Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, May 5, 2021 • 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.

In response to the conditions in New York State that were created by the Coronavirus (COVID-19) pandemic and the directives issued by the New York State Governor, the Ontario County Administrator and the Town of Farmington Supervisor, the Planning Board meeting this evening was held in accordance with New York State Governor Andrew M. Cuomo's Executive Order No. 202: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency, dated March 26, 2020, and extended by Executive Order 202.105 through May 27, 2021.

> **Suspension of law allowing the attendance of meetings telephonically or other similar service:**
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> Article 7 of the Public Officers Law, to the extent necessary to permit an public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

The meeting was conducted at the Farmington Town Hall and via telephone/video conference format for those not wishing to attend in person. During the meeting, the agenda and each draft resolution was posted upon the video screen for the public, the applicants and the board members who were participating in the meeting via telephone/video format.

The Public Notice of the format of the meeting, the agenda, the draft resolutions, the dial-in telephone number and the conference call identification number were posted upon the Town website and upon the Town Hall entrance doors on April 29, 2021.

This meeting was conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021, with the following revisions per the above reference to the Governor's Executive Order:

- All applications will be introduced by the Planning Board Chairperson.
- The Planning Board Chairperson will ask for comments from the Town staff.
- The Planning Board Chairperson will ask for comments from the Planning Board.
- The applicant(s) will provide responses where needed at the direction of the Planning Board Chairperson.
- The Planning Board members will vote upon the application(s).
- Public comments will be received by thre Planning Board Chairperson only during the Public Comment agenda item.
- The meeting will be recorded and later fully transcribed by the Clerk of the Board.

Board Members Present: Edward Hemminger, *Chairperson*
Adrian Bellis
Timothy DeLucia
Shauncy Maloy
Douglas Viets

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

Applicants Present at the Town Hall:
John Barry, Finger Lakes Events Center, 6108 Loomis Road, Farmington, N.Y. 14425
Daniel Compitello, Solar Project Developer, Delaware River Solar, 130 North Winton Road, #415, Rochester, N.Y. 14610
Ryan T. Destro, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
John LeFrois, GLN Farmington Realty LLC, 1020 Lehigh Station Road, Henrietta, N.Y. 14467
Joseph Prestigiacomo, Finger Lakes Events Center, c/o 312 Smith Street, Rochester, N.Y. 14608
Roger and Carol Smith, 4790 Fox Road, Palmyra, N.Y. 14522
Peter G. Vars, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450

Applicant Present via Telephone/Video Conference:
David DePaolo, The Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, N.Y. 14224

Others Present at the Town Hall:
Chief Phil Robinson, Farmington Volunteer Fire Association

Others Present via Telephone/Video Conference:
[Others, unidentified]

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1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021.

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

2. APPROVAL OF MINUTES OF APRIL 21, 2021

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the minutes of the April 21, 2021, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on April 28, 2021:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington, 1000 County Road 8, Farmington, N.Y. 14425 will hold Public Hearings on the 5th day of May 2021 commencing at 7:00 p.m. for the purpose of considering the applications of:

PB 0501-21: JOSEPH PRESTIGIACOMO, 312 SMITH STREET, ROCHESTER, N.Y. 14608: Requesting a Special Use Permit to allow the existing bar and ballrooms,

portions of the Finger Lakes Hotel and Banquet Facility, to be run as an Events Center according to Chapter 165-73 of the Town of Farmington Codes. The property is located at 6108 Loomis Road and zoned GB General Business and MTOD Major Thoroughfare Overlay District.

PB 0502-21: JOSEPH PRESTIGIACOMO, 312 SMITH STREET, ROCHESTER, N.Y. 14608: Requesting a Special Use Permit to allow the existing Finger Lakes Hotel to be run as alternative long- and short-term housing according to Chapter 165-73 of the Town of Farmington Codes.The property is located at 6108 Loomis Road and zoned GB General Business and MTOD Major Thoroughfare Overlay District.

ALL PARTIES IN INTEREST and citizens will be given an opportunity to be heard in respect to such applications. Persons may appear in person or by agent.

Ed Hemminger, Chairman, Planning Board

4. NEW PUBLIC HEARING: SPECIAL USE PERMIT

PB #0501-21	**Special Use Permit Application**
Name:	Joseph Prestigiacomo, 312 Smith Street, Rochester, N.Y. 14608
Location:	6108 Loomis Road
Zoning District:	GB General Business and MTOD Major Thoroughfare Overlay District
Request:	Special Use Permit to allow the existing bar and ballrooms, portions of the Finger Lakes Hotel and Banquet Facility, to be run as an Events Center according to Chapter 165-73 of the Town of Farmington Codes. The property is located at 6108 Loomis Road and zoned GB General Business and MTOD Major Thoroughfare Overlay District.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Prestigiacomo, who is the owner of the former Finger Lakes Hotel and Events Center, presented this application.

He provided the following information:

- Effective immediately, the Finger Lakes Hotel will be closed and will no longer operate as a hotel. It will become the Finger Lakes Event Center. All signage of the Finger Lakes Hotel will be removed.

- The current 89 rooms will be converted from a hotel to provide transitional/emergency housing, and short- and long-term stays. This separate facility from the Events Center will be known as Hill Top Housing.

- The banquet facilities and the bar/restaurant will operate as a separate entity from the housing units. The weddings, meetings and special events will operate in compliance with the new COVID-19 guidelines. The bar/restaurant will reopen to service the events and the community.

- The Events Center and Hill Top Housing will operate under separate LLCs.

- The Finger Lakes Hotel was purchased, remodeled and improved to create a property which is focused to create an event-driven facility which had the ability to accommodate guests of the events with onsite hotel rooms. Ninety percent of all revenue for the property was generated from events which were held on the property. This includes the banquet facilities, hotel revenue and the bar/restaurant.

- The pandemic has taken away the ability to host any events within the banquet facilities and bar/restaurant. Without the events and gatherings, the hotel portion of the property has been devastated. The Finger Lakes Hotel has been unable to generate any significant revenue due to the pandemic and the inability to generate business through events.

Mr. Hemminger asked about the impact of the COVID-19 pandemic upon the business at the Events Center. Mr. Prestigiacomo said currently there is no business at the Events Center and that approximately $240,000 in deposits have been returned to wedding and to other customers. He said that he tried to reschedule events to the next year but that this did not go over well and that many couples were married elsewhere.

Mr. Hemminger asked when operations could resume at the Events Center. Mr. Prestigiacomo said that a wedding is scheduled in June but attendance will be reduced to 57 people from the originally planned 240 people due to the State's pandemic restrictions. He said that he expects that the Events Center will host approximately 20 weddings this year, down approximately 70 percent from the original numbers.

Mr. Brand said that this Special Use Permit application for the Events Center is a carry over from the site plan approval of October 4, 2017 (PB #1003-17) for the construction of an 1,834-square-foot one-story addition to the Events Center. He said that the biggest change will be breaking out what was previously a combined hotel/events center into separate operations. Mr. Brand said that this Special Use Permit application includes a number of conditions of approval related to the conditions of approval that had been placed upon the 2017 site plan application, such as adequate clearance for fire apparatus under the pedestrian walkway.

Mr. Brand said that the Town staff met with Mr. Prestigiacomo to review the maximum capacity permitted in the Events Center by the Town Code and the parking requirements.

He said that the Town will require that the parking areas be resealed and restriped to comply with the Town Code, and that Americans With Disabilities (ADA)-compliant parking spaces for the disabled must be provided. Mr. Brand also said that signage to direct visitors to the Events Center and to the adjacent Hill Top Housing area is to be installed.

Mr. Brand said that the Town staff is ready to recommend approval with conditions of this application this evening.

Mr. Delpriore said that the signage on the entire site must be updated to reflect the two separate uses of the property. Parking lot lighting must be upgraded to dark-sky compliant fixtures as required by the Town Code. He said that an inspection by the Town Fire Marshal and by the Zoning Officer determined that ADA parking and parking lot lighting are required for the Events Center application.

Mr. Hemminger asked if the number of parking spaces meet the Town Code requirements for the Events Center. Mr. Delpriore said that the current number of spaces exceeds the Town Code requirement. He said that he is also ready to move forward on this application this evening.

Mr. Brand clarified that this application [for a Special Use Permit for the Events Center] is based upon the conditions of approval of the 2017 site plan application, and that the applicant is now breaking out two distinct areas of the property which will be used for different purposes [events and transitional housing]. He said that Glenn H. Thornton, P.E., of Thornton Engineering, the applicant's consulting engineer, understands what is involved in the upgrades to the site and that there will be a definitive time period established in which the upgrades are to be completed.

Mr. Hemminger said that the draft resolution under consideration this evening is a conditional Special Use Permit which will be valid for six months to provide the applicant time to generate revenue and update the property to meet all of the applicable State and Town Code requirements. He said that a final Special Use Permit will be issued upon compliance with this evening's conditions of approval by the end of the six-month period.

Mr. Giroux confirmed that the Town's largest fire truck will fit under the pedestrian walkway. He said that this was determined by a fire department site inspection during consideration of the 2017 site plan application.

Chief Robinson said that he concurs with Mr. Giroux and that there is room to spare for the largest fire truck.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the telephone/video conference call wished to speak for or against this application, or to ask questions. There were no requests from those on the telephone/video conference call.

Mr. Bellis requested that the applicant make sure that an adequate number of ADA parking spaces are available and that routes for entrance to the building by disabled persons are provided.

Mr. Hemminger said that he attended the Town staff meeting with the applicant and that he discussed consideration of having additional land-banked parking if additional parking spaces were to be needed in the future.

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

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the Public Hearing on PB #0501-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0501-21 was closed.

Board deliberations:

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

FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—TYPE II ACTION

PB #0501-21 and PB #0502-21

APPLICANT:	**Joseph Prestigiacomo, 312 Smith Street, Rochester, N.Y. 14608**
ACTIONS:	**Special Use Permit to operate an Events Center (PB #0501-21) and Special Use Permit to operate Alternative Long- and Short-term Housing (PB #0502-21) on portions of the former Finger Lakes Hotel and Banquet Facility, located at 6108 Loomis Road.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Board finds that the proposed Actions are classified as a Type II Actions under Part 617.5 (c) (1), (2) and (18) of Article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby classify the proposed Actions as Type II Actions under Section 617.5 (c) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

BE IT FINALLY RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

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

FARMINGTON PLANNING BOARD RESOLUTION

PB #0501-21

APPLICANT: **Joseph Prestigiacomo, 312 Smith Street, Rochester, N.Y. 14608**

ACTION: **Special Use Permit to operate an Events Center (PB #0501-21) on portions of the former Finger Lakes Hotel and Banquet Facility site, located at 6108 Loomis Road.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has at tonight's meeting conducted a Public Hearing upon the above referenced Action;

WHEREAS, the Board has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action and has made a Finding that the proposed Action is classified as a Type II Action under Part 617.5 (c) of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board finds that the proposed Actions classified as a Class 1 Action, assigned Referral Number 74-2021 and has made comments only; and

WHEREAS, the Board has given to the public comments made as part of the public hearing record referenced above herein.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to grant Special Use Permit Approval with the following conditions:

1. The Special Use Permit is hereby granted for the operation of the Finger Lakes Event Center (hereinafter referred to as Center) on a portion of the overall site.

2. The Center shall consist of a bar/restaurant/kitchen and restroom facilities to serv ice scheduled events only.

3. The maximum occupancy for scheduled events at the Center, per the State Fire Code and their occupancy posting issued by the Town, shall not exceed 288 persons.

4. There shall be separate on-site parking of a maximum of 140 vehicles, for persons attending the scheduled events, located in what is known as the lower parking lot.

5. There shall be no outdoor activities associated with any scheduled event without a permit being issued by the Town of Farmington.

6. Prior to the Special Use Permit being issued and becoming in effect, the Planning Board shall receive, review and grant approval to an amended Site Plan Drawing prepared by Thornton Engineering, to be identified as "Final Site Plan Finger Lakes Event Center and Hill Top Housing." This drawing, once approved by the Planning Board, shall replace the signed Final Site Plan Drawing prepared by Thornton Engineering, entitled "Final Site Plan Banquet Space Addition, The Finger Lakes Hotel, 6108 Loomis Road, Town of Farmington, Ontario County, NY," dated May 2017, Project No. 17-622, Drawing No. S-1, identified further as part of file PB# 1003-17.

7. The new, or amended, Final Site Plan Drawing, shall contain the following information:

    a. The Finger Lakes Event Center portion of the site shall be clearly delineated so as to be distinguished from the Hill Top Housing portion of the site.

    b. Both parking lots are to be re-sealed and re-striped to Town Design Standards. The parking spaces for the short- and long-term housing portion of the site shall be further marked by the units they are serving and

designated guest parking spaces. In addition, handicap parking spaces shall be designed and provided as required by State Code.

c. There is to be shown a guard rail barrier to be located between the two buildings located on the western portion of the site.

d. Those buildings being designated on the drawing for short-term housing are to be identified separate from those buildings being designated on the drawing for long-term housing.

e. There is to be a separate on-site dumpster, with enclosure, for the Hill Top Housing portion of the site.

f. There is to be a note shown on the Final Site Plan Drawing stating that no outdoor garbage containers shall be allowed.

g. All site lighting is to be brought into conformance with the Town's Lighting Regulations contained in Chapter 165 of the Farmington Town Code.

h. There is to be a note added to the Final Site Plan Drawing stating that prior to the opening of the in-ground pool, all state/county, or town approvals must be obtained.

i. There is to be a note added to the Final Site Plan Drawing stating that in the event the in-ground pool is closed, the fixture shall be removed, the portion of the site restored and used for a small recreational facility for use by those residing in said Hill Top Housing portion of the site.

j. The Property Maintenance Office is to be clearly identified on the Final Site Plan Drawing.

k. There is to be a note added to the Final Site Plan Drawing stating that the names of all persons, including their permanent addresses, is to be provided upon demand to any state/county, or town official.

l. There is to be a complete Sign Site Plan prepared that included, but is not limited to the following:

[1] A new off-site freestanding commercial speech sign identifying the Event Center and the Hill Top Housing use.

[2] A new entrance sign, at the entrance on Loomis Road, identifying the Event Center and the Hill Top Housing use.

[3] A new directory sign designating the Event Center/Parking and the Hill Top Housing/Parking areas.

[4] Each of the buildings to be used for short- and long-term housing is to be identified with new numbers or names to facilitate emergency response units.

m. The existing on-site dumpster unit is to be enclosed.

n. Any unlicensed vehicle on the site is to be remove and a note added to the Final Site Plan Drawing that states no unlicensed vehicles shall be permitted to remain on the site.

o. No Parking Signs are to be installed along the driveway entrance to the site, starting at Loomis Road and extending up to the Hill Top Housing on-site parking area.

p. There shall be signage added to the Event Center portion of the site prohibiting overnight parking of vehicles.

q. There shall be signage added to the Hill Top Housing on-site parking area restricting parking to registered persons and their guests.

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

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

Following the vote, Mr. Brand reminded everyone that all draft resolutions are posted upon the Town website for public review prior to the Planning Board meetings and are sent to the applicants prior to the meetings.

5. NEW PUBLIC HEARING: SPECIAL USE PERMIT

PB #0502-21 **Special Use Permit Application**

Name: Joseph Prestigiacomo, 312 Smith Street, Rochester, N.Y. 14608

Location: 6108 Loomis Road

Zoning District: GB General Business and MTOD Major Thoroughfare Overlay District

Request: Special Use Permit to allow the existing Finger Lakes Hotel to be run as alternative long- and short-term housing according to Chapter 165-73 of the Town of Farmington Codes. The property is located at 6108 Loomis Road and zoned GB General Business and MTOD Major Thoroughfare Overlay District.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Prestigiacomo, who is the owner of the former Finger Lakes Events Center and the former Finger Lakes Hotel, and John Barry of the Finger Lakes Events Center, presented this application.

Mr. Prestigiacomo said that his initial plans for the Finger Lakes Hotel had to change because the COVID-19 pandemic destroyed his business plan and the industry in general. He said that 90 percent of the revenue had been driven by events and the accompanying hotel rooms.

Mr. Prestigiacomo said that there are no big weddings being held any more, and that it is not possible to generate a pre-pandemic revenue stream when operating an event at half capacity [due to the State pandemic regulations]. He said that he cannot do it.

Mr. Prestigiacomo said that there is no way that the combined Event Center and hotel could operate or be at full capacity with the six-foot social distance and capacity reduction requirements.

He said that he has a balloon mortgage payment which is past due and that it is impossible for a hotel to obtain financing in western New York [during this pandemic]. He said that he met with banks and brokers, and that a change of operations to transitional housing would be easier for him to obtain the necessary financing.

Mr. Prestigiacomo said that the short-term housing is usually from week to week. He said examples could include utility crews who are in the area for a short period of time. He said that long-term residents are usually on a month-to-month basis and could be people in transition from a divorce or who may be buying a new house and need a month-to-month rental with no leases. Mr. Prestigiacomo said that he has seen a huge need for this type of housing this year.

Mr. Hemminger asked about Mr. Prestigiacomo's time definitions for a long-term customer. Mr. Prestigiacomo said that a two- to three-month stay is long-term in their view.

Mr. Prestigiacomo asked the Planning Board to consider all these points. He said that he did not wish to change his business operation which had been doing well prior to the pan-

demic, but the plans had to change and he will work with the Town staff to accomplish everything that the staff would like him to achieve.

He said that the conversion of the hotel into short- and long-term lodging facilities falls under a different [Town Code] classification. He said that this type of housing meets the needs of the County and the region by providing a service which is not readily accessible to people who are having difficulties. He said that offering this type of housing will generate some income for the facility and enable them to make the necessary corrections to comply with the Town Code. Mr. Prestigiacomo said that his engineer has already started working on the plans to address the issues.

Mr. Delpriore said that the Town staff recently met with Mr. Prestigiacomo to develop a six-month plan [to bring the property into compliance with the Town Code]. He said that the project will consist of seven separate buildings containing a total of 84 lodging units, a separate office/maintenance area located within the former hotel office, and on-site parking spaces for 92 vehicles. Buildings #1 and #2 will consist of 29 long-term housing units. Buildings #4, #5 and #6 will consist of 55 short-term units.

Mr. Delpriore said that Mr. Prestigiacomo and his engineer are looking into an additional area for possible land-banked parking spaces.

Mr. Barry said that they currently work with charitable organizations and with Ontario County to provide emergency placement for individuals who need short- and long-term housing. He said that a large portion of the short-term lodgers do not have their own vehicles and are provided with transportation by the County. He said that parking for this group has dropped significantly and that they average about 25 to 30 vehicles in the housing portion of the property.

Mr. Hemminger said that the Town staff has discussed land-banked parking with the applicant if it were to be needed in the future.

Mr. Delpriore said that the Town Fire Marshal and the Zoning Officer made an exterior inspection of the property and provided a list of items to be addressed [*see* the attached reports to the minutes]. He said that the applicant has agreed to address the fire and code violations within the six-month term of the conditional Special Use Permit.

Mr. Delpriore said that the parking and hotel areas are not currently ADA-compliant because they are pre-existing non-conforming uses. He said that the new Special Use Permit applications and the proposed change in the use [from a hotel to transitional housing] requires that the property be brought up to current Town Code compliance.

Mr. Hemminger said that one of his concerns is that the applicant should prepare a checklist for the instruction of the lodgers on what they can and cannot do on the premises. Mr. Prestigiacomo said that he will provide a checklist to the Town tomorrow via email.

Mr. Prestigiacomo said that he added several items to the proposed checklist including that no unregistered vehicles are permitted on the property and that they will be towed at the owner's expense. He also said that drug use and drug paraphernalia also are not permitted.

Mr. Giroux asked how the Town would handle it if the applicant does not comply [with the conditions of approval of the Special Use Permit] in six months. Mr. Delpriore said that the Special Use Permit is conditional and that the Planning Board could direct that the Town staff provide an extension or that the occupation of the facility is removed if the issues are not addressed in six months. He said that from the sounds of it the applicant and his engineer will address the conditions of approval within the time limit.

Mr. Hemminger said that currently New York State has postponed evictions due to the pandemic and that legal issues could be involved [if the conditions of approval are not addressed in six months]. He said that he agrees that this is an issue that would have to be addressed [by the board] at that point.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the telephone/video conference call wished to speak for or against this application, or to ask questions. There were no requests from those on the telephone/video conference call.

Mr. Maloy expressed concern about lodgers walking on Loomis Road and State Route 332 to the convenience store at the corner of State Route 332 and Collett Road. Mr. Barry said that the agencies with whom they work provide transportation for the lodgers and that this has not been issue in the past. Mr. Prestigiacomo said that they do the best that they can. Mr. Maloy said that he has seen pedestrians walking on State Route 332 and that it is dangerous [for them to do so].

Mr. Bellis asked how many housing units are usually occupied. Mr. Prestigiacomo said that 35 to 40 units are usually occupied, mostly long-term and some short-term. Mr. Hemminger said that these numbers are usually the norm.

Mr. Bellis asked about eviction of lodgers [whose fees are not paid by the County or other agencies]. Mr. Prestigiacomo said that lodgers could be evicted for the use of drugs. He said that they have not had many issues but who know what will happen in the future.

Mr. Bellis asked if the long-term units have kitchens. Mr. Prestigiacomo said that a refrigerator and a microwave oven are located in all units, and that long-term units also have a kitchen sink and cabinets.

Mr. Hemminger asked about the permitted number of lodgers per unit. Mr. Prestigiacomo said that each unit is limited to the number of lodgers who are listed on the registration card, and cannot exceed this number. He said that one visitor is permitted until 10:00

p.m. and that at most a family of four would stay in a unit. He said that most of the units are occupied by one or two persons.

Mr. Viets suggested that it it may worth it to Mr. Prestigiacomo to hire someone to inspect the overall condition of the facility to assure complete compliance with the Town Code. He said that Mr. Prestigiacomo may want to have a thorough inspection.

Mr. Prestigiacomo said that the first thing they must do is obtain financing and that the lender will want to be sure that this is not going to be a hotel. He said that they have already approached secondary lenders, and that the banks and brokers will not provide financing for a hotel right now. He said that it was tough [before the pandemic] and impossible now.

Mr. Viets asked if the draft Special Use Permit resolution should better define short- and long-term time limits. Mr. Barry said that the facility will really be more of a transitional housing unit complex. He said that he did not think that it would be necessary to further define specific time limits. He said that the units with kitchenettes are usually used by those who will stay for about one month. He said that the entire project is transitional for people who are waiting to get into a complex that may be subsidized. He said that other organizations place those who need transitional housing on a week-to-week basis.

Mr. Viets said that he was thinking of the bigger picture because a Special Use Permit would run with the property. He said that the permit remains in effect even if the ownership of the property changes in the future.

Mr. Brand said that the board heard this evening that short-term is usually less than one month (week to week) and long-term is month to month.

Mr. Barry said that their business model is to provide a safe clean place for transitional living until the lodgers are ready to go to their next destination. He said that this will not be an apartment complex.

Mr. DeLucia said that his concerns have been addressed in the amended draft resolution which had been provided to the board prior to the meeting this evening.

Mr. Hemminger said that the applicant has worked with the Town staff and that we [the Town staff and the board] understand a lot better what the applicant needs, and that the applicant understands what the Town requires for this project.

Mr. Bellis asked about the timing for a reinspection of the property. Mr. Delpriore said that the Town Code requires that an event center must be inspected once a year and that the lodging must be inspected every other year. He said that a complaint could trigger an additional inspection at any time.

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

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the Public Hearing on PB #0501-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0501-21 was closed.

Board deliberations:

Mr. Bellis asked if a sign application is required. Mr. Delpriore said no. He said that the applicant is replacing existing signage with in-kind signage for which only a building permit is needed. Mr. Hemminger said that signage for the Events Center and some directional signage for the property are all that would be needed.

Mr. Viets asked about a further review of the property. Mr. Hemminger said that separate site plans for the Events Center and for the Hill Top Housing will depict the parking areas and signage.

FARMINGTON PLANNING BOARD RESOLUTION

PB #0502-21

APPLICANT: **Joseph Prestigiacomo, 312 Smith Street, Rochester, N.Y. 14608**

ACTION: **Special Use Permit to operate the Hill Top Housing Project (PB #0502-21) on portions of the former Finger Lakes Hotel and Banquet Facility site, located at 6108 Loomis Road.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has at tonight's meeting conducted a public hearing upon the above referenced Action;

WHEREAS, the Board has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action and has made a Finding that the proposed Action is classified as a Type II Action under Part 617.5 (c) of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board finds that the proposed Actions classified as a Class 1 Action, assigned Referral Number 74-2021 and has made comments only; and

WHEREAS, the Board has given to the public comments made as part of the public hearing record referenced above herein.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to grant Special Use Permit Approval with the following conditions:

1. The Special Use Permit is hereby granted for the operation of the Hill Top Housing Project (hereinafter referred to as Project) on a defined portion of the overall site.

2. The Project shall consist of seven (7) separate buildings, containing a total of 84 lodging units, a separate Office/Maintenance area located within the former hotel office portion of the site, an in-ground swimming pool and related on-site parking for a total of 92 parking spaces to be used for both short- and long-term housing.

3. The maximum number of short-term housing units shall be 55. These units shall be located within Buildings Number 4, 5, 6 and 7.

4. The maximum number of long-term housing units shall be 29. These units shall be located within Buildings Number 1 and 2.

5. There shall be separate on-site parking of a maximum of 92 vehicles, for persons residing in the Project. No on-site parking shall be permitted along the access driveway to the Project portion of the site.

6. Prior to the Special Use Permit being issued and becoming in effect, the Planning Board shall receive, review and grant approval to an amended Site Plan Drawing prepared by Thornton Engineering, to be identified as "Final Site Plan Finger Lakes Event Project and Hill Top Housing." This drawing, once approved by the Planning Board, shall replace the signed Final Site Plan Drawing prepared by Thornton Engineering, entitled "Final Site Plan Banquet Space Addition, The Finger Lakes Hotel, 6108 Loomis Road, Town of Farmington, Ontario County, NY," dated May 2017, Project No. 17-622, Drawing No. S-1, identified further as part of file PB# 1003-17.

7. The new, or amended, Final Site Plan Drawing, shall contain the following information:

    a. The title of the drawing shall read as follows . . . "Final Site Plan, Finger Lakes Event Project and Hill Top Housing, 6108 Loomis Road, Farmington, New York 14425."

    b. There shall be a note added to the drawing that reads as follows . . . "This Final Site Plan replaces the Final Site Plan, Banquet Space Addition, The Finger Lakes Hotel, 6108 Loomis Road, Town of Farmington, Ontario County, NY, File #PB1003-17, having a final signature date of 11-8-17."

    c. The Finger Lakes Hill Top Housing Project portion of the site shall be clearly delineated so as to be distinguished from the Finger Lakes Event Center portion of the site.

    d. Both parking lots are to be re-sealed and re-striped to Town Design Standards. The parking spaces for the short- and long-term housing

portion of the site shall be further marked by the units they are serving and designated guest parking spaces. In addition, handicap parking spaces shall be provided and designed as required by State Code.

e. There is to be shown a guard rail barrier to be located between the two buildings (identified on the submitted preliminary site plan drawing as Buildings 2 and 4) located on the western portion of the site.

f. Those buildings being designated on the drawing for short-term housing are to be identified separate from those buildings being designated on the drawing for long-term housing.

g. There is to be a separate on-site dumpster, with enclosure, for the Hill Top Housing portion of the site.

h. There is to be a note shown on the Final Site Plan Drawing stating that no outdoor garbage containers shall be allowed near any of the entrances to the buildings.

i. All site lighting is to be brought into conformance with the Town's Lighting Regulations contained in Chapter 165 of the Farmington Town Code.

j. There is to be a note added to the Final Site Plan Drawing stating that prior to the opening of the in-ground pool, all state/county, or town approvals must be obtained.

k. There is to be a note added to the Final Site Plan Drawing stating that in the event the in-ground pool is closed, the fixture shall be removed, the portion of the site restored and used for a small recreational facility for use by those residing in said Hill Top Housing portion of the site.

l. The Project's Maintenance Office is to be clearly identified on the Final Site Plan Drawing.

m. There is to be a note added to the Final Site Plan Drawing stating that the names of all persons, including their permanent addresses, that are residing in the Project shall be provided upon demand to any state/county, or town official.

n. There is to be a complete Sign Site Plan prepared that included, but is not limited to the following:

[1] A new off-site freestanding commercial speech sign identifying the Event Project and the Hill Top Housing use.

[2] A new entrance sign, at the entrance on Loomis Road, identifying the Event Project and the Hill Top Housing use.

[3] A new directory sign designating the Event Project/Parking and the Hill Top Housing/Parking areas.

[4] Each of the buildings to be used for short- and long-term housing is to be identified with clearly visible unit numbers or building names to facilitate emergency response units.

o. There is to be a centrally located on-site enclosed dumpster unit to serve the Project.

p. Any un-licensed vehicle on the site is to be remove and a note added to the Final Site Plan Drawing that states no unlicensed vehicles shall be permitted to remain on the site.

q. No Parking Signs are to be installed along the driveway entrance to the Project site, starting at the entrance to the Event Center on-site parking area and extending up to the Hill Top Housing on-site parking areas.

r. There shall be signage added to the Hill Top Housing on-site parking area restricting parking to registered persons and their guests.

BE IT FINALLY RESOLVED THAT the conditional Special Use Permit to operate the Project is hereby granted with a final condition that the Applicant is to correct all New York State Fire Code and Building Code violations found on the Project portion of the Hill Top Housing site, which is identified in the two attachments hereby made to this resolution. These cited violations are to be inspected and approved by both the Town Fire Marshal and the Town Zoning Inspector within six (6) months of the date of this resolution. Documents to their acceptance of the cited violations shall be added to the project file prior to the Code Enforcement Officer issuing the final Special Use Permit.

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

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

6. NEW FINAL SITE PLAN

PB #0503-21 **New Final Site Plan Application**

Name: GLN Farmington Realty LLC, 1020 Lehigh Station Road, Henrietta, N.Y. 14467

Location: South side of State Route 96, west of State Route 332 and east of Mertensia Road

Zoning District: GB General Business and MTOD Major Thoroughfare Overlay District

Request: Final Site Plan approval of Phase 1A for the Mercier Boulevard Infrastructure Improvements only. The property is zoned GB General Business and MTOD Major Thoroughfare Overlay District.

Mr. Destro (BME Associates) presented this application. Mr. Vars (BME Associates) and Mr. LeFrois (the applicant) also attended at the Town Hall.

Mr. Destro provided the following information:

- The project received Preliminary Overall and Preliminary Phase 1A Site Plan approval from the Planning Board on February 3, 2021.

- The Final Site Plans are for the construction of the Phase 1A portion of Mercier Boulevard and for the installation of the associated infrastructure improvements only.

- The applicant is currently marketing Phase lA to prospective users. Having the Phase 1A portion of Mercier Boulevard (MTOD road to be dedicated to the Town) and the associated utility infrastructure improvements in place first will make the site a more viable and practical option for users seeking a "shovel ready" site.

- The site plans are in conformance with the conditions of the Preliminary Site Plan approval resolution dated February 4, 2021. Additional site-specific Final Phase 1A Site Plan applications will be submitted to the Town for approval once each user is identified.

- Phase 1A received Preliminary Site Plan approval for up to 16,000 square feet of General Business space along the State Route 96 frontage.

- The Phase lA Mercier Boulevard plans include a Landscape and Lighting Plan which shows the intent to provide the required landscaping and lighting improve-

ments along State Route 96 and Mercier Boulevard. However, the applicant requests that landscaping and lighting improvements be installed as part of the construction for the first approved building site plan which will be submitted in a separate application to the Planning Board.

- The applicant's traffic consultant has also submitted permit plans to the New York State Department of Transportation (DOT) for approval of the required westbound turn lane highway improvements on State Route 96 and for the project entrance (Mercier Boulevard) off State Route 96.

Mr. Destro said that a concrete sidewalk will be installed on the extension of Mercier Boulevard. Utilities and the stormwater management area are designed for the full build-out of the project. The stormwater management area will be installed in Phase 1A in the southwest corner of the parcel adjacent to Beaver Creek. The facility will include a bio-retention area which will meet New York State water quality requirements.

A gravity sanitary sewer will be extended from the existing sewer main located along the south side of State Route 96 to the south of the parcel connecting to the public sewer on adjacent property. Public water will be extended off the existing State Route 96 water main and will be looped through the development.

Mr. Brand said that a resolution has been prepared for the board's consideration this evening for approval of the Final Site Plan for Phase 1A with conditions. He said that the Town staff is ready to move forward on the application and that he would like to see this road and site improvements developed in the near future. Mr. Brand said that the activity of this project will stimulate other developers to move forward with their plans, as well, and that recently several other property owners in the vicinity have contacted the Town about future projects on parcels to the east and west, and across State Route 96, from the applicant's site.

Mr. Hemminger said that the draft resolution has been updated based upon comments from the board and from the applicant during the Town staff review process. He said that this is a good process.

Mr. Delpriore said that the Town staff worked diligently to amend the draft resolution based upon comments from the board and from the applicant. He discussed Draft Condition #19 regarding the Town's requirement that the property is to be kept in a graded, seeded and stabilized condition and that any topsoil stockpiles which remain unused for a period longer than one year are to be graded, mowed and maintained as lawn area. Vegetation is also to be maintained no higher than six inches.

Mr. Delpriore said that the draft approval resolution addresses the concerns of the Town staff. He said that specific questions regarding the users of the site will be answered during the reviews of the individual site plans as they are submitted.

Mr. Giroux reiterated that the ongoing appearance of the site as it develops must be presentable to the public driving by on State Route 96. He said that he does not wish to hear from the applicant that the site cannot be maintained because it is under construction. Mr. Giroux said that he would like to have the site presentable for the duration.

Mr. Brabant said that the MRB Group engineering comment letter of April 28, 2021, included comments related to testing notes associated with the Town's Site Design Criteria for water, sewer and road testing. He said that the S-5 manhole should be shifted to the west and then realigned from there to pull the sanitary sewer manhole outside of the temporary hammerhead turnaround and further away from the future Mercier Boulevard construction area. Mr. Brabant said that he has discussed this with Mr. Destro.

Mr. Brabant asked if the applicant plans the installation of road gutters or a curb. He said that this comes down to the preference of the Town Highway Superintendent. Mr. Destro said that road gutters are proposed for consistency with the existing portion of Mercier Boulevard. Mr. Brabant and Mr. Giroux said that this works for them.

Mr. Brabant discussed the relocation of an existing drainage swale/stream which serves as a tributary to Beaver Creek. He said that Mr. Destro has been working with the New York State Department of Environmental Conservation (DEC) and the U.S. Army Corps of Engineers regarding this issue. He said thart this impact was identified as part of the State Environmental Quality Review (SEQR) process on this application. Mr. Brabant said that he has no objections to the board's previous SEQR determination, and that Mr. Destro will continue to work with the DEC and the Army Corps to obtain the proper approvals. Mr. Destro said that the applicant will need to amend this stortmwater design if [DEC and Army Corps] approvals cannot be obtained.

Mr. Brabant said that Mr. Destro has divided the construction of the stormwater pond to phase in the relocation of the stream and to then eventually build out the full pond upon DEC and/or Army Corps approval. He said that Draft Condition #25 in the resolution addresses this, i.e., "Final Site Plan approval is further conditioned upon submission of an updated Stormwater Management Plan as part of Phase 1B construction prior to building permits being issued for the Phase 1B portion of the project."

Mr. Brabant said that he has requested details on the sequence of the phased construction of the stormwater pond and how the second portion of the pond will be constructed.

Mr. Hemminger asked if the first section of the pond will handle the stormwater when the State Route 96 frontage is developed. Mr. Brabant said that the conditions of approval of the individual site plans for the State Route 96 frontage must include details on stormwater management for each of the individual site plans.

Mr. Hemminger said for the record that Phase 1A approval does not provide approval for any building along the State Route 96 frontage. He said that he wants to make sure that the applicant and public know this. He said that each building along State Route 96 will require an individual site plan approval from the Planning Board.

Mr. Maloy asked if the control structure will be adequate for both phases of the construction of the stormwater pond. Mr. Destro said that the outlet structure will be installed in the first phase and only if a stream permit is not received.

Mr. Maloy asked about the extent of tree removal on the southern portion of the parcel. Mr. Destro reviewed the area in which trees would be removed for construction of the access road and the stormwater pond. The site plan drawing was displayed at the meeting.

Mr. Maloy asked who would maintain the stormwater pond. Mr. Brabant said that the applicant will be required to submit a Stormwater Maintenance Agreement and will be responsible for the maintenance of the pond.

Mr. Maloy asked about the ditch on the west side of the property. He asked if this will be piped at the time of the eventual build-out. Mr. Destro said that the ditch will be piped at full build-out.

Mr. Bellis asked about the reason for the removal of the additional trees in the southern portion of the parcel. Mr. Delpriore said that the trees must be removed to provide an area for construction staging and topsoil storage.

Mr. Viets asked what is involved with the relocation of the stream. Mr. Destro said that a small tributary to Beaver Creek bisects the area of the stormwater pond. He said that this is a swale or stream and is not Beaver Creek. Mr. Lefrois said that it is misleading to call this a tributary. He said that it is just a swale.

Mr. Viets said that the board would like to make sure that topsoil piles are stabilized if they will not be used for more than one year. He said that the board has expressed concern with topsoil piles in other projects and that he does not want a topsoil pile to become an eyesore.

Mr. Viets suggested two revisions in the draft approval resolution regarding clarification of the installation of State Route 96 streetscape improvements and that street trees shall not be located within an easement.

Mr. DeLucia said that he had no issues with the amended draft approval resolution.

Mr. Bellis asked about the current condition of the State Route 96 frontage. Mr. Lefrois said that this area will be graded and that the tree stumps will be removed.

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

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

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
GLN FARMINGTON REALTY LLC, FINAL SITE PLAN PHASE 1A
MERCIER BOULEVARD INFRASTRUCTURE IMPROVEMENTS

PB #0503-21

APPLICANT: **GLN Farmington Realty LLC, 1020 Lehigh Station Road, Henrietta, N.Y. 14467**

ACTION: **Final Site Plan Approval, Phase 1A of a mixed commercial development site (Tax Map Account #029-01-18.1) located along the south side of New York State Route 96, east of Mertensia Road and west of the intersection of State Routes 96 and 332.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a set of drawings and documents identifying site improvements being proposed within both Phase 1A and the overall site owned by Farmington Realty LLC, which consists of the following items:

1. the first segment of the northern portion of Mercier Boulevard, involving approx imately 779 lineal feet of highway that is to be a dedicated road to the Town and which commences at an intersection with State Route 96 and continues to an point located within the site where there is shown on the drawings identified below herein a hammerhead type of turnaround; and

2. the construction of five-foot wide concrete sidewalks and street lights in Phase 1A along the proposed Mercier Boulevard alignment as shown on the referenced final site plan drawings; and

3. the construction of an 8-inch diameter sanitary sewer involving approximately 1,878 (+/) lineal feet in length extending to and connecting into the sanitary sewer main hole located within the right-of-way of Mercier Boulevard some 300 feet south of the existing cul-de-sac located on adjacent lands; and

4. the construction of a twelve-foot wide Utility Service Road involving approximately 900 lineal feet in length extending from the proposed hammerhead turnaround southeasterly to the to the southern property line; and

5. the construction of a portion of the site's stormwater facilities and access road thereto; and

WHEREAS, the Planning Board has previously, under separate resolution, made findings and a determination of non-significance upon this proposed Phase 1A Action, thereby satisfying this component of the environmental record; and

WHEREAS, the Planning Board reserves the right, as part of future site plan applications on this property, to request supplemental environmental documentation as may be deemed necessary and appropriate; and

WHEREAS, the Planning Board has given consideration to the public comments made at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board based upon the above findings does hereby move to grant final site plan approval upon the above referenced Action with the following conditions:

1. Final Site Plan Approval is based upon the set of drawings prepared by BME Associates, identified as Project Number 2527A, entitled "GLN Farmington Realty Property, Phase 1A—Mercier Boulevard, Final Site Plan," dated April, 2021; including Drawing Numbers 01 through 10, as is further to be amended in accordance with the conditions contained below herein.

2. The title of this final site plan drawing is to read as follows . . . "GLN Farmington Realty Property, Phase 1a Road Improvements only—Mercier Boulevard, Final Site Plan;" and

3. The overall phasing plan for the site is to be amended to show Phase 1b, the retail sites along the State Route 96 frontage and Phase 1c to show the previous Phase 1B.

4. Final Site Plan Approval is further based upon the Applicant obtaining a highway work permit for lane and intersection improvements to State Route 96 and the intersection with Mercier Boulevard as delineated within the areas of the site. A copy of said highway work permit and drawings is to be filed with the Town Development Office prior to the Town accepting dedication of the above-described site improvements.

5. Street Trees are to be added to the Landscaping Plan along the east side of Mercier Boulevard where it enters the site from State Route 96. The planting plan should duplicate what is shown on the west side of this portion of Mercier Boulevard.

6. All Street Trees and lighting proposed along the State Route 96 frontage are to be installed as part of the proposed Phase 1A road improvements.

7. Final Site Plan Approval is further based upon the Applicant providing all the documentation listed on Appendices G-3.0, G-3.1 and G-3.2 of the Town's Site Design and Development Criteria in order to permit the timely Town Board acceptance of the dedication of the first portion of Mercier Boulevard and the commencement of highway and site improvements later this year.

8. Final Site Plan Approval is further based upon the construction and dedication of Mercier Boulevard, in phases to the Town of Farmington, connecting this first phase with a new intersection with State Route 96. Then ultimately connecting this first phase with the existing cul-de-sac for Mercier Boulevard which is located on property to the south. It is further a condition of this Final Site Plan Approval that the construction of the new portion of Mercier Boulevard connecting to the east bound travel lane of State Route 96 is to be designed and installed to at least the Town Highway Specifications contained within the adopted Town of Farmington Site Design and Development Criteria.

9. Prior to the issuance of any Certificate of Occupancy for any building to be located upon the Phase 1A portion of the overall project site, improvements to State Route 96, as required in the New York State Department of Transportation's (NYSDOT's) January 6, 2021, letter to Mrs. Amy Dake, SRF Associates and any subsequent letter(s) from the NYSDOT, regarding these improvements is to be completed.

10. Additional Traffic Impact Study reports will be required prior to granting Final Site Plan approval for any additional buildings and site improvements within Phase 1A, beyond the first two buildings (e.g,. bank and fast food restaurant) known at this time to be located in this phase of the project. Additionally, any further mitigation, as required by NYSDOT, shall be constructed through the NYSDOT Highway Work Permit Process. No Certificates of Occupancy will be issued until the mitigation has been satisfactorily completed as determined by NYSDOT.

11. Additional Traffic Impact Study reports may be required as part of Final Site Plan Applications depending on changes to the sizes of any buildings to be located in Phases 1A, 1B and 2 of the Overall Project Site. Additionally, any further mitigation, as required by NYSDOT, shall be constructed through the NYSDOT Highway Work Permit Process. No Certificates of Occupancy will be issued until the mitigation has been satisfactorily completed as determined by NYSDOT.

12. In lieu of the proposed 12-foot-wide gravel base drive extension shown between the end of the dedication portion of Mercier Boulevard in Phase 1a and the Mercier Boulevard cul-de-sac on the adjacent property to the south, this Utility Service Road is to be 12-foot wide and constructed to Town Standards that meet the Town's Rural Road Criteria. This Utility Service Road extension is to occur at the time of construction of the sanitary sewer connection for the first site to be developed which is located within Phase 1B. A Detail Sheet is to be added to the submitted drawings with this application.

13. The proposed fill area for the site's stormwater management pond spoil shall have a minimum of 4" to 6" topsoil spread over the entire area and seeded to establish the area as lawn. The entire area shall have the vegetation maintained at a height no taller than 6 inches.

14. The Street Trees shown on the drawings are located on top of the proposed sanitary sewer main and are to be relocated not closer than 10 feet of any water/ sanitary/storm sewer main, or they shall not be located within an easement.

15. There are to be three (3) streetlights installed at this time along with the construction of the proposed road dedication for Mercier Boulevard. One at the intersection of the existing sidewalk along the south side of State Route 96 and the sidewalk located along the east side of the proposed Mercier Boulevard road entrance into the project. One at the first on-site intersection where there will be a future connection to the property adjacent to the west that will illuminate the pedestrian crossing being installed as part of this site plan application. Finally, one streetlight is to be installed at the proposed hammerhead turnaround.

16. The watermain road crossing needs 8-inch valves shown on the west and east side of the road.

17. All sanitary laterals are to have cleanouts and sanitary lateral and sanitary cleanout details are to be added to the detail page.

18. Cleanouts are to be installed on the sanitary laterals on the right-of-way (ROW) or the easement line furthest from the road.

19. The land located in Phase 1B is to be cleared of all remaining tree stumps and poles. This area is to then be graded, seeded and maintained. Final Site Plan Approval is further based upon the Applicant amending the Grading Plan Drawing to include the contours of the proposed topsoil stockpile. A note is to be added to this drawing that reads . . . "Should the topsoil stockpile remain for a period longer than one year, it shall be graded so that it can be mowed and maintained as lawn area, and any vegetation shall be maintained at a height no taller than six inches."

20. The details for the crash gate required to be installed between the Phase 1A por tion of this overall site and the adjacent Farmington Commons Plaza site are to be added to the revised Final Site Plan drawings.

21. All comments contained in the April 28, 2021, report to the Town Director of Planning and Development, from Lance Brabant, MRB Group, D.P.C., the Town's Engineering Firm, are to be addressed in writing and changes made to the appropriate drawings prior to the signing of the Final Site Plan Drawings.

22. Drawing 01 is to be amended by changing Site Note 2 to read as follows . . . "Existing Zoning: GB General Business, MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District."

23. Drawing 01 is to be amended by changing Site Note 7 to read as follows . . . "The site does not lie within a mapped Area of Special Flood Hazard but does lie within a Mapped Zone C Area of Minimal Flooding."

24. Final Site Plan approval is conditioned upon the Applicant receiving all approvals and permits from the New York State Department of Environmental Conservation NYSDEC and the Army Corps of Engineers (ACOE) associated with the relocation of the stream are to be provided to the Town Code Enforcement Officer prior to work within Phase 1B starting.

25. Final Site Plan approval is further conditioned upon submission of an updated Stormwater Management Plan prior to building permits being issued for the Phase 1B portion of the project.

26. Once all changes have been made to the Final Site Plan drawings cited above herein, the applicant's engineer is to provide a mylar and one paper print copy to the Town Code Enforcement Officer for review and acceptance. Once accepted, then all signatures will be affixed to the mylar drawings and the one (1) paper print. The mylar will be returned to the applicant's engineer for making four (4) additional paper print copies that are to be returned to the Town Code Enforcement Officer for distribution.

27. The Town Code Enforcement Officer shall provide one (1) set of the signed paper print copies to the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; the Town Construction Inspector; and the Town Engineer.

28. Final Site Plan Approval is valid for a period of 180 days from today and the re vised drawings are to be submitted for signatures within this time period. Failure to obtain signatures on the approved drawings will result in them becoming null and void.

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

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

7. NEW FINAL SUBDIVISION

PB #0504-21 **New Final Subdivision Application**

Name: The Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, N.Y. 14224

Location: Southwest corner of County Road 41 and State Route 332 within the Hathaway's Corners Subdivision

Zoning District: IZ Incentive Zoning
Request: Final Subdivision approval of Phase 1C of the Hathway's Corners Subdivision to erect 61 single-family residential Villas Homes with two-story maximum height. The property is zoned IZ Incentive Zoning.

Mr. Destro (BME Associates) presented this application. Mr. DePaolo (Marrano Homes) attended via telephone/video conference call.

Mr. Destro provided the following information:

- The Villas at Hathaway's Corners (Hathaway's Corners Incentive Zoning Project, Phase 1C) received Preliminary Subdivision approval from the Planning Board on September 19, 2018.

- The Final Subdivision plans are for the approval of 61 single-family villas lots and are consistent with the 61-lot layout which received Preliminary Phase 1C subdivision approval.

- The subdivision plans are in conformance with the conditions of the Hathaway's Corners Incentive Zoning resolution dated May 8, 2018, and the Hathaway's Comers Preliminary Subdivision Plan approval resolution dated September 19, 2018.

- The Villas is designed to be served via a private road (Caleb Court), with a connection to Savalla Boulevard (Town road) located within the Hathaway's Corners property; and a future secondary access road connection to future Carmen's Way (Town road).

- A public concrete sidewalk system is proposed along Caleb Court and a stone dust connection from the proposed sidewalk to the existing Auburn Trail to the south is also proposed.

- A homeowners' association (HOA) for the Villas is proposed to be established with New York State. The HOA will own and maintain all lands within the Phase

1C limits, outside of the proposed 61 lots. The HOA will also own and maintain Caleb Court.

- Public utilities consisting of water, sanitary sewer, and storm sewer will serve the Villas via proposed extensions of the existing public mains located on Savalla Boulevard. The water and sewer demands are consistent with the approved preliminary subdivision design, as the number of Villas lots is proposed to remain the same. The stormwater management facilities serving the Villas property have all been installed as part of the Hathaway's Corners Phase 1A and 1B construction. Therefore, no new stormwater management facilities are required to serve the Villas property.

- Additional amenities proposed to serve the Villas include 18 paved guest parking spaces, and the associated landscape and lighting improvements.

Mr. Destro acknowledged receipt of comments from MRB Group and from the Town staff. He said that there are no issues regarding addressing them.

Mr. Brand said that a draft resolution has been prepared for the board's consideration for approval of the Final Subdivision Plat for the Villas (Hathaway's Corners Incentive Zoning Project, Phase 1C) with conditions. He said that Farmington Fire Chief Robinson has requested that the widths of the driveways on flag Lots #95 and #96 must be increased to 18 feet to accommodate the Town's largest fire truck.

Mr. Brand said that the stone dust trail shown on HOA Lands A is to be changed to a five-foot-wide concrete sidewalk for consistency with concrete sidewalks in other subdivisions, to provide for easier maintenance, and to provide distinction to property owners (*see* Condition #4a in the approval resolution below).

He also said that the proposed six-space parking area near the southwest corner of Savalla Boulevard and Carmen's Way is to be removed and replaced with landscaping. Mr. Brand said that these six additional parking spaces are not conveniently located to any cluster of homes, that there are no connecting sidewalks, and that they involve quite a walking distance to the nearest homes (*see* Condition #4e in the approval resolution below).

Mr. Brand also discussed the secondary 20-foot-wide access road stub and the design radii at the intersection with Caleb Court, coming out to Carmen's Way. He said that Farmington Fire Chief Robinson was skeptical about this design for use by the fire department's largest fire truck.

Mr. Delpriore said that the Town staff has worked with the applicant on comments from the board and the fire chief. He said that the draft approval resolution addresses the concerns which have been raised and that the staff is ready to move forward on this application.

Mr. Giroux discussed the locations of manholes in the private roads. He said that the Town does not allow these locations for manholes on Town-dedicated roads. Mr. Hemminger said that the roads in the Villas section will be privately owned and will not be dedicated to the Town.

Mr. Brabant said that his MRB Group engineering letter of April 29, 2021, included comments regarding utility testing requirements and locating sanitary sewer service outside the pavement area. He said that Mr. Destro will make these adjustments where he can.

Fire Chief Robinson suggested that the 20-foot turning radius for the second egress to the project be increased to 35 feet to accommodate the fire department's largest fire truck. Condition #2 in the draft approval resolution requires the applicant to obtain acceptance of the design from the fire deparment for the "proposed 20-foot-wide secondary asphalt access drive." Fire Chief Robinson said that the largest truck is maneuverable but that it would be good to have a distance cushion. Mr. Destro said that he will review the plans regarding this.

Mr. Hemminger asked about land-banked parking and the proposed parking area of six spaces near the southwest corner of Savalla Boulevard and Carmen's Way. Mr. Brand said that an area for land-banked parking could attract RVs and other vehicles. Mr. Destro said that the applicant does not believe that additional parking is necessary. He said that the design provides parking for four vehicles per home, i.e., two-car garages and room for two additional vehicles to be parked in a driveway. Mr. Viets suggested that this parking area be removed. Mr. Destro said that the applicant is agreeable to removing it and providing landscaping in its place (*see* Condition #4e on the draft resolution below).

Mr. DeLucia said that agrees with the removal of these parking spaces and that he would rather see landscaping in this area of the property.

Mr. Bellis asked about the maintenance of the concrete sidewalks. Mr. Destro said that the sidewalks would be dedicated to, and maintained by, the Town.

Mr. Bellis and Mr. Hemminger asked about parked cars in driveways which may extend onto the sidewalks. Mr. Delpriore said that the Town Code has been amended to prohibit parked vehicles in a driveway from extending upon a sidewalk. He said that this would be an enforceable violation.

Mr. Bellis asked about visitor parking. Mr. Hemminger said that visitors can park on the roads in the Villas section because the roads will be privately owned and will not be dedicated to the Town.

Mr. Hemminger asked if the homes will have basements. Mr. Destro said yes.

Mr. Bellis referred to the architectural elevation renderings of the homes which were provided to the board prior to the meeting. He asked if all the homes would be single

story. Mr. DePaolo said that the basic plan is for single-story homes but some plans have options for a second-story expansion.

Mr. Hemminger asked if the builder has a project sale price. Mr. DePaolo said that the homes will start at $300,000 and up.

Mr. Bellis asked if the homes will have approved automatic sprinkler systems. Mr. Delpriore said that no sprinklers are required if the Villas section will have two points of road access. If there will be no second access, then only 30 homes can be constructed in this section, per the 2020 International Fire Code regulations.

Mr. Bellis asked what would happen if the second access road is not provided. In that event, Mr. Delpriore said that either the Villas subdivision could have no more than 30 homes or all the proposed 61 homes would have to have sprinklers.

Mr. Delpriore said that the proposed second road access is the connection to Carmen's Way, which will be a Town-dedicated road. He said that all 61 homes can be built without sprinklers if the road connection is made. If the developer does not provide the second road access connection to Carmen's Way, then only 30 homes can be built.

Mr. Bellis asked if the development of the Villas section will be phased. Mr. Delpriore said that this subdivision will be in one phase.

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

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

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SUBDIVISION PLAT APPROVAL WITH CONDITIONS

PB # 0504-21

APPLICANT:	**The Marrano/Marc Equity Corporation, attention: David DePaolo, 2730 Transit Road, West Seneca, N.Y. 14223**
ACTION:	**Final Subdivision Plat Approval: The Villas at Hathaway's Corners Incentive Zoning Project, located on property at the southwest corner of State Route 332 and County Road 41**

WHEREAS, the Town of Farmington Planning Board has previously reviewed, made findings and a determination of non-significance upon the Hathaway's Corners Incentive Zoning Project, which The Villas at Hathaway's Corners is a part thereof, thereby satisfying the procedural requirements under the provisions of § 617 of NYCRR, Article 8, New York State Environmental Conservation Law for this Action; and,

WHEREAS, the Planning Board, has conducted tonight a public meeting upon this Action; and

WHEREAS, the Planning Board has given consideration to the public record that has been created upon this Action.

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

1. Final Subdivision Plat Approval is based upon the set of drawings prepared by BME Associates, dated April, 2021, Project No. 2540M, Drawing Numbers 01 through 11 and entitled "The Villas at Hathaway's Corners Final Phase 1C Subdivision Plat," as is further hereby amended by the conditions of approval contained below herein. All drawings to be revised are to be identified in the drawings revision boxes.

2. The Applicant is to obtain acceptance from the Farmington Volunteer Fire Department of the design for the "Proposed 20-foot wide secondary asphalt access drive" that is shown on Drawing 02. In addition, the design details for this access drive are to be provided on one of the drawing detail sheets. Finally, a signature line is to be added to the drawings for the Fire Marshal's signature.

3. Should the Fire Chief not accept the details for the above referenced access drive, then the first thirty (30) dwellings will need to be constructed with an approved automatic sprinkler system in accordance with the 2020 International Fire Code regulations. In addition, the remainder of the dwellings units would then also need design details for an automatic sprinkler system for each unit before Building Permits may be issued.

4. Drawing Number 02 is to be amended as follows:

    a. A five-foot-wide concrete sidewalk is to be installed across the east side of the project and within the right-of-way for the future Carmen's Way. This sidewalk is to connect to the sidewalk to be constructed along the south side of Savalla Boulevard, to the sidewalk shown from Caleb Court.

    b. The proposed stone dust trail shown on HOA Lands A is to be changed to a five-foot-wide concrete sidewalk. In addition, there is to be a 10-foot wide easement between the west property line of the HOA Lands A and the sidewalk along Caleb Court. Then, starting at the property line, a 10-foot wide stone dust trail is to be constructed connecting to the Auburn Trail. Finally, a pedestrian access easement is to be granted to the Town and placed within the 10-foot-wide area shown on the HOA Lands A. This easement is to be filed with the County Clerk's Office prior to the first Building Permit being issued within the Villas area. The concrete sidewalk

and stone dust trail are to be completed prior to the issuance of a Certificate of Occupancy for the proposed dwelling on Lot #101.

c. There is to be a pedestrian access easement granted to the Town placed on the five-foot-wide concrete sidewalk shown along Caleb Court and extending to the right-of-way for Carmen's Way.

d. There is to be a note added to the drawing committing the developer to construct or provide surety to the Town for the construction of the proposed 20-foot-wide secondary asphalt access drive connection to the future Carmen's Way.

e. The proposed parking area, containing six (6) parking spaces, shown near the southwest corner of Savalla Boulevard and Carmen's Way, is to be removed. Then this area is to be landscaped.

f. Site Note 4. pertaining to the maximum building coverage is to be changed to reflect 40% instead of 30%; and the maximum accessory structure size is to be changed to 120 square feet. Both of these are required by the Town Board's Incentive Zoning Resolution.

g. Before Building Permits may be issued for Lots #95 and #96 a driveway access easement will need to be filed granting access to both Lots #95 and #96.

5. Drawing Number 04 is to be amended as follows:

a. The driveway location for Lot #86 is to either be relocated on the site, or a hammerhead turn around is to be provided. The backing of vehicles from this dwelling into the intersection needs to be revised.

b. The driveway location for Lot #118 is to be relocated. The current location is too close to the intersection of Caleb Court and the proposed 20-foot-wide secondary access to Carmen's Way.

c. The driveway width shown for Lot #96 is sixteen (16) feet wide. The minimum width for the driveway to accommodate the Fire Department's Ladder Truck needs to be eighteen (18) feet to permit stabilization of that unit. The Fire Chief needs to be consulted on how to amend the driveway design to accommodate firefighting needs.

6. Drawing Number 06 is to be amended as follows:

a. The sanitary sewer lines shown for proposed Lots #95, #96 and #101 are shown within the driveways to the dwellings. This is not allowed by Town

Code and, therefore, these services need to be relocated outside the driveways.

7. Drawing Number 07 is to be amended as follows:

   a. The proposed streetlight shown on the HOA Lands A, between Lots #101 and #102 is to be moved to the west to illuminate the Caleb Court sidewalk connection to the sidewalk extending to the Auburn Trail.

   b. The proposed streetlight shown north of the proposed 20-foot-wide asphalt access drive connection to Carmen's Way is to be moved south to illuminate the intersection with Caleb Court.

   c. There is to be an additional streetlight installed on the northern corner of Lot #137 to illuminate the intersection of Caleb Court.

8. All preliminary plat subdivision comments contained in the MRB Group letter, dated April 29, 2021, 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.

9. The following Town Construction Inspector's comments are to be addressed and shown on revised final plat drawings:

   a. The steel casing pipe detail calls for blow sand to fill the void. Town requires flowable fill please make this change.

   b. Clean outs and curb boxes are required to be located on the Town easement lines.

   c. Clean outs and curb boxes are not permitted to be located in driveways.

   d. Utility Note 13 references floor drains are to be connected to the sanitary sewer. If floor drains are to be installed as indicated then oil/water separators are required.

10. The following Town Zoning Inspector's comment is to be added to the drawings: All visitor parking areas are to be striped to comply with the Town's double striping requirement (Appendix H-16.0, Town of Farmington Site Design and Development Criteria). This design detail is to be added to one of the detail pages.

11. The following Town Code Enforcement Officer's comments are to be addressed and shown on revised final plat drawings:

    a. The Maximum Building Coverage note shown on Drawing 02 is stated as 30% and is to be changed to 40%.

b. The Maximum Accessory Structure note shown on Drawing 02 is stated as 200 square feet and is to be changed to 120 square feet.

c. Floor drains are not to be connected to the sanitary sewer unless oil/water separators are specified with each dwelling. A note is to be added that garage floors shall be sloped towards garage door unless dwelling is specified with an oil/water separator.

d. Lot #86 is to have a hammerhead turn around added to the driveway to limit backing of vehicles into the intersection.

e. Lot #118 is to have a right-hand side driveway.

f. Lots #95 and #96 show a shared driveway. Please see above comments on the need for a variance to allow this.

e. Lots #101, 96 and 95 are showing laterals and cleanouts located within the driveways. This is not allowed and needs to be redesigned.

12. Once all of the above conditions of Final Subdivision Plat Approval have been made on the drawings, one (1) paper copy of these drawings is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a mylar set of revised final plat drawings is to be submitted to the Town for signing. Once the mylar has been signed then paper copies of the signed Final 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; and the Town Development Office. If additional copies of the signed Final Plat drawings are deemed necessary, then those copies are to be provided by the Applicant's Engineers. Once all signatures have been affixed to the Final Subdivision Plat Drawings then the Final Subdivision Plat Map is to be filed in the Office of the Ontario County Clerk within 62 days of the date listed for the Town Planning Board Chairperson.

13. Final Subdivision Plat Approval is valid for a period of 180 days and shall expire unless renewed, or signatures have been placed on to the revised drawings.

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

The following vote upon the above resolution was recorded in the meeting minutes:

Adrian Bellis	Aye
Timothy DeLucia	Aye

Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

8. PLANNING BOARD ACTION ITEM

PB #1003-18 **Preliminary Four-Lot Subdivision**
PB #1004-18 **Preliminary Site Plan**
PB #1006-18 **Special Use Permit**
PB #1203-20 **Final Four-Lot Subdivision Plat**
PB #1202-20 **Final Site Plan**

Name: Delaware River Solar LLC, 140 East 45th Street, Suite 32-B1, New York, N.Y. 10017, on behalf of the property owners Roger and Carol Smith, 466 Yellow Mills Road, Palmyra, N.Y. 14522

Location: 466 Yellow Mills Road

Zoning District: A-80 Agricultural

Action: Supplemental Resolution to the Administrative Record of the Planning Board's decision making process on the Delaware River Solar application.

Mr. Compitello (Delaware River Solar), and Roger and Carol Smith (the applicants) attended the meeting in the Town Hall.

Mr. Hemminger said that the Town staff and the Planning Board's Special Legal Counsel have prepared a supplemental resolution to the administrative record of the Planning Board's decision making process on the Delaware River Solar applications.

Mr. Brand said that the supplemental resolution this evening does not replace the memorandum of law which is due for filing with the court on Friday, May 7, 2021, to answer an Article 78 Proceeding which has been file by a group of Farmington citizens regarding this solar project. He said that this resolution this evening merely provides the Planning Board's explanation of what was taken into consideration, and how the materials and comments were considered in the course of the deliberations of these applications.

He said that the purpose of the resolution is to clarify the board's due diligence in the consideration of these applications which include two State Environmental Quality Review (SEQR) reviews (both of which resulted in determinations of non-significance) which allowed the board to move forward with granting the approvals of the applications.

Mr. Brand said that this resolution is not a supplemental SEQR review. He said that it merely explains to the court what the Planning Board considered and how the impacts were considered. He said that although there are numerous documents in the environmental rrecord which were reviewed during the SEQR process, the board made their own findings leading to their determination of significance that was made.

Mr. Compitello extended his thanks to the board and to the Town staff for their work on these applications. He said that the draft resolution is comprehensive.

Mr. Brand said that the supplemental resolution can be used toward meeting the annual training credit requirements for the Planning Board and the Zoning Board of Appeals because of its depth and analysis of how the boards' decisions were made.

Mr. Hemminger said that the Planning Board has done a commenable job in the evaluation of these applications and that the board's efforts commemorates the level of work of the board.

There were no additional comments or questions on this action item this evening.

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as submitted by the Town staff and the Planning Board's Special Legal Counsel:

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
ROGER AND CAROL SMITH, 466 YELLOW MILLS ROAD
DELAWARE RIVER SOLAR PROJECT

PB #1003-18	Preliminary Four-Lot Subdivision
PB #1004-18	Preliminary Site Plan
PB #1006-18	Special Use Permit
PB #1203-20	Final Subdivision Plat
PB #1202-20	Final Site Plan

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

ACTIONS: Special Use Permit Approval to operate a 7 MW Large Scale Ground Mounted Solar PV System in three independent parts to be located upon three subdivided lots comprising approximately 43 acres of land (Tax Maps #010.00-01-37.111, #010.00-01-37.112 and #010.00-01-37.113).

Final Subdivision Plat Approval for the subdividing of land (Tax Map Account #010.00-01-37.110) into four (4) Lots, three (3) of which contain a total of 43.1 acres of land that are classified as

unbuildable lots to be used for large-scale ground-mounted Solar PV System operations; and the remaining lot which contains a total of 92.3 acres of land to continue to be used for a single-family dwelling, a barn, Accessory Agricultural Structures and agricultural operations.

Final Site Plan Approval to erect a 7 MW Large Scale Ground Mounted Solar PV System, containing a total of 21,000 solar panels, to be located upon three (3) parcels of land (Lots #1, #2 and #3 of the Roger and Carol Smith Subdivision) with each of three solar pv systems using 7,000 solar panels each, located upon approximately 43 acres of land subdivided from Tax Map #010.00-01-37.100 along the south side of Fox Road and the west side of Yellow Mills Road, in the Town of Farmington.

WHEREAS, after extensive consideration and numerous public hearings since the beginning of this solar farms proposal and application by Delaware River Solar, LLC (DRS) in the summer of 2018, the Planning Board, as the designated Lead Agency under State Environmental Quality Review Act (SEQRA) regulations, has made six substantive determinations regarding the above-referenced applications, consisting of: (1) a Negative Declaration of Environmental Significance under SEQRA for the original proposed solar system on August 7, 2019; (2) another Negative Declaration of a revised solar system proposal on December 18, 2019; (3) preliminary site plan approval on November 4, 2020; (4) Special Use Permit approval with extensive conditions on October 7, 2020; (5) Final Site Plan approval with conditions on December 16, 2020; and (6) Final four-lot Subdivision Plat approval with conditions also on December 16, 2020; and

WHEREAS, the Planning Board is required by law at present to prepare an answer and administrative return in a legal challenge that has been made to some Planning Board determinations referenced above in a CPLR Article 78 proceeding in Ontario County Supreme Court, indexed at number 126079-2019, which case filings can be found using such information in the New York State Courts Electronic Filing System; and

WHEREAS, the Planning Board has reviewed matters relevant to the court proceeding with the Town's Special Counsel and has concurred with counsel that some clarifications of its actions and reasoning are in order with regard to its aforesaid determinations to eliminate issues based on possible confusion about parts of the Planning Board's process and explanations for the determinations made, and address some technical issues.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby supplement the administrative record of the Planning Board's decision-making process in these Actions with respect to the large-scale ground-mounted solar pv systems proposed by Delaware River Solar, LLC (DRS) in these Actions, as originally proposed and as revised November 1, 2019, as well as clarifies some findings, determinations and explanations with respect thereto, and addresses some technical issues.

1. To begin with, in regards to the pending CPLR Article 78 proceeding in Ontario County Supreme Court, indexed at number 126079-2019, the Town's Director of Planning and Development is hereby authorized to help prepare and certify to the accuracy of documents which are provided as part of the Town's required certified transcript of the record of Planning Board proceedings in this matter filed with Supreme Court as part of the Town's merits defense.

2. As used in this Resolution, "Project Site" refers to the three subdivided lots in the Roger and Carol Smith Subdivision which are proposed to each contain a 2.338 MV PV solar system as part of the referenced Actions proposed for part of the Smiths' property located at 466 Yellow Mills Road in the Town of Farmington (Tax Map Numbers 010.00-01-37.111, 010.00-01-37.112 and 010.00-01-37.112). Such solar system lots were initially designated 2, 3 and 4, with the main reserved lot for the Smiths' farming operations designated as lot 1; but such designations were changed for the final approvals and so now the three solar system lots are designated Lots 1, 2 and 3, with the Smiths' remaining farming operations lot designated as Lot 4. The Board also refers to applicant agent and solar system developer Delaware River Solar, LLC in this Resolution as "DRS" and would like to clarify that DRS's "original" proposal for solar systems at the Smiths' property involved required setback variances, and that DRS's "revised" proposal means the new proposed design for solar systems that was amended to avoid the need for setback variances (denied by the Zoning Board of Appeals) and was submitted to the Planning Board on November 1, 2019, in the form of Second Revised Preliminary Subdivision Plat and Preliminary Site Plan Drawings. Some minor revisions took place in the various proposals, but the Board's use of "revised" proposed design by DRS means that altered proposed design that complies with Town Code setback requirements and was submitted to the Board on November 1, 2019, and revisions thereto thereafter, unless the Board states otherwise. Also, as used in this Resolution, DRS's revised solar system proposal of November 1, 2019, even though referred to in the singular form, includes the three similar but separate 2.338 MW solar collection systems that are proposed to be constructed on their own subdivided lot (1, 2 or 3) within the Project Site, as well as subsequent revisions.

3. The Planning Board clarifies its administrative record information to note that the Town's Comprehensive Plan, 2011 version, is part of the Planning Board's record for this matter, even though such document was not included in the original Administrative Return filed January 17, 2020. A copy of that document is attached as Exhibit A.

4. The Planning Board clarifies its administrative record information to note that the Board received from DRS a Project Summary dated August 21, 2018, for the Planning Board's September 5, 2018, meeting, which is part of the Planning Board's record for this matter, was included in the original Administrative Return filed January 17, 2020, under NYSCEF Doc # 106 as a document submitted to the New York State Historic Preservation Office, but should be separately documented and indexed in the NYSCEF system for ease of reference and use in the litigation. Accordingly, a copy of that document is attached as Exhibit B.

5. The Planning Board clarifies its administrative record information to note that the Board Chairperson received a Memorandum from Ron Brand, the Town Director of Planning and Development, on November 12, 2018, which is part of the Planning Board's record for this matter, even though such document was not included in the original Administrative Return filed January 17, 2020. A copy of that email is attached as Exhibit C.

6. The Planning Board clarifies its administrative record information to note that the Board received an email from Attorney Donald Young of Boylan Code LLP on January 16, 2019, which is part of the Planning Board's record for this matter, even though such document was not included in the original Administrative Return filed January 17, 2020. A copy of that email is attached as Exhibit D.

7. The Planning Board clarifies its administrative record information to note that on May 15, 2019, the Board prepared Part 2 of the NYSDEC's Full Environmental Assessment Form (FEAF) with respect to DRS's original solar system proposed for part of the Smiths' property at 466 Yellow Mills Road, which is part of the Planning Board's record for this matter, even though such document was not included in the original Administrative Return filed January 17, 2020. A copy of that complete document is attached as Exhibit E.

8. The Planning Board clarifies its administrative record information to note that on September 25, 2019, the Board received a copy of DRS's revised Preliminary Site Plan, which is part of the Planning Board's record for this matter, even though the first page of such document was not included in the original Administrative Return filed January 17, 2020. A copy of that complete document is attached as Exhibit F.

9. The Planning Board clarifies its administrative record information to note that upon receipt of a revised solar system proposal for part of the Smiths' property at 466 Yellow Mills Road in the Town of Farmington by Delaware River Solar, LLC (DRS) on or about November 1, 2019, the Town sent notice of DRS's revised solar system proposal to the involved agencies as indicated in the attachment which is part of the Planning Board's record for this matter, even though such document was not included in the original Administrative Return filed January 17, 2020. A copy of that correspondence is attached as Exhibit G.

10. The Planning Board clarifies its administrative record information to note that at Town staff request, Jerry Hoover, Code Enforcement Officer for the Town of Seneca, New York, provided information to the Town and Planning Board members during the SEQRA review process regarding fire safety risks from his experience with five large-scale solar farms operating within his town, which information was memorialized in a later email attached and is made part of the Planning Board's administrative record for this matter. A copy of Mr. Hoover's email to Farmington Code Enforcement Officer Daniel Delpriore is attached as Exhibit H. The Planning Board ensured that the public was given extensive opportunity to produce information demonstrating fires at large-scale ground-mounted solar systems in the western New York area

or elsewhere, but no such information was provided to the Board; which information is consistent with Mr. Hoover's reported experience that his Town of Seneca with five large-scale solar systems has not had a fire call at a solar system since the first solar system was installed in 2015.

11. The Planning Board would also like to address some procedural and substantive SEQRA, Special Use Permit, and Town Code issues it has become aware of that warrant clarifycation of its decision-making process and determinations in this matter.

12. To begin the SEQRA issues, the Planning Board would like to clarify a basic principle not always articulated that environmental risks found not to be significant in the Planning Board's SEQRA review process do not require any mitigation measures, and nothing more on the issue need be said under the law. The Planning Board does sometimes engage in further discussion of mitigation measures for some environmental risks to show that the Board endeavors to seek ways to minimize all unnecessary impacts from proposed projects such as DRS's whenever feasible as is its practice under the Town's Comprehensive Plan, even if possible environmental impacts are not significant for SEQRA purposes—but such discussion of mitigation measures does not serve to establish an issue's significance when the Board has already determined the environmental risk is not significant under SEQRA.

13. Furthermore, the Planning Board would like to clarify that the fact that the Board chose to mention some information in its findings and determinations, and not others, does not mean that all the available information contained in the record was not considered. The Planning Board notes that the SEQRA review process in this matter was extensive and involved, and that synthesizing all the information into a comprehensive report covering every aspect of environmental risks or process would be a major task not required under law, and would involve unnecessary time and attention that would hinder the conduct of other Town business. The Planning Board's elaboration of its SEQRA review process and its Special Use Permit approval is a summary of the Board's analysis but should not be understood as constituting a complete statement of every aspect of the Board's consideration of the issues or an indication that the SEQRA or special use permit review process was somehow inadequate in any way.

14. Similarly, a Planning Board reference to some other agency's comment should not be construed to indicate that such factor was the only comment considered, or only comment considered significant, since the Planning Board appropriately considered all the information submitted even if specific references to such information were not made, and then rendered its own independent judgment.

15. Moreover, reference to another agency's comment, whether alone or with other references, does not demonstrate the Planning Board simply deferred to such agency. In every instance, the Planning Board exercised its own independent judgment in evaluating the relevance and significance, or not, of the information submitted to the Planning Board and reached its own collective and independent judgment on the issue.

The fact that the Planning Board mentioned an agency comment, or reached the same conclusion as another agency, in no way demonstrates that this Board's determination was not independently and collectively determined by Planning Board members of this community based on all the information before the Planning Board and the Board's own independent weighing of the importance of the different information presented for consideration.

16. In light of some criticism of the Planning Board's SEQRA review process in this matter, the Planning Board clarifies its Negative Declaration determination of December 18, 2019, by summarizing the main reasons why the Board found that DRS's revised solar system design would not have a significant adverse environmental impact, warranting a Negative Declaration. The Planning Board's reasoning is implicit in its findings, Resolutions, Environmental Assessment Form entries and Neg Dec determinations on the administrative record in this matter, but an explicit elaboration bringing some of this reasoning together will serve the public interest in better explaining the Planning Board's reasoning for issuing a Negative Declaration of Environmental Significance for DRS's proposed revised solar system on December 18, 2019 (and which reasoning was similar for DRS's originally proposed solar system requiring setback variances that was abandoned after denial of DRS's request for setback variances).

17. As a result of DRS's request for consideration of its revised solar system proposal on November 1, 2019, the Planning Board again undertook a renewed SEQRA review process for DRS's revised solar system proposal even though the differences between the original and revised solar system proposal were minimal. The Planning Board required and received a new Full Environmental Assessment Form (FEAF) Part 1 from DRS, sought new comments from involved agencies, held new public hearings and provided opportunity for new comments about DRS's revised proposal. Because the revised solar system proposal was so close to the original proposal, the Planning Board made appropriate reference to and included consideration of the prior extensive SEQRA review process for DRS's original proposed solar system, which involved essentially the same kind of large-scale ground-mounted solar system proposal and environmental issues. The Planning Board was not required to duplicate its entire past SEQRA effort for essentially the same solar system slightly revised, but could resort to and rely on information it received and learned from its prior recent experience considering the potential environmental risks of such a large-scale ground-mounted solar system.

18. Based on information provided to it in the extensive SEQRA review process contained in the complete administrative record, particularly including new information and comments concerning DRS's November 1, 2019 revised proposal, the Planning Board exercised its independent, collective judgment regarding the significant facts and applicable law and completed new Parts 2 and 3 of the NYSDEC's Full Environmental Assessment Form. The Planning Board again found that the nature of the proposed revised solar system, together with the specific plans and equipment to be used for the proposed solar systems on the Project Site, would not have a significant adverse environmental impact on the Project Site or neighboring areas, warranting the issuance of a

Negative Determination of Environmental Significance, which was done on December 18, 2019.

19. The Planning Board's reasoning for its Negative Declaration conclusion of December 18, 2019, was based on the following kinds of facts and findings.

20. Though large-scale with 9.4 total acres of solar panels, DRS's proposed revised solar system is primarily ground-mounted on galvanized posts and sits a couple feet above the ground and any water thereon, and can be readily removed when the time comes for decommissioning. Apart from occasional posts, and three small concrete pads to hold inverters and transformers, almost all of the ground underneath the solar arrays (comprising some 25% of the Project Site) will be left as natural, permeable, vegetated land, and the remaining 75% of the Project Site will remain open green (vegetated) space as well. Flora, small fauna, birds and water should be able to move about the underlying pastureland largely as before; with deer and cattle excluded except for designated path-ways through the solar array arrangements. The Project Site land, though large, was reduced to some 43 acres in DRS's revised solar system proposal, which also reduced the space involved for RG&E's Points of Interconnection. Furthermore, most of the Project Site will lie fallow during the solar system construction, operation and decommissioning, and so will be well-positioned to resume its agricultural status once the solar systems are decommissioned and the land restored to its current condition.

21. The proposed solar system is designed to allow precipitation of every kind and quantity to decelerate upon impact with the solar panels and drain off the edges of each 2' x 3' solar panel, and off each solar array, which are spaced with 19 foot corridors between them, so that water will reach the vegetated ground in about the same place it would in the absence of the solar systems. As a result, the pastureland's natural water absorption and flow characteristics are expected to continue without material change.

22. DRS's revised solar system is located on part of the Smiths' farm that does not encroach upon any wetlands, contains a minimum 100-foot buffer zone, and is more than three hundred feet from the Unnumbered Zone A Flood Hazard Zone that accompanies the small stream meandering across the western portion of the Smiths' property away from the Project Site. The RG&E Points of Interconnection for the three solar systems were revised and enabled the access road to the Project Site to be minimized, and will be decompacted after construction and so maintained as a limited use pervious access road. In addition, the proposed solar system does not use or discharge water, its posts will not divert water more than a few inches, and no regrading of the land to accommodate the proposed solar arrays will be undertaken. Thus, the revised solar system proposed will not alter the natural rain fall, nor materially change the ground water flow or absorption for area water, the underlying aquifer, wetlands, or the distant stream flood zone.

23. The solar panels to be used at the Project Site will pass United States Environmental Protection Agency's Toxicity Characteristics Leach Procedure testing and so will be certified as non-hazardous, and will meet additional standards from standards

organizations International Electrotechnical Commission and UL (Underwriters' Laboratory), which test for various characteristics such as climate condition effects (heat and cold and UV exposure), mechanical load tests (wind and snow), and panel construction to address electrical issues including fire safety. Solar panels to be used at the Project Site will withstand rain and hail and snow, and are comprised of a solid matrix of materials which do not mix with water or air, and so will not leach harmful chemicals even if broken. Thus, there will be no significant adverse impact on human health. The Planning Board also notes that its Special Use Permit conditions require prompt replacement of broken solar panels, that the Town be advised of replacement panels to ensure continued compliance with the approved standards, and that regular monitoring of soil conditions at the Project Site continue during solar system operation.

24. The Planning Board reviewed numerous other potential environmental issues, but did not find them significant enough to warrant a positive declaration of environmental significance. Some of those potential concerns are summarized here. Neither the water table nor bedrock was near the surface of the Project Site, nor was there any critical environmental area involved as the Project Site is primarily used for hay crops and pastureland for cattle. Glare from solar panels treated with anti-reflective material to absorb sunlight was not found to be greater than that of a forest, and not significant. There are no notable impacts on area air—no carbon emissions or pollution produced by the solar panels, for example. The height of the top of the solar arrays will be less than ten feet above ground, and, unlike a wind turbine or cell phone tower, will not be very visible from a distance or from behind landscape screening required for the Project Site. There will be no notable impact on noise, odors or outdoor lighting, except for some temporarily increased noise levels from daytime construction or decommissioning. There will be no notable impact on transportation in the area, apart from some minor and temporary construction traffic which will remain well below the vehicles-per-hour standard warranting a traffic study. Accident risks at the intersection of Fox and Yellow Mills Roads are a function of driver decisions, not a screened solar system hundreds of feet away from the intersection. Once the solar systems are in operation, there should be less traffic than is associated with a residential household and the proposed solar systems will keep quietly to themselves hundreds of feet away from roads and neighbors and behind landscape screening. The proposed solar systems will have no impact on historic or archeological resources in the area, or energy use—rather the solar systems will be generating electrical energy for the state's Community Solar Program and use by Town residents and state residents. Despite the large-scale nature of the proposed solar systems, the actual reduction of the Town's open space due to the three solar systems involved amounts to some 9.4 acres, or less than 1/10th of 1% (.00088) of the Town's 11,326.37 acres of A-80 Agricultural District land, and the impact is not irreversible, and will terminate at some point, with the land restored to its current agricultural condition, rendering any long term impact negligible.

25. The Planning Board certainly considered the moderate to large environmental impacts from DRS's proposed solar systems noted on Part 2 of the Full Environmental Assessment Forms. To be sure, the proposed use of the Smiths' present pastureland with Class 1-4 soils at the Project Site for solar farming will be different than current usage of

cattle farming and hay cropping, but the nature of the ground-mounted solar system using safe solar panels means that Project Site soils will not be significantly impacted by the solar system, will lie fallow during solar system operation, and will be restored to their current condition as part of the decommissioning process. As previously noted, precipitation will continue its natural course generally indifferent to DRS's proposed solar system. Furthermore, the Smiths will continue to graze cattle and crop hay on their remaining lot reserved for their farming operations at the same scale as present for the foreseeable future, so there will be no actual reduction of agricultural use of the Smiths' property or different use on the majority of the Smiths' property. Also, the proposed solar systems will be visible for a period from publicly accessible vantage points on Fox and Yellow Mills Roads while traveling thereon until the landscaping is full grown, but the impact will not be significant as a consequence of substantial setbacks, modest height of the solar system components, south-facing tilt away from roads, and even initial landscape screening that obscures much of the solar arrays. The Smiths' pasturelands at 466 Yellow Mills Road are not actually an aesthetic resource within the meaning of SEQRA regulations, large-scale ground-mounted solar systems are allowed under the Town Code for the Smiths' property with a special use permit, and the Town Code does not require complete screening. Of course DRS's proposed solar system components differ from and contrast with existing land use patterns in the neighboring area's agricultural use because DRS's solar system is the first to be approved in the Town and in an A-80 Agricultural District under new Local Law No. 6 of 2017, which effectively amended the Town's Comprehensive Plan. TC § 165-65.3. Similarly, DRS's proposed solar system can be viewed as inconsistent with present parts of the community character that are predominantly agricultural and natural landscape, but the community character was changed with Local Law No. 6 of 2017 to allow for these kind of solar systems even in an A-80 Agricultural District with a special use permit. Mere inconsistency with the present agricultural setting is not determinative nor significant as such would exclude a permitted use for large-scale ground-mounted solar farming on the Smiths' property expressly allowed under the Town Code with a special use permit, which was approved with conditions as compliant with the Town Code. Moreover, the Planning Board notes that substantial setbacks, modest height of the solar system components and landscape screening will serve to keep the quiet and screened sun-collecting systems on private property a relatively small and inconspicuous part of our community's new and developing character—and so consistent with community plans, land use patterns, and community character.

26. Construction stormwater issues were deferred to, and are being addressed in, the requisite Stormwater Pollution Prevention Plan as usual for Town building projects and in accordance with the Town's adopted MS4 Program regulations, as contained in Chapter 138 of the Farmington Town Code, and implemented in accordance with established procedures upon Final Site Plan approval, not available at the time of the SEQRA review.

27. Thus, for the reasons indicated, and others contained in the administrative record of the Planning Board's SEQRA review, the Planning Board found that DRS's proposed revised solar system proposal on part of the Smiths' property away from

wetlands would not have a significant adverse environmental impact, and that mitigation measures discussed reduced even further, and so warranted a new Negative Declaration issued on December 18, 2019.

28. The Planning Board acknowledges that some of its paperwork regarding DRS's proposed solar systems was not entirely clear and now addresses such issues in the public interest.

29. As an example of a reporting shortcut that should not be misunderstood, Part 3 of the Environmental Assessment Form prepared by the Planning Board and completed on December 18, 2019 provides at the beginning of page 2 that "All document received between November 1, 2019 and December 12, 2019 have been considered as part of the amended SEQR Determination of Significance." The Planning Board clarifies that those documents are not the only documents considered in reaching the new SEQRA Determination of Significance culminating in another Negative Declaration of December 18, 2019, but are the ones specifically considered in connection with DRS's revised proposed solar system design, together with the documents and public input from the prior SEQRA review for the similar large-scale ground-mounted solar system originally proposed by DRS. The Planning Board's consideration of DRS's revised solar system design was informed by the Board's extensive and extended environmental investigation and assessment work undertaken in regards to DRS's original proposed solar system involving setback variances, which proposal was found not significantly different than the revised site plan and with essentially the same environmental risks involved—none of which presented a significant adverse environmental impact on the Smiths' property or surrounding area, warranting another Negative Declaration.

30. As another example of a reporting shortcut evidently misunderstood, the Planning Board is aware of a claim that one of its SEQRA review findings regarding the Geo-Technical Study has been inadequately explained, and the Board believes clarification of its finding is warranted.

31. The Planning Board's December 18, 2019, SEQR Resolution (page 19) contained the following statement:

> the Planning Board, based upon its review of the public abstract and documents established for these Actions finds: that the Geo-Technical Study previously prepared and reviewed publicly continues to reasonably addresses identified concerns about the potential impacts upon the environment related to ground or surface water quality and quantity, and that appropriate mitigation measures have been identified in the last submission of this information; * * *

32. Apparently there is some confusion about the unspecified concerns about the potential impacts upon the environment related to ground or surface water quality and quantity. The Planning Board's SEQRA review record contains various statements of the identified concerns prompting the Planning Board's request for a geotechnical study: the location of bedrock on the Smiths' property

and the depth of the water table, to make sure neither aspect was within a few feet of the surface of the Smiths' property where the proposed solar system would be located. The geotechnical report by Foundation Design, P. C. confirmed that neither bedrock nor the water table at the Project Site was near the surface, and so potential environmental issues arising from such situations were not in fact present and so no mitigation measures were required even if mentioned. Such conclusion applied as well to the revised proposed solar system location, as Foundation Design, P.C. indicated the slight shift southeast for the revised design did not change its original findings. Foundation Design, P. C. did make some general recommendations as part of its original study, but some did not apply or were not significant, and none affected the fundamental information the Board had sought from the geotechnical study regarding the bedrock location and water table depth for either proposed solar system location on the Smiths' property. The Planning Board noted Foundation Design's recommendations and took them into consideration for site plan evaluations, but the geotechnical study did not indicate significant adverse environmental impacts from siting either proposed solar system on the Smiths' property and the Planning Board determined that there were none.

33. Moreover, the Planning Board wants to make clear that its finding that DRS's proposed solar systems would only have a small or negligible impact on existing surface or ground water quality or quantity at the proposed site was not based on the availability of mitigation measures, but was based on information provided to the Planning Board as part of its SEQRA review that the proposed solar systems, either as originally proposed or as revised, would not significantly alter the flow or absorption of water on the Project Site or at neighboring properties as discussed above at ¶¶ 21, 22. As this example indicates, the Planning Board's extensive SEQRA review and record substantiates the Board's Negative Declaration determinations even if some summarizing of an issue is unclear or incomplete.

34. The Planning Board is also aware of a claim of inconsistency with regard to its December 18, 2019, Negative Declaration of Environmental Significance pertaining to DRS's revised proposal. The Planning Board's elaboration of its Negative Declaration of Environmental Significance for DRS's revised solar systems proposal was contained in Part 3 of the Full Environmental Assessment Form completed December 18, 2019, and in the Board's December 18, 2019 SEQR Resolution determining that DRS's revised solar systems proposal would not have a significant adverse environmental impact, warranting another Negative Declaration—as well as in this Resolution at ¶¶ 19-27. The Planning Board has at various times indicated it was affirming its August 7, 2019 Negative Declaration for the original DRS proposed solar system, and amending it. These differences in terminology are semantic, not substantive, reflect a lack of clarity of SEQRA regulations, and do not demonstrate any inconsistent or impermissible actions.

35. To clarify the semantic confusion, the Planning Board summarizes its SEQRA review process to show the substance of its environmental risk assessment of

DRS's original solar system (with setback variances required and requested) and revised solar system (without setback variances needed and submitted November 1, 2019).

36. The Planning Board conducted an extensive SEQRA review of DRS's original proposed solar system from late summer of 2018 to August 7, 2019, involving, as a rough summary, numerous public hearings, review of DRS's Full Environmental Assessment Form Part 1, information provided by DRS and the Smiths, neighbors and Town residents, engineers, counsel and other experts, Town staff, and some involved and interested agencies. The Planning Board evaluated all the information provided about possible environmental impacts from DRS's original solar system proposal, completed Parts 2 and 3 of the Full Environmental Assessment Form, and concluded that DRS's original proposed solar system would not have a significant adverse environmental effect—and so completed its SEQRA review by issuing a Negative Declaration of Environmental Significance (Neg Dec) for DRS's original solar system proposal on August 7, 2019.

37. The Zoning Board of Appeals subsequently denied DRS requested setback variances, effectively terminating DRS's original design and rendering this Board's August 7, 2019 Neg Dec obsolete. Consequently, there was no need for formally rescinding a now meaningless Negative Declaration that had been negated by events. The result of a year's SEQRA review—the August 7, 2019 Neg Dec—was abandoned, though not the benefit of the SEQRA review process and education for the Planning Board regarding the originally proposed large-scale ground-mounted solar system.

38. In response to the ZBA action, DRS amended its solar system project proposal to revise the design to accommodate the required setbacks, which rearranged some solar arrays and shifted the solar system footprint about 45' southeast, then requested new consideration of its revised design about November 1, 2019.

39. As DRS asserted, the revised design changes appeared minor to the Planning Board, which created some uncertainty under SEQRA and its regulations for how the Board was required to proceed. This newly revised proposed solar system had all the same basic functionality, size, purpose and location of the original proposal, except that parts of it were moved around a bit to accommodate the required setbacks, with some minor consequences including a slight shift of the solar systems' footprint southeast. Since DRS had abandoned its original design requiring setback variances, there was some confusion as to the required approach for the Planning Board regarding DRS's slightly revised solar system proposal. If DRS's revised solar system proposal hadn't changed much and the environmental risk assessment was the same, was the August 7, 2019 Neg Dec sufficient? Could it just be renewed somehow—affirmed? But there were some changes to the revised proposal, so didn't some part of the August 7, 2019 Negative Declaration have to be amended—like the administrative record to account for the revised design and new comments? And wasn't the August 7, 2019 Neg Dec effectively abandoned when the original solar system design involving setback variances on which that Neg Dec was based was abandoned by DRS? These issues were not immediately resolvable with certainty, so the Planning Board determined to treat the newly revised

solar system proposal as a new proposal warranting a renewed SEQRA review though it might not have had to. Even so, the Planning Board was not required to ignore all the environmental review work that had gone into the SEQRA review of DRS's original and very similar proposed large-scale ground-mounted solar system, and the Town would now benefit from that institutional education, experience and information when addressing DRS's new revised design proposal.

40. Given the uncertainty about how to proceed with a seemingly insubstantial revision of DRS's proposed large-scale ground-mounted solar system, the Planning Board undertook a second SEQRA coordinated review of the revised design change, including an evaluation of whether the amendments to the proposed design changes were significant from an environmental risk perspective, and whether the proposed changes warranted a renewed SEQRA review. The Planning Board determined that reconsideration of the proposed revised proposal was warranted, again including environmental considerations in its agency decision-making regarding DRS's revised proposal right from the beginning, which is SEQRA's primary goal. The Planning Board directed DRS to submit a revised Full Environmental Assessment Form Part 1, and sent the revised proposal out again to involved agencies for comment as indicated in the attachment related to ¶ 9 (Exhibit G). The Planning Board conducted additional public hearings on the new proposal, while recognizing that the Planning Board's extensive SEQRA review work and information on the original proposal remained relevant and usable since the proposals were so similar. After additional opportunity for public comment at multiple public hearings and consideration of the new information against the background of the previous SEQRA review, the Board completed a new Part 2 and Part 3 of the DEC's Full Environmental Assessment Form for the amended DRS proposal. Again, and similar to its August 7, 2019, Neg Dec, the Planning Board concluded that DRS's revised solar system proposal would also not have a significant adverse environmental impact on the Project Site or surrounding area. Consequently, the Planning Board issued another but new Negative Declaration for DRS's revised solar system proposal on December 18, 2019.

41. Regardless of whether the Planning Board's new finding of non-significance for the revised DRS solar system proposal in its renewed SEQRA review is described as an affirmance, or amendment of, or unrelated to, the superseded August 7, 2019 Negative Declaration, the substance of this matter is that the Planning Board discharged its responsibilities under SEQRA for DRS's revised solar system proposal. The original SEQRA review record had to be amended to accommodate the revised DRS proposal and information related thereto, and after a renewed SEQRA review that consisted of an extension of the initial SEQRA review with new opportunities for public comment at public hearings on the revised solar system proposal, the Planning Board reconsidered and reaffirmed its original conclusion that DRS's proposed large-scale ground-mounted solar system, whether as revised or originally proposed, again did not involve significant adverse environmental impacts that warranted a full environmental impact statement. Consequently, the Planning Board again issued another but new Negative Declaration to such effect for DRS's revised proposal on December 18, 2019. Because its reference to the original Determination of Non-Significance may be confus-

ing, the Planning Board clarifies its December 18, 2019, resolution to be that the proposed revised Action WILL NOT result in any significant adverse environmental impacts as the original Determination of Non-Significance concluded. Nothing in the terminology about affirming or amending or referencing the Negative Declarations affects that substantive result.

42. Although there was also some confusion about whether the new Negative Declaration needed to be published in the New York State Department of Environmental Conservation (DEC) Environmental Notice Bulletin since the two Neg Dec conclusions were the same for basically the same solar system proposal with some immaterial arrangement changes, it should be clear now that the Planning Board engaged in a renewed SEQRA review of DRS's revised solar system proposal made November 1, 2019. *See* ¶¶ 17, 40. Accordingly, the resulting new Negative Declaration issued December 18, 2019 was published in the DEC Environmental Notice Bulletin as required for new determinations of environmental significance. And since the December 18, 2019 Negative Declaration was a new determination of environmental significance for a revised proposal, no reference to the obsolete and superseded August 7, 2019 Neg Dec was required to be provided in the notice published in the DEC Environmental Notice Bulletin.

43. The Planning Board is additionally aware of some claims regarding substantive matters of its SEQRA review process that should be addressed in the public interest.

44. The Planning Board is aware of a claim that it did not exercise its independent judgment in its SEQRA review with regard to DRS's proposed solar system's potential impacts to ground water and drainage by deferring to the NYS Department of Environmental Conservation. As discussed above, the claim has no basis because the Planning Board exercised its independent judgment with regard to every finding and determination involved in these Actions. The Planning Board understands the objection to be that the Board concurs with DEC treatment of solar panels as not impervious surfaces like asphalt parking lots, cited the DEC's position, and therefore must have simply deferred to the DEC on the issue of whether solar panels are pervious surfaces. And the Planning Board understands the objection to include deference to the DEC's stormwater construction requirements.

45. The Planning Board categorically rejects any characterization that its SEQRA review process was not independently determined upon the information available to it with respect to those issues and all the other environmental issues involved. The Planning Board considered all the information provided to it with respect to ground water and drainage issues, including submissions from DRS, public comments, expert reports and various inputs from other agencies including the NYS Department of Environmental Conservation. As discussed, the Planning Board independently found that solar panels would not divert precipitation more than a couple feet from its natural fall location, would not obstruct water flow or absorption on the ground, and so should be considered pervious surfaces that did not significantly alter water flow or absorption for purposes of SEQRA review. *See* ¶¶ 21, 22.

46. Furthermore, the Planning Board was and is aware that stormwater occurring during construction may be different than stormwater occurring during the operational life of the proposed solar system, and that both periods have possible environmental risks to be assessed. The Planning Board appropriately assessed the stormwater risks from the operational phase of the proposed solar system apart from the construction period, and determined the risk during solar system operations was not significantly different from environmental impacts already existing on the site before construction for the reasons discussed at ¶¶ 21, 22. And the Planning Board may properly defer any different construction stormwater issues to a Stormwater Pollution Prevention Plan, which is required for DRS's proposed solar system and cannot practically be prepared without a final site plan that had not yet occurred, as is common, at the conclusion of the SEQRA review. Construction stormwater issues are a part of every building plan, the Town is familiar with the issues and their treatment, and has experience planning for and remediating such issues. The Planning Board properly found that construction stormwater was not a significant environmental risk since no substantial regrading or destruction of vegetation was involved for the proposed solar systems and would be addressed appropriately in a Stormwater Pollution Prevention Plan once a final site design was approved—a Town process which had recently been approved by the state, is typical and acceptable practice for Town construction projects, and has been employed in this matter since DRS's proposed revised solar system obtained Final Site Plan approval. *See* ¶ 26.

47. The Planning Board also understands that a claim has been made that it did not consider potential flood hazards at the Project Site as part of its SEQRA review process. There was a General Note on initial DRS plans indicating that the Smith property was located within a delineated Zone C Area, an area of Minimal Flooding based on the National Flood Insurance Program standard mapping the area, and so the Project Site and proposed solar systems were not located in the mapped flood hazard zone. In addition to potential flood hazards, various state and federal wetlands were mapped on the Smiths' property, along with a modest, unnamed stream winding across an area located along the western edge of the property. DRS's proposed solar systems and Project Site were designed to avoid encroaching on any of those wetland areas, including a one-hundred-foot buffer zone. DRS's revised solar system designs submitted to the Planning Board on November 1, 2019, provided revised subdivision, site, and landscaping plans that showed the corrected status of the unnamed stream and a narrow adjacent area along its length as an Unnumbered Flood Hazard Zone A, which under the National Flood Insurance Program federal regulations is delineated on the 1983 Federal Insurance Rate Map (FIRM) by a generic computer generated program and not as the result of detailed engineering design characteristics for the stream bed drainage area. The Unnumbered A Zone identifies an area that may have a 1% or greater chance of flooding in any given year. The remaining and much larger portion of the Smith's property lies within a Zone C Area of Minimal Flooding. The Zone C designation also applies to other lands shown on the FIRM Panel. The federal flood status of the stream bed area along the western side of the Smiths' property prompted no comments from residents or their engineers during public hearings or comment periods, nor from the Town engineer. The

Planning Board did not find the status change noteworthy for SEQRA review purposes either, as the small stream still had remote chances of minor seasonal flooding and was subsumed into the wet western part of the Smiths' property well away from the Project Site. Moreover, the nature of the proposed solar systems, being mounted on posts above the ground and water and more than 300 feet from the stream flood plain, rendered the altered federal flood status of the stream bed inconsequential for the Planning Board's SEQRA review purposes. As discussed in ¶¶ 21 and 22, the Planning Board concluded that DRS's proposed solar system designs, as originally proposed and as revised, would not significantly affect the natural flow or absorption of water on the Project Site, or on the Smiths' reserved main lot (with its western stream) or adjoining properties, and so would not substantially increase the potential for flooding or drainage problems, nor involve development on lands subject to flooding or have any significant impact on flooding. Again, the Board's lack of express elaboration of this minor issue does not mean that the issue was not considered by the Board. The stream bed's delineated federal flood zone status on the western side of Smiths' reserved main lot (not containing any solar system) was squarely before the Board when the Board completed Part 2 of its revised Full Environmental Assessment Form for DRS's revised solar system design on December 18, 2019, and when the Board concluded that DRS's revised solar system design would not have a significant adverse effect upon the environment, including flooding, and so issued its December 18, 2019 Negative Declaration.

48. The Planning Board is aware of another claim that it purportedly issued a Negative Declaration of environmental significance conditioned on future and yet-to-be-determined mitigation measures to be approved by the New York State Department of Agriculture and Markets (NYSDAM). In conducting its SEQRA review, the Board noted that NYSDAM determined that the proposed solar system would not have an unreasonably adverse effect on state issues, based in part on New York State Energy Research and Development Authority's mitigation measures which primarily consist of compliance with the Department's *Guidelines for Agricultural Mitigation for Solar Energy Projects*, many of which are already incorporated in the Farmington Town Code. The other mitigation measures mentioned are minor: continuation of cattle grazing, maintenance of a cattle path across the property, a decommissioning plan restoring the land to its current condition (already being provided for), and merging the subdivided lots containing solar systems back into the original Smith parcel after decommissioning. Apparently there is some objection to NYSDAM's expectation that if either NYSERDA or the solar system operators determine that the Department's *Guidelines* cannot be met, then NYSDAM will be contacted for acceptable alternatives. The Planning Board observes that such practical procedure does not invalidate NYSDAM's conclusion that no unreasonable effect on state issues will result from DRS's proposed solar system in Farmington, nor does the "condition" have any real significance because the *Guidelines* standards will be met—many are required by the Farmington Town Code, the *Guidelines* were expressly incorporated in the Planning Board's Special Use Permit Condition No. 5, and the *Guidelines* mitigation measures will be required as part of a Decommissioning Plan to be accepted by the Planning Board and approved by the Town Board. Thus, the Planning Board reasonably found the need to contact NYSDAM for acceptable alternatives was remote and insignificant.

49. Finally, the Planning Board observes that arguments that large-scale ground-mounted solar systems are incompatible with the Town of Farmington's Comprehensive Plan are misplaced. The Town's Comprehensive Plan last formally updated in 2011 is recognized as being outdated in some respects, and a new update process is well underway in the Town. The 2011 version of the Town's Comprehensive Plan predated the state's current interest in developing new energy sources not from fossil fuels, such as the state's Community Solar Program, yet recognized that the Plan did not cover all circumstances that could develop to which the Town should respond. Even so, the Town's Comprehensive Plan recognized green energy approaches as a guiding principle, as well as the need to encourage economic development that will increase the tax base and provide for energy needs of residents, without permanently removing agricultural land resources from future use. Moreover, the Town's Comprehensive Plan was essentially updated in 2017 by the Town's enactment of Local Law No. 6, which implicitly rebalanced the Town's future development goals and natural resource protection to incorporate large-scale ground-mounted solar farming even in the A-80 Agricultural District with a special use permit. Town of Farmington Local Law No. 6 of 2017; Town Code § 165-65.3; *see* Town of Farmington Comprehensive Plan at 4-1 [2011 ed]. Updating of the Town's Comprehensive Plan is currently underway and future land use issues will be addressed in the new revision, but for present purposes Local Law No. 6 of 2017 effectively amends the Town's Comprehensive Plan for land-planning purposes and the Board's SEQRA review of DRS's revised solar system proposal.

50. Thus, as has been shown, the Planning Board has discharged its duties under SEQRA as required, and validly found that neither of DRS's proposed solar systems, even if large-scale, would have a significant adverse environmental impact and so no environmental impact statement was required under law.

51. The Planning Board is aware of a claim that it improperly applied the Town Code provision allowing large-scale ground-mounted solar systems to be located upon Town farmland containing Class 1 – 4 soils once the Planning Board determines that there is no feasible alternative. FTC § 165-65.3[F][1]][b][3]. The Smith property contains Class 1 – 4 soils where the solar systems are proposed to be located, thus raising the issue of the meaning of "no feasible alternative" under the Town Code for DRS's proposed solar systems. The Planning Board believes it in the public interest to respond to such a claim directly to assure Town residents the matter has been handled appropriately.

52. Because the meaning of "no feasible alternative" under the Town Code is arguable, the Planning Board requested a legal opinion from the Town Attorney about the meaning of the requirement and received the following response: "reading this section as a whole, it is my opinion that the determination the Planning Board must make is whether there is a feasible alternative location on the property (or as it applies to this application, properties) in question to situating the proposed large-scale ground-mounted solar PV system on soils classified as Class 1 through Class 4." Letter from Jeffrey D. Graf, Esq., dated January 15, 2019 (Town Website Solar Abstract # 54). The Town also received a

legal opinion on the matter from counsel for Delaware River Solar, LLC, in accord with the Town Attorney opinion. Town Website Solar Abstract # 50. And the Planning Board heard from other Town residents and their counsel at Planning Board meetings that the Town Code requirement for lack of a feasible alternative should not be limited to the property on which the proposed solar system was to be located, and that the feasible-alternative requirement had no meaning because it would always be feasible to use land for something other than a solar system.

53. Under the circumstances, and for purposes of carrying out its duties under the Town Code, the Planning Board has construed the aforesaid Town Code requirement of "no feasible alternative" in this case to have the meaning attributed to the provision by the Town Attorney that the issue of whether there is no feasible alternative so as to allow the Planning Board to approve a large-scale ground-mounted solar system on the Smiths' farmland containing Class 1–4 soils means determining whether there is a feasible alternative location site on the Smiths' property proposed to contain the requested solar system and not some different lot, or use.

54. Since use of a lot for something other than large-scale solar farming will always be the case, construction of the statutory provision to include the term "use" effectively renders the no-feasible-alternative provision meaningless and contrary to the Town Code allowing certain large solar farms in the A-80 Agricultural District as a specially permitted use of the Smiths' property. FTC § 165-65.3[E][1]][a]. Furthermore, the Planning Board construes the no-feasible-alternative Town Code provision in this case to not require a reduction in the proposed size of the solar system to meet the no-feasible-alternative requirement as well, for a solar system can always be reduced in size as a "feasible alternative" until it no longer serves its purpose or is feasible as a business and so becomes an effective bar to such systems, which was not the intent of the no-feasible-alternative provision since large-scale ground-mounted solar systems are an expressly permitted special use in the A-80 Agricultural District under the Town Code. The Planning Board observes that the Town Board is taking on these issues in consideration of modification of the Town Code provisions for large-scale solar systems, and will appropriately address the Town's interests in that proceeding. But at present, with the Town Code as enacted and applicable to the pending proposal for a large-scale solar system by Delaware River Solar, LLC on the Smiths' property, the Planning Board construes the Town Code provisions pertaining to the no-feasible-alternative issue for this case as stated.

55. With the Town Code so understood in this matter, the Planning Board would like to better explain the reasoning for its no-feasible-alternative determination in this matter.

56. During its consideration of DRS's application for special use permit approval, preliminary site plan approval and preliminary subdivision plat approval regarding DRS's proposed large-scale ground-mounted solar system on part of the Smiths' property which contained Class 1–4 soils, the Planning Board was presented information that the Smiths' property was not the only Town property considered for hosting a large-

scale solar system. Prior to reaching a lease agreement with the Smiths, DRS did seek prospective landowners within an approximate two-mile radius of the Smiths' property, in less agricultural districts, and either found either no interest from landowners or land that was not suitable for solar system development. DRS had various criteria to be met in order to select a viable location in Town where its desired solar systems could be constructed. The property had to consist of a contiguous site with relatively flat topography of adequate size to host the solar farms; required proximity to the existing RG&E electrical grid suitable for connecting community solar farms; had to be available for use as a solar farm under a lease agreement with the current landowner; had to avoid environmentally sensitive areas such as water and deep forest; had to have a large setback area from public roads and neighbor residences to reduce visual impacts and permit effective screening; and had to have good highway access for construction, operation and maintenance activities.

57. Information presented to the Planning Board indicated the Smiths' property at 466 Yellow Mills Road met DRS's various criteria and was suitable to host the three 2.338 MW solar farms DRS intended to develop under the Town's new large-scale ground-mounted solar system authorization and the State's Community Solar Program initiative. The Smiths had suitable property and were willing to host the proposed solar farms, their property was located in the Town's A-80 Agricultural District where large-scale ground-mounted solar systems were a specially permitted use, and the Smiths reached a deal with DRS and signed a lease with DRS to host its proposed solar system.

58. The Planning Board was aware from DRS's initial application that the Smiths' property where the solar systems were to be located contained some Class 1–4 soils. The Smiths themselves noted the issue and advised the Planning Board that there were no feasible alternatives for hosting the proposed solar systems on their property.

59. To discharge its duty to determine whether there were any feasible alternative locations on the Smiths' property for the proposed solar systems that would not involve Class 1–4 soils, the Planning Board directed DRS to provide a soils report on the Smiths' property.

60. The resulting Schultz Associates soils report identified various factors impacting the location of the proposed solar farms on the Smiths' property at 466 Yellow Mills Road. First, though not necessary to the analysis, an adjacent westerly 21-acre property owned by the Smiths (Tax Map No. 10.00-01-37.131) was determined to be not suitable for the proposed solar system because the property is relatively small at 21 acres, much of which area would be removed from consideration due to required setbacks, tree removal and seasonal flooding. Furthermore, that 21 acre property would be isolated from the main solar array system and so require extensive underground connecting cabling through wetlands and a flood zone.

61. At the Smiths' 466 Yellow Mills Road property, siting of solar farms was limited by required setbacks, avoiding wetlands, forest and steep slopes, and avoiding

areas where trees on the property cast shadows that would obstruct sunlight capture by solar panels.

62. The soils report did locate three acres on the Smiths' main property that would not involve soils Classed 1–4, but other problems would then emerge for the elevated location, such as the inability to screen such panels from neighbors or drivers due to their substantial height above the roads, and the isolated location would require undesirable disturbance of additional steep slope and erodible farmland during construction and decommissioning. The proposed solar system design did incorporate 1.6 acres of the lower class soils, but the remaining 1.4 acres of the Smiths' property were too isolated to feasibly include.

63. The issue then became where on the Smiths' property the solar system could best be located, juggling all the various interests involved: requirements and preferences of the Town Code, desired size and type of solar systems proposed, landowners' continuing use of the land, minimizing the risk of adverse environmental impacts on area wetlands, etc., and neighbors' and community concerns. The preliminary site plan proposed by DRS was the result of these various design inputs, including the Smiths' desire to continue their farming operations on parts of their property, and many public hearings were held on the preliminary site plan as originally proposed with area variances requested, and later as revised without the need for variances. The Final Site Plan approved comports with Town Code and Special Use Permit requirements, meets the needs of DRS and the Smiths for use of the property, does not permanently impact the Class 1 – 4 soils on the property, avoids adversely impacting wetlands in the area, and involves substantial setbacks and landscape screening to minimize the solar system's presence for neighbors and residents.

64. Thus, the Planning Board investigated the feasibility of locating the proposed solar system elsewhere on the Smiths' property to avoid soils Classed 1–4, and considered the alternative space on the Smiths' property at 466 Yellow Mills Road, but concluded that the best that feasibly could be done with locating the proposed solar system on the Smiths' property had been done. Thus, the Planning Board could properly find, as it did, that there was no feasible alternative as required under the Town Code, thereby authorizing the Planning Board to issue a special use permit for the construction and operation of the proposed large-scale ground-mounted solar system on the Smiths' property even if mounted above soils Classified 1–4.

65. As an additional matter, the Planning Board is aware of a claim that it approved a Special Use Permit for use of part of the Smiths' property for a large-scale ground-mounted solar system without making the general findings provided for all special use permit requests found in Town Code § 165-99[C][5]. The Planning Board recognized that the Town Code contains specific standards for large-scale ground-mounted photovoltaic systems resulting from Local Law No. 6 of 2017 that pertain particularly to DRS's original and revised solar system proposed to be located on part of the Smiths' property. Town Code § 165-65.3[F]. More recent standards for a specific permitted use generally have priority over older more generic provisions, and so the

Planning Board focused on ensuring that DRS's revised solar system proposal met the specific standards required for a large-scale ground-mounted solar system under the Town Code in its written findings approving, with extensive conditions, the Smiths' requested special use permit for part of their property. While doing so, the Planning Board was aware of the general provisions also required by Town Code § 165-99[C][5], and concluded that such provisions were met by DRS's proposed solar system though not separately discussed as largely redundant of the Planning Board's specific findings. To the extent additional specific findings under the general provisions for special use permits would clarify the Planning Board's decision in this matter, the Planning Board advises that it also found that DRS's proposed solar system would not adversely affect the neighborhood, would not be a nuisance, would not create hazards, would not cause undue harm to the environment, would not be incompatible with building development, would not adversely impact significant historic and/or cultural resource sites, would not create disjointed vehicular circulation paths or create vehicular/pedestrian conflicts, and would not provide inadequate landscaping, etc. In addition, DRS's proposed solar system with its design, limited height, setbacks, and landscaping was found to be compatible with and enhance as much as possible the existing natural features of the site and surrounding area; will fit in an adequate and appropriate manner to and in general be compatible with the existing land use and zoning patterns in the immediate area; will comply as much as possible with the applicable site design criteria and other zoning district requirements, and will provide adequate and safe year-round site access, fire protection services, and utility service. These findings were implicit in the Planning Board's other findings approving the Smiths' Special Use Permit based on information before the Board, and now those implicit findings have been made explicit for the record.

66. The Planning Board is aware of a possible complaint about its Preliminary Site Plan approval for DRS's revised solar system made on November 4, 2020. The Planning Board's Resolution of November 4, 2020, indicated review of DRS's latest revised preliminary site plan documents and consideration of their adequacy, and implicitly found that DRS's latest revised preliminary site plan was acceptable and approvable under the Town Code with the inclusion of some conditions, and so approved DRS's preliminary site plan subject to those conditions. The Planning Board would like to make those implicit findings explicit in a clear statement of its action with regard to DRS's Preliminary Site Plan approved with conditions November 4, 2020. The Planning Board had repeated interactions with DRS about its proposed preliminary site plan for its solar system as originally proposed and revised between August 6, 2018 and November 4, 2020, requesting and receiving information about DRS's proposed site plan over the course of DRS's solar system proposal, and receiving information relevant to DRS's site plan over the entire course of consideration of DRS's proposed solar system, including the SEQRA reviews and Special Use Permit review. The Town Code and Planning Board recognize the benefits of integrated review procedures, so the Planning Board's consideration of issues such as SEQRA, the special use permit and subdivision plat contributed to the Planning Board's consideration of DRS's preliminary site plan. TC § 165-100[M]. At the Planning Board's request, DRS provided ten formal revisions of DRS's preliminary site plan to comply with Town staff and Town engineer comments and the Town Code during the Planning Board's extensive review process in this matter.

DRS's latest preliminary site plan before the Planning Board on November 4, 2020 (set of drawings prepared by Schultz Associates, Engineers & Land Surveyors, P.C., identified as Project No. 18.023, sheets 1 through 6, having the latest revision date of 10/14/20) was a product of that extensive work, analysis of information provided to the Board from a variety of sources, revisions of the site plan and repeated reviews by the Town and its Planning Board comparing proposed preliminary site plan revisions against Town Code requirements occurring over the entire course of consideration of DRS's proposed solar system. After the last public hearing was closed on the preliminary site plan matter, the Planning Board collectively and independently found that such latest revision of DRS's preliminary site plan adequately and appropriately addressed the considerations and criteria of the Town Code for preliminary site plan approval for the large-scale ground-mounted solar system proposed by DRS, with some conditions. Accordingly, as a result of that finding of compliance with Town Code requirements, and in further compliance with the Town Code for proposed preliminary site plans which meet Town Code requirements, the Planning Board granted DRS preliminary site plan approval with conditions as stated in the Board's November 4, 2020, Resolution approving the specified preliminary site plan. The Planning Board notes that it only approves preliminary site plans that comply with Town Code requirements, so any approval amounts to a finding of compliance with the Town Code, even if not expressly so stated. DRS's latest preliminary site plan did comply with all Town Code requirements, and so was finally approved with some conditions which were imposed as provided under the Town Code.

67. As part of this recap of some issues relating to DRS's solar system and the Planning Board's review process, the Planning Board believes it appropriate to summarize the benefits that DRS's approved large-scale solar system are expected to provide to the Town of Farmington as was contemplated under Local Law No. 6 of 2017: increasing the tax base without additional burdens on Town services and facilities; enabling the Smiths to use their large agricultural lot to make a deal with a solar energy developer to host an approved solar system as permitted under the Town Code for an A-80 Agricultural District and so generate long-term income that can offset farm or other family expenses and enable the Smiths and their family to continue farming operations for decades if they desire without permanently altering the underlying agricultural soils or capacity of the land; provide some local employment for construction, maintenance and decommissioning work for the solar system; provide renewable electrical energy produced from the sun with minimal impact beyond the Smiths' lot for distribution locally and at a discount to Town residents if such solar-sourced electricity is desired; contribute to the State's goal of replacing electricity generated from fossil fuel energy sources; and offset carbon dioxide emissions with cleaner, renewable and sustainable solar energy that should help clean the air over time and improve public health while assisting in meeting increasing energy demand.

68. In conclusion on this matter, the Planning Board wants to make clear that it took its legal and community responsibilities very seriously regarding DRS's large-scale ground-mounted solar systems, both as originally proposed and as revised, in an extensive, extended and repeated SEQRA review process, as well as with regard to the

Board's review processes for the Special Use Permit, subdivision plat and site plans in this matter. After careful consideration of the Town Code, New York land law such as SEQRA, and all the information regarding the proposed solar systems presented to the Board in all its various forms, the Planning Board exercised its collective and independent judgment and found that DRS's ground-mounted solar systems proposed for part of the Smiths' property, even if large-scale as originally proposed or as finally revised, will not have a significant adverse environmental impact. Accordingly, the Planning Board properly issued Negative Declarations of Environmental Significance to such effect, even if some paperwork did not perfectly reflect all the Planning Board's substantive work, weighing of information and risks, and resolution of the competing policy interests and legal requirements involved in the various decisions made by the Planning Board. The proper public process was followed to ensure careful consideration of the known potential environmental risks associated with DRS's proposed solar systems from the beginning, all interested persons had multiple fair opportunities to be heard, and an elaboration for the Planning Board's SEQRA reasoned and rational conclusion is a matter of public record so the Town community can have confidence in the Planning Board's independent and considered conclusions in this controversial matter. Similarly, under the Town Code, DRS's revised solar system proposal warranted a special use permit with the conditions imposed, and the final subdivision plat and site plans were found acceptable and in accordance with Town Code requirements and so were approved by this Planning Board pursuant to its authority and responsibility to address these land use issues that arose before the Board in accordance with law.

BE IT FURTHER RESOLVED that the Planning Board does hereby instruct the Clerk of the Board to provide by U.S. Mailing, a certified copy of this Resolution to the Involved and Interested Agencies and to the Town Clerk.

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

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

Attachments:

Exhibit A
Town of Farmington Comprehensive Plan, 2011

Exhibit B
DRS Project Summary dated August 21, 2018

Exhibit C
Memorandum from Ron Brand to Planning Board Chairperson dated November 12, 2018

Exhibit D
Boylan Code LLP email to Planning Board, dated January 16, 2019

Exhibit E
Part 2 of the DEC Environmental Assessment Form with respect to DRS's original solar system proposal, prepared by the Planning Board on May 15, 2019

Exhibit F
Preliminary Site Plan, September 25, 2019

Exhibit G
Correspondence from R Brand to Involved Agencies, dated November 1, 2019

Exhibit H
J. Hoover email to Daniel Delpriore dated February 24, 2021

Following the vote, Mr. Hemminger asked Mr. Compitello when the Decommissioning Plan would be submitted to the Town for review and approval. Mr. Compitello said that the plan will be submitted on Monday morning (May 10, 2021). He said that his main focus right now is the discussion of the project with the Project Review Committee on Friday, May 7, 2021. Mr. Hemminger requested that the surety section of the Decommissioning Plan be carefully reviewed to reflect recent cost increases of construction and materials. Mr. Compitello said that Delaware River Solar is close [to submitting the plan to the Town]. He said that just two more departments have to review it.

9. OPEN DISCUSSION

Director of Development and Planning Report:

Mr. Brand discussed the following topics:

- The Town is hopeful that the Article 78 proceeding regarding the Delaware River Solar project will be resolved soon. He said that the judge's decision may affect

pending revisions to the Town's solar regulations and that there are several pending new solar applications.

- The Project Review Committee has a long agenda on Friday, May 7, 2021. Among the projects to be discussed are the Farmington Market Center (Tops Supermarket site), a preliminary site plan for a credit union building on the Farmington Commons Plaza site (State Route 332) and an ice cream/beauty shop at the corner of State Route 96 and Commercial Drive. Mr. Brand said that the Farmington Market Center application would have to be an Incentive Zoning project if Tops Supermarket wishes to have a gas station on the site. Otherwise, a variance would be required from the Zoning Board of Appeals, which would be difficult for the applicant to justify.

- The draft of the 2021 Comprehensive Plan Update is posted on the Town website for public review. Comments have been received from the Town Agricultural Advisory Committee. The Comprehensive Plan Update Committee will meet to review the changes on Tuesday, May 18, 2021, following which a public information meeting will held prior to referral of the draft to the Ontario County Planning Board and to the Town Board for a Public Hearing prior to adoption.

- Several other projects are speculative at this time. One may involve the demolition of the Griffith Building on the north side of State Route 96 west of the State Route 332/State Route 96 intersection and further development of the site.

- Mr. Brand extended thanks to Fire Chief Phil Robinson for his attendance at Planning Board meetings and for his review of applications and site plans. Mr. Brand said that this is the kind of dialogue which is needed to enable the board and the Town staff to get things right the first time.

Code Enforcement Officer Report:

Mr. Delpriore reviewed Planning Board agendas for the next several meetings. Among the applications on the May 19th agenda will be a Public Hearing for the Loomis Road Industrial Park, the Preliminary Site Plan for the Auto Wash (6124 State Route 96 at the corner of Mertensia Road) and the Final Site Plan for the Blackwood Industrial Park (southwest corner of County Road 8 and County Road 41).

Mr. Delpriore also discussed the new procedure of receiving Planning Board and Town staff comments in advance. He said that this enables the staff to be well prepared at Planning Board meetings. He also said that he appreciates the detailed reviews of applications by the board members and that the conversations have been beneficial.

Mr. Delpriore said that the Town soon will be making the transition to the Zoom.com video conference program. The Town Board will be the first board to use the Zoom.com program in the next few weeks. It is expected that the Planning Board will be the second

board to use this program for remote video conferences. Mr. Delpriore said that the Town will establish a YouTube account and that Zoom.com meetings will be posted for the public.

Highway and Parks Superintendent:

Mr. Giroux provided an update of the progress of construction at Beaver Creek Park which includes installation of road gutters, fine grading in the tennis court area and continued work on the building and parking lots. Mr. Giroux said that some work had to be postponed due to the recent rain.

He also reported on the status of the road improvement project on Canandaigua–Farmington Town Line Road which includes installation of 1,200 feet of road gutters and 1,600 feet of sidewalk from the terminus of the Auburn Trail sidewalk west to Birchwood Drive. Following completion on the north side of the road, the construction of these improvements will switch to the south side of the road. Mr. Giroux said that good progress is being made by the Farmington and Canandaigua highway departments.

Town Engineer:

Mr. Brabant said that is beneficial to have Town staff and board members' comments on applications in advance. He extended appreciation to Mr. Brand for his work in preparing the technical resolutions for the Planning Board applications on a regular basis.

Board Members' Comments:

Mr. Hemminger extended thanks to the board and the Town staff for all their work on the complex applications which have recently been submitted. He requested that additional changes on how to improve the application process are welcome and should be submitted to him.

Mr. Bellis discussed the timing of the receipt of application emails from the Development Office. Mr. Delpriore said that the the staff would like to know when the board members would prefer to receive the emails and application information.

Mr. Viets suggested that the date of the meeting be included in the subject line of the emails. He said that this would provide clarity for the board members regarding the meetings at which applications will be considered.

Mr. Bellis asked about the dumping of dirt and debris on Collett Road. Mr. Delpriore said that this would be reviewed the Town engineer or by the Development Office staff.

Mr. DeLucia discussed a deep hole at the State Route 96/Mertensia Road intersection. Mr. Giroux said that the this has been patched today.

Mr. Bellis asked about the status of the Meyer's RV project on State Route 96. Mr. Delpriore said that the project is moving in a good direction and that he spoke with Mr. Giroux and the New York State Department of Transportation regarding the removal of the construction fence and the stabilization and opening of the new sidewalk. He said that landscaping was underway at the project site today.

Mr. Bellis asked when the silt fence can be removed from a project site. Mr. Delpriore said that the silt fence can be removed at 80 percent germination. Mr. Bellis asked about the removal of the silt fence at Lyons National Bank at the State Route 332/County Road 41 intersection. Mr. Delpriore said that the silt fence can come down now and that it should already have been removed.

10. PUBLIC COMMENTS

None.

11. TRAINING OPPORTUNITIES

■ Genesee–Finger Lakes Regional Planning Council Spring 2021 Local Government Workshop

Online sessions April 15–May 18, 2021
Tuesdays and Thursdays; sessions begin at 11:30 a.m.

Topics include: Planning Board Overview, Clean Energy Communities, Solar Energy Facility Planning and Siting, Invasive Plants, Recognizing Indigenous People in Planning and Land Use, New York's Quirky System of Local Government, Hot Topics in Planning, and others.

All sessions are free; registration required at this link:
https://www.eventbrite.com/e/145079499689

Website for more information: http://www.gflrpc.org

Questions to: Jason Haremza: jharemza@gflrpc.org

■ 2021 Municipal Bootcamp:

A free annual program to provide certification credits to newly elected officials, planning and zoning boars and town officials sponsored by Hancock Estabrook and MRB Group.

The program includes 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program will be provided remotely on the fourth Thursday of the month with subject matter experts and attorneys from Hancock Estabrook and MREB Group.

Remaining sessions in 2021:

Thursday, May 27, 2021, 6:00 p.m. to 7:00 p.m.
Session 5: Come One, Come All to the Greatest Show on . . . well . . .

Thursday, June 24, 2021, 6:00 p.m. to 7:00 p.m.
Session 6: Planning From (At Least) Six Feet Away

Thursday, July 22, 2021, 6:00 p.m. to 7:00 p.m.
Session 7: Ask Me Anything

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.
Session 9: Well, Aren't You Special?
Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 10: All the Right Forms in All the Right Places

Questions to:
Wendy A. Marsh, Partner, Hancock Estabrook
wmarsh@hancocklaw.com
(315) 565-4536

Matt Horn, Director, Local Government Services, MRB Group
matt.horn@mrbgroup.com
(315) 220-0740

Registration link:
https://register.gotowebinar.com/rt/4608077833213548299

■ **General Code e-Code**
Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.
Information: https://www.generalcode.com/training/

■ **Future Training Opportunities Online:**
Ontario County Planning Department website now lists upcoming training:
https://www.co.ontario.ny.us/192/Training

12. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 9:20 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, May 19, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

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

Respectfully submitted,

_____ L.S.
John M. Robortella, Clerk of the Board

Attachments to minutes:

- Fire Marshal and Zoning Officer reports, re: Finger Lakes Events Center and Hill Top Housing.
- Exhibits A–H to the Delaware River Solar supplemental resolution to the administrative record.

Attachment to PB 0501-21 and PB 0502-21

Subject: RE: Special Use Application - 6108 Loomis Rd
From: John Weidenborner <JWeidenborner@farmingtonny.org>
Date: 4/20/2021, 2:56 PM
To: Sarah Mitchell <smitchell@farmingtonny.org>

Sarah,

After driving the property today, I noticed numerous NYS Property Maintenance Code violations.

1. Roofs in disrepair (missing shingles roofing appears damaged). (PMC 304.7)
2. Unmaintained Grease dumpster. (PMC 308.3, 308.3.2)
3. Multiple unregistered vehicles. (PMC 302.8)
4. Accumulation of rubbish and debris around the property. (PMC 308.1)
5. Overflowing roll-off dumpster. (PMC 308.2.1)
6. Multiple doors to hotel rooms in some sort of despair. (PMC 304.15)

My recommendation is that all these violations are addressed prior to approval of the special use permit.

John Weidenborner
Town of Farmington
Zoning Inspector
National Stormwater Inspector #11194
New York State Code Enforcement Official
315-986-8100 Ext. 4017

From: Sarah Mitchell <smitchell@farmingtonny.org>
Sent: Monday, April 19, 2021 12:59 PM
To: Dan Delpriore <ddelpriore@farmingtonny.org>; Brabant, Lance <Lance.Brabant@mrbgroup.com>; Matthew Heilmann <mheilmann@farmingtonny.org>; Robin MacDonald <rmacdonald@farmingtonny.org>; Don Giroux - Highway / Parks Superintendent <dgiroux@farmingtonny.org>; August Gordner <AGordner@farmingtonny.org>; John Weidenborner <JWeidenborner@farmingtonny.org>
Cc: Ed Hemminger (edhemminger@gmail.com) <edhemminger@gmail.com>
Subject: Special Use Application - 6108 Loomis Rd

Please see the attached Special Use Application for 6108 Loomis Rd. Please review and have comments back to me by 10a on April 28, 2021.

Thank you,

Sarah Mitchell
Building Department
Town of Farmington
1000 County Road 8
Farmington, NY 14425
Ph: (315) 986-8100 option 3

Attachment to PB 0501-21 and PB 0502-21

Subject: 6108 Loomis rd.
From: August Gordner <AGordner@farmingtonny.org>
Date: 4/21/2021, 8:33 AM
To: Sarah Mitchell <smitchell@farmingtonny.org>

After driving the property today, I noticed numerous NYS Fire Code, Building Code violations.

1. The enclosed walkway from the parking lot to the building has structural members beyond repair and needs to have a structural engineer review them.
2. All porches appear to have had railings replaced without any permits, and without code compliance considerations and should be reviewed.
3. All stair risers in disrepair and have open tread nosing, posing a safety hazard.

My recommendation is that all these violations are addressed prior to approval of the special use permit.

Augie Gordner
Code Enforcement Officer/ Fire Marshal

Town of Farmington
1000 County Road 8
Farmington, NY 14425

(315) 986-8100 Ext:4011
agordner@farmingtonny.org

Exhibit A

Town of Farmington Comprehensive Plan, 2011

Note: Attached is Chapter 1, Page 1 of 14 of the adopted 2011 Edition of the Town of Farmington Comprehensive Plan

Adopted July 26, 2011

The entire document contains 166 pages plus appendices and maps

To read the entire document please go to the Town's website

www.townoffarmingtonny.org

Click on the Building/Planning/Zoning tab

Then click on

Maps, Comprehensive & Recreation Master Plan

CHAPTER 1
EXECUTIVE SUMMARY

Introduction

It has been approximately seven years (December 2003) since the Farmington Town Board adopted the latest edition of the *Town of Farmington Comprehensive Plan* (hereinafter referred to as the Plan). Since the adoption of the 2003 edition of the Plan there have been many changes that have occurred in the community, including the implementation of a majority of the 2003 Plan's Implementation Actions. While the Plan still contains valuable information, some portions of it are outdated. It is because of these changes and accomplishments that the Town Board, in October 2010, determined the need to make comprehensive amendments to the 2003 edition of the Plan.

The Town Board, at the meeting on October 9, 2010, established a committee of Town Officials, staff and residents, known as the Town of Farmington Comprehensive Plan Update Committee (hereinafter referred to as Committee). The Committee was charged with the responsibility to oversee the preparation of the 2011 edition of the Plan.

The Committee met on several occasions over a number of months to review each of the Plan's chapters, as well as update the Plan's Maps. The Committee also considered the zoning of several parcels of land, both existing and proposed. This process was noted in local newspapers and the minutes of each of the Committee Meetings were posted on the Town's website. This document represents the results of the extensive work of the Committee that was done on behalf of the residents of the Town of Farmington.

Amending the Plan

The process of amending the Plan is commonly referred to as maintaining the Plan. New York State Town Law [Section 272-a. 10.] requires the Town Board to provide the maximum interval at which the Plan shall be publicly reviewed. The 2003 edition of the Plan was originally envisioned to guide the community through the year 2020, based upon the identified implementation actions. With the adoption of the 2011 edition of the Plan, the Town Board extends the Plan Period through the year 2030.

The extended Plan Period enables a long-term planning program to be established with a series of short-term action items designed to focus the Town's planning efforts. This 2011edition of the Plan creates a change to the previously established five year maintenance period for reviewing (and thus maintaining) the 2011 edition of the Plan. The new administrative procedures provide for an annual reporting process upon the status of implementation action items (see Chapter 5, Plan Implementation Actions) to the Town Board and to the residents of the Town of Farmington. The Plan Period (2030) will continue to remain valid until such time as the Town Board finds that changes are deemed necessary to make amendments to the Plan. Each annual report made upon the status of the Plan will be inserted in Appendix D, Plan Maintenance Record, located in the back of this document. As amendments become necessary, the formal

Exhibit B
DRS Project Summary
August 21, 2018

Note: Attached is Page 1 of the Solar Facility project summary. The entire document contains 57 pages plus charts.

To read the entire document, please visit the Town's website www.townoffarmingtonny.org

Select "Meetings/Agendas/Minutes" from the menu on the left side of the home page.

Then select "Solar Committee."

Scroll down the list of solar items and select #148 "DRS Project Summary Prepared by Delaware River Solar August 21, 2018 Received for Abstract January 21, 2020."

DRS DELAWARE RIVER SOLAR

PROJECT SUMMARY

SOLAR FACILITY

466 YELLOW MILLS ROAD
FARMINGTON, NY 14522

Prepared for

Farmington Town Board and Planning Board

Planning Board Meeting September 5, 2018

Prepared by:
Delaware River Solar

August 21, 2018

DRS DELAWARE RIVER SOLAR

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DRS DELAWARE RIVER SOLAR

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LIST OF DRAWINGS

ACRONYMS

AC	Alternating Current
DC	Direct Current
kV	Kilovolt
MW	Megawatt
PV	Photovoltaic

1.0 INTRODUCTION

Delaware River Solar, LLC ("**DRS**" or "**Project Owner**") has prepared this preliminary project summary ("**Project Summary**") for the proposed development, installation and operation of three solar photovoltaic facilities (collectively the "**Solar Facility**") including 15 kilovolt (kV) interconnection lines (collectively the "**Interconnection Line**") to interconnect the Solar Facility to the Rochester Gas & Electric ("**RGE**" or "**Utility**") electrical grid. The proposed Solar Facility and Interconnection Lines are referred to collectively as the "**Project**".

The proposed site for the Solar Facility ("**Project Site**") will be on approximately 30-35 acres of undeveloped land located north of New York State Thruway Route 90 and west of the intersection of Yellow Mills Road and Fox Road, within the jurisdiction of the Town of Farmington ("**Town**").

The Solar Facility will have a total generation capacity of not more than approximately 7.0 MW AC. The final generation capacity will be determined based on final system design as approved by DRS and RGE.

Energy generated from the Solar Facility will be distributed to RGE for daily use by RGE's customers and directly benefit customers enrolled in the Project Owner's "**Community Solar Program**". The objective of the "**Community Solar Program**" is to offer electricity at a discount to RGE rates to those enrolled. It is the goal of the Project Owner to afford the residences and businesses in the Town of Farmington the opportunity to enroll in the Community Solar Program prior to opening enrollment to additional locations.

Connection of the Solar Facility to the RGE electrical grid, including specific equipment, is part of a standard "**Interconnection Agreement**" executed between the Project Owner and RGE.

The Solar Facility design will adhere to technical and environmental requirements in accordance with electricity distribution companies' codes and current federal, county and municipality laws.

Key Attributes of the Project Include:

- Direct conversion of sunlight to electricity without generation of waste materials;
- Solar power generated producing no carbon emissions or air pollutants;
- Minimal noise generated during solar power generation and no nighttime noise;
- No traffic disturbance during Project operational lifespan;
- No use of public water utilities;
- Uniform arrays approximately nine feet in height to minimize visual effect;
- All on-site structures limited to approximately nine feet in height to minimize visual effects;
- Vegetation pan to be implemented to minimize visual effects; and
- Modules secured using a racking system minimizing ground grading and ground disturbance.

This Project Summary includes descriptions of and guidelines for the design, construction, operation, maintenance, and decommissioning of the Project. The design, construction, operation, maintenance, and decommissioning of the Project will meet or exceed the requirements of the National Electrical Safety Code and U.S. Department of Labor Occupational Safety and Health Standards, as well as town and municipality requirements for the safety and protection of landowners and property.

The Project Owner has compiled this Project Summary with, to the best of its knowledge, currently available information. Additional reports, such as topography, geotechnical, and environmental, have not been completed but will be completed during the permitting process.

INFORMATION CONTAINED IN THIS PROJECT SUMMARY IS PRELIMINARY AND IS NOT INTENDED TO DESCRIBE ALL RELEVANT PROJECT INFORMATION. ALL INFORMATION CONTAINED HEREIN IS QUALIFIED IN ITS ENTIRETY BY THE FINAL APPLICATION, FINAL APPROVED SITE PLANS AND OTHER REQUIRMENTS OF THE APPLICABLE TOWN BOARDS.

1.1. Purpose

Provide a cost effective source of renewable solar electricity. Additional objectives include:

- Develop a solar generation facility that is feasible, quick to construct and easy to operate while providing the Utility and its customers with a cost-effective, cleaner alternative;
- Establish emission-free solar electricity and reduce greenhouse gas (GHG) emissions while avoiding, minimizing, and mitigating the impacts to the environment;
- Generate electricity without utility water supply needs or municipal resources;
- Provide other important economic and environmental benefits to the Utility and the municipality, including improving local air quality and public health, developing local energy sources, promoting local jobs and diversifying the energy supply; and
- Contribute to the State of New York goal of 50% of electricity from renewable sources.

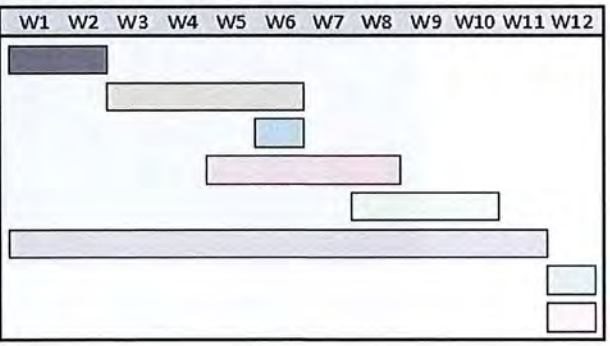
Based on historical information, the energy usage for a standard home is 10,000 kWh/year. Each of the three 2.338MW AC solar facilities will generate approximately 3,489,000 kWh/year, equivalent to the electricity consumption of 348 homes (1,044 total homes). The Project Owner's preference is for the residents and businesses of the Town of Farmington to participate in the Project Owner's Community Solar Program and be the direct beneficiaries of reduced electricity rates.

1.2. Estimated Construction Schedule

Construction of the Project is estimated to take approximately 3 months to complete.

Table 1. Gant's Diagram

Rank #	TASK
1	Site preparation and perimeter fence
2	Mechanical works
3	Inverter Station works
4	Electrical & Civil works
5	Modules placement
6	Connection Works
7	Test commissioning & Interconnection
8	Planting



2.0. PROJECT DESCRIPTION

2.1. Project Site and Control

Selection of the Project Site over other locations is based on several site criteria including:

- Contiguous site with relatively flat topography of adequate size to host the Solar Facility;
- Proximity to existing Utility electrical grid;
- Availability, under a lease agreement with current landowner of Project Site;
- Avoiding sensitive areas, such as river, lakes, deep forest etc.;
- Minimizing visual impact by utilizing a site set back from public roads that will allow for the Solar Facility to be screened through the use of topography and landscaping; and
- Good highway access for construction, operation and maintenance activities.

The proposed Project Site is located in the Town of Farmington, Ontario County, New York, north of New York State Thruway Route 90 and west of the intersection of Yellow Mills Road and Fox Road (See Figure 1). Its nominal elevation is 560 feet above sea level (Figure 2). The latitude and longitude is 43.017843, -77.259895.

The Project Site will be approximately 30-35 acres. The Project Site will be leased from the property owner ("**Property Owner**") and is part of approximately 137 acres owned by the Property Owner (Figure 3). Project Site access is anticipated to be through Fox Road.

Figure 1. Project Location (source BING Maps)
(See also Plan 3 – P02 PROJECT LOCATION)

Figure 2. Topography

Figure 3. Property Boundaries

2.2. General Overview of Solar Facility

A grid-connected photovoltaic ("**PV**") power system is an electricity generating solar system that is connected to the utility electrical grid. A grid-connected system consists of solar modules one or more inverters, a power conditioning unit and grid connection equipment. The proposed installation is composed of a field of photovoltaic generators (See Figure 4).

The Solar Facility is composed of polycrystalline photovoltaic modules electrically interconnected with the same orientation and tilt. Modules are interconnected in series of strings of 28 modules. Peak power is expected to be 2.338 MW ac (per facility), with a ratio Ppk/Pn of approximately 1.027 (2.415 MW dc) for each of the three Projects.

Collecting all DC output, an inverter station and step-up power transformer will be interconnected, conditioning the electric parameters for feeding energy to the electric distribution network. Power generated from the modules will be transferred via shielded cables within underground conduits to switch gear which forms part of the main power generation facility.

The modules themselves are electrically protected and above-grade wires are both shielded and secured in order to avoid exposure or accidental contact. All necessary protections for this type of facility and supporting structures for photovoltaic modules are included.

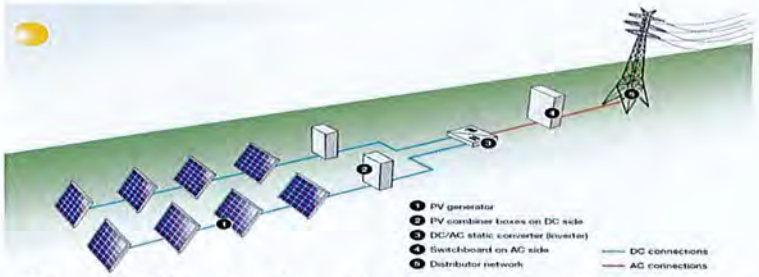


Figure 4. Diagram of a grid-connected photovoltaic plant

2.3. Acreage and General Dimensions of the Project Site

The total acreage of property owned by the Property Owner is 137.56 acres. The Project Site will be located on approximately 30-35 acres including approximately 0.36 acres for the Interconnection Line, which assumes a maximum of 20 ft. of temporary, and 2 ft. permanent wide, 1078.96 foot trench on first project; 1151.32 foot trench on second project; 1656.30 foot trench on third project. Table 2 below identifies significant structures and equipment, including dimensions.

Table 2- Summary of Land Area (Approximate Acres)

Description	Project 1	Project 2	Project 3	Total
Solar Facility	9.88	10.74	10.65	31.27
Modules Covered Area	3.15	3.15	3.15	9.45
Inverter Station Covered Area	0.005	0.005	0.005	0.015
Interconnection Line (Permanent) Covered Area	0.12	0.12	0.12	0.360

It is anticipated that the Project Site will be subdivided for (a) Utility interconnection requirements and (b) tax assessments / allocations for the Property Owner.

2.4. Solar Facility

The following sections describe the major components of the Solar Facility. ***Selected manufacturers are not indicated as manufacturers may change during the design and permitting process due to market and economic conditions.*** The final selected equipment is expected to have similar characteristics.

2.4.1. Summary of Project Features

Modules will be distributed into arrays and mounted on a specific supporting structure.

Table 3- Solar Facility Summary

	Project (#1)	Project (#2)	Project (#3)
Peak power (MWpk)	2,415	2,415	2,415
Tilt & Azimut	25°/0° South	25°/0° South	25°/0° South
Module Disposition	4 Module Height-Landscape	4 Module Height-Landscape	4 Module Height-Landscape
Nominal power (MW)	2.338	2.338	2.338
Modules/String	28	28	28
Total Modules	7,000	7,000	7,000
Strings/DC BOX	24	24	24
DC BOX	11	11	11
Inverter Station	2.338 MW	2.338 MW	2.338 MW
Transformer	2.5 MVA	2.5 MVA	2.5 MVA

Supporting structures are set considering economic, technical and land conditions for the modules to capture the most amount of solar radiation and obtain the best solar yield possible.

The arrays are distributed into rows and consider surrounding shadings in the array design. There are open corridors between the rows of modules (approximately 19') in order to perform the tasks of construction, maintenance and landscaping.

The inverter station, which contains the transformer, will be located near the circuit line in order to connect the Solar Facility to the existing distribution network.

2.4.2. Solar Modules

The module manufacturer will depend on the availability of the modules during the procurement period. Expected minimum requirements of the modules are:

- High Module Conversion Efficiencies
- Dimensions 1956x990x40mm
- Cell type: Monocrystalline
- Efficiency up to 20.00 %
- 25 years power output warranty
- Electrical Characteristics STC
- Conform with IEC 61215:2005, IEC 61730: 2004, UL 1703 Solar Project Standards and other certificates
- Maximum System Voltage: 1500 Vdc (UL)
- Values at Standard Test Conditions STC (Air Mass AM1.5, Irradiance 1000W/m^2, Cell Temperature 25°)

Table 4- STC Module Characteristics

Maximum Power Current (Imp)	8.68 A
Maximum Power Voltage (Vmp)	37.52 V
Short Circuit Current (Isc)	9.15 A
Open Circuit Voltage (Voc)	46.02 V

2.4.3. Supporting Structures

Evaluation of the structural design of support for the modules shall account for permanent loads, snow and wind loads, seismic design construction, structural calculation and foundations, module sizing, control of connections, geotechnical report and effects of temperature changes in accordance with applicable law and, building code.

The metallic supporting bases for modules shall be of steel components hot dip galvanized, with a minimum average thickness of 70µm as ISO/EN 1461 or equivalent or by an appropriate anodized aluminum of heavy duty type and alloy for the better anti-corrosion protection of the construction.

All connections including bolts, nuts, shall be of A2 stainless steel or compliant with other industry standard practices appropriate for the application defined.

To minimize ground disturbance, the supporting bases will be pile driven into the ground taking into account the results of a geotechnical study to be performed Following are several examples of a support structures considered for the Project.

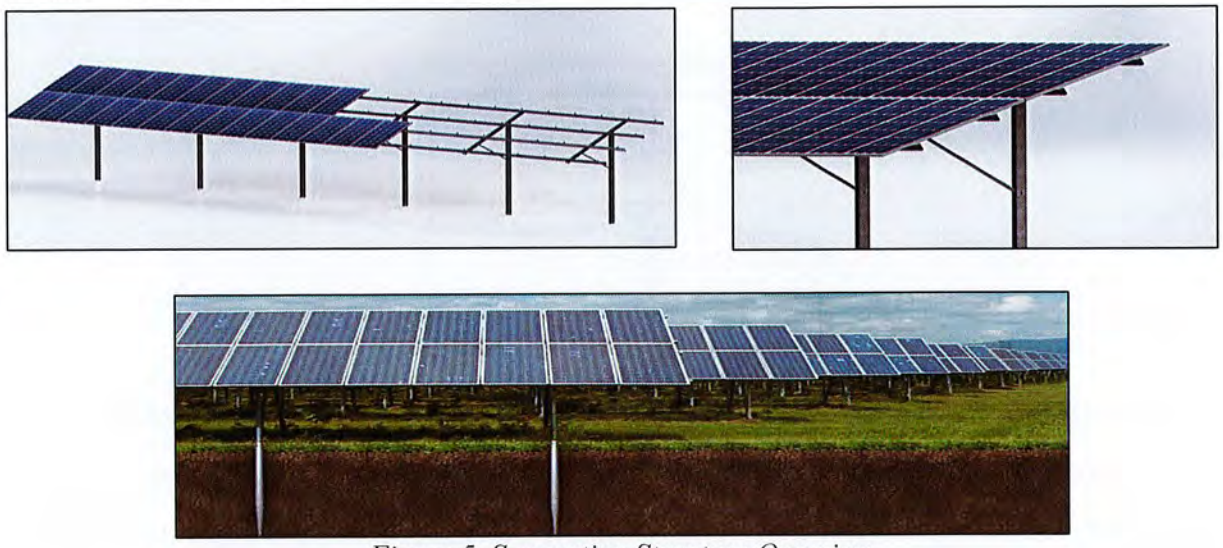


Figure 5. Supporting Structure Overview
(See also Plan 6 – P06 RACKING SYSTEM)

Key points of the Supporting Structure:

- Portrait mounting
- Mono-post anchored to the ground
- All connections bolted without welding.
- One tie bar and a crossbar in which the straps are supported.
- Depth piling varies according to soil conditions
- Modules fixed to structure by clamping plates on straps.
- Easy installation and maintenance in a grid-like pattern

Table 5- Supporting Structure Summary Details (Approximate)

Module height above ground (low part)	3 ft.
Module height above ground (high part)	9.2 ft.
Length	45.6 ft.
Width	12.2 ft.
Angle	25°
Area	65.7 yd^2 approx.
Piling depth	TBD on site

2.5. Inverter and Transformer Station

2.5.1. Inverter

Inverters shall be installed in pre-fabricated lockable containers or in an outdoor installation protected with weather-proof material to NEMA 3S protection degree. Inverters shall meet at least the following requirements, international standards and tested by:

- UL Marked 1741
- IEEE-1547
- IEC 62116

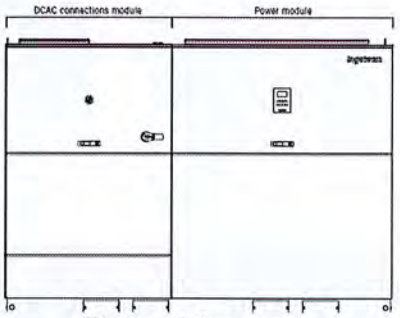


Figure 6. Inverter

(See also Plan 7 – P08 TRANSFORMER, INVERTER & AUX.EQUIPAMENT PAD)

The Inverter is available in a turnkey MW platform. Delivered with factory tested Inverters, MV Pad-mounted transformer and auxiliary equipment, skid mounted solutions reduce installation, commissioning and decommissioning time and cost.

2.5.2. Transformer

The pad-mounted transformer is part of an Open Skid Platform, designed for large scale utility solar facilities, with complete factory integrated DC & AC disconnects and protection, a step up pad-mount transformer and auxiliary equipment. On a skid solution, critical power connections are completed and tested made in a factory environment and the pre-tested unit is shipped to the field ready for the final field connections. Standard MV skid platforms can reduce installation and commissioning time. The all-in-one solution simplifies the installation, saves space and the visual impact is lower than other options of configuration.

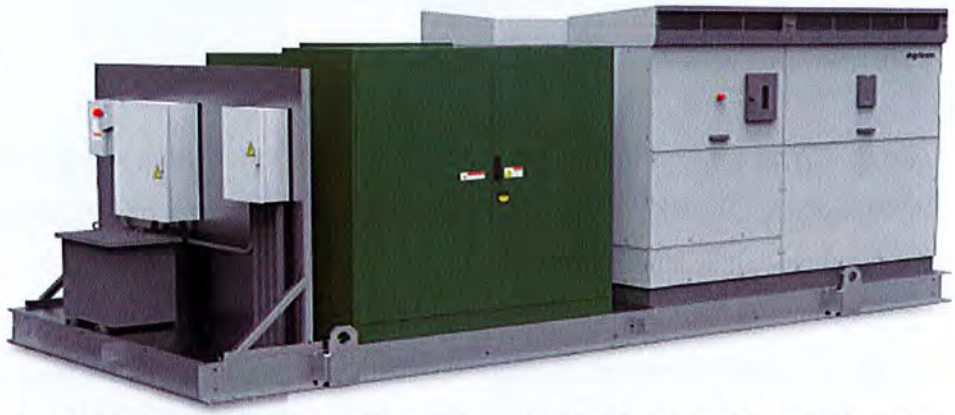


Figure 7. "All-in-one" Recombiner Box & Inverter & AC Cabinet &Transformer Station *(See also* Plan 7 – P08 TRANSFORMER, INVERTER & AUX.EQUIPAMENT PAD)

2.6. Electrical Installation

This section contains the remainder of the electrical devices required in the Solar Facility.

2.6.1. DC Electric Switchboards

Within each array, 24 strings of modules are to be combined in parallel in a combiner box of with a protection rating of NEMA 3S or above. The total amount of DC Box are (TBD). The combiner boxes will have at least the following characteristics:

- Suitable for outdoor installation
- Designed for UV resistance
- Protection isolation
- Anti-condensation filter
- DC fuse in negative pole per string
- Grounding copper tape
- Mounting lugs and required nuts and bolts for installation
- Self-extinguishing and halogen-free materials
- Coverage of electrical items with methacrylate plate
- Fitted with surge protection Device, 3pole, 1500Vdc, 40kA
- Disconnecting isolators 1500VDC must comply with applicable standards
- Fully labeled and color coded wiring (as per project all strings)
- Appropriate number of string inputs and associated fuse sizing
- Cable glands for output DC cable (up to 4x1x300mm² Al XLPE cable; defined per project) and signaling cable input & output
- In case of armored cable, glands have to be able to earth the aluminum armor
- Cable glands for communication cable and grounding cable

Operational ambient conditions are to be as follows:

- Temperature:77.0°F to + 10.0 °F
- Relative humidity: 15 to 95 %

2.6.2. Wiring

Two types of wiring will be required in the Project, from modules to DC Box, and from DC Box to the general DC Disconnect Switch. Cables will meet the requirements of UL standard 4703, appropriate for solar photovoltaic applications.

Wiring will consist of single conductor, sunlight-resistant, direct burial photovoltaic wire rated 90°C wet or dry, 2000 V for interconnection wiring of grounded and ungrounded photovoltaic power systems with the following features:

- Rated 90°C wet and dry
- Rated for direct burial
- Resistant to most oils and chemicals
- UV/sunlight-resistant
- Increased flexibility
- Excellent resistance to crush and compression cuts
- Deformation-resistant at high temperatures
- Excellent moisture resistance, exceeds UL 44
- Meets cold bend and cold impact tests at -40°C
- Stable electrical properties over broad temperature range

Figure 8. Project Wiring

2.6.3. Grounding

Metal enclosures containing electrical conductors or other electrical components may become energized as a result of insulation or mechanical failures. Energized metal surfaces, including the metal frames of modules, can present electrical shock and fire hazards.

By properly bonding exposed metal surfaces together and to the earth, the potential difference between earth and the conductive surface during a fault condition is reduced to near zero, reducing electric shock potential. The proper bonding to earth by the equipment grounding system is essential, because most of the environment (including most conductive surfaces and the earth itself) is at earth potential. The conductors used to bond the various exposed metal surfaces together are known as equipment grounding conductors (EGCs).

The metallic device used to make contact with the earth is the *grounding electrode*. The conductor that connects the central grounding point (where the equipment grounding system is connected to the grounded circuit conductor on grounded systems) and a grounding electrode that is in contact with the earth is known as the *grounding electrode conductor* (GEC).

Combined Direct-Current Grounding-Electrode Conductor and Alternating-Current Equipment Grounding Conductor: An unspliced, or irreversibly spliced, combined grounding conductor shall be run from the marked dc grounding electrode conductor connection point along with the ac circuit conductors to the grounding busbar in the associated ac equipment.

See Figure 9 for the combined EGC/GEC routing. Note that the *NEC* allows this combined conductor to be terminated at the first panel board that has a grounding busbar with an attached GEC to a grounding electrode.

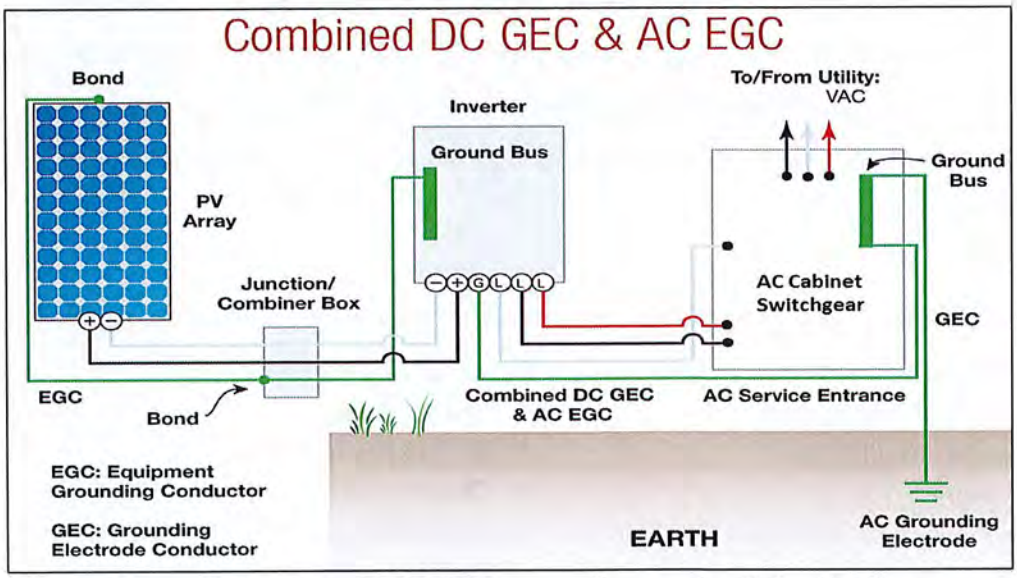


Figure 9. Combined EGC/GEC grounding routing Solar Facility

2.7. Monitoring

Sensors include:

- Combiner Box temperature
- Solar irradiation
- Panel temperature
- Ambient temperature
- Wind Speed

All sensors such as the weather station and pyranometers must use dedicated Modbus Channels for the collection of measurements. The MODBUS channels cannot exceed a maximum of 16 devices (pyranometers, temperature sensors, wind sensors, weather stations) with no other devices such as string monitors, inverters or relays are to be connected to the dedicated Modbus channel for the weather sensors and pyrometer. All data sent to the Industrial PC (Supervisor software) must be received using Modbus TCP protocol.

The monitoring system considered is centralized. This becomes possible by using the Inverter Station as a core data collection through a basic set of equipment. It is first necessary to obtain the values of the different variables to monitor. The monitoring system can monitor the AC installation and the DC installation (panels). For monitoring smaller parts of the DC installation at the inverter level, there are more Combiner Boxer of lesser strings.

The best way to capture inverter information is using a system to provide communication with a PC, as thus used the inverter own hardware for measurement, hardware that is already included with the central inverter, so the price is usually lower than other solutions. Measuring switchboards have the advantage that they are able to monitor multiple system parameters, such as level of harmonics, phase equilibrium, etc.

The inverter station is a central monitoring system of the Solar Facility with these features:

- Grid visualization
- Generator visualization
- Inverter visualization
- Registers
- Fault history visualization
- Warning history visualization
- Status visualization
- Internal debug
- SI visualization menu
- Clearly visible external warning signals concerning voltage at the base of pad-mounted transformer and substation

2.8. Mid Voltage Connection

The Solar Facility will satisfy Utility technical interconnection requirements in order to work in parallel with the utility distribution system. The Project will meet the following requirements:

- Voltage response range
- Frequency response range
- Inverters certified
- Protective function requirements
- Metering
- Operating requirements
- Dedicated transformer
- Disconnect switch
- Power quality
- Power factor
- Islanding
- Equipment certification
- Verification testing
- Interconnection inventory

300

301 **2.8.1. Mid Voltage Interconnection Line**

302 The proposed Interconnection Lines would be designed for 12.47 kV three-phase Wye-grounded
303 (three conductors) circuits. The Interconnection Line will connect the transformer to the existing
304 electrical grid North of the Solar Facility, on the Utility's 0168 Substation Circuit #5190 connecting
305 to the Substation 0168 Bank.

306

307 The Interconnection Line would be by underground duct, conductors rated at 15 kV, backfilled with
308 select and native backfill, and compacted. The main characteristics of the wire are:

- EPR/Copper Tape Shield with overall LSZH
- Conductor 1350 Aluminum Compact Class B strand
- Three conductor and grounding wire in contact with metallic shielding cape
- Medium-Voltage Power
- Shielded 15 kV
- UL Type MV-105, 133%
- Ins. Level, 220 Mils
- For use in aerial, conduit, open tray and underground duct installations
- Rated at 105°C
- Excellent heat and moisture resistance
- Excellent flame resistance
- Flexibility for easy handling
- Low friction for easy pulling
- Electrical stability under stress
- Chemical-resistant
- Meets cold bend test at -35°C
- 105°C rating for continuous operation
- 140°C rating for emergency overload conditions
- 250°C rating for short circuit conditions
- RoHS Compliant
- According to National Electrical Code (NEC), UL 1072 and more compliances

309
310 *Figure 10. Mid Voltage Wire*

311

312 **2.8.2. Point of Common Coupling (PCC)**

313 The PCC is the point where the Project interconnects with the electric utility grid.

314

315 **Table 6. The PCC Configuration Summary**

Line Voltage at PCC (kV)	12.47
PCC Line Type	3 phase
PCC Line Configuration	Wye-grounded

316

317 **2.8.3. AC Generator Disconnect Switch**

318 In order to isolate and protect the Solar Facility from the utility electrical grid, a load break
319 disconnecting switch is necessary. The disconnect switch 3-phase located between the generating
320 equipment and interconnection at the PCC, must be manual, visible, lockable and gang-operated.
321 The Project Owner will have 24-hour/7-day unlimited access and control of this isolation switch.

322

323 The disconnect switch must be rated for the voltage and current requirements of the installation.
324 Disconnecting means shall be rated to interrupt the maximum generator output; meet applicable
325 Underwriters Laboratories (UL), American National Standards Institute (ANSI), and IEEE
326 standards; and shall be installed to meet the NEC and all applicable local, state, and federal codes.
327 It will be clearly marked with permanent larger letters: "Generator Disconnect Switch".

328

329 In accordance with the Project Owner's safety rules and practices, this isolation device must be used
330 to establish a visually open, working clearance boundary when performing maintenance and repair
331 work. The designated generator disconnect also must be accessible and lockable in the open
332 position and have provisions for both Project Owner and Utility padlocks and be capable of being
333 tagged and grounded on the Project Owner side by Project Owner personnel.

334

335 The visible generator disconnect switch shall be a gang-operated, blade-type switch (knife switch)
336 meeting the requirements of the NEC and nationally recognized product standards.

337

338 Installation will also require a recloser with remote control and data access to be installed to:

- Monitor voltage, current
- Provide for remote disconnect
- Act as a utility controlled redundant protection system

339

2.9. Operation and Maintenance

During operation, maintenance activities will focus on the scheduled preventive maintenance and repairs of the solar generating equipment. The maintenance and repair of Project components is expected to be coordinated through monitoring, on-site inspections and technical support from the various warranty services of the original equipment manufacturers.

The Solar Facility will operate 7 days per week, generating electricity during the daylight hours. Preventive maintenance activities will occur during normal working hours generally twice per year with the occasional need to conduct corrective maintenance to certain equipment or facilities during non-scheduled or weekend hours.

The solar generating equipment will be continuously monitored and controlled from the central control room during normal working hours with 24 hour monitoring from a remote source. The generation units, auxiliary systems and balance of the Solar Facility will be connected to the SCADA system.

Standard maintenance for the Solar Facility will be as follows:

- **Modules Cleaning**: Module cleaning will be performed during preventive maintenance hours or extraordinary snow storms.
- **Scheduled Project Maintenance**: There will be the need to periodically inspect the modules (removal snow, ice, grass, vegetation) and make necessary alignment adjustments (i.e. tighten fasteners) or replace damaged modules to prevent breakdowns and production losses. Project components will go through maintenance checklist once or twice per year. The checklist shall include such items as:
  - Checking wire connections
  - Testing voltage/current at any part
  - Inspecting components for moisture
  - Confirming settings on the inverter
  - Transformer maintenance
  - Resealing of system components

- **Corrective Maintenance**: Corrective maintenance will occasionally be required due to uncontrollable circumstances such as severe weather or premature failure of components. These unscheduled repairs will be undertaken in a manner to minimize impacts to the continued operation of the Solar Facility.
- **Monitoring Management:** uses real-time data to oversee Project parameters.

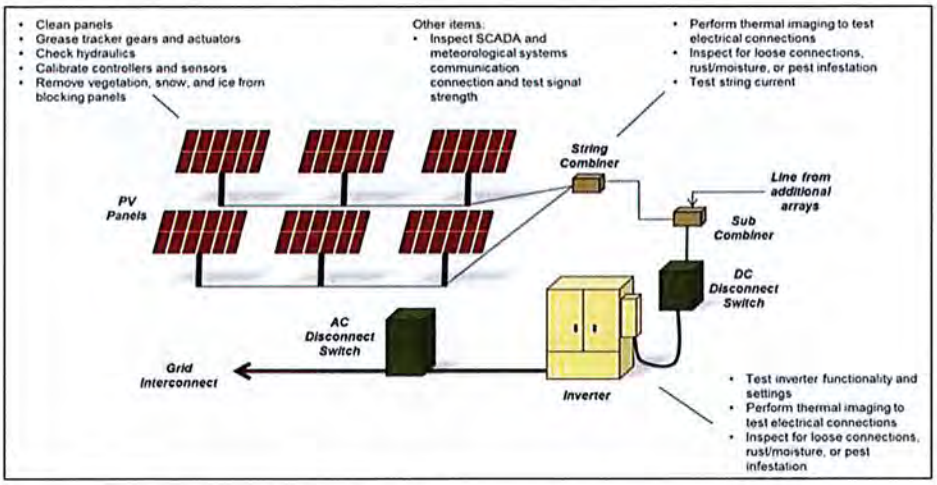


Figure 11. Highlights of the Solar Facility Maintenance

Typical equipment required to support operation and maintenance of the Solar Facility includes:

- Cleaning systems
- Standard electrical tools
- Building support systems
- Transport vehicles (pick-up truck, ATV, etc.)
- Standard machinist tools

2.10. Site Security

Limiting access to the Project Site to non-authorized personnel is necessary both to ensure the safety of the public and to protect equipment from potential theft and vandalism. Both, Project Owner and operator can be reached on a 24-hour basis. Phone numbers will appear on a sign placed at the entrance of the Solar Facility.

Some or all of the perimeter of the overall Solar Facility may be fenced with an approximately eight-foot-high chain-link fence to facilitate Project and equipment security. Surveillance methods such as security cameras or motion detector may be installed at locations along the Project Site

boundary. Lighting may be installed only at critical equipment locations. The level and intensity of all lighting will be the minimum needed for security and safety reasons. Security lights, if any, will all be activated by motion sensors or turned on by a local switch.

2.11. Temporary Construction Facilities

Temporary construction staging areas will be required for temporary construction offices and construction parking. These areas will be located on the Project Site and used throughout the approximately 3-month Project construction period and then decommissioned. The location of the temporary construction staging areas will be defined in the General Layout.

The staging areas would include material laydown and storage areas, an equipment assembly area, construction trailers, construction worker parking, and portable toilet facilities.

Graded all-weather roads may be required in selected locations on the Project Site during construction to bring equipment and materials from the staging areas to the construction work areas. These roads may not be decommissioned after construction, and may be utilized for long-term Project operation and maintenance.

2.12. Water Uses and Sources

The Project will not use any utility water for electrical power generation.

2.13. Erosion Control and Storm Water Drainage

A storm water pollution prevention plan ("**SWPPP**") study will be conducted, if required.

2.14. Vegetation Treatment and Management

Based on the use of existing access, roads, and right-of-ways, it is anticipated that minimal clearing and/or loss of native vegetation would occur for the footprint of the Project.

2.15. Waste Materials Management

The Project will generate a variety of non-hazardous wastes during construction and minimum non-hazardous waste during operation. These waste items may include the materials listed in Table 7:

Table 7 - Waste and Hazardous Materials Management

Item	Description
PVC Cement	Adhesive used for underground PVC conduit and sleeve ground.
Cardboard	General packaging
Plastic	General packaging, wiring
Cold Galv	Anti-rust galvanizing spray used when cutting material to prevent rust.
Copper & Aluminum	Used wiring systems

Material Safety Data Sheets will be provided at the time of installation and will be kept at the Project Site as they are specific to the product purchased and all wastes shall be disposed according to what is specified in the related Material Safety Data Sheets.

2.15.1. Construction Waste Management

During construction, inert solid wastes may include recyclable items such as paper, cardboard, solid concrete, metals and wire, Type 1 to 4 plastics, drywall, and wood. Non-recyclable items include insulation, other plastics, food waste, packing materials, and other construction wastes. Management of wastes will be the responsibility of the Project Owner. Typical management practices required for contractor waste include recycling when possible, proper storage of waste and debris to prevent wind dispersion, and weekly disposal of waste. A waste management plan will be implemented during construction.

It is expected that a 40-cubic-yard container, would need to be emptied on a weekly basis during the first month of construction and monthly thereafter. This construction waste is not expected to have an impact on public health or cause adverse effects on any landfill capacity. Hazardous wastes are not expected. Lubricating oils generated from construction vehicles, if any, would be recycled at local approved recycling facilities.

2.15.2. Operations Waste Management

During operations, inert solid wastes generated would be predominantly routine maintenance wastes, such as scrap metal, wood, and plastic from surplus and deactivated equipment. Scrap materials such as paper, packing materials, glass, metals, and plastics will be segregated for recycling. Non-recyclable inert wastes would be stored in covered trash bins in accordance with local ordinances and picked up by an authorized local trash hauler for transport and disposal.

2.16. Fire Protection

Fire protection at the Project Site will include safety measures to ensure the safeguarding of human life, preventing personnel injury, and preserving property. The local fire departments will be contacted to review the site plan and will also be provided a walk-through of the facility upon completion of construction to be shown the location of critical equipment and disconnect procedures.

2.17. Health and Safety

Workers will be instructed to use required personal protective equipment (PPE) during construction activities. Required PPE will be approved for use, distinctly marked to facilitate identification, and be used in accordance with the manufacturer's instructions. The PPE will be of such design, fit, and durability as to provide adequate protection against the hazards for which it is designed. The use of PPE for site activities includes, but is not limited to: safety glasses or goggles, hardhat, earplugs, dust mask, leather and/or insulated gloves, safety-toe and/or metatarsal shoes, apron and safety belt. During construction, a first aid station, complete with all emergency medical supplies, will be provided in the operation and administration building near the break room.

3.0. CONSTRUCTION OF THE SOLAR FACILITY

The following section generally describes the activities that are anticipated to occur before and during Project construction and throughout operation and maintenance of the Project.

3.1. Solar Field Design, Layout, Installation and Construction Processes

The site plan for the Solar Facility is shown in Figure 12. The Solar Facility consists of arrays anchored to the ground. Arrays may be reconfigured as required by site characteristics such as boundaries, roads, topography or similar constraints.

The arrays are installed in a block configuration. Modules are attached to horizontal steel shafts supported by vertical steel posts. All ground-mounted panels will be approximately nine (9) feet in height and the minimum height in relation to the ground will be approximately 3 feet. All mechanical equipment will be completely enclosed by an approximately 8 foot high fence.

Alternating open areas will be designated as access points allowing occasional access for maintenance activities. Natural vegetation will be allowed to grow in the open areas not used as access points and these areas will remain undisturbed.

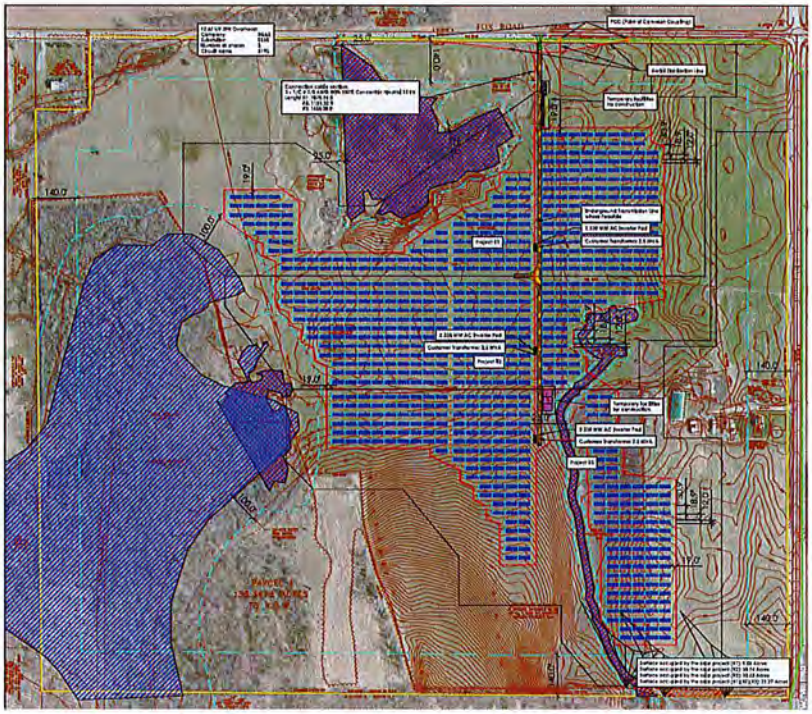


Figure 12 Site Layout
(See also Plan 5 – P04.1 GENERAL LAYOUT)

3.2. Access and Transportation System, Component Delivery, Worker Access

The Project Site access for employee and general construction traffic will be from Fox Road by creating an access path. Traffic will come from there onto the main access road to the Project Site where all deliveries will occur. The main access road will also be the primary route for workers to access the Project Site.

Parking will be provided at the Project Site. It is not expected, but if it is necessary a traffic and transportation plan will be developed to address flagging and traffic management along public roads during the construction phase. Construction traffic would continue for approximately three (3) months from the start of construction.

3.3. Construction Work Force Numbers, Vehicles, Equipment, Timeframes

Construction activities would include road and access construction, solar installation, operation and maintenance facility construction, Interconnection Line trenching, installation of a direct buried rated Interconnection Line, cleanup, and site reclamation. The anticipated number of workers and type of equipment to construct the Project are provided in Table 8.

Table 8 - Solar Facility Construction Estimated Personnel and Equipment

Item:	# of Personnel	Equipment:
Survey	3	2 pickup trucks
Solar Installation	12	1 piling and drilling machine 1 fork lift 2 trucks
Temporary Road Construction	6	1 excavator 1 road grader 2 trucks
Trench and backfill	4	1 excavator 1 compactor 2 trucks
Interconnection Line	4	1 spool truck 1 trencher 1 truck
Clean-up	4	1 truck
Rehabilitation	2	1 truck
Estimated personnel	35	

3.4. Site Preparation, Surveying and Staking

A detailed land survey will be performed to establish local benchmarks and Project Site boundaries. A topographic survey has been performed to assist the engineering effort in establishing the Project Site's grading and drainage plans for the arrays, roadways, and other Project features. Detailed maps with GPS coordinates will be supplied to the proper authorities having jurisdiction as required for permitting.

A licensed survey team, prior to any commencement of construction, will properly stake the Project Site physical boundaries and construction footprints. The survey team will additionally stake the path through any right of ways ("**ROWs**") for the Interconnection Lines or provide a detailed map using GPS coordinates.

3.5. Site Preparation and Vegetation Removal

Vegetation will only be removed in disturbed areas as required for placement of electrical equipment or shading events. Vegetation removal will be minimized as much as possible.

The Project Site isn't expected to be graded. It is expected that the racking system will be adapted to the existing topography required for installation of the racking. Minimum grading may be required for the inverter and transformer pad which is approximately 20' by 20'.

3.6. Solar Facility Construction

Prior to installation of the modules, the supporting steel posts would be installed, generally pile driven to minimize ground disturbance. The modules would be mounted by hand to the steel posts and all necessary electrical, communications, and other connections will be made. All significant assembly and erection will be conducted on site.

3.7. Project Construction

The construction schedule is anticipated to be three months.

3.8. Gravel Needs and Sources

Gravel needs would be moderate. The main access road, if needed, would use compacted, crushed gravel imported from offsite. Materials would be locally sourced.

3.9. Electrical Construction Activities

Power generated by the modules will be collected through a power collection system. The collection system will direct the output from the modules to the on-site transformer to be transmitted through the Interconnection Line.

3.10. Interconnection Line Construction Sequence

The construction of the Interconnection Line is a several step process. The initial step will be clearly surveying the ROW boundaries and marking any existing underground utilities. After the ROW has been staked, excavation equipment can be used to dig the trench. The excavated soil will be used for backfill or hauled off-site for disposal as appropriate. When the trench is prepared, the conduit installation process can begin, utilizing the proper backfill around the conduit, if required. Above the conduit placement, the previously excavated native soil can be used to fill in the remaining trench depth in accordance with Town code.

3.11. Operation and Maintenance

3.11.1 Operation and Maintenance Contract

The Project Owner will enter into an Operation and Maintenance Contract ("**O&M Contract**"), the scope of which shall include essential works and services needed for proper operation and maintenance of the Solar Facility. The scope of work shall include, but not limited to, the following items:

a) Compliance with the Local, State and Federal Rules, Codes, Regulations and Laws regarding the health and safety O&M works.
b) Performance of a preventive and corrective maintenance plan.
c) Control and monitoring of the Solar Facility 24/365, including, CCTV alarms and system failures, and coordination with the local fire department and law enforcement.

d) Maintain and operate all the infrastructures, equipment and facilities related to the Solar Facility required for the proper operation.
e) Provide reports in a monthly and yearly basis, and of any major unexpected event.
f) Administer and manage supplier's guarantees and warranties.
g) Management and paperwork involved with third party site visits such as insurance, governmental agencies and others related.
h) On site annual peak power and degradation performance testing of modules to a representative sample of modules.
i) Annual IR thermography field test of modules and connections of the electrical panels. The test will be done in the appropriate weather conditions taking into account that the main purpose is to detect hot spot events.
j) Spare parts stock management, including associated costs like insurance, security or transportation.

3.11.2 Preventive and Corrective Maintenance Programs

The O&M contractor shall comply with the preventive and corrective maintenance programs in order to maintain and operate the Solar Facility in the proper way. These actions shall include:

a) Inspect, test, and clean Solar Facility equipment, including periodic cleaning of modules.
b) Replace all spare parts, supplies and consumables necessary for performance of the O&M Contract according to the Preventive and Corrective Maintenance Program and the manufacturer's user manual.
c) Perform annual field tests and fix any potential failures that arise due to such test.
d) Provide Project Owner, a monthly report including at least the following information: energy estimate, energy production, % of availability, weather station information, preventive maintenance services performed, corrective maintenance services performed including spare parts and consumables used. Also such report should include a detailed description of:
    1. Any material failure covered by any warranties, action plan and expected timeframe to cover the incident;
    2. Any violation of any applicable law ,applicable permit or prudent industry practice due to

the O&M practices, including environmental laws, rules, or regulations enforced by governmental agencies;

3. Any adverse events or conditions that may affect normal Solar Facility operation.
4. Record of all tests and reviews performed to maintain all systems in compliance with the manufacturer user manual, including name of company involved and nature of service.
5. Guaranties and warranties of manufacturers that arise, including without limitation any claims or remedies against any subcontractors or suppliers.
6. Comply with all permits and maintain in effect all permits required for operation and maintenance of the Solar Facility.

The scope of works of Preventive Maintenance Services will also include:

a) Fire protection.
b) Landscaping, periodic clearing and cutting back of vegetation.
c) Maintenance of access roads.

The Engineering, Procurement and Construction contractor ("EPC Contractor") shall provide a compilation of all user manuals, guarantees and warranties to the Project Owner and O&M Contractor including a data sheet for each item of equipment.

4.0. ENVIRONMENTAL CONSIDERATIONS

4.1. Description of Project Site and Potential Environmental Issues

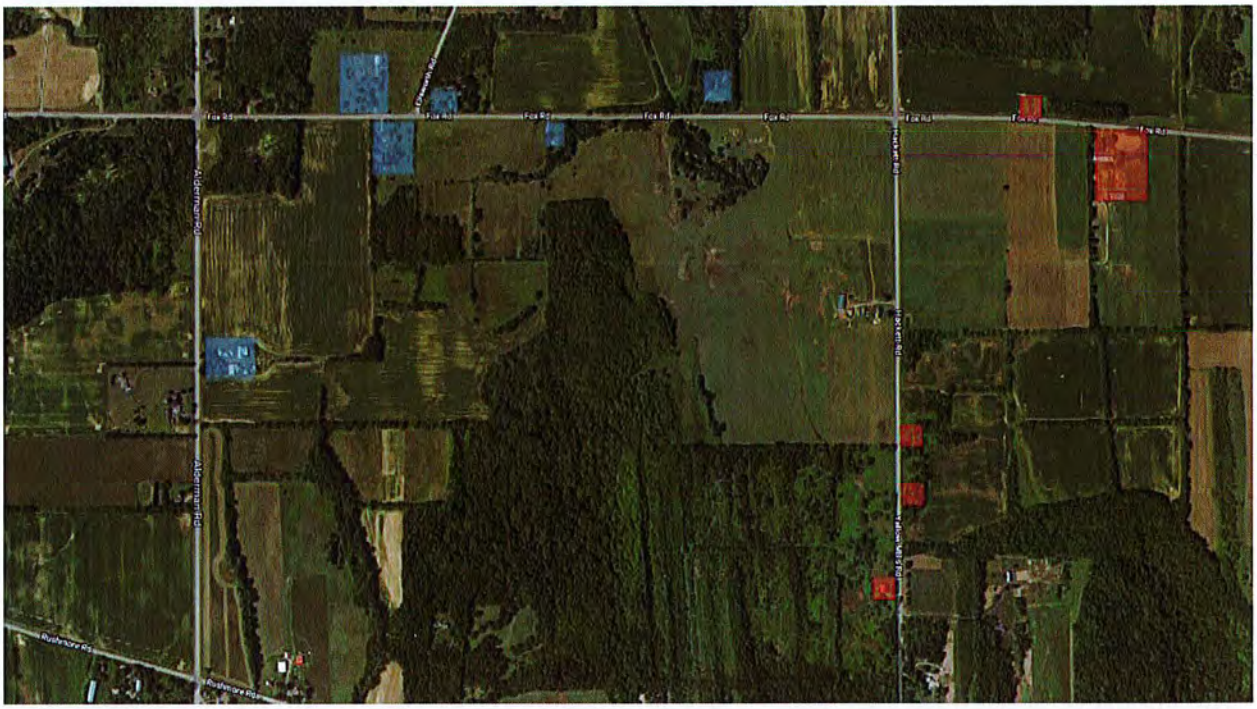
4.1.1. Special or Sensitive Species and Habitats

The Project is located in an undeveloped area in Ontario County. The majority of the Project Site is grass. General locations where rare animals, rare plants, and significant natural communities (such as forests, wetlands, and other habitat types) are already documented in New York State. The NYSDEC Environmental Resource Mapper indicates the Project Site is not near a "Significant Natural Community or a Rare Plant or Animal".

4.1.2. Visual

The current visual characteristics of the proposed Project Site consist mainly of open fields. On the West and North there are existing grove and tree barriers that would impede direct vision of the Solar Facility. To the East and South of the Project Site the Projects are expected to be setback behind agricultural areas providing some distance from road views.

The roads adjacent to the Project Site do not have complete natural barriers that prevent direct views of the Solar Facility so screening will be considered. The Project Owner will prepare a view shed analysis (in a separate document) showing the views and possible screening.



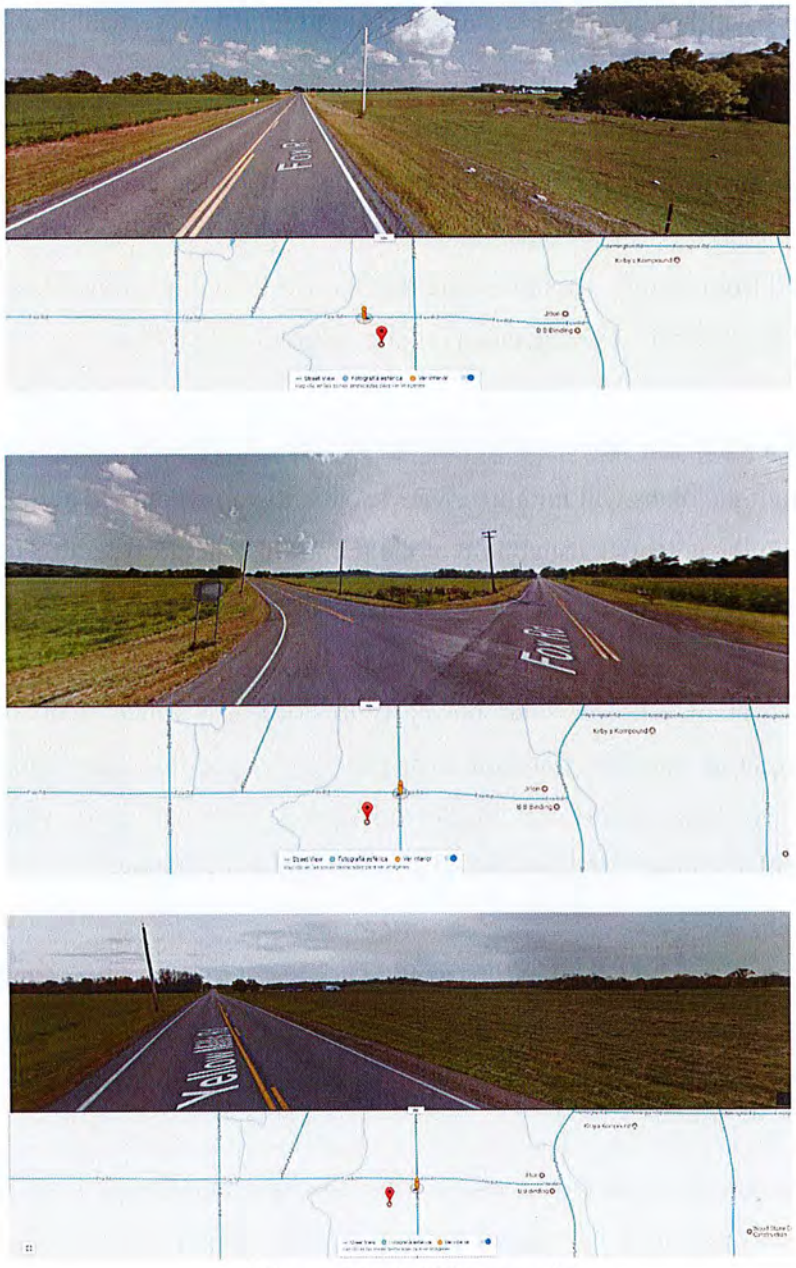


Figure 13. Buildings and Road View (from Fox Road and Yellow Mills)

The solar arrays will be constructed to a maximum height of approximately 9 feet. Part of the proposed solar arrays will not be seen from off-site due to their low vertical profile and perimeter fence boundary surrounding the Solar Facility.

The arrays may also be visible from residential properties situated at east and southeast of Project Site (red square in picture). A row of trees (added to the existing ones placed or along the existing roads) may be placed from visible areas to ensure that the views will be minimized. The decision of increasing the existing vegetation will be taken on-site, after an initial study.

The combination of a perimeter fence, natural barrier of trees, additional vegetation and set back of the Solar Facility from the roads will minimize views. No known inventoried aesthetic resources are located off-site within the potential visual field of the proposed solar arrays.

4.1.3. Glare

In general, the concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible, standard solar panels produce less glare and reflectance than standard window glass. Solar panels use "high-transmission, low-iron" glass, which absorbs more light, producing smaller amounts of glare and reflectance than normal glass.

This is pointed out in US patent # 6359212 (method for testing solar cell assemblies and second surface mirrors by ultraviolet reflectometry for susceptibility to ultraviolet degradation), which explains differences in refraction and reflection of solar panel glass versus standard window glass.

When a ray of light falls on a piece of glass, some of the light is reflected from the glass surface, some of the light passes through the glass (transmitted), and some (very little) is absorbed by the glass. Following are parameters to take into account when considering glare from solar panels:

- The measure of the proportion of light reflected from surface is called reflectance (reflection): R

- The measure of the proportion transmitted is the transmittance (this is where the term high light transmission glass comes from because the glass is formulated to allow more light to pass through its surface than would pass through a standard glass surface): T
- The measure of the proportion absorbed is absorptance (absorption) (this amount is very small for clear glass, much smaller proportionately, than the other two components): A

Each quantity is expressed as a fraction of the total intensity (quantity) of a ray of light. Intensity may be expressed as follows: R + A + T = 1.

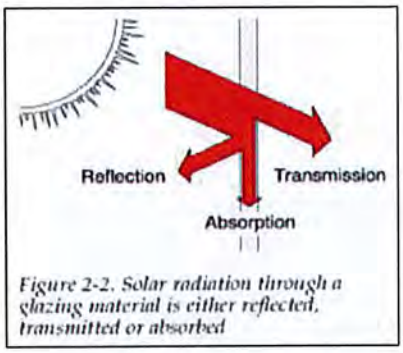


Figure 2-2. Solar radiation through a glazing material is either reflected, transmitted or absorbed

Table 9. Solar Radiation through a Glazing Material

The reflection/refraction behavior of a medium is directly related to its index of refraction. Lower the index of refraction is suitable because the medium is allowing more of the incident ray to pass directly through.

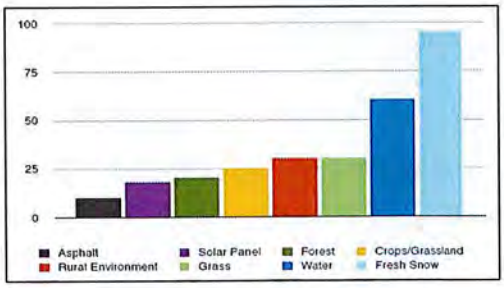


Table 10. Common Reflective Surfaces

It should be noted from the graph and the table below, that the reflected energy, in percentage, of solar glass is much lower than water and even below that of forest reflection.

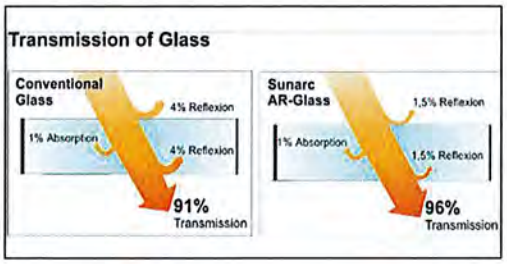


Table 11. Anti-Reflective Coating reflect a lower percentage of light than smooth water.

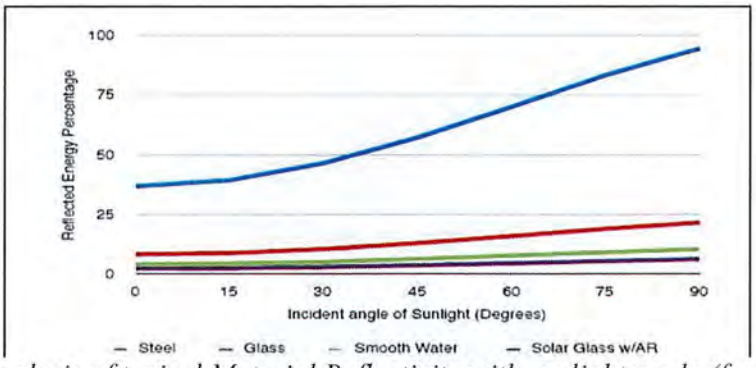


Table 12. Analysis of typical Material Reflectivity with sunlight angle (from normal).

Steel, a common building material, reflects far more incident sunlight than a solar panel.

The percentage of the incoming sunlight that is reflected is very low for high sun angles (most of the day) and increases for a very low sun angles (near sunrise and sunset when the intensity of the sun is already substantially lower than at mid-day.).

Taking into account landscaping and fencing surrounding the Solar Facility as well as the aforementioned information regarding glare off the solar modules, roadways, buildings and any flights paths will not be impacted by glare from the panels.

4.1.4. Storm Water Drainage

4.1.4.1 Storm Water Drainage off Modules

The storm water impacts of a solar installation will depend upon the project design, site conditions and characteristics, as well as topographic conditions.

A SWPPP determines the impact, if any, of the existing runoff conditions and remediation actions, if needed, for the proposed runoff conditions. The Solar Facility is fixed mounted and is installed with minimal impact to the current topography and groundcover conditions. Also the Solar Facility is arranged with sufficient distance between the modules to allow rainfall to infiltrate between each module and flow between arrays, allowing any runoff to naturally infiltrate and drain over all ground surface.

The conceptual design of the Project has been arranged, to the maximum extent practicable, to mimic the natural hydrology. Rainwater falling on the modules will not channel or accumulate in large volumes as it will run-off the modules using the gap between each module, about 1 inch. Rain water will fall off each module within a few feet of where it would naturally fall. Additionally, the site has full grass ground cover, minimizing erosive actions.

Figure 14. Module Spacing gaps

Elements of the Solar Facility that alter natural infiltration, such as steel poles driven into the ground, will always be treated as impervious. Other impervious elements would include concrete pads or foundations for racks or inverter cabinets.

The following factors have been considered during the design process:

- Runoff to flow onto and across vegetated areas to maintain the disconnection
- Disconnecting impervious surfaces works best in undisturbed soils.
- Minimizing ground disturbance.

The Solar Facility will be installed in an existing meadow. The rows of solar panels will be installed according to Figure 15 below. In this scenario, the disconnection length is the same as the distance between rows and is at least 80% of the width of each row. Therefore, each row of modules is adequately disconnected between modules and between rows.

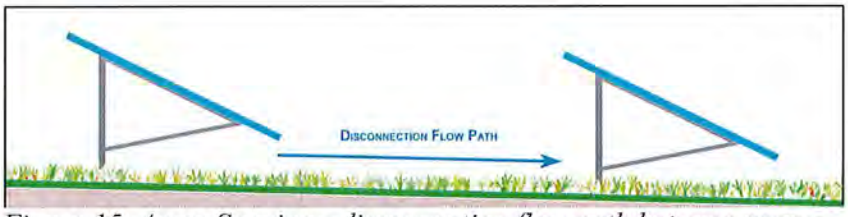


Figure 15. Array Spacing - disconnection flow path between arrays
Source. Maryland Department of the Environment

4.1.4.2 Vegetation under Modules

The modules will reduce direct sunlight under each module in direct proportion to its total collection area; this may reduce plant coverage and density under the modules. In contrast, this shading will increase the moisture of the ground providing an extra water source for vegetation.

Based on the proposed solar array layout, there will be a maximum of 11-17 feet of shading underneath each module (varies based on sun position). Within this area sunlight intensity will be reduced. Recordings made in similar conditions reduced the sunlight intensity to less than 600 Lx. Sunlight intensity is reduced but still enough intensity remains in the area allowing grass to persist under the shaded area. The growing pattern will be slower than the conditions associated with full open environments but good enough to allow grass to endure. Generally, the measurements made in the various light regimes indicate native grasses grows best when light values exceed 600 Lx but the growing patters will be reduced to a level where the grass will have a thinner cover and resulting a slower growing path for the grass. Other contiguous grasses may actually benefit from some shading providing a slightly moister substrate that could be utilized by the grasses. (Source: proposed solar panels vegetation impacts, prepared by Joseph Arsenault, July 2010)

Based on the studies and research there will be limited impacts to the existing grass vegetation. and there should not be an adverse impact to existing ground cover. When the solar array is decommissioned and removed the soil conditions will remain (i.e. there are no parking lots, roads or foundations, other than the inverter pads).

4.1.5. Noise

Fixed panels mean there are no moving parts. Very minimal low level noise is generated from the electrical inverter and distribution transformer. Inverters are tested and do not generate disturbing noise levels, and noise from equipment will not be audible at the property boundary.

Central inverters are usually surrounded on all sides by the solar panel arrays further distancing them from anyone who might happen to be nearby. At a distance of 1m, central inverters have a sound pressure level of less than 70dB. The noise generated by the inverters will be within existing ambient levels at the property lines. Furthermore, because solar panels produce power only when the sun is shining, inverters will be completely silent at night.

4.1.6. Dust and Waste

The tilt of the modules allows water to flow freely through them and clean the surface when it is raining. No dust will be generated during operations. Modules after use (20 or 30 years) are 95% recyclable. The equipment will be designed for a 30 year lifespan, and end-of-life site remediation and equipment replacement options will be discussed.

4.1.7. Safety

A health and safety plan will be implemented during construction. All equipment installed will comply with safety rules.

Warning signs (visible, in good condition and permanent) will be posted. Perimeter fencing (See Plan 8 – P12 PERIMETER FENCING & SILT FENCE in Drawings) will be installed and a

surveillance system will be considered. All the equipment will be tested and in warranty. Equipment must comply with Federal, State and local regulations and applicable laws.

The electrical safety for workers will be designed and evaluated in detail. The hot parts will be isolated, and general equipment or switching devices will be mechanically interlocked. The electrical installations are equipped with protection against abnormal operating conditions, providing compliance with safety rules.

Limited security lighting maybe installed and designed to minimize light pollution. Lighting options will be discussed with the applicable town boards along with recommendations.

4.1.8. Impacts During Construction

It is expected that some noise will be generated during construction activities. All actions involving risk will be considered: civil engineering, machinery, transportation, etc. Impacts due to construction will be investigated, and mitigation measures will be proposed. The contingency provision for the Solar Facility consists of a detailed analysis of the possible occurrence of an incident while under construction; the purpose is to have a response to maintain the safety of people, environment and property.

4.1.9. Cultural and Historic Resource Sites and Values

The historic and archeological map will be utilized to identify if any cultural or historical significance exist on site. Any cultural resource that would be directly or indirectly impacted, if any, would be subject to further evaluation. The NYSSHPO Cultural Resources Information System indicates there are no archaeological sensitive areas within the Project Site.

4.1.10 Solar Facilities Classified as Non-Hazardous Materials

Solar photovoltaic systems, have a life expectancy of 30 years. As the volume of solar installations in the US grows, the industry is planning ahead to create panel recycling programs.

Photovoltaic panels are designed to last more than 25 years, and many manufacturers back their products with performance guarantees backed by warranties. Many SEIA (Solar Energy Industry Association) members already operate take-back and recycling programs for their products. They are committed to guiding both state and federal regulations that support safe and effective collection and recycling of modules models.

End-of-life disposal of solar products in the US is governed by the Federal Resource Conservation and Recovery Act (RCRA) (http://www.epa.gov/lawsregs/laws/rcra.html), and state policies that govern waste. To be governed by RCRA, panels must be classified as hazardous waste.

To be classified as hazardous, panels must fail the Toxicity Characteristics Leach Procedure test (TCLP test). Most panels pass the TCLP test, and thus are classified as nonhazardous and are not regulated. Numerous companies make available to its customers modules that do not contain toxic heavy metals (no more lead or cadmium than allowed under RoHS). Because panel materials are enclosed, and don't mix with water or vaporize into the air, there is little, if any, risk of chemical releases to the environment during normal use. The most common type of panel is made of tempered glass, which is quite strong. They pass hail tests. Most residential fires are not hot enough to melt components and systems must conform to state and federal fire safety, electrical and building codes. Potential for emissions derived from components during typical fires is limited given the relatively short-duration of most fires and the high melting point (>1000 degrees Celsius) of materials compared to the roof level temperatures typically observed during residential fires (800-900 degrees Celsius).

All solar panel materials are contained in a solid matrix, insoluble and non-volatile at ambient conditions, and enclosed. Therefore, releases to the ground from leaching, to the air from volatilization during use, or from panel breakage, are not a concern. Ground-mounted arrays are typically made up of panels of silicon solar cells covered by a thin layer of protective glass, which is attached to an inert solid underlying substance (or "substrate").

The main component of most modules is silicon, which isn't intrinsically harmful, but parts of the manufacturing process do involve toxic chemicals and these need to be carefully controlled and regulated to prevent environmental damage. It is important to note that the same materials are in other electronic goods such as computers and TVs.

Generally, companies participate in a fully funded collection and recycling system for end-of-life modules produced globally; has written a letter to the Solar Energy Industry Association (SEIA) urging it to support EPR laws and regulations; supports public EPR policies in the regions where the company manufactures and sells modules and takes responsibility for recycling by including the "crossed out garbage bin" symbol on module name plates, including a PV Cycle link on the company website; and clearly describing on the website how customers can responsibly return modules for recycling.

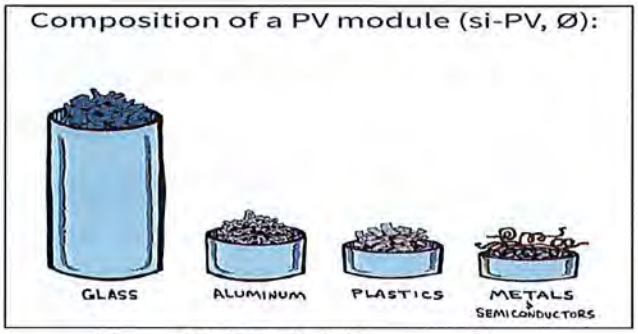


Figure 16. PV Module composition
Source: PV Cycle

Transformers used at solar installations are similar to the ones used throughout the electricity distribution system in cities and towns. Modern transformers typically use non-toxic coolants, such as mineral oils. Potential releases from transformers using these coolants at solar installations are not expected to present a risk to human health. Release of any toxic materials from solid state inverters is also unlikely provided appropriate electrical and installation requirements are followed.

4.1.11 Decommissioning Plan

A separate document containing additional information on decommissioning will be provided, however, in general:

- Unsafe, inoperable, and/or abandoned equipment shall be removed by the Project Owner. The Solar Facility shall be deemed abandoned when it fails to produce energy for at least one year.
- The Project Owner shall submit a decommissioning plan for review and approval. The decommissioning plan shall identify the anticipated life of the Project, method and process for removing all components and returning the Project Site to substantially its pre-existing condition. The decommissioning plan shall also include estimated decommissioning costs, including any salvage value.

Site decommissioning and equipment removal can take a month or more. Therefore, access roads, fencing, electrical power, and other facilities will temporarily remain in place for use by the decommissioning workers until no longer needed. Demolition debris will be placed in a temporary onsite storage area pending final transportation and disposal and/or recycling according to procedures. No hazardous materials or waste will be used during operation of the Solar Facility; disposal of hazardous materials or waste will not be required at decommissioning.

The piling for support structures is without concrete foundation, so removing piles will not be onerous. The diameter of the holes in the ground are small in terms impacted area and will be refilled accordingly. Excavations will be backfilled and restored with native onsite material. No significant grading or rework of the site will be performed.

Module manufacturers are required to pay an amount (for recycling modules at the end of its useful life) when they sell the modules, so the main component of the installation has covered its costs of recycling. Most materials of the Solar Facility have value: steel, copper, aluminum, and others.

The quantity and value of recycled and reusable materials could vary according to markets value, facility conditions and lifespan.

4.1.12. Other Environmental Considerations

Visual resources in the area of the Project have been affected by past and present actions including highway/roadway construction, utility power lines, sewage, utility water pipes and limited commercial and residential development. Screening will be discussed with the town boards to minimize views of the Solar Facility.

THE INFORMATION PROVIDED IN THIS DOCUMENT

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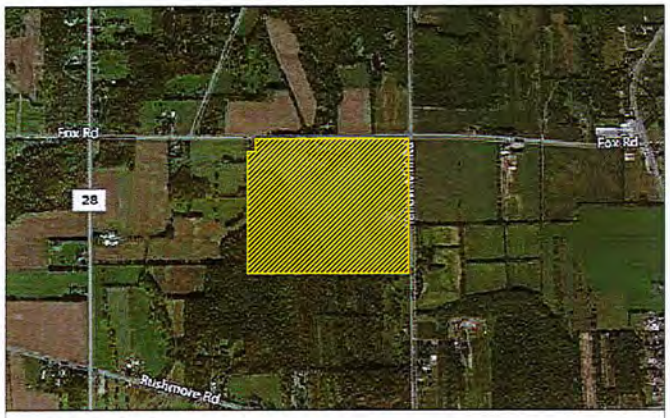
DRAWINGS

466Yellow Mills Rd SOLAR PROJECT
7.245 MW DC / 7.014 MW AC

2.415 MW DC / 2.338 MW AC (Project #1)
2.415 MW DC / 2.338 MW AC (Project #2)
2.415 MW DC / 2.338 MW AC (Project #3)
GRID TIED UTILITY SCALE DISTRIBUTED GENERATION SYSTEM



SUMMARY:

MODULE: CSUN - 72P

MODULE QUANTITY: 7,000 (345 Wp) (per plant).

INVERTER: IS 1245TL U B480 (x2 per plant).

RACKING SYSTEM: 4 MODULE HEIGH - LANDSCAPE

SOLAR PROJECT ARRAY DISPOSITION: 25° TILT - AZIMUTH 180°

COMBINER BOX: TBD

UTILITY: ROCHESTER GAS ELECTRIC CORPORATION (RG&E)

PROJECT INFORMATION:

NAME: 466 Yellow Mills Rd #1 #2 #3 FARM

ADRESS: 466 Yellow Mills Rd. Farmington, NY 14522

OWNER:–

GENERAL CONTRACTOR:–

REGULATIONS IN FORCE:

NATIONAL ELECTRIC CODE 2017 EDITION

UL 1741 STANDARD FOR INVERTERS

UL1703 AND 2703 FOR BONDING AND GROUNDING

ASCE 7 MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES

2009 INTERNATIONAL BUILDING CODE

NY STATE STANDARDIZED INTERCONNECTION REQUIREMENTS AND APPLICATION PROCESS Feb 2017

NYSEG SP-1009 SPECIFICATIONS FOR CUSTOMER ELECTRIC SERVICE 2.4 KV TO 34.5 KV

DRAWING INDEX

DRAWING NO.	DESCRIPTION	REV.
P00	FRONT COVER	1
P01	GENERAL NOTES	1
P02	PROJECT LOCATION	1
P03	TRANSPORT STATEMENT	1
P04	OVERALL LAYOUT	1
P06	RACKING SYSTEM	1
P08	TRANSFORMER, INVERTER& AUX. EQUIPMENT PAD	1
P12	PERIMETER FENCING & SILT FENCE	1
P17.1	LABELS	1
P17.2	LABELS	1
P21	FOOT PRINT LAYOUT	1

DRS DELAWARE RIVER SOLAR
33 Irving Place (Suite 1090), New York, NY 10003
Email: peter.dalgas@exeltaenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [Y] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CS	--	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2/ 1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC (#2) 2,338 kW AC (#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / E):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

Site Adress: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: FRONT COVER

Scale: NS (ANSI B)

Project ID: #---

Plan No.: 00

GENERAL NOTES

WIRING SPECIFICATIONS

AC CONDUCTORS	
POSITIVE	
NEGATIVE	
EARTH	

ACCOMMODATION ENVELOPE	
POLARITY	
L1	
L2	
L3	
NEUTRAL	
EARTH	

AC CONDUCTORS	
PHASE	
L1	
L2	
L3	
NEUTRAL	
EARTH	

DISCONNECTING MANNERS

SOW SUMMARY

RACKING SYSTEM ISSUES

SIGNS AND LABELING

SYSTEM INTERCONNECTION REQUIREMENTS

INVERTER NOTES

EQUIPMENT LISTINGS

GROUNDING SPECIFICATIONS

HEALTH AND SAFETY ISSUES

DAMAGE AVOIDANCE

ABBREVIATIONS/ACRONYMS

LEGEND

CARDINAL ARROW

INDICATED SITE BOUNDARY

MAIN ACCESS PATH

SECONDARY ACCESS PATH

SOLAR MODULES

INVERTER & TRANSFORMER STATION PAD

POLE

DISTRIBUTION CIRCUIT LINE

MV TRENCH

LV TRENCH

TREE FENCE

SILT FENCE

COMBINER BOX

TEMPORAL CONSTRUCTION PAD

ACCESS ROADS

COMPOUND AREA

WETLAND

DOWNLOAD / STORAGE / WASTE

PARKING

CANTEEN

DRESSING ROOM

WASH ROOM

OFFICE

ACCESS

SHADOW PROJECTION

TREE REMOVAL AREA

DRS DELAWARE RIVER SOLAR

33 Irving Place (Suite 1090), New York, NY 10003
Email: peter.dolgos@xzertaenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: ______

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	-	Initial Layout	07/09/18
1	CB	-	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2.415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2 / 1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2.338 kW AC (#1) 2.338 kW AC(#2) 2.338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION:	4 Module Heigh - Landscape
TILT:	25º
AZIMUTH:	180º

TIOS

CB QTY / FUSES (QTY / I):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

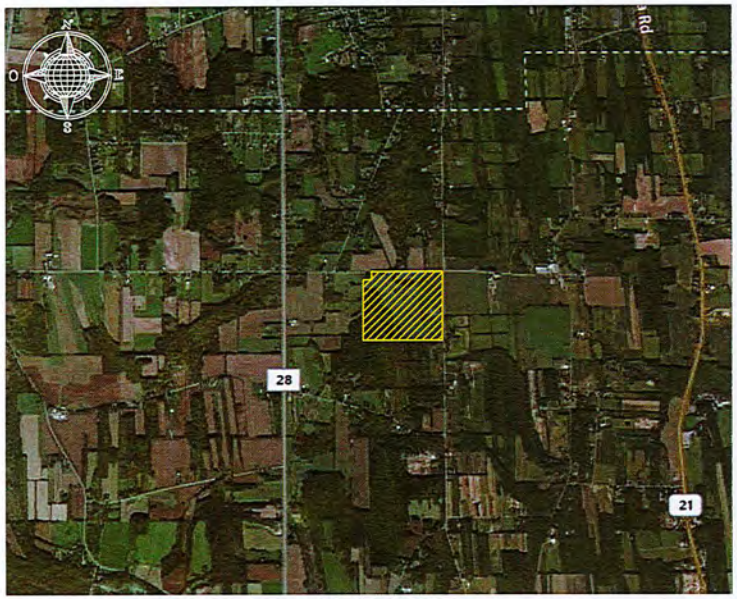
Site Adress: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: GENERAL NOTES

Scale: NS (ANSI B)

Project ID: #---

Plan No.: 01



Scale: 1" : 4000'

Scale: 1" : 1000'

Scale: NS

Scale: NS

DRS DELAWARE RIVER SOLAR
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Email: peter.dolgos@xzerfaenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [Y] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CB	--	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2 /1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / #):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

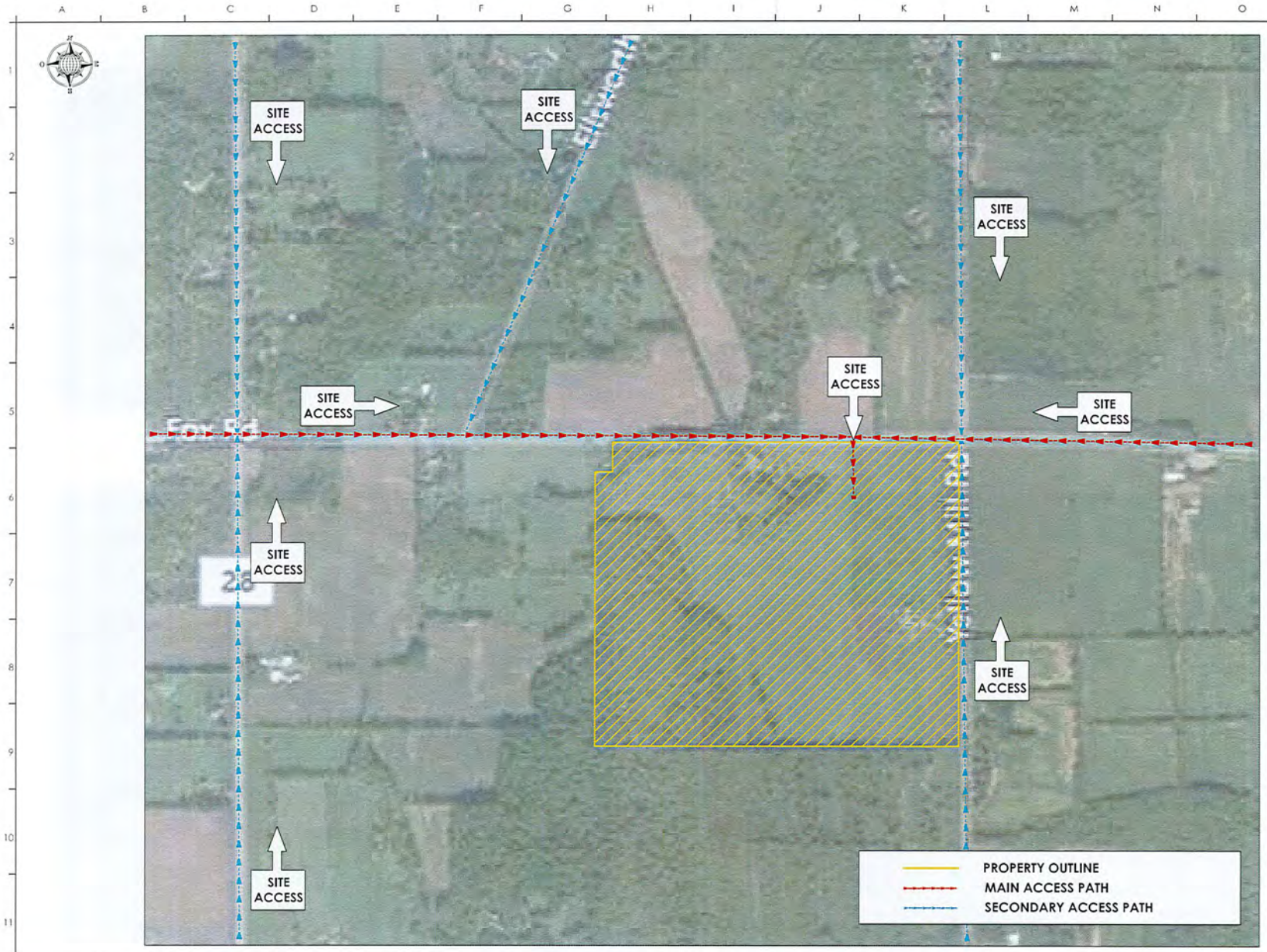
Site Address: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: PROJECT LOCATION

Scale: Various (ANSI B)

Project ID: #---

Plan No.: 02



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Email: peter.dolgos@xzertaenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CB	--	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U 8480
QUANTITY / RATING:	2 / 1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC (#2) 2,338 kW AC (#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / #): TBD
TRANSFORMER QTY / RATING: 1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE: 12.47 kV

Project Name:
SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

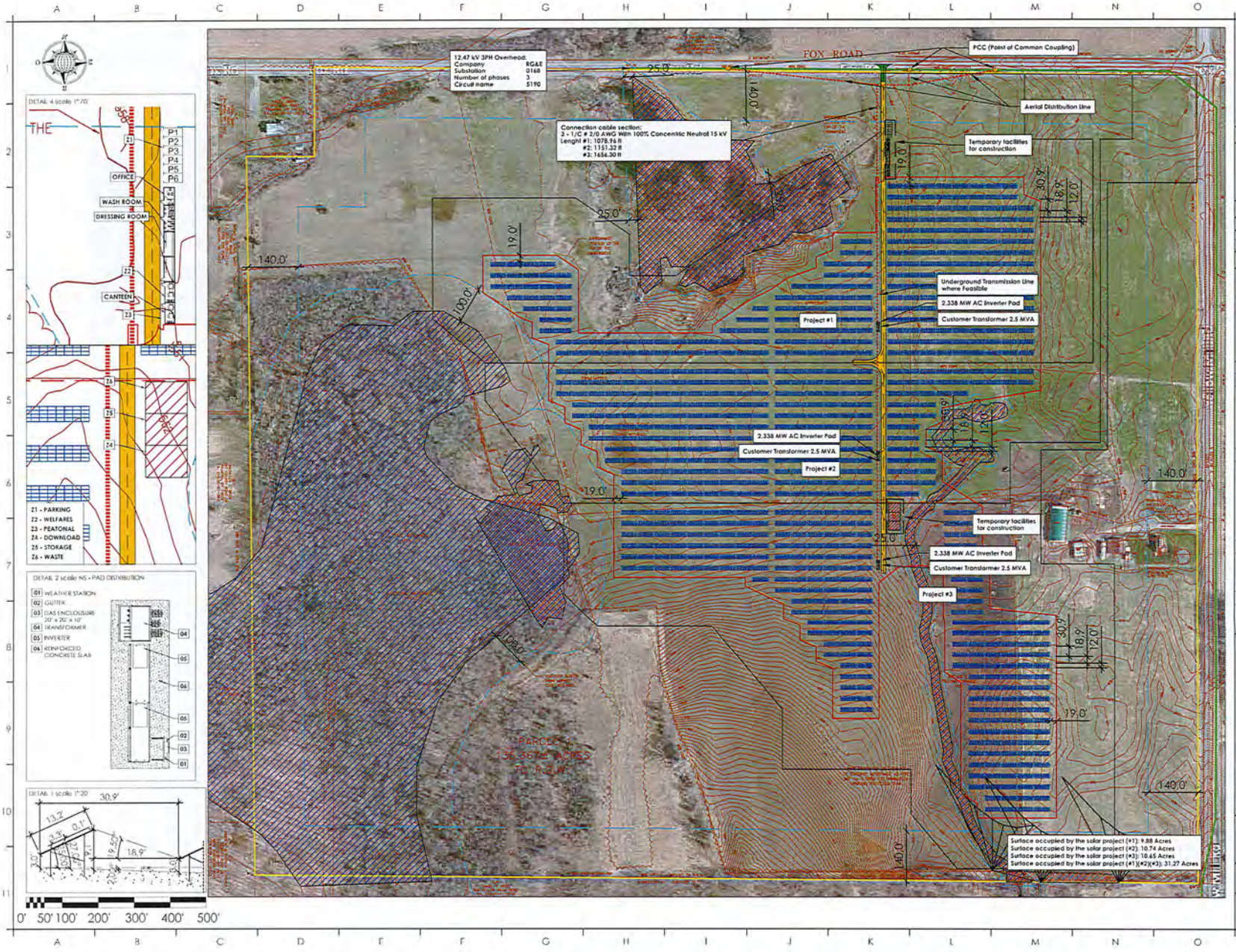
Site Address:
Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name:
TRANSPORT STATEMENT

Scale:
1": 700' (ANSI B)

Project ID:
#---

Plan No.:
03



DRS DELAWARE RIVER SOLAR

33 Irving Place (Suite 1090), New York, NY 10003
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DRAWING ISSUE

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- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CB	--	Reviewed and Modified	08/22/18

LEGEND

SOLAR MODULES
DISTRIBUTION POWER LINE
MV TRENCH
LV TRENCH
PROPERTY OUTLINE
PROJECT OUTLINE
DEER FENCE
LOT AREA
POLE
INVERTER & TRANSFORMER STATION SKID
TEMPORAL CONSTRUCTION PATH
ACCESS ROADS
COMPOUND AREA
WETLAND
TREE CLEARING AREA: 0.16Acres
FARMLAND OF STATEWIDE IMPORTANCE

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2 /1,247 KVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / I):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
Site Acres: 466 Yellow Mills Rd FARM
Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

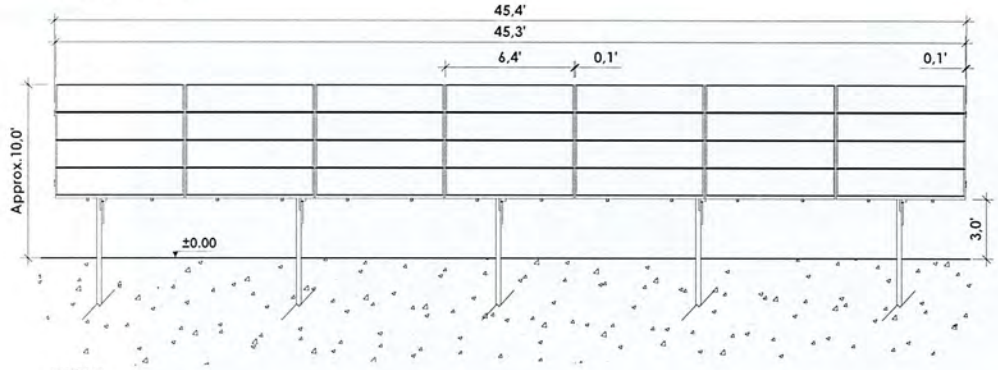
Sheet Name: OVERALL LAYOUT

Scale: 1":250' (ANSI B)

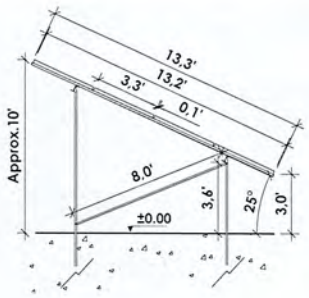
Project ID: #---

Plan No.: 04

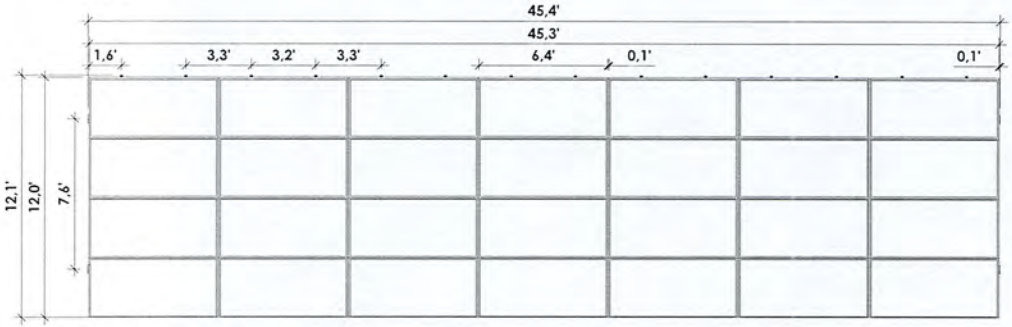
28 MODULES STRUCTURE



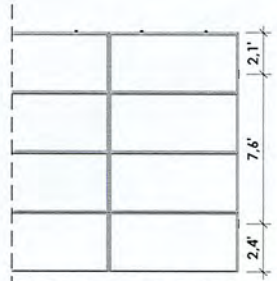
FRONT



LEFT SIDE



PLANT



PV PANEL CLAMPS POSITION

NOTES:

-TYPICAL INSTALLATION DIMENSIONS; MAY BE ADJUSTED TO SUIT FIELD CONDITIONS WITHIN THE TOLERANCES PROVIDED.
-FINAL DESIGN AND ENGINEERING PLANS IN DETAIL WILL BE PERFORMED BY RACKING MANUFACTURER

FEATURES:
- 4 MODULE HEIGH - 25° - LANDSCAPE
- ETL CLASSIFIED TO UL2703
- CUSTOM ENGINEERED TO EXCEED APPLICABLE ASCE 7-10, IBC, AND UL STANDARDS
- ELECTRICALLY BONDED SYSTEM
- 30 AMP MAXIMUM FUSE RATING

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- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
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1	CS	--	Reviewed and Modified	08/22/18

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PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / I):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

Site Address: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: RACKING SYSTEM

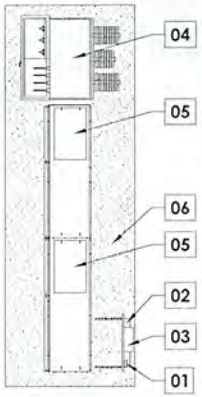
Scale: 1":6' (ANSI B)

Project ID: #---

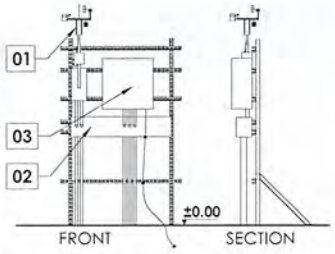
Plan No.: 06

DETAIL 1 scale NS - PAD DISTRIBUTION

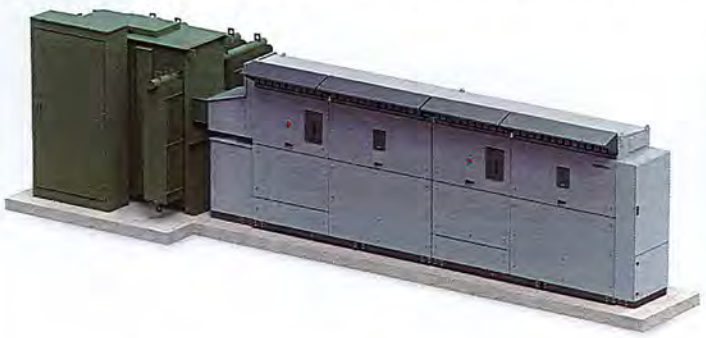
01 WEATHER STATION
02 GUTTER
03 DAS ENCLOSURE 20" x 20" x 10"
04 TRANSFORMER
05 INVERTER
06 REINFORCED CONCRETE SLAB



DETAIL 2 scale 1":4' AUXILIARY EQUIPMENT RACK

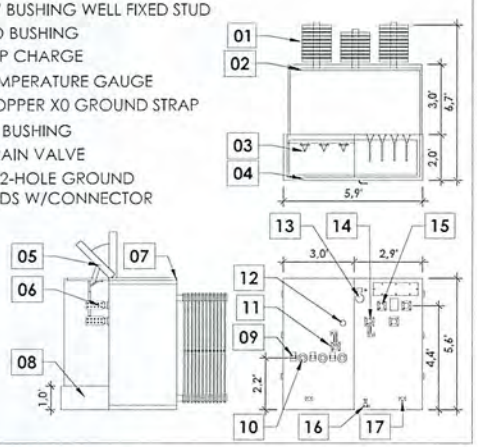


01 WEATHER STATION
02 GUTTER
03 DAS ENCLOSURE 20" x 20" x 10"

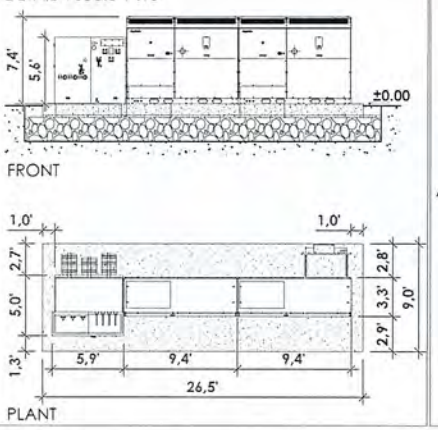


DETAIL 3 scale 1":4' - TRANSFORMER

01 RADIATORS
02 BOLTER COVER
03 LOADBREAK INSERT
04 CABINET SIDE DOORS W/SECURITY LATCH
05 HINGED TOP CABINET W/REMOVABLE COVER
06 HOLE INTEGRAL SPADE W/SUPPORTS
07 REMOVABLE TAMPER GUARD FOR COVER
08 LOADBREAK INSERT
09 PARKING STAD W/STANDOFF
10 HV BUSHING WELL FIXED STUD
11 HO BUSHING
12 TAP CHARGE
13 TEMPERATURE GAUGE
14 COPPER X0 GROUND STRAP
15 LV BUSHING
16 DRAIN VALVE
17 SS 2-HOLE GROUND PADS W/CONNECTOR

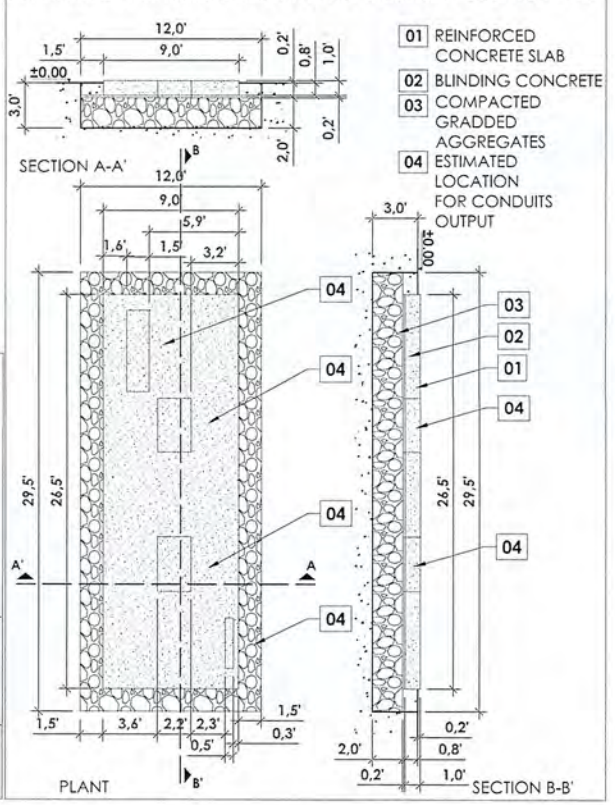


DETAIL 4 scale 1":10'



DETAIL 5 scale 1":8' TRANSFORMER, INVERTER & AUXILIARY EQUIPMENT PAD

01 REINFORCED CONCRETE SLAB
02 BLINDING CONCRETE
03 COMPACTED GRADDED AGGREGATES
04 ESTIMATED LOCATION FOR CONDUITS OUTPUT



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DRAWING ISSUE

- [ ] PRELIMINARY
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- [x] PERMITTING
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REVISIONS

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SYSTEM SUMMARY

MODULE

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STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1745TL U B480
QUANTITY / RATING:	2 /1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC (#2) 2,338 kW AC (#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / E):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2,338 MW per plant)
466 Yellow Mills Rd FARM

Site Adress: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: TRANSFORMER, INVERTER & AUX. EQUIPMENT PAD

Scale: Various (ANSI B)

Project ID: #---

Plan No.: 08

AROUND THE PERIMETER FENCE PLACED SIGNS INDICATING WARNING SING CONCERNING VOLTAGE

THE FENCING MUST ALLOW BADGERS, REPTILES AND OTHER FAUNA ACCESS INTO THE SITE (WHILST RETAINING GRAZING SHEEP). IF REQUIRED TO DO SO BY THE ECOLOGICAL REPORT.

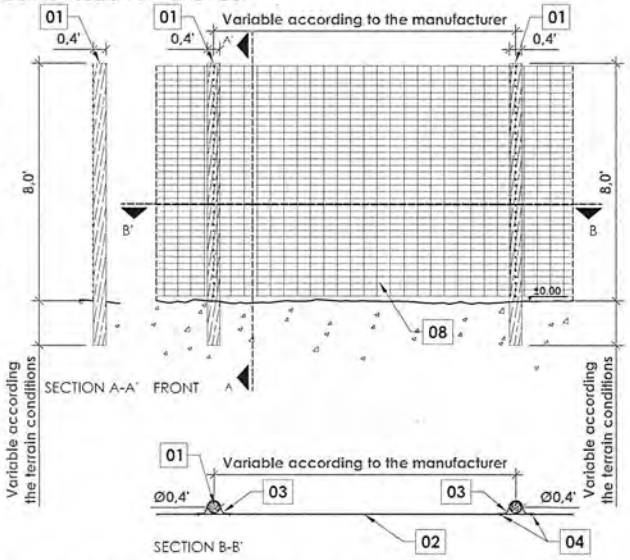
IT IS ADVISED A GAP TO ALLOW SMALL MAMMALS AND REPTILES ACCESS IS LEFT AROUND THE ENTIRE BASE OF THE FENCE, WITH LARGER GAPS OR GATES FOR BADGERS AT SUITABLE INTERVALS.

FENCE CONTINUITY MUST BE ENSURED

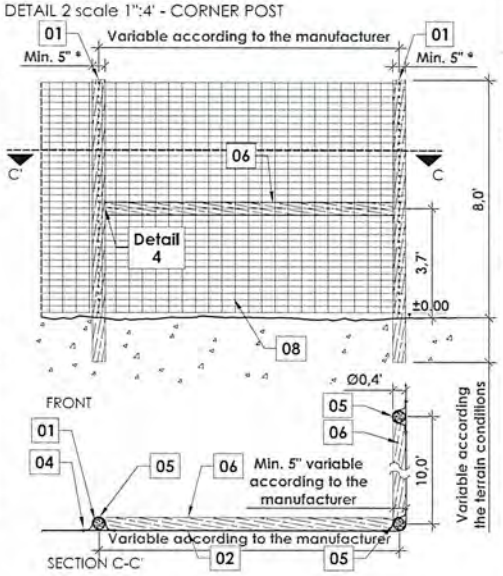
01	TERMINAL POST 5" Ø x 8 ft SYP PRESSRE TREATED *
02	WIRE ROPE Ø1/2"
03	ROUND CORNERS
04	WIRE ROPE CLAMPS
05	MORTISE & SPIKE AT JUNTURES OF POST & BRACES
06	5" BRACES POST TYP. *
07	HORIZONTAL BRACE ASSEMBLY
08	5" x 3" GA. GALV. FIXED-KNOTWAVEN WIRE STAPLED AT EACH POST WITH 2 in. GALV. STAPLES
09	36" MIN. FENCE POSTS, DRIVEN MIN 16" INTO GROUND
10	SELF LOCKING GATE GAUGE W/MAX. 6" MESH SPACING
11	STABILINKA T140N, FILTER X OR MIRAFI 100X PREFABRICATED SILT FENCE WITH POSTS OR APPROVED EQUIVALENT
12	36" Min. FENCE POST
13	EXCAVATED TRENCH
14	VEHICLES ACCESS
15	PEOPLE ACCESS

* See note

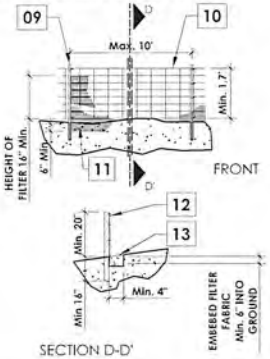
DETAIL 1 scale 1":4' - LINE POST



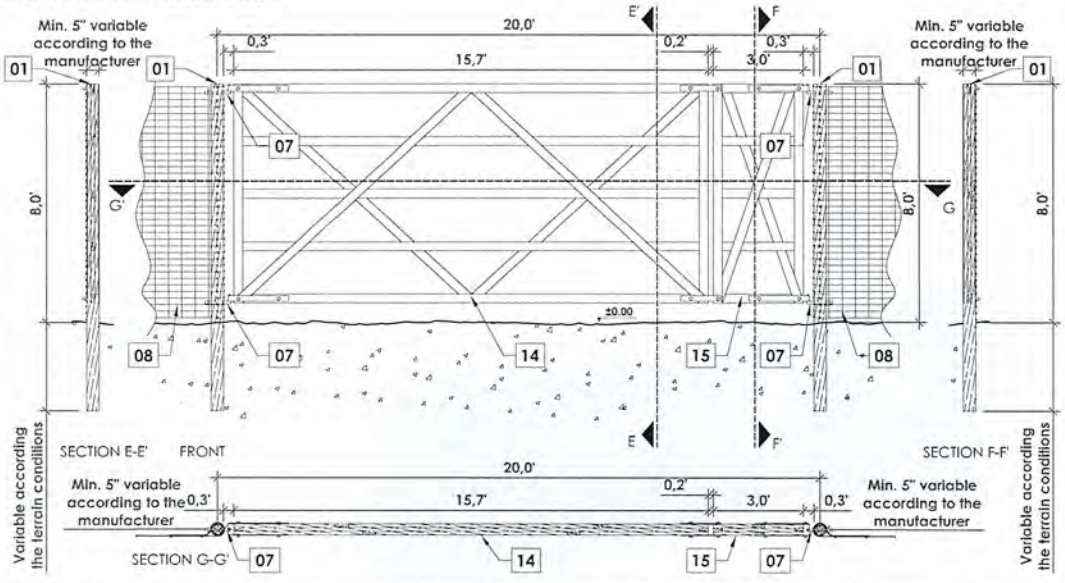
DETAIL 2 scale 1":4' - CORNER POST



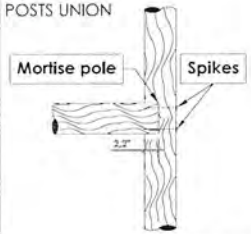
Detail 5 scale NS - SILT FENCE



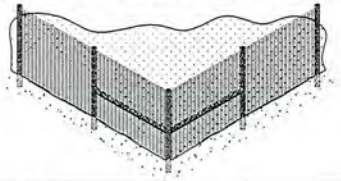
DETAIL 3 scale 1":4' - ACCESS DOOR



DETAIL 4 scale NS
POSTS UNION



DETAIL 6 scale NS - DEER FENCE



NOTE:
The dimensions and specifications may vary depending on the manufacturer and possible constructive variations in the execution of the work.

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DRAWING ISSUE

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- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	–	Initial Layout	07/09/18
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SYSTEM SUMMARY

MODULE

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NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2 / 1,247 KVA (#1) 2/ 1,247 KVA (#2) 2/ 1,247 KVA (#3)
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RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / I):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

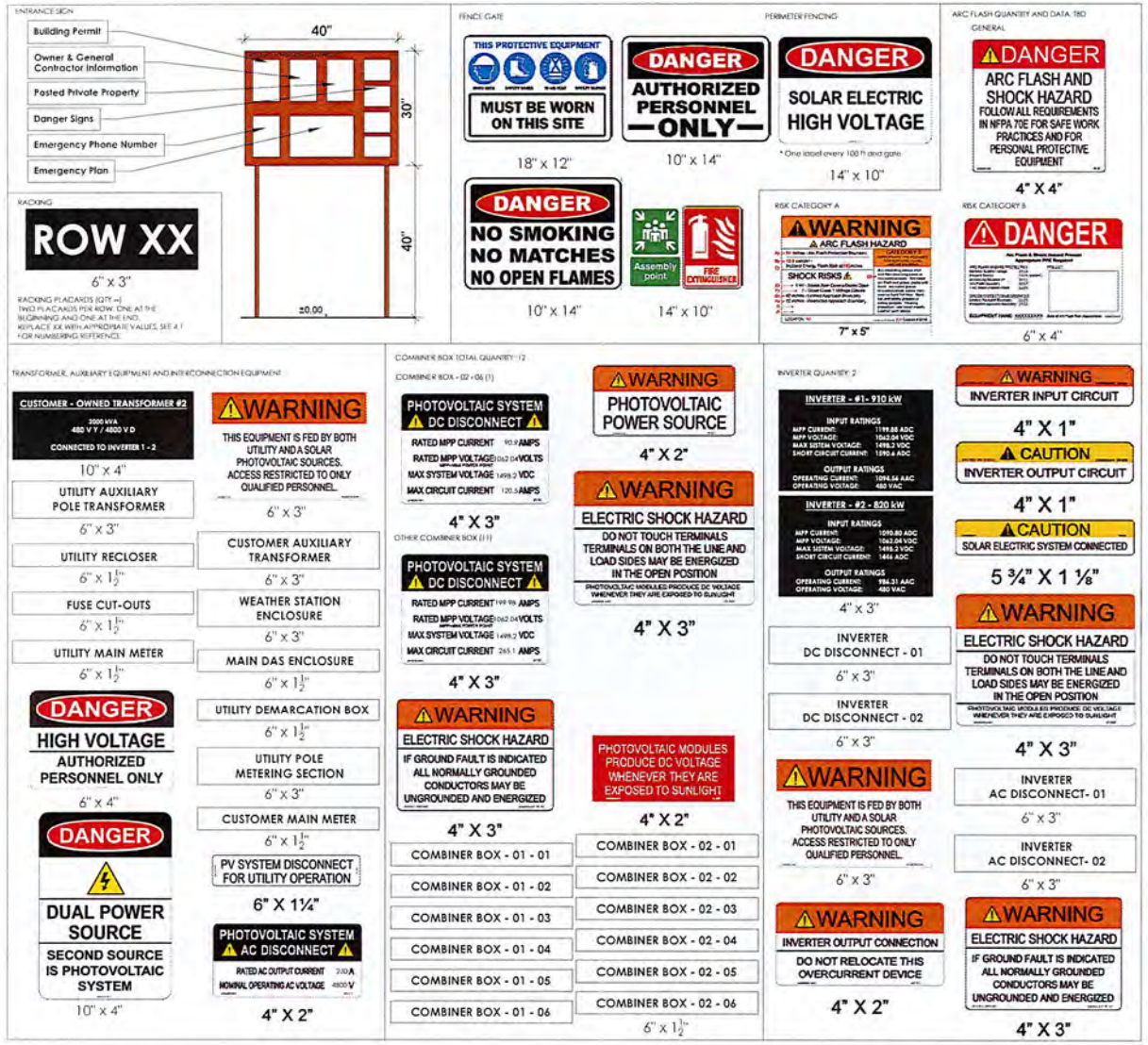
Site Adress: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: PERIMETER FENCING & SILT FENCE

Scale: Various (ANSI B)

Project ID: #—

Plan No.: 12



NOTES:
-THIS LABELING PLAN IS A DRAFT
-PLACARDS AND METAL SIGNS ARE CONSIDERED FOR LABELING

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DRAWING ISSUE

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MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 Kwp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1243TL U B480
QUANTITY / RATING:	2 / 1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

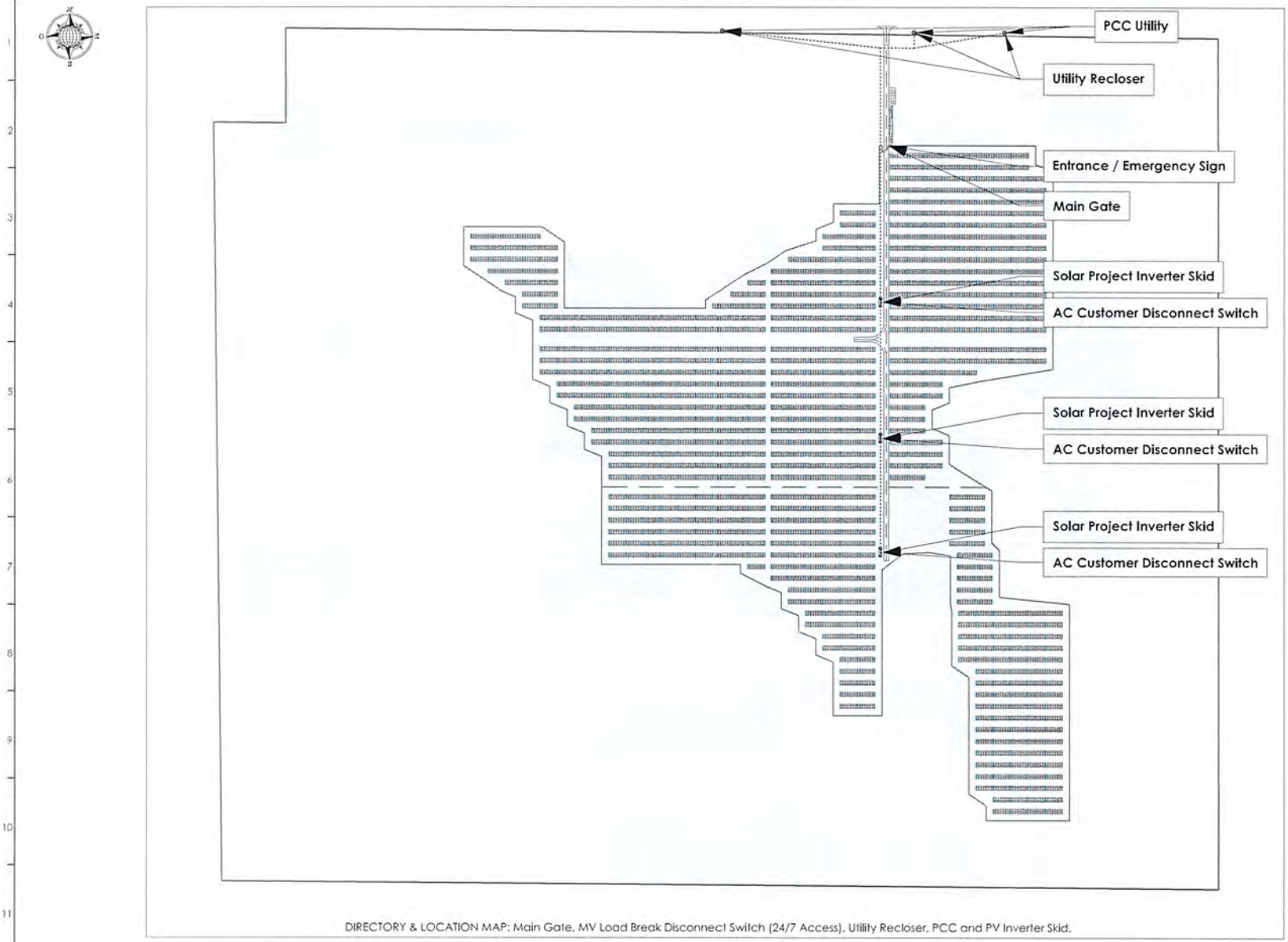
CB QTY / FUSES (QTY / #): TBD
TRANSFORMER QTY / RATING: 1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE: 12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
Site Address: 466 Yellow Mills Rd FARM
Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: LABELS

Scale: NS (ANSI B)
Project ID: #---

Plan No.: 17.1



DIRECTORY & LOCATION MAP: Main Gate, MV Load Break Disconnect Switch (24/7 Access), Utility Recloser, PCC and PV Inverter Skid.

DRS DELAWARE RIVER SOLAR
33 Irving Place (Suite 1090), New York, NY 10003
Email: peter.dolgos@kzertaenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CB	--	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1245TL U B480
QUANTITY / RATING:	2 /1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / #):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	12.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

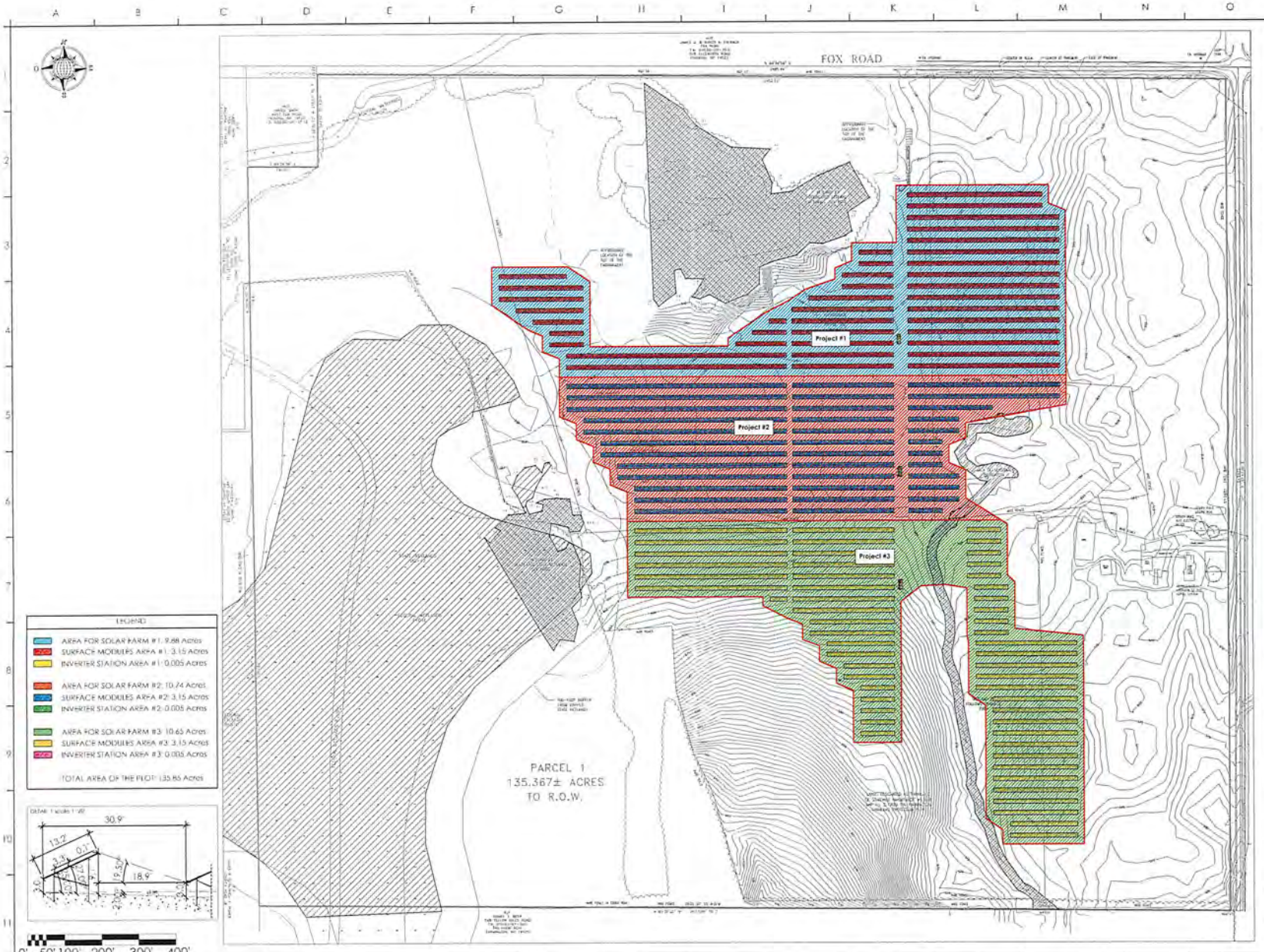
Site Adress: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: LABELS

Scale: NS (ANSI B)

Project ID: #---

Plan No.: 17.2



DRS DELAWARE RIVER SOLAR
33 Irving Place (Suite 1090), New York, NY 10003
Email: peter.dalgos@nzerdenergy.com

DRAWING ISSUE

- [ ] PRELIMINARY
- [ ] CONSTRUCTION
- [ ] CUSTOMER APPROVAL
- [ ] AS-BUILT
- [x] PERMITTING
- [ ] OTHER: _____

REVISIONS

REV	BY	APP	DESCRIPTION	DATE
0	AP	--	Initial Layout	07/09/18
1	CB	--	Reviewed and Modified	08/22/18

SYSTEM SUMMARY

MODULE

MANUFACTURER:	CSUN
MODEL:	CSUN - 72P
MODULE OUTPUT POWER:	345 Wp
STRING SIZE:	28
NUMBER OF STRINGS:	250 (per plant)
MODULE QUANTITY:	7,000 (per plant)
PV SYSTEM OUTPUT:	2,415 KWp DC (per plant)

INVERTER

MANUFACTURER:	INGETEAM
MODEL:	IS 1745TL U B480
QUANTITY / RATING:	2 / 1,247 kVA (#1) 2/ 1,247 kVA (#2) 2/ 1,247 kVA (#3)
PV SYSTEM OUTPUT:	2,338 kW AC (#1) 2,338 kW AC(#2) 2,338 kW AC(#3)
DC SYSTEM VOLTAGE:	1,500 V

RACKING

MANUFACTURER:	TBD
CONFIGURATION :	4 Module Heigh - Landscape
TILT:	25°
AZIMUTH:	180°

BOS

CB QTY / FUSES (QTY / #):	TBD
TRANSFORMER QTY / RATING:	1 / 2,500 kVA (per plant)
INTERCON. VOLTAGE:	13.47 kV

Project Name: SOLAR PROJECT 7.014 MW AC
#1 #2 #3 (2.338 MW per plant)
466 Yellow Mills Rd FARM

Site Address: Yellow Mills Rd
Farmington, NY 14522
43.017843, -77.259895

Sheet Name: FOOT PRINT LAYOUT

Scale: 1": 250' (ANSI B)

Project ID: #—

Plan No.: 21

Exhibit C

Director of Planning and Development

Memorandum to Town Planning Board Chairperson

And

Town Planning Board Members

November 12, 2018

Note: Attached is a copy of the

3page report referenced above

Memorandum

TO: Ed Hemminger, Chairperson
Town of Farmington Planning Board

From: Ron Brand, Director of Planning and Development *Ronald L. Brand*

Date: November 12, 2018

RE: Delaware River Solar Public Hearing Meeting - Requests for Applicant's Responses to concerns identified by Town Residents and Planning Board Members.

I have reviewed the draft minutes of last Wednesday night's public hearings on the Delaware River Solar Applications and provide this list of items that the applicants were asked to provide written responses to.

1. The applicant was asked to identify the alternate sites that they looked at in the Town of Farmington and give reason(s) why one of those alternate sites were not chosen.

2. The applicant is to provide documentation upon the meterological effects of the northeast United States on solar projects. Among the information to be provided is why the industry is just now starting to build solar operations in New York State and what relationship this decision has to the statement... "the northeast United States is notorious for a lack of sun, especially in the Great Lakes region."

3. The applicant is asked to identify how they calculate the percent of open space there will be on each of the three proposed parcels of land.

4. The applicant is asked to provide photographs of a solar project comparable in size to the one being proposed in Farmington. The residents want to see what approximately 35 acres of solar panels in an area will look like.

5. The applicant is asked to provide data from other solar locations which identifies the value of adjacent properties before and after construction of a site farm comparable in size to the one being proposed.

6. The applicant is asked to provide their wetlands biologist's report on the site's wetland areas.

7. The applicant is asked to explain what the North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection's (CIP) Reliability Standards are and how they might affect the proposed Delaware River Solar Project.

8. The applicant is asked to provide detail specifications from the manufacturer on the solar panels being proposed for the Delaware River Solar Project. In particular what, if any chemicals that may be used.

Town of Farmington Development Office
1000 County Road 8
Farmington, New York 14425

(315) 986-8100, Ext. 5
fax (315) 986-5986
rlbplans@gmail.com

9. The applicant was asked how farm equipment would be able to reach the portion of the site that is used for baling hay.

10. The applicant was asked to explain what information was used in preparing the property boundaries for this solar farm project and is that survey information available to the public prior to a decision being made.

11. The applicant was asked to provide additional information about what buffers either exist or are to be proposed between the solar farm portion of the property and adjacent properties along Yellow Mills Road.

12. The applicant was asked about the intersection of Yellow Mills Road and Fox Road and to provide data from local law enforcement agencies about accidents and fatalities at this intersection.

13. The applicant is asked to verify where there the main acquifer is for this area of the town and its' relationship to the proposed project site.

14. The applicant is asked to provide details on the amount of a surety bond that is being considered to reclaim the site, how it will get adjusted, how it remains in effect and who is the beneficiary.

15. The applicant is to provide a written response to the question if the solar panels are made in the United States and if the company making them is part of a union.

16. The applicant is to provide a report on the ongoing maintenance of the solar panels, the frequency of inspections, who conducts the inspections, where the maintenance records are going to be maintained and how the public is going to learn of any violations.

17. The applicant is to provide information on the terms of the lease with the landowners.

18. The applicant is asked to provide information about the size and placement of the energy inverters, including pictures of these devices that are being used elsewhere.

19. The applicant is asked to clarify what is meant when he says... "there are no toxic materials inside the inverters and that they are similar to those now in use at other RG&E facilities." The applicant is to provide the locations of these other RG&E facilities and to provide comparisons between the inverters being proposed by Delaware River Solar and those being used by RG&E.

20. The applicant is asked to provide details about power disruption during maintenance of the solar panels, to include how frequent this happens and what causes the disruption. Copies of the maintenance record of other solar projects comparable in size and still operating.

21. The applicant is asked for what alternatives, to the one now being proposed, were studied by the applicant and why those alternatives were not feasible for this project.

22. The applicant is to provide photographs of other similar solar projects, to include a full panel array depiction.

Once this information has been provided to the Town Planning Board, then a copy should be placed upon the town's website. Hopefully, this information will be provided prior to the continued public hearing on December 5, 2018.

RLB:btb

c: Farmington Planning Board
Farmington Planning Board Clerk of the Board
Farmington Town Board
Farmington Town Clerk

Town of Farmington Development Office
1000 County Road 8
Farmington, New York 14425

(315) 986-8100, Ext. 5
fax (315) 986-5986
rlbplans@gmail.com

Exhibit D

Donald Young, Esq.

Boylan Code, LLP

Attorneys for Applicant

January 16, 2019

Note: Attached is a copy of the

2 page letter referenced above

Boylan Code
Attorneys at Law

January 16, 2019

Town of Farmington Planning Board
Town of Farmington Code Enforcement Officer
Town of Farmington Director of Development

Via Email Only

Dear Members of the Planning Board, Town Code Enforcement Officer and Town Director of Development:

I write on behalf of our client, Delaware River Solar ("DRS"), who has made application to the Town of Farmington to develop three community solar facilities that will generate, in the aggregate, approximately 7 MW of clean and "green" electricity to be distributed over the existing electrical grid (the "Project").

As you are aware, the Town of Farmington has requested that a "Notice of Intent" ("NOI") pursuant to the New York Agriculture and Markets Law ("AGM Law") Section 305 be provided in order to continue to process the application of Delaware River Solar ("DRS"), and the Town is considering delaying its consideration of DRS's application until receipt of the same. My understanding is that the Town is seeking said NOI due to potential funding from the NY State Energy Research and Development Agency ("NYSERDA").

In sum, the relevant AGM Law provides that where *a governmental agency intends to*, among other things, *advance public funds* in support of non-farm construction within an agricultural district, the *governmental agency* must file a "notice of intent" at least "sixty-five days prior to such . . . advance of public funds" with the NY Commissioner of Agriculture and Markets and the County Agricultural and Farmland Protection Board.

As I understand it, while DRS certainly hopes to receive funding, DRS has not, in fact, applied for, been awarded nor received any funds from NYSERDA relating to the Project. Thus, there cannot be at this time any intent by NYSERDA[1] to fund the Project, and the AGM Law provision calling for the NOI has not been triggered. Even if it had been triggered, NYSERDA would be responsible for filing the NOI, not DRS, since DRS is not a governmental agency. Moreover, the law provides that 1) the NOI must be filed with the State and County, not the Town, and 2) that the NOI need only be filed 65 days prior to advance of funds.

We respectfully submit that the Town not delay the process and continue to hold open the public hearing on the basis of the AGM Law regarding NOIs since 1) DRS has not applied for, been awarded or received funding from NYSERDA at this time, 2) jurisdiction for consideration of the NOI is under the County and the State, not the Town, and 3) even if the NOI requirement had been triggered, the NOI isn't required until 65 days prior to the advance of funds.

Thus, the Town has no rational basis to delay its land use reviews, including its SEQR review, since the NOI is not required under the current circumstances. Even if it were now required (which it is not), the information called for therein is either already available to the Town from the prior submissions, and/or the opinions/information called for therein may be directly sought from NYSERDA, the NY Commissioner of Agriculture and Markets and/or the County

[1] As a clarifying point, the AMG Law provides that it is the intent by NYSERDA to provide funding which triggers the NOI, not the intent of DRS to seek funding.

Agricultural and Farmland Protection Board as interested or involved agencies pursuant to the SEQR process. Indeed, said agencies should already have been included by the Town as part of the SEQR process and if they had any information relevant to the SEQR process, they will already have had the opportunity to submit it per the SEQR process.

Moreover, NYSERDA requires proof of land use approvals be obtained and submitted to NYSERDA in order to make application to NYSERDA for funding.[2] **Thus, DRS may not even *apply* to NYSERDA, much less be awarded or receive funding until it has received decisions on its land use applications before the Town.** As such, the "intent to advance public funds" required to trigger the NOI cannot possibly be achieved until *after* land use approvals are decided, since NYSERDA will not even *consider an application*, much less award or distribute funds until proof of land use approvals is submitted.

In conclusion, it is premature and the Town is without jurisdiction to require the NOI prior to taking action on SEQRA on DRS's underlying applications to the Town. As such, DRS respectfully requests that the Town move forward with its consideration of DRS's applications.

Truly Yours,

Boylan Code, LLP
Attorneys for Applicant

Donald Young

By: Donald A. Young, Esq.

[2] See the NY-Sun Upstate and Long Island Program Manual, p. 17.

Exhibit E

Full Environmental Assessment Form
Part 2 – Identification of Potential Project Impacts

PB #1003-18, PB #1004-18, PB #1006-18

May 15, 2019

Note: Attached is a copy of the
10 page Full Environmental Assessment Form
referenced above

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer **"Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer **"No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: Construction in an agricultural area; decommissioning plan to return site to original agricultural land.		☑	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☑	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☐NO ☑YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☑	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☑	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☑	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☑	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☑	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☑	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☑	☐
h. Other impacts: Re: Public comments on groundwater impact if solar panels are damaged. _____		☑	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑NO ☐YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any 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.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐NO ☑YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☑
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☑	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☑	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☑	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☑	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☑	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☑	☐
h. Other impacts: _____		☑	☐

9. Impact on Aesthetic Resources
The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
☐ NO ☑ YES
If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☑	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☑	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☑ ☑
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☑ ☑	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☑	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☑	☐
g. Other impacts: Screening to be used as mitigation of impact on aesthetic resources.		☑	☐

10. Impact on Historic and Archeological Resources
The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
☑ NO ☐ YES
If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:	E3g	☐	☐

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☑	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☑	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☑	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☑	☐
e. Other impacts: _____		☑	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____		☐	☐

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☑ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: _____ _____		☑	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: _____ _____		☑	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☐ NO ☑ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☑
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☑	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☑	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☑	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☑	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☑	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☑	☐
h. Other: _____ _____		☑	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☑	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☑	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☑	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☑	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☑
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☑
g. Other impacts: _____ _____		☑	☐

PRINT FULL FORM

Exhibit F

Preliminary Site Plan Drawings

S-1 and S-2

Revised Dated September 25, 2019

Prepared by Schultz Associates

Engineers & Land Surveyors, P.C.

129 South Union Street

P.O Box 129

Spencerport, New York 14559

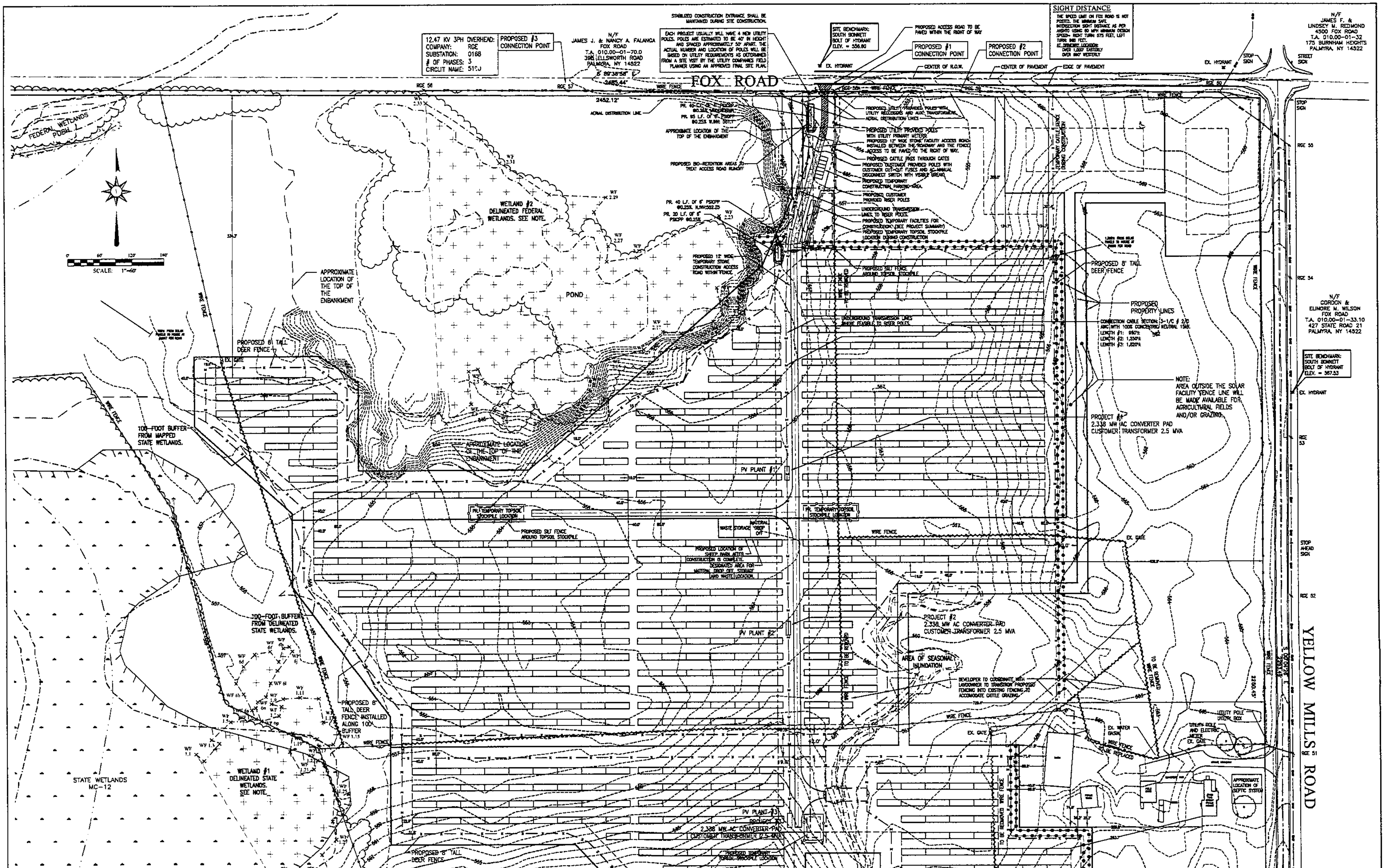
Exhibit F Consists of two (2) electronic sheets

of the above referenced Preliminary Site Plan

Delaware River Solar, LLC

Solar Energy Facility

Yellow Mills Road, Palmyra, New York

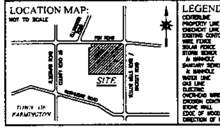


WETLAND DELINEATION:

1. PORTIONS OF THE WETLANDS DEPICTED ON THIS MAP WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES, INC. ON APRIL 30, 2018 (25 WEST FULTON STREET, GLOVERSVILLE, NY 12078).
2. THE MAPPED BOUNDARY OF THE NYSDEC STATE WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE NYSDEC ENVIRONMENTAL RESOURCE MAPPER.
3. THE MAPPED BOUNDARY OF THE FEDERAL WETLAND WERE LOCATED BASED ON THE DIGITAL MAPS PROVIDED BY THE U.S. FISH AND WILDLIFE NATIONAL WETLANDS INVENTORY MAPPER.

LOCATION MAP:

NOT TO SCALE



LEGEND:

CENTERLINE		UTILITY POLE	
PROPERTY LINE		WATER VALVE	
EASEMENT LINE		GAS VALVE	
EXISTING CONTOUR		UTILITY BOX	
WIRE FENCE		SURVEY MONUMENT	
SOLAR FENCE		MAILBOX	
STORM SEWER & MANHOLE	ST	SIGN	
SANITARY SEWER & MANHOLE	SA	IRON PIPE/REBAR	
WATER LINE	W	TRAFFIC CTRL MH	
GAS LINE	G	CLEANOUT	
ELECTRIC	E	CATCH BASIN	
OVERHEAD WIRES	OHW	FIRE HYDRANT	
EROSION CONTROL		SIGNAL SPAN POLE	
STONE WALL		PERC HOLE	
EDGE OF WOODS		DEEP HOLE	
DIRECTION OF FLOW		BENCHMARK	
		INVERT 2ND SECTION	
		SPOT ELEV.	x301.00'

SOIL DISTURBANCE

COMPONENT	SQ. FT.
RACK POSTS	1315
FENCE POSTS	175
ENTRY ROAD	4005
INTERIOR DRIVES	21238
TEMP. CONL FACILITY	1300
MATERIAL STORAGE	3400
INVERTER PADS	1000
TEMP. SOIL STOCKPILES	8280
STORMWATER FACILITY	5435
GRADING DISTURBANCE	28620
TOTAL DISTURBANCE	78810

PROJECT INFORMATION:

PV PLANT	1	2	3	
NUMBER OF RACKS	243	247	260	
SOLAR PANELS PER RACK	28	28	28	TOTALS
NUMBER OF SOLAR PANELS	6,804	6,916	7,280	21,000
AREA OF S.E.S. EQUIPMENT	3,062 AC	3,112 AC	3,276 AC	9,400 AC
AREA OF INTERIOR DRIVES	0.280 AC	0.126 AC	0.075 AC	0.481 AC
AREA OF MAIN ACCESS DRIVE	0.082 AC	0.000 AC	0.000 AC	0.082 AC
AREA OF TEMP. FACILITIES	0.030 AC	0.000 AC	0.000 AC	0.030 AC
LOT AREA	14.851 AC	13.008 AC	15.248 AC	43.105 AC
PERCENT COVERAGE	23.4%	24.8%	22.0%	23.3%

THE SOLAR PANELS ARE ATTACHED TO RACKS. EACH RACK IS 40.4' LONG BY 12.0' WIDE AND HAS 28 SOLAR PANELS. THERE WILL BE AT LEAST 18.0' BETWEEN EACH ROW OF RACKS.

MAPS OF REFERENCE:

1. MAP SHOWINGS LANDS OF THE MOBLEY ESTATE BY MICHAEL JOY, LS DATED: JULY 1989 AND FILED IN THE ONTARIO COUNTY CLERK'S OFFICE AS MAP NUMBER 17479.

NOTICE OF PROJECT NEAR FARM OPERATIONS

IT IS THE POLICY OF THE TOWN OF FARMINGTON TO CONSERVE, PROTECT, AND ENCOURAGE THE DEVELOPMENT AND IMPROVEMENT OF AGRICULTURAL LAND FOR THE PRODUCTION OF FOOD AND OTHER PRODUCTS AND ALSO FOR ITS NATURAL ECOLOGICAL VALUE. THIS NOTICE IS TO INFORM THE PROSPECTIVE GRANTEE THAT THE PROPERTY THEY ARE ABOUT TO ACQUIRE LIES PARTIALLY, WHOLLY OR WITHIN 500' OF EITHER AN AGRICULTURAL DISTRICT OR LAND FOR WHICH AN INDIVIDUAL COMMITMENT HAS BEEN RECEIVED PURSUANT TO SECTION 305 OF 306 OF THE AGRICULTURAL AND MARKET LAW OF THE STATE OF NEW YORK, AND THAT FARMING ACTIVITIES MAY OCCUR ON SUCH PROPERTY. SUCH FARMING ACTIVITIES MAY INCLUDE BUT NOT LIMITED TO ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

SITE DEVELOPMENT STATISTICS

ZONING: A-80 AGRICULTURE DISTRICT
TAX ACCOUNT No.: 010.000-01-037.11
CURRENT ADDRESS: 468 YELLOW MILLS ROAD
PARCEL AREA: 135.4± ACRES (TO R.O.W.)

LANDOWNER OWNER:
ROGER & CAROL SMITH
4790 FOX ROAD
PALMYRA, NY 14522

DEVELOPER:
DELAWARE RIVER SOLAR, LLC
CONTACT: PETER DOLGOS
33 IRVING PLACE
NEW YORK NY 10003
(646) 898-8465

A-80 AGRICULTURE DISTRICT SETBACK REQUIREMENTS:
FRONT: 80'
SIDE: 20'
REAR: 20'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.

TOWN CODE 165-85.3.E: LARGE SCALE GROUND MOUNTED SOLAR SYSTEMS SETBACK REQUIREMENTS:
FRONT: 60'
SIDE: 40'
REAR: 40'

LOT REQUIREMENTS:
WIDTH: 300'
DEPTH: 250'
AREA: 80,000 SQ.FT.
LOT COVERAGE: 25%

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	08-08-18	ADDED FARMINGTON FARMLAND PROTECTION PLAN SOIL DESIGNATIONS	DSM
2	08-15-18	REVISED PER TOWN OF FARMINGTON COMMENTS	DSM
3	02-21-19	ADDED REQUIRED PROPOSED LOCATIONS FOR NEW UTILITY POLES	DSM
4	06-18-19	REVISED LAYOUT FOR 40' SETBACKS	

CERTIFICATION:

WE, SCHULTZ ASSOCIATES, ENGINEERS AND LAND SURVEYORS P.C. HEREBY CERTIFY THIS MAP WAS COMPLETED ON JULY 3, 2018 FROM AN INSTRUMENT SURVEY COMPLETED MAY 23, 2018 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7208 OF THE NEW YORK STATE EDUCATION LAW. ANY ALTERATIONS ARE A VIOLATION OF ARTICLE 145 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

JOHN E. SCHULTZ, L.S. NO. 49882
DARRYL K. WOBER, L.S. NO. 49148
ROBERT B. HATCH, L.S. NO. 50631

A MAP SHOWING

DELAWARE RIVER SOLAR, LLC
SOLAR ENERGY FACILITY
~ YELLOW MILLS ROAD ~

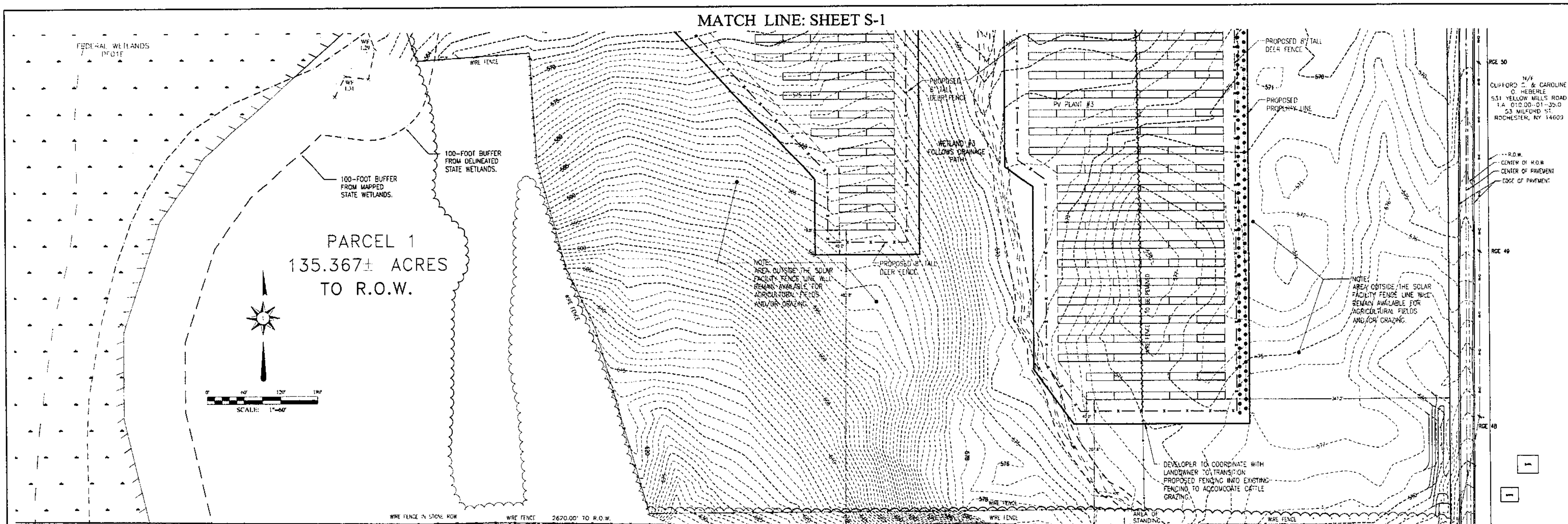
SITUATE IN:
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON, COUNTY OF ONTARIO, STATE OF NEW YORK

SCHULTZ ASSOCIATES
ENGINEERS & LAND SURVEYORS P.C.
129 SOUTH UNION STREET, PO BOX 89
SPENCERPORT, NEW YORK 14559
585-349-3750

PRELIMINARY SITE PLAN

DRAWN BY: DSM	PROJECT NO. 18.023		
CHECKED BY: KES	SHEET No. 2 OF 4		
SCALE: 1" = 60'	DWG. NO. S-1		
DATE: JULY 3, 2018			

MATCH LINE: SHEET S-1



SOIL DISTURBANCE

COMPONENT	SQ. FT.
RACK POSTS	1315
FENCE POSTS	175
ENTRY ROAD	4005
INTERIOR DRIVES	21735
TEMP. CON. FACILITY	1300
MATERIAL STORAGE	3400
INVERTER PADS	1065
TEMP. SOIL STOCKPILES	9290
STORMWATER FACILITY	5435
GRADING DISTURBANCE	29620
TOTAL DISTURBANCE	76810

CONSTRUCTION NOTES:

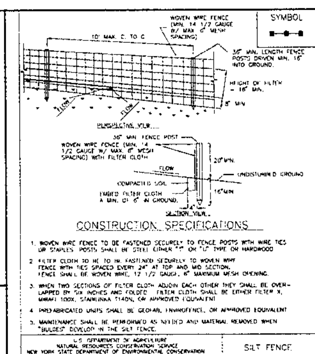
AREAS DISTURBED BY CONSTRUCTION NOTES:

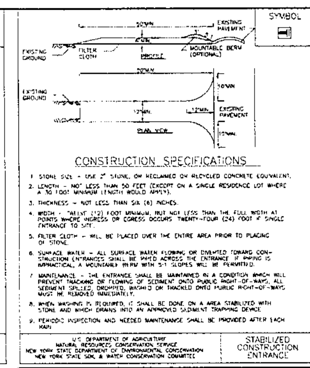
GENERAL NOTES:

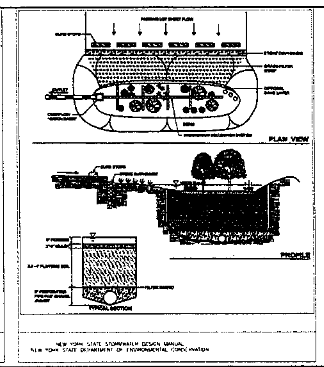
ABANDONMENT AND DECOMMISSIONING NOTES:

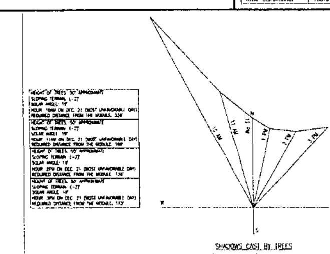
SPECIAL USE PERMIT REQUIREMENTS:

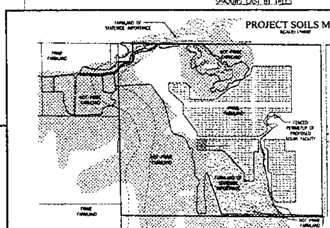
STORMWATER NOTES:











MAPS OF REFERENCE:

PROJECT INFORMATION:

SITE DEVELOPMENT STATISTICS

PROJECT SOILS INFORMATION:

SITE DATA	AREA	WOODED	SHADOW	VIABLE
PROJECT SITE	135.4	41.2	23.1	71.1
ADJACENT PARCEL	21.2	4.3	10.6	6.3

SOIL CLASSIFICATION	AREA	PRIME	NOT PRIME	S-W. IMP.	PRIME IF DRAINED
PROJECT SITE	135.4	71.2	49.4	14.7	0.1
ADJACENT PARCEL	21.2	6.8	14.4	0.0	0.0

VIABLE LANDS	AREA	PRIME	NOT PRIME	S-W. IMP.	WETLAND
PROJECT SITE	71.1	59.5	3.4	6.1	1.8
ADJACENT PARCEL	6.3	3.6	2.6	0.0	0.1

IMPACTED SOILS	AREA	PRIME	NOT PRIME	S-W. IMP.
PROJECT SITE	31.3	30.6	0.4	0.3
ADJACENT PARCEL	0.0	0.0	0.0	0.0

THE PROJECT PARCEL IS 466 YELLOW MILLS ROAD, TAX No. 010.000-01-037.11. THE ADJACENT PARCEL OWNED BY THE SAME LANDOWNER IS TAX No. 010.000-01-037.131

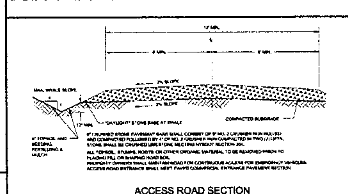
S-W.IMP.: LANDS DESIGNATED AS FARMLAND OF STATEWIDE IMPORTANCE.
VIABLE LAND: LANDS VIABLE FOR THIS DEVELOPMENT, MEANING LANDS THAT ARE NOT WOODED AND ARE OUTSIDE THE SHADOW CAST BY EXISTING VEGETATION

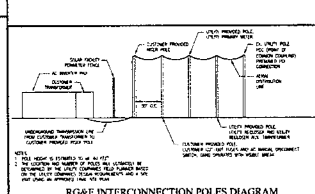
REVISIONS

NO.	DATE	DESCRIPTION	BY
1	08-06-18	ADDED FARMINGTON FARMLAND PROTECTION PLAN SOIL DESIGNATIONS	DSM
2	08-15-18	REVISED PER TOWN OF FARMINGTON COMMENTS	DSM
3	02-21-19	ADDED RGE INTERCONNECTION POLE DIAGRAM	DSM
4	09-18-19	REVISED LAYOUT FOR 40' SETBACKS	DSM

CERTIFICATION:

WE, SCHULTZ ASSOCIATES, ENGINEERS AND LAND SURVEYORS P.C. HEREBY CERTIFY THIS MAP WAS COMPLETED ON JULY 3, 2018 FROM AN INSTRUMENT SURVEY COMPLETED MAY 23, 2018 IN ACCORDANCE WITH THE PROVISIONS OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. ANY ALTERATIONS ARE A VIOLATION OF ARTICLE 145 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.



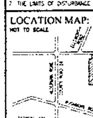


WETLAND DELINEATION:

NOTICE OF PROJECT NEAR FARM OPERATIONS

LOCATION MAP:

NOT TO SCALE



LEGEND:

A MAP SHOWING

DELAWARE RIVER SOLAR, LLC
SOLAR ENERGY FACILITY
~ YELLOW MILLS ROAD ~

SITUATE IN :
PART OF TOWN LOTS 118 & 119, TOWN OF FARMINGTON,
COUNTY OF ONTARIO, STATE OF NEW YORK

SCHULTZ ASSOCIATES
Engineers & Land Surveyors, P.C.
129 South Union Street, PO Box 89
Spencerport, New York 14559
585-349-3750

PRELIMINARY SITE PLAN

DRAWN BY:	DSM	PROJECT NO.	18.023
CHECKED BY:	KES	SHEET No.	3 OF 4
SCALE:	1" = 60'	DWG. NO.	S-2
DATE:	JULY 3, 2018		

Exhibit G

Project Notification Review Letter

From Ronald L. Brand, Director of Planning & Development

Town of Farmington

And

List of Involved Agencies identified

Under the provisions of the New York State

Environmental Quality Review Act (SEQRA)

November 6, 2019

Exhibit G Consists of a two (2) page Project Notification Review Letter and a one (1) page list of Involved Agencies and Addresses

Delaware River Solar, LLC, on behalf of Roger and Carol Smith, 466 Yellow Mills Road

Palmyra, New York 14522

TOWN OF
FARMINGTON

1000 County Road 8, Farmington, New York 14425-9565

"The Gateway to Ontario County" (Exit 44 NYS Thruway)
The Town of Farmington is an equal opportunity provider
TDD 1-800-662-1220
www.townoffarmingtonny.org

November 6, 2019

TO: Involved Agencies (see attached Distribution List)

FROM: Ronald L. Brand, Director of Planning & Development *Ronald L. Brand*

RE: SEQR Coordinated Review and Lead Agency Request
Project Notification Review Letter (PNRL)
Applicants – **Delaware River Solar, LLC, on behalf of Roger and Carol Smith, 466 Yellow Mills Road, Palmyra, New York 14522**

Action: **Revised Preliminary Subdivision Plat, Revised Preliminary Site Plan and Special Use Permit Applications to construct and operate a 7 Mega Watt Solar Photovoltaic Facility on three proposed parcels of land containing approximately 35 acres out of a total 137.56 acres of land located at the south west corner of Yellow Mills Road and Fox Road, in the Town of Farmington.**

Enclosed for your review is a revised copy of Part 1 of the Full Environmental Assessment Form (FEAF), a draft Storm Water Pollution Prevention Plan (SWPPP) and revised Preliminary Subdivision Plat and a revised Preliminary Site Plan drawing for the above referenced Actions now pending before the Town of Farmington Planning Board. The Planning Board, at their meeting on October 16, 2019 adopted a resolution notifying the Applicant of the need for this new information and declared its' intent as the designated lead agency to determine whether the Determination of Non-Significance previously made will need to be amended (see enclosed copy). Also enclosed is a list of identified involved agencies that are again being sent this new information. Finally, enclosed is the Town of Farmington's Project Notification Review Letter (PNRL) Response Form to be completed and returned.

The Actions now under review by the Town of Farmington Planning Board involves: the granting of preliminary subdivision plat approval to create four lots (the original farm parcel [Tax Map Account Number 10.00-1-37.131] plus three new lots) to be located on land at the south west corner of Yellow Mills Road and Fox Road; the granting of a Special Use Permit to operate a seven (7) megawatt solar photovoltaic facility; and preliminary site plan approval for the construction of a photovoltaic facility that is to be comprised of three separate arrays to operate as one facility.

The Planning Board has kept all of the involved agencies informed of its deliberations upon the environmental record that was created for the original applications; and now seeks any additional comments or concerns with these revised Actions. To this end, the Planning Board is requesting your agency's expedited review of this new information and a response using the enclosed PNRL not later than noon on Wednesday, November 20, 2019.

(Continues on next page)

Finally, a copy of this information packet will be on file in the Farmington Town Clerk's Office beginning today and continuing through November 19, 2019; and a copy of this information will also be placed in the Abstract Files for these Applications which is located on the Town's website, www.townoffarmingtonny.org for public review. The Town Clerk's hours of operation are Monday through Friday, 8:00 a.m. to 4:30 p.m. .

Anyone having questions about this PNRL is requested to contact me via email at rlbplans@gmail.com.

RLB:btb
Enclosures

c: Farmington Town Board
Farmington Town Clerk
Farmington Town Code Enforcement Officer
Farmington Town Engineers, MRB Group, D.P.C. Attn: Lance S. Brabant, CPESC
Delaware River Solar Engineers, Schultz Associates, Attn: David Mack, P.E.
Delaware River Solar, Attn: Peter Dolgos
Delaware River Solar, Attn: Daniel Compitello, Project Manager

SEQR COORDINATED REVIEW AGENCIES LIST

DELAWARE RIVER SOLAR, LLC, 7 M W SOLAR PHOTOVOLTAIC - REVISED ACTION

INVOLVED AGENCIES

New York State Department of Environmental Conservation
Region 8 Office
Attn: Scott Sheeley, Regional Permit Administrator
6274 E. Avon-Lima Rd.
Avon, New York 14414-9519

US Army Corps of Engineers
Department of Army Buffalo District, Corps of Engineers
Attn: Regional Permit Administrator
1776 Niagara Street
Buffalo, New York 14207

New York State Office of Parks, Recreation and Historic Preservation
Attn: Nancy Herter, Program Leader/Native American Liaison
Peebles Island Resource Center
Waterford, New York 12188-0189

New York State Department of Agriculture & Markets
Attn: Richard A. Ball, Commissioner
10B Airline Drive
Albany, New York 12235

Town of Farmington Highway & Parks Department
Attn: Don Giroux, Highway Superintendent
985 Hook Road
Farmington, New York 14425

New York State Energy Research & Development Authority
Attn: Alison Neligan, Project Manager, NY-Sun
17 Columbia Circle
Albany, New York 12203-6399

Exhibit H

Correspondence from

Jerry Hoover, Town of Seneca, Code Enforcement Officer

and

Jeffrey R. Harloff, Ontario County, Director/County Fire Coord.

to

Daniel Delpriore, Town of Farmington, Code Enforcement Officer

RE: Solar Panel Fire Hazards

February 24, 2021

From: Jerry Hoover <ceo@townofseneca.com>
Sent: Wednesday, February 24, 2021 8:46 AM
To: Dan Delpriore <ddelpriore@farmingtonny.org>
Subject: Re: FW: Solar Panels Fire hazards

Good morning Dan,

When dealing with large scale, ground mounted commercial solar arrays there is generally minimal risk for large scale fires. Most new systems are using rack mounted micro inverters which COULD be a potential source of fire if something goes wrong. The other location for potential fire is the transformer pad that ties the system into the grid. However these are no more or less susceptible than any other transformer station throughout the world.

Once out in the field of the panels, everything is steel and glass with fairly small wiring running along the rack system to the inverters and then the end of a string where it goes underground back to the transformer pad.

Microinverters: Are generally the size of a 100-200amp panel box and bolted to the rack system. If one of these were to catch fire there are circuit board boards and wire inside which would support minimal fire for a limited time.

Transformer pads: Nothing more than step up transformers as in any other application that bring voltage and amperage up to go into the grid.

Everything is managed from a NOC center and can rapidly be shut down in the event of an issue.

We currently have 5 2-2.5MW systems in the town. Three are located on the same property and two are on their own. The first system went in around 2015. We have not had a fire call on one to date.

Hope this helps.

Jerry