awarded the contract to install the battery storage system at the Hook Road site.

He said that the installation of batteries removes the need for construction of a larger and more intensive infrastructure and capital expense. He said that this is a simple solution to meet the increased demand for electricity from this substation.

Mr. Siao said that the installation includes a 70-foot x 70-foot gravel project footprint, which includes a series of small concrete pads to support a total of 63 battery storage units, related inverters and ancillary electrical equipment (i.e., transformer, switchgear, etc.), and an eight-foot-high fence surrounding the facility with one foot of barbed wire along the top. The electrical connection between the substation and the batteries will be underground.

Mr. Siao said that the batteries will be installed in phases. The first phase of 37 batteries will be installed in the fall of 2018 to meet the battery capacity mandates of New York State's Reforming the Energy Vision. An additional 15 batteries will be installed in the fall of 2019 and to reach the intended 2MW/10MWh capacity need. The remaining batteries will be installed over the next 10 years to address reduced battery capacity as they age.

H said that ancillary equipment includes an inverter to convert power from DC to AC, controls and communication equipment, a transformer, low-voltage switchboard and medium switchgear.

Mr. Siao said that a similar battery installation in Hawaii has eliminated the need for 1.6 million gallons of diesel fuel at that location. He said that the Tesla power-pack system provides a simple, flexible solution to meet the RG&E's need for additional power and to accommodate power spikes by providing more consistent power throughout the day.

Mr. Siao said that five new lightpoles are proposed, i.e., one at each corner of the property and one at the switch.

In response to a comment at the Project Review Committee presentation, Mr. Siao presented color photographs of the existing site. He said that there is currently sufficient vegetative plantings on the site to screen the batteries from view. These include existing evergreen plantings to the west of the proposed site along Hook Road and existing vegetative screening to the south of the proposed site. A photograph of the existing vegetative screening to the north of the proposed site also was distributed. Mr. Siao said that the existing substation is not visible from the road and that the batteries, which will be located behind the substation, also will not be visible from Hook Road.

Mr. Brand said that the Town is pleased to be on the cutting edge of this new technology and looks forward to RG&E maintaining the level of service which the Town has come to expect from RG&E. He said that he realizes the expense and time that would have been incurred with the construction of a new power station and which will be eliminated by the installation of the battery storage system.

Mr. Brand acknowledged the attendance this evening of Ms. Dasher from RG&E, with whom the Town is working on landscaping at the Auburn Meadows Subdivision. Mr. Kirschbaum said that a landscape estimate for this subdivision will be forthcoming.

Mr. Bellis asked about the safety features of the battery installation. Mr. Siao said that Tesla has already met with the Farmington Volunteer Fire Association and will be conducting walk-through tours of the facility with first responders regarding emergency response. He said that each power pack itself is an enclosure for 16 pods, and that the batteries are located within each pod. He said that safety tests have been performed and that when the batteries overheat they burn themselves out and do not affect the adjacent power packs.

Mr. Bellis asked about emergency notification to RG&E. Mr. Kirschbaum said that notification would be provided by an existing communications system and protocol through the Energy Control System which is monitored 24/7. Mr. Siao said that emergency notifications would be automatically relayed by the system to Tesla and to RG&E, that an event would be contained to one battery unit, and that flame detection cameras would be installed on the site.

Mr. Bellis asked if there are similar battery installations in New York State. Mr. Kirschbaum said that currently there are no other installations on RG&E sites but that several others are under construction.

Mr. Viets asked about the impact of cold weather upon the battery units. Mr. Siao said that the batteries are rated to operate in a wide range of thermal conditions. He said that the enclosures are robust and that an internal refrigerant system maintains the temperature within each enclosure.

There were no further comments or questions on these applications this evening.

Mr. Hemminger then asked the clerk to read aloud the conditions of approval from the following complete Preliminary Subdivision resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
FINAL SITE PLAN AMENDMENT, RG&E SUBSTATION, 961 HOOK ROAD  
63 BATTERY STORAGE UNITS**

**PB #0904-18**

**APPLICANT: Black & Veatch, on behalf of Tesla Energy Operations Inc.,  
197 Wood Hill Road, Narragansett, Rhode Island 02882**

**ACTION: Final Site Plan Amendment, Rochester Gas & Electric  
Substation Site, located at 961 Hook Road, along the east side  
of Hook Road and south of the New York State Thruway (I-90)**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an application from Black & Veatch, on behalf of Tesla Energy Operations, Inc. and Rochester Gas & Electric Corporation, for a Final Site Plan Amendment to install 63 battery storage units, related inverters and transformers, and a site security fence surrounding a 70-foot by 70-foot gravel project footprint, which includes a series of small concrete pads to support a total of 63 battery storage units, to be placed upon land owned by Rochester Gas & Electric Corporation and located at 961 Hook Road; 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 an 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 amendments to the Final Site Plan for the Rochester Gas & Electric Property, located at 961 Hook Road, as shown on the drawings prepared by Black & Veatch New York LLP, 489 Fifth Avenue, New York, New York 10017, last revised

dated August 24, 2018, Project Number 199601 and entitled “NY-RGE001, Farmington, 961 Hook Road, Farmington, NY 14425, Overall Site Plan.”

**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 FINALLY RESOLVED** that the Planning Board does hereby move to grant Final Site Plan Approval for the above referenced Project with the following conditions:

1. Final Site Plan Approval is based upon the above referenced set of drawings prepared by Black & Veatch, as are to be further amended in accordance with the conditions below.
2. Sheet Numbers C-1 and C-3 are to be Stamped as Final Site Plans and signature lines are to be added for the Town Highway and Parks Superintendent, the Town Water and Sewer Superintendent and the Town Engineers.
3. The Revision Boxes on Sheet Numbers C-1 and C-3 are to be amended to read . . . “Planning Board Final Site Plan Amend. dated 9/19/18.”
4. Once these amendments have been made to the Final Site Plan Amendment Drawings, one (1) copy is to be reviewed by and accepted by the Town Code Enforcement Officer. Then a total of five (5) additional prints are to be submitted for signatures by the Town Departments and the Planning Board Chairperson. One signed copy of the set of amended Final Site Plan drawings is to then be provided to the Town Highway Superintendent, one copy to the Town Water and Sewer Superintendent, one copy to the Town Engineer and one copy is to be placed on file with the Town Development Office and placed in the property file. The remaining two (2) signed copies are to be returned to the Applicant and their Engineer.
5. This Final Site Plan Amendment Approval is valid for a period of 180 days from today and shall expire unless the drawings have been signed and filed with the Town Development Office.

Mr. Hemminger asked Mr. Siao if he understood the resolution and agreed with the conditions. Mr. Siao said that he understood the resolution and agreed with the conditions. He asked if there would be any objections to having RG&E integrate this amendment into their existing site-plan drawings of the substation. Mr. Brand and Mr. Hemminger said that there would be no objections to this.

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the preceding resolution be approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**8. PENDING APPLICATIONS**

**NEW PRELIMINARY SUBDIVISION PLAT, PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT—SETTING PUBLIC HEARINGS**

<b>PB #1003-18</b>	<b>New Preliminary Four-Lot Subdivision Plat Application</b>
<b>PB #1004-18</b>	<b>New Preliminary Site Plan Application</b>
<b>PB #0000-18</b>	<b>New Special Use Permit Application</b>

**Name:** Delaware River Solar LLC, 33 Irving Place, New York, N.Y. 10003

**Location:** 466 Yellow Mills Road, Palmyra, N.Y. 14522

**Zoning District:** A-80 Agricultural District

**Request:** Schedule Public Hearing for the Subdivision Plat and Special Use Permit applications for Wednesday, October 17, 2018

These applications were reviewed by the Project Review Committee on September 7, 2018.

Following discussion, it was the consensus of the board to schedule the Public Hearings on these applications for Wednesday, November 7, 2018, to allow time for the Zoning Board of Appeals to consider four Area Variance applications prior to the presentation of the project to the Planning Board.

There were no further comments or questions on these applications this evening.

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the following resolution be approved.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
DELAWARE RIVER SOLAR LLC  
SETTING PUBLIC HEARINGS**

**PB #1003-18                    Four-Lot Preliminary Subdivision**  
**PB #1004-18                    Preliminary Site Plan**  
**PB #0000-18                    Special Use Permit**

**APPLICANT:                    Delaware River Solar LLC, 33 Irving Place, New York, N.Y. 10003**

**ACTION:                         Scheduling a Public Hearing to be held on Wednesday, November 7, 2018, upon the above applications**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has given consideration to scheduling a Public Hearing upon the two above applications; and

**WHEREAS**, the Planning Board has received testimony, from both Town Staff and the applicant, at tonight’s meeting upon the proposed scheduling of a Public Hearing (hereinafter referred to as Action).

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby agree to schedule a Public Hearing be held on these applications for Wednesday, November 7, 2018, commencing at 7:00 p.m., in the main meeting room, at the Farmington Town Hall, 1000 County Road 8, Farmington, New York 14425.

**BE IT FURTHER RESOLVED** that Town Staff are hereby directed to provide public notice of the scheduled public hearing by giving legal notice for publishing in the Town’s Official Newspaper, to post said Legal Notice upon the Town Hall Bulletin Board and Town Website; and to post the property with a public notification sign.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

**9. PLANNING BOARD ACTION ITEMS**

**a. Cancellation of Planning Board Meeting on November 21, 2018**

Mr. Brand noted that the regularly scheduled Planning Board meeting on Wednesday, November 21, 2018, is the evening before Thanksgiving.

■ A motion was made MR. VIETS, seconded by MS. NEALE, that the Planning Board meeting on November 21, 2018, be cancelled.

Motion carried by voice vote.

**b. Report to the Town Board on the Cerone Incentive Zoning Project (MIII Enterprises, Always Locked Self Storage, 6061 Carmen’s Way)**

On August 27, 2018, Paul Colucci of The DiMarco Group requested Town Board consideration of an amendment to the conditions of approval of the Cerone Incentive Zoning Project regarding commercial speech signage at the Auburn Junction Plaza, now under construction on State Route 332 at Carmen’s Way.

On September 11, 2018, the Town Board requested by Resolution #400-2018 that the Planning Board review the applicant’s request and provide a recommendation to the Town Board on or before September 25, 2018.

Mr. Colucci (The DiMarco Group) presented the proposed amendment to the Town Board on September 11, 2018, and to the Planning Board this evening. Mr. Cerone also attended.

Mr. Colucci discussed the commercial speech signage for the overall Auburn Junction development and the first business on the site which will be Mr. Cerone’s Always Locked Self Storage facility at 6061 Carmen’s Way.

Mr. Colucci provided the following information:

The Town Code allows 1 square foot per lineal foot of building face, plus 0.25 square feet per lineal foot set back from the right-of-way. Due to the dedication of Carmen’s Way to the Town, the right-of-way is much closer than the true advertising advertising audience traveling on State Route 332.

**Town Allowance with Carmen’s Way**

76-foot building frontage x 1 sf/1f = 76 + (9.25 x 118 feet) = 105 square feet

**Town Allowance without Carmen’s Way**

76-foot building frontage x 1 sf/1f = 76 + (0.25 x 520 feet) = 206 square feet

The proposed building-mounted sign will be 148 square feet, thus requiring a modification to the existing Incentive Zoning provisions to allow it to be constructed as proposed.

**Auburn Junction Plaza Identification Monument Sign with Tenant Identification**

The monument sign is proposed to be placed at the northwest intersection of Carmen’s Way and State Route 332. The sign is proposed to include the plaza name “Auburn Junction” as well as tenant identification panels.

**Post and Panel Directional Sign**

The proposed directional sign of 19.7 square feet is to be placed at an internal road junction where information is conveyed to patrons for appropriate decision making. The directional sign will be constructed of similar materials as the mini-storage facility and is designed to complement the buildings under construction. The directional sign will be non-illuminated but would include reflectorized materials for night and low light visibility.

Mr. Colucci distributed color renderings of the proposed signs and projected the images on the video screens at the meeting.

Prior to the meeting, Mr. Brand submitted a draft memorandum for the Planning Board's consider. Mr. Colucci and Mr. Cerone also received copies of the draft memorandum.

Mr. Colucci discussed Item #7 in the memorandum which recommended that all signage be similar in style and color. He said that similar-style signs have been discontinued by most businesses which now prefer to differentiate themselves from other businesses with individual logos and corporate images.

Mr. Brand said that he is a strong proponent of brand recognition.

Mr. Hemminger suggested that Item #7 in the draft memorandum be revised to read: "The Planning Board requests that all building mounted commercial speech signs be required to be flexible in design style, color and sign lettering, and internally illuminated, to allow for easily identifiable signage." The members of the Planning Board and Mr. Colucci concurred with this revision.

Mr. Brand said that although the Town does not usually approve of directory signs, the design which Mr. Colucci has provided of the Monument Sign with Tenant Identification (stone face, double sided, internally lit) is preferable to a changeable copy sign which would not identify the quality of the site.

Mr. Brand requested that building mounted signage be directed toward State Route 332 and Carmen's Way and away from the adjacent Auburn Trail along the western portion of the property.

Mr. Viets asked if the building mounted sign on the second structure (the climate controlled building) would be the same as on the first structure (Always Locked Self Storage). Mr. Colucci said that the second structure may offer a different type of storage (automobile storage, for example) and that the applicant does not have a specific plan at this time for the structure or the sign. He said that he would like to preserve the opportunity for signage on the second building at this time. Mr. Brand said that a separate sign plan would have to be presented to the Planning Board for whatever type of sign is ultimately proposed on the second structure.

Ms. Neale asked about landscaping around the monument sign. Mr. Brand said that a landscaping plan had been approved by the Planning Board for the overall project but that it did not include signage. He said that the draft memorandum includes a discussion of landscaping (Item #8). Mr. Colucci said that he will review the overall landscaping plan to assure that the monument sign complements with the design of the site. Mr. Cerone expressed his support for this.

Mr. Delpriore said that other zoning districts do not permit multi-tenant signs but that the Incentive Zoning approval of this project provides for this type of sign at this location.

Mr. Bellis said that he was pleased with the multi-tenant sign and its design to avoid having a number of individual signs on the property for each tenant.

Mr. Bellis asked about the selection of the northwest corner of the State Route 332 and Carmen's Way for the installation of the monument sign. Mr. Colucci said that this location is on the approach side of State Route 332 for motorists to see the sign prior to passing Carmen's Way. He said that the sign also would be visible to northbound motorists on State Route 332 who could enter the site by making a left-hand turn onto Carmen's Way.

Mr. Hemminger said that he was pleased with the asymmetrical design of the monument sign.

Mr. Hemminger asked Mr. Colucci if he understand the memorandum and agreed with the items as revised. Mr. Colucci said that he understood the memorandum and agreed with the items as revised.

■ **CONSENSUS OF THE BOARD:** It was the consensus of the Planning Board to accept Mr. Brand's draft memorandum to the Town Board with the revision to Item #7, that Mr. Hemminger be directed to sign the memorandum, and that the clerk transmit to the memorandum to the Town Board.

## 10. OPEN DISCUSSION

### *Director of Development and Planning:*

Mr. Brand discussed the following items:

- Mr. Brand met with representatives from the New York State Department of Transportation, Costich Engineering and the owner of the Farmington Market Center on State Route 332 regarding plans for submission of an Incentive Zoning application. He said that Tops Supermarket would like approval for construction of a fuel-dispensing station on the site for which a number of issues are involved including setbacks, the effect upon the owners' overall site plan and setbacks. Mr.

Hemminger said that he has received questions about a Tops fuel-dispensing station at the Tops Supermarket in Farmington now that the station in Perinton has closed.

- Mr. Brand said Delaware River Solar LLC has four Area Variance applications on the Zoning Board of Appeals agenda on September 24, 2018, for a large-scale 7 MW solar energy project at 466 Yellow Mills Road. He said that regulations of the New York State Energy and Research Development Authority (NYSERDA) require the applicant to subdivide the property. Mr. Brand said that he has been contacted by several neighbors regarding the proposal. He said that he is unsure whether the Zoning Board of Appeals has enough information at this time to act upon the Area Variance applications at the September meeting. Mr. Hemminger said that he heard that this could be one of the largest solar energy projects in New York State to date.

### ***Code Enforcement Officer:***

Mr. Delpriore said that the Town Code Enforcement Officers are attending a two-day conference in Canandaigua this week. He said that the number of building permit applications continues and has not subsided.

## **11. PUBLIC COMMENTS**

Mr. Falanga (395 Ellsworth Road) asked about the Delaware River Solar project on Yellow Mills Road. Mr. Hemminger said that the applicant's four Area Variance applications are on the Zoning Board of Appeals agenda on Monday, September 24, 2018.

## **12. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 9:00 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, October 3, 2018, at 7:00 p.m.

Following the meeting, the clerk locked the front doors to the Town Hall.

Respectfully submitted,

\_\_\_\_\_  
John M. Robortella,  
Clerk of the Farmington Planning Board

L.S.