

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD

The first meeting of the Farmington Planning Board was held on January 21, 1959.

Wednesday, June 19, 2024 • 7:00 p.m.

MINUTES—DRAFT #1—SUBJECT TO CHANGE

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. Video recordings of the meetings are posted on the Town of Farmington’s YouTube channel (subscribe at youtube.com; enter Town of Farmington NY in the search box).

The meeting was conducted at the Farmington Town Hall and via remote video conference.

R = Attended via remote video conference.

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

Board Member Excused: Aaron Sweeney

Staff Present:
Lance S. Brabant, CPPESC, Town of Farmington Engineer, MRB Group, D.P.C.
Ronald L. Brand, Town of Farmington Director of Development and Planning
Tim Ford, Town of Farmington Highway Superintendent
August Gordner, Town of Farmington Code Enforcement Officer

Attending:
Judith D. Bargy, 5982 Redfield Drive, Farmington, N.Y. 14425
Rafael Barreto, Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614
Linda C. and Samuel F. Cammarata, 6009 Redfield Drive, Farmington, N.Y. 14425
Nancy Dewitt and Matt Hinckley, 5998 Redfield Drive, Farmington, N.Y. 14425
Anne M. Dunford, 6007 Redfield Drive, Farmington, N.Y. 14425
Robin Finn, 6020 Redfield Drive, Farmington, N.Y. 14425
James Fowler, Fowler Family Trust, 6176 Hunters Drive, Farmington, N.Y. 14425

Jim Grady, 6018 Redfield Drive, Farmington, N.Y. 14425
 John F. and Marcia C. Grady, 6018 Redfield Drive, Farmington, N.Y. 14425
 Mary Gustave, 1006 Pebbleview Drive, Victor, N.Y. 14564
 Fran and Mike Haselkorn, 5991 Redfield Drive, Farmington, N.Y. 14425
 Nicole and Chris Herpich, 49 Coachlight Circle, Farmington, N.Y. 14425
 Betsy and Robert Karpinski, 6008 Redfield Drive, Farmington, N.Y. 14425
 Vasa Klimeczko, 5780 Bonnie Brae Circle, Farmington, N.Y. 14425
 Emily Lukasik, EIT, LaBella Associates, 300 State Street, Suite 201, Rochester, N.Y. 14614
 Meg Nettnin, 6016 Redfield Drive, Farmington, N.Y. 14424
 Holly Petracca, 5900 Tweed Trail, Farmington, N.Y. 14424
 Joann and Scott Pollock, 6005 Redfield Drive, Farmington, N.Y. 14425
 Debora K. Potter, 1426 County Road 8, Shortsville, N.Y. 14548
 Frank Ruffolo, Sky Solar Inc., 1129 Northern Boulevard, Suite 404,
 Manhasset, N.Y. 11030
 Michelle Ruffolo, Sky Solar Inc., 1129 Northern Boulevard, Suite 404,
 Manhasset, N.Y. 11030—**R**
 Joel Shenton, 6027 Redfield Drive, Farmington, N.Y. 14425
 Brittany Sherrier, SHMiller Properties LLC, 16 Bent Oak Trail, Fairport, N.Y. 14450
 Tam M. Spitzer, 5999 Redfield Drive, Farmington, N.Y. 14425
 Lance Sprung, 5975 Redfield Drive, Farmington, N.Y. 14425
 Jeff and Elly Stevens, 6031 Redfield Drive, Farmington, N.Y. 14425
 Judy Swikenhardt, 5779 Bonnie Brae Circle, Farmington, N.Y. 14425
 Jason Viets, 781 County Road 8, Farmington, N.Y. 14425
 John Weidenborner, Chief, Farmington Volunteer Fire Association
 Judith M. Whitford, 5970 Redfield Drive, Farmington, N.Y. 14425
 Susan C. Willard, 6011 Redfield Drive, Farmington, N.Y. 14425
 Eric Wood, Senior Consultant, Energy Safety Response Group (ESRG),
 8350 U.S. Highway 23 North, Delaware, Ohio 43015
 Sarah C [?], 25 [?] illegible
 Jessica Koch, 25 [?] illegible

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 3, 2024.

2. APPROVAL OF MINUTES

Minutes of June 5, 2024:

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the minutes of the June 5, 2024, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

None.

4. CONTINUED PUBLIC HEARING: PRELIMINARY THREE-LOT RE-SUBDIVISION

PB #0702-23 Continued Preliminary Three-Lot Re-subdivision Application

Name: APD Engineering and Architecture, c/o Christopher Kamar, P.E., 615 Fishers Run, Victor, N.Y. 14564, representing the Fowler Family Trust, 6240 Pheasants Crossing, Farmington, N.Y. 14425

Location: 6240 Pheasants Crossing and the adjacent parcel to the south

Zoning District: RS-25 Residential Suburban

Request: Preliminary Three-Lot Re-Subdivision Plat approval of land, identified as Tax Map Accounts 29.13-1-5.100 and 29.13-1-5.200, containing a total of 12.091 acres of land; and as further to be identified as Re-Subdivision Plat Approval Lot #5A and Lot #5B of the Pheasants Crossing Subdivision owned by Fowler Family Trust. The proposed Action involves creating Lot #R-5A consisting of 6.437 acres, Lot #R-5B consisting of 2.212 acres and Lot #R-5C consisting of 3.442 acres all of which are to remain vacant as non-approved building lots requiring site plan approvals before any Building Permits may be issued.

On August 19, 2020, the Planning Board conducted a Public Hearing on the applicant's request for a three-lot re-subdivision of 12.0938 acres of land of Lot #5 of the Pheasants Crossing Subdivision to create Lot #R-5A of 1.541 acres, Lot #R-5B consisting of 4.181 acres and Lot #R-5C of 6.368 acres (PB #0802-20). The Public Hearing was closed. No action was taken. The applicant informed the Planning Board at that time that he would apply to the Zoning Board of Appeals for an area variance for lot width.

On September 16, 2020, the applicant received Preliminary Two-Lot Re-subdivision Plat approval (PB #0902-20).

On November 18, 2020, the applicant received Final Two-Lot Re-Subdivision Plat approval (PB #1103-20).

On July 24, 2023, the Farmington Zoning Board of Appeals (ZBA) opened its Public Hearing on the applicant's Area Variance application to have a minimum lot width of 30 feet (when the Town Code requires a minimum lot width of 125 feet) for proposed Lot #R-5C (ZB #0301-23).

The ZBA then approved the following actions on July 24, 2023:

- The ZBA agreed with the declared intent of the Planning Board that the Planning Board be designated as the State Environmental Quality Review (SEQR) Lead Agency for making the required determination of significance on the subdivision application.
- Following the Planning Board's SEQR determination and a determination of significance, the ZBA then requested that the Planning Board to provide a written recommendation to the ZBA concerning the Area Variance application.
- The ZBA continued the Area Variance application to August 28, 2023.

On August 28, 2023, the ZBA continued the Area Variance application to November 27, 2023, because the Planning Board has not yet determined that the application is complete.

On July 19, 2023, the Public Hearing on the applicant's subdivision application was opened by the Planning Board and was continued to August 2, 2023.

On August 2, 2023, the Planning Board designated itself as the Lead Agency under SEQR for making the determination of significance and requested that the applicant provide additional information which the Planning Board deemed necessary for their determining the application complete. The Planning Board then continued the Public Hearing on the subdivision application to the meeting on September 6, 2023.

On September 6, 2023, Mr. Fowler said that the additional information which had been requested by the Planning Board at their August 2nd meeting, had been submitted to the Town staff. Mr. Hemminger and Mr. Delpriore acknowledged receipt of the additional information but said that it had not been received in time for the September 6th meeting for the Town staff to review and for the Board to make a determination if the application was complete. The Planning Board then continued the Public Hearing on the re-subdivision application to the meeting on October 4, 2023.

On October 4, 2023, the Public Hearing was reconvened, testimony was taken from the applicant and from citizens, and the application was continued to the meeting on November 1, 2023). The applicant was requested to submit additional information to the Town Development Office by Wednesday, October 18, 2023, at 12:00 noon to be considered by the Planning Board on November 1, 2023.

On November 1, 2023, the Public Hearing was reconvened, testimony was taken from the applicant, and the application was continued to the meeting on December 6, 2023, at the

request of Mr. Fowler. He was requested to submit additional information to the Town Development Office by Wednesday, November 15, 2023, for placement on the agenda on December 6, 2023).

On November 27, 2023, the Zoning Board of Appeals (ZBA) continued its Public Hearing (ZB #0301-23) to Monday, January 22, 2024, to again provide time for the applicant to submit a complete application to the Planning Board for its review and acceptance as being a complete application. Also on November 27, 2023, the ZBA declared its intent to close its Public Hearing upon this Action at its meeting on Monday, January 22, 2024, if the applicant by that did has not provided the Planning Board with the requested additional information, and to deny without prejudice the requested Area Variance on the grounds that the applicant has failed to provide required information for the ZBA to take action upon.

On December 6, 2023, a letter was received from Jared P. Hirt, Esq. (Evans Fox Attorneys LLP) requesting that the application be tabled. The Public Hearing was continued to the meeting on February 7, 2024.

On December 27, 2023, a letter was sent from Planning Board Chairperson Edward Hemminger to Mr. Hirt in response to Mr. Hirt's submittal package.

On January 17, 2024, the Planning Board approved a resolution to determine that this application is complete.

On February 7, 2024, the Public Hearing was convened; the Planning Board referred this application to the Ontario County Planning Board and to the Town Clerk of Victor, N.Y., under the provisions of Section 239-nn of the New York State General Municipal Law; and continued the Public Hearing to the meeting on April 3, 2024.

On March 25, 2024, the Zoning Board of Appeals had no objections to the Planning Board's request to be designated as the Lead Agency for making the determination of significance upon this application under the State Environmental Quality Review Act (SEQRA).

On April 3, 2024, the Public Hearing was reconvened and testimony was received, following which the Public Hearing was continued to the meeting on April 17, 2024.

On April 17, 2024, the Public Hearing was reconvened, testimony was received, and supplemental information was requested to be submitted by April 24, 2024. The Public Hearing was continued to the meeting on May 1, 2024.

On May 1, 2024, the Public Hearing was reconvened, testimony was received, and the applicant's attorney requested that the Public Hearing be continued to allow additional time for the preparation of the supplemental information which had been requested at the meeting on April 17, 2024. The Public Hearing was continued to the meeting on May 15 2024.

On May 15, 2024, the Public Hearing was reconvened and testimony was received which included a Soils Report from James Baker, P.E.; a Soils Map from Venezia & Associates; and

a Soils Map Overlay from Venezia & Associates. The Public Hearing was continued to the meeting on June 5, 2024, to provide time for the Planning Board, the Town staff and the Town Engineer to complete their reviews of this requested supplemental information. There were no objections to this continuation from Mr. Fowler (who was present at the meeting on May 15, 2024) or from his attorney.

On June 5, 2024, the Public Hearing was reconvened and testimony was received at which meeting the Planning Board requested that the applicant and his team meet with the Town staff and the Town engineer to clarify concerns related to the applicant's soils report which had been prepared by James M. Baker, P.E., president of Foundation Design P.C. The Town staff was requested to submit a report to the Planning Board regarding the meeting. The Public Hearing was then continued to the meeting this evening (June 19, 2024).

Mr. Hemminger reconvened the Public Hearing on this application.

Mr. Fowler presented this application.

He said that the meeting which had been requested on June 5th was held and that the Town Engineer and Mr. Baker agreed on the type of soil testing which is to occur. Mr. Fowler also said that revised soil maps have been submitted to the Town by Venezia & Associates.

Mr. Hemminger acknowledged receipt of the maps, one of which with the depiction of topographic lines was received this afternoon (June 19, 2024). Mr. Hemminger requested that the secondary topographic map delineations be cleaned up for a better depiction. He said that the submission of the topographic map was exactly what the board was looking for and that he appreciated that Mr. Fowler's consultants provided the map so quickly.

Mr. Hemminger said that board wants to make sure that there have been no changes near where a dwelling would be [on proposed Lot #R-5C] from the Federal data regarding the type of soils on this lot.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application. He also asked speakers to please keep their comments to approximately three minutes in length to keep the meeting moving along.

There were no comments from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no comments or questions from those on the remote video conference.

Mr. Hemminger asked Mr. Fowler if he had any comments on the draft resolution which had been prepared for the board's consideration this evening to continue the Public Hearing on this application to July 17, 2024. Mr. Fowler said that he was okay with the draft resolution.

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

■ A motion was made by MR. DELUCIA, 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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
ADJOURNMENT AND CONTINUATION OF THE PUBLIC HEARING
UPON THE PROPOSED ACTION TO ALLOW FOR THE CREATION OF A PROPOSED
THREE-LOT PRELIMINARY RE-SUBDIVISION PLAT FOR THE FOWLER FAMILY TRUST**

PB #0702-23

**APPLICANT: Fowler Family Trust, 6176 Hunters Drive,
Farmington, N.Y. 14425**

**ACTION: Adjournment and Continuation of the Public Hearing Upon
the Proposed Three-Lot Re-Subdivision Plat for the Fowler
Family Trust**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Planning Board) on June 5, 2024, adjourned and continued the Public Hearing upon this application to tonight's meeting, to provide time for Town Staff to meet with James Baker, P.E., President, Foundation Design, P.C.; Anthony Venezia, from Venezia Associates; and the Applicant to clarify concerns relating to a soils report prepared by Foundation Design and the Preliminary Re-Subdivision Plat and Soil's Overlay drawings, Lots #R5-A, #R5-B and #R5-C, Pheasants Crossing, Subdivision Tract, prepared by Venezia Associates; and

WHEREAS, the Planning Board tonight has re-opened and continued the Public Hearing upon this application and has received testimony.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board determines the information that has been provided tonight addresses the documentation requested to be added to the Venezia drawings and further will provide a document on the only remaining unknown issue (Soil's Assessment and Mapping) relating to the environmental record for this Action.

BE IT FURTHER RESOLVED that the Planning Board determines that the Applicant's Soil's Engineer has been directed to prepare an updated soil's analysis document which has been agreed-to by the Town Planning Board Chairperson, the Town Engineer, the Town's Deputy Code Enforcement Officer and the Town Director of Planning and Development, at a meeting held on Friday morning, June 14, 2024; and that said document will be provided to the Town on or before July 10, 2024, to be included in the Planning Board's packets for the July 17, 2024, meeting.

BE IT FURTHER RESOLVED that the Planning Board does hereby move to table further deliberations upon the above referenced Action and adjourns the Public Hearing to

be continued on Wednesday, July 17, 2024, to provide time for Town staff and the Planning Board to review said requested information.

BE IT FURTHER RESOLVED that a certified copy of this resolution is to be provided to the Town of Farmington Zoning Board of Appeals, the Applicant, the Applicant’s Attorney, the Applicant’s Engineer, the Applicant’s Surveyor, the Town Director of Planning and Development, the Town Code Enforcement Officer and the Town Engineers.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

5. CONTINUED SPECIAL USE PERMITS AND PRELIMINARY SITE PLANS

PB #0406-24 Continued Special Use Permit Application

Name: Sky Solar Inc., 1129 Northern Boulevard, Suite 404, Manhasset, N.Y. 11030

Location: Tax Map Account #29.00-1-84.112 with access rom along East Corporate Drive and a future extension of commercial Drive.

Zoning District: LI Limited Industrial

Request: An application for a Special Use Permit to allow for the construction and operation of solar arrays, a transformer area and a stand-alone battery energy storage system upon a portion of Tax Map Account #29.00-1-84.112 comprised of a total of 5.5 acres of land with access from along East Corporate Drive and a future extension of Commercial Drive. This parcel is to be known as the western portion of the Sky Solar, Inc., Commercial Drive Solar Project and is located south of the American Lumber property which fronts along the south side of Collett Road and extends south to the north property line for Tax Map Account #29.00-1-84.113.

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PB #0407-24 Continued Special Use Permit Application

Name: Sky Solar Inc., 1129 Northern Boulevard, Suite 404, Manhasset, N.Y. 11030

Location: Tax Map Account #29.00-1-84.112 with access from along East Corporate Drive and a future extension of Commercial Drive.

Zoning District: LI Limited Industrial

Request: An application for a Special Use Permit to allow for the construction and operation of solar arrays and a transformer area upon a portion of Tax Map Account #29.07-1-057. This parcel is known as the eastern portion of the Sky Solar, Inc., Commercial Drive Solar Project and is located south of A Safe Place Self-Storage property which fronts along the south side of Collett Road and extending south to the north property line for New Energy Works and the western properties of Tax Map Account #'s 29.07-4-055 through -070 and Account #'s 29.0-4-073 and -074 which are located along the west side of Redfield Drive.

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PB #0408-24 Continued Preliminary Site Plan Application

Name: Sky Solar Inc., 1129 Northern Boulevard, Suite 404, Manhasset, N.Y. 11030

Location: Northern Portion of Commercial Drive with the north end of the southern portion of Commercial Drive and located on Tax Map Accounts 029.07-1-057 and -058.

Zoning District: LI Limited Industrial

Request: An application for Preliminary Site Plan approval to allow for the construction of solar arrays and a transformer area on the eastern portion of the Sky Solar, Inc., Commercial Drive Solar Project; and the construction of a section of Town Road with sidewalks, crosswalks, streetlights, water line and fire hydrants completing the missing link between the south end and the northern portion of Commercial Drive with the north end of the southern portion of Commercial Drive and located on Tax Map Accounts 029.07-1-057 and -058 which contains a total of 7.75 acres of land.

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PB #0409-24 Continued Preliminary Site Plan Application

Name: Sky Solar Inc., 1129 Northern Boulevard, Suite 404,

Manhasset, N.Y. 11030

- Location:** Tax Map Account #29.00-1-84.112 with access from along East Corporate Drive and a future extension of Commercial Drive.
- Zoning District:** LI Limited Industrial
- Request:** An application for Preliminary Site Plan approval to allow for the construction of solar arrays, a transformer area and a stand-alone battery energy storage system to be located upon a portion of Tax Map Account #29.00-1-84.112 comprised of a total of 5.5 acres of land with access from along East Corporate Drive and a future extension of Commercial Drive.

The above four applications were reviewed by the Project Review Committee on September 7, 2023; November 2, 2023; December 7, 2023; January 4, 2024; February 1, 2024; March 7, 2024; April 11, 2024; May 2, 2024; and June 6, 2024.

On April 3, 2024, the Planning Board determined that the applications were complete, declared its intent to be designated as the Lead Agency for making the State Environmental Quality Review (SEQR) environmental declaration, and scheduled the Public Hearings to begin on April 17, 2024.

The SEQR Involved Agencies are:

New York State Department of Environmental Conservation, Region 8
 New York State Department of Health
 Canandaigua–Farmington Water and Sewer District
 Town of Farmington Highway Department

The SEQR Interested Agencies are:

Lance S. Brabant, CPESC, MRB Group, D.P.C., Town Engineers
 Dan Delpriore, Farmington Code Enforcement Officer
 Matthew Heilmann, Farmington Construction Inspector

Also on April 3, 2024, the Planning Board directed the Town staff to prepare the Project Notification Review Letter, related electronic documents, and the SEQR Response Form for distribution to the Involved Agencies and the Interested Agencies. The SEQR Coordinated Review Period began on Wednesday, April 10, 2024, and concluded at 12:00 p.m. on Friday, May 10, 2024.

On April 17, 2024, the Public Hearings were opened and testimony was received. The Public Hearings were then continued to the meeting on May 15, 2024.

On May 15, 2024, the Public Hearings were reconvened and testimony was received. The Planning Board declared itself the Lead Agency for making the SEQR environmental declaration and received several hundred pages of materials which were submitted by Anne Dunford (6007 Redfield Drive) and John Grady (6018 Redfield Drive) (filed as *Attachment #4* to the Sky Solar abstract of actions in the project file). The Public Hearings were then continued to the meeting this evening (June 19, 2024).

Mr. Hemminger reconvened the Public Hearings on these applications.

Mr. Ruffolo of Sky Solar Inc. of Manhasset, N.Y., and Ms. Lukasik of LaBella Associates of Rochester, N.Y., presented these applications. Eric Wood, Senior Consultant with Energy Safety Response Group (ESRG) of Delaware, Ohio; and Farmington Fire Chief John Weidenborner were also present to answer technical and safety questions.

The Public Hearings on these four applications were held concurrently.

Mr. Hemminger said that the board is in the environmental review stage of this project looking at and getting to the point where the board will have enough data to make the State Environmental Quality Review (SEQR) determination of significance on the project. He also said that Farmington Fire Chief John Weidenborner is attending the meeting this evening to answer questions on fire concerns.

—Begin audio transcription—

(Note: The time stamps in the following transcription refer to the clerk's recording of the meeting. These time stamps do not correspond to the Town video which is posted on the social media YouTube site)

(12:12) Mr. Ruffolo: Thank you very much. Again, my name's Frank Ruffolo with Sky Solar, and just as an update from the last time we were here, there were a couple requests made—one was a noise study requested actually two weeks ago. Emily and her team submitted that, actually late this afternoon, midday today, so you may have not had a chance to review it, or to answer any questions.

(12:41) Mr. Hemminger: No, we won't be able to answer—ask—questions on the noise study yet.

(12:44) Mr. Ruffolo: The second thing we submitted also today—that was a request for a geotech study—we submitted the geotech work that we did in preparation of the SWPPP, so again submitted only today, so any questions please send them on when you have a chance to review them.

(13:04) Mr. Hemminger: Will do that.

(13:07) Mr. Ruffolo: Third item—at the last meeting, there were a number of articles presented—with concerns—there were a variety of concerns about the project—anything from health, safety, the road, etcetera, so a majority we responded as a group—as a written response to the documents. We grouped them in similar categories and prepared a written response. The majority of the comments were pertaining to the road. What I'd like to say about the road is that we—with Ron's help—have engaged with New Energy [Works]—the parcel owners to the south of us. We have had a couple conversations. We feel we have a solution that will allow us to move the road away from the property lines. Unfortunately, we don't have enough engineering done to be able to present a plan. A draft was sent earlier today that we can talk with staff and talk with New Energy [Works]. At the next meeting, we hope to have a detailed plan, which will hopefully solve a number of issues including moving the roadway from the residents' abutting property.

Clerk's Note: The applicant's responses to the materials which were submitted by residents of Redfield Drive at the meeting on May 15, 2024, and to which are referred above, are included with the minutes as Attachment #1.

(14:27) Mr. Hemminger: That's good news.

(14:29) Mr. Ruffolo: It's very good news. It's a lot of people working together to get that—

(14:32) Mr. Hemminger: Yes, and we appreciate you working with us on that, working with the Town and certainly New Energy Works.

(14:39) Mr. Ruffolo: We understand, and hopefully I think we will have a plan that [will] address a lot of the concerns. Other majority of the concerns had to do with health and safety—solar, energy storage. To that note, we have responded in the letter, but what we did today is we invited a consulting company that we use to help us review the design. I will let them introduce themselves—it's ESRG—they have a wealth of experience in testing these systems—

(15:19) Mr. Hemminger: Up to the mic. There we go.

(15:22) Mr. Ruffolo—providing a number of services to be sure these systems are safe and operating properly. So, I would like at this point hand it over to Eric Wood from ESRG—

(15:32) Mr. Hemminger. Okay. Let me just wait two seconds, though. Emily—when we do get a plan for—and there's some kind of semi-agreement to the new placement of the road—I would like to see new stakes put out in a different color so everybody can kind of see what that change has been—so—and I know you're probably already aware of that, but that's one of the things that I think is really important so people can see where that might go.

(15:57) Ms. Lukasik: [?]

(15:59) Mr. Hemminger: Perfect, okay. So go ahead introduce yourself, sir, and tell us what's goin' on.

(16:05) Mr. Wood: Nice to meet you. My name is Eric Wood, a representative of Energy Safety Response Group. Energy Safety Response Group is a third-party consultant agency that specifically deals with battery and storage systems where we help design products for different companies from beginning all the way to the decommissioning process. Our company is made up of firefighters and engineers. I was a firefighter for 20 years in the State of Ohio—just recently got out and I spent the last six years within our lab structure with in the State of Ohio testing battery systems and what they look like and how they fail, so that when we come out and we have these discussions we can give you real time insight on the safety and health aspects in regards to safety and battery storage systems.

(16:49) Mr. Hemminger: Okay. Cool. We look forward to your comments on the design as we go forward, and look forward to that. Thank you for introducing yourself.

(16:58) Mr. Wood: Thank you.

(17:00) Mr. Hemminger: With that—Frank—and then we were kind of good. Are we ready to turn it over to staff? Okay. Let's turn it over to Ron.

(17:06) Mr. Brand: The energy—the reports and stuff that you talked about—have been received. They're available under FOIL at the Town Clerk's Office, so please let them know what you're looking for, and we will gladly get it to you electronically or if you need paper copies then there's a charge.

(17:39) Mr. Hemminger: That's it?

(17:40) Mr. Brand: That's it.

(17:41) Mr. Hemminger: Okay. Augie?

(17:43) Mr. Gordner: I have nothing to add, at this point.

(17:44) Mr. Hemminger: Oh, come on. You always have something to add. Just being here, you've added something. [Laughter] He got thrown in at the last second to fill in for Dan. That's why I'm saying things like that.

(17:58) Tim?

(17:59) Mr. Ford: Just that, you know, we did have a good conversation with New Energy Works about moving of the road, to get it away. I think that it's positive. It will help getting that away and being able to create the barrier that they're looking for and not have to remove the trees. Very positive.

(18:22) Mr. Hemminger: Cool. Yeah, I mean, that's a work in progress. It certainly takes time to get all the pieces together and get everybody to agree. But we appreciate the Town working on it along with the applicant. Engineering?

(18:36) Mr. Brabant: So, since the last time we met, MRB Group did complete a review of the application materials provided, which is the site plan, the decommissioning plan and estimate, the O&M plan, the Stormwater Pollution Prevention Plan, and any additional reports that were provided at that time. So we do have a comment letter provided to the Town dated May 16th, 2024. Obviously, the applicant is working through a number of issues and comments at this time to address the roadway alignment. I'm anticipating that we'll get a response letter as part of any resubmission to the Town so that we can go through the comments and verify what, if any, questions there may be related to the MRB comment letter. With submission of the new material—the noise study, the geotech report—our group will submit a report of that to provide any additional comments we may have on those, and that data and I will provide that under separate cover.

(19:35) Mr. Hemminger: Thank you. Alright. Let's have the fire chief fill us in a little bit on your aspect for this application. I'm going to turn the room mics on now. Okay. Go ahead. Fire chief.

(19:49) Chief Weidenborner: Last few weeks I've been talking with Frank and answering a lot of the questions I've had for him. He was nice enough to come in early tonight and explain the suppression system they're putting in to theirs, the UL testing, the battery license and the storage units. I'm very satisfied with the questions he's answered for me. I'm here tonight to answer questions that anybody else might have as far as the fire department, the fire district, but, I mean, as far as the fire department's concern this is going to be one of the safest ones we've had in our system and in our district, compared with the other ones. So, we have no objections to report on the project overall. It is a safe system, no different than any other solar farm that's been around—

(20:28) Mr. Hemminger: And you—the fire department has had their training and for years now, right?

(20:33) Chief Weidenborner: So, we've had awareness level training when they put in the Delaware River Solar project in the north end of Town, which is a bigger system that this is going to be. We continue to have training and his team has offered to give us more training come the winter months when we have to do inside classroom training, so we're very interested in learning as much as we can.

(20:52) Mr. Hemminger: Cool. Okay. I just want to make sure we got that on the record. Okay. We've come to the Public Hearing phase, so let me see a hand of how many people want to speak tonight, so I kind of get an idea.

[hands raised]

Mr. Hemminger: That doesn't sound terrible but I'm going to ask you to keep to around three minutes each. Again, we're at the phase of looking at the environmental record. Certainly, it's a Public Hearing. We'll take any comments that you want to make. We'll put them in the record. Our clerk is really good at that, so we'll make sure that— . Remind everybody that you're talking to me. I'm the chairperson and we will either take the questions and look to see if we can answer them later or I will ask somebody to answer them on the spot. We'll see what we can do. Certainly I have experts here—fire experts, and staff, but I'm not going to commit to answer every single question right off the cuff. So, with that, I'm going to keep you to three minutes. Let's start with—who would like to be the first one—let me get my phone going, here. Who would like to be the first one to make the first comments? Go ahead, ma'am. You are on the clock. Give us your name and address, please.

(22:17) Ms. Stevens (6031 Redfield Drive): Alright. So, I'm—6031 is right at the intersection of Commercial Drive and Redfield, and right now there's a lot of cut-through traffic which is—you know—we have to deal with. But I'm wondering what the speed limit will be on the extended road if that's going to be 30 miles an hour?

(22:42) Mr. Hemminger: I believe it will be 30. All Town roads are like that, are 30.

(22:47) Ms. Stevens: All right. Thank you.

(22:49) Mr. Hemminger: Okay, that was easy. Okay, let's—who would like to speak next? We have one in the back, there, ma'am, you got three, let's get you started.

(23:00) Ms. Pollock (6005 Redfield Drive): I understand that the noise study has been completed. We haven't seen it yet. It just got handed in. Has there been a traffic study on the extension of Commercial?

(23:18) Mr. Brand: It was done years ago as part of the TAP project with the State DOT.

(23:22) Ms. Pollock: Is there going to be an updated one, because if it was years ago the population was down and now we have the solar farm. Will there be more traffic there?

(23:33) Mr. Brand: Will there be more traffic there? There's no traffic there now, so the answer to that—

(23:41) Ms. Pollock: —I mean compared to years—

(23:43) Mr. Hemminger: The answer is we haven't yet go to that point, of saying whether there is a traffic study or not, but probably not, but we'll go from there. Okay? All right. Who would be next? Over here. State name and location.

(24:00) Ms. Dunford (6007 Redfield Drive).

(24:04) Mr. Hemminger: Okay, you're on the clock.

(24:06) Ms. Dunford: I understand as part of this siting document from New York State that there's a lot of modeling that needs to be done, which will create simulations or photos for the public—to do about the proposed solar field itself, the photovoltaic system and any sort of a landscaping plan. Has that modeling been done and are the renderings available for public consumption?

(24:29) Mr. Hemminger: That would certainly be part of our site plan of requirements of whatever we would do there. There doesn't seem to be any viewshed into your area because everything is behind—what—a hundred foot of woods, but certainly we will be doing some of that, absolutely, and as part of the next phase and that's the Preliminary Site Plan.

(24:49) Ms. Dunford: Okay.

(24:51) Mr. Hemminger: Okay?

(24:52) Ms. Dunford: Did you want to respond?

(24:53) Mr. Hemminger: No, I think I answered it for him. Thank you. Okay, let's move on. Who's next? Yes, sir.

(24:59) Mr. Grady (6018 Redfield Drive).

(25:06) Mr. Hemminger: Okay, you're on the clock.

(25:08) Mr. Grady: First, I would like to thank the developer for taking our concerns about the road seriously—

(25:13) Mr. Hemminger: Absolutely.

(25:14): Mr. Grady: — working on a solution. I hope that solution is going to be adequate for eliminating some of the [?] of the road and the reverse curves in the road because that's going to cause a lot of noise. And also, are those preliminary drawings available yet and when will they be?

(25:37) Mr. Hemminger: We haven't received the Preliminary Site Plans yet, have we, guys?

(25:45) Mr. Ruffolo: For the new road location?

(25:47) Mr. Grady: The new road location.

(25:48) Mr. Hemminger: Oh, no, we haven't yet.

(25:49) Mr. Grady: So it's a draft form right now?

(25:50) Mr. Ruffolo: I just submitted it to Town staff, and we'd like to reconvene with New Energy [Works] just to make sure we got everything right that we agreed to, and then do some heavy engineering to be able to present at the next meeting.

(26:03) Mr. Hemminger: Yes, I have been clear that I don't want to submit *anything* out there that hasn't been blessed by New Energy Works, since they're the owner of the property. So the answer is no, that won't come out until we have an agreement with New Energy Works and the Town that that's what we want to do, and that they're on board with it. So the answer is no. You won't see that until we got to that point.

(26:26) Mr. Grady: When do you expect to have that?

(26:27) Mr. Hemminger: Whenever the powers-that-be—they've had at least two meetings already and we'll see how many more meetings it will take before that. But, I can tell you that I am not comfortable completing SEQR until we have that information, so, we're not going to turn around and do the environmental assessment until we have some resolution between New Energy Works and the folks here before we move forward. Okay?

(26:54) Mr. Grady: Thank you.

(26:58) Mr. Hemminger: Thank you. Okay, who's next who would like to speak? Okay, sir.

(27:03) Mr. Karpinski (6008 Redfield Drive).

(27:09) Mr. Hemminger: Okay, you're on the clock.

(27:10) Mr. Karpinski: So, the proposed access road—I know it's not definite where exactly it's going to be. Is it going to change the existing drainage patterns?

(27:21) Mr. Hemminger: Well, the answer is possibly and that certainly is why we have Town engineers to look at, and they're really, really good at what they do. I would think that changing it would do nothing—well—I know that changing it will do nothing to increase any off load from the site. That's part of what the whole watershed issue is, that they can't have any more off than what is currently [?]. So the answer is it'll have zero effect on what's there currently. Okay? Okay. Who's next? Yes, sir.

(28:06) Mr. Shenton (6027 Redfield Drive): I've got one question about the road.

(28:13) Mr. Hemminger: Okay.

(28:14) Mr. Shenton: I'm just wondering why it needs to be constructed as part of the process when it is isn't even part of the needs of the solar farm?

(28:23) Mr. Hemminger: It's a fairly long story. It has to do with Town committing to it years ago. I'm certain that you can have conversations with the Town Board who agreed to this

many years ago. So the answer is—I don't necessarily—as Planning Board I don't necessarily have an answer for that.

(28:47) Mr. Shenton: I have a second question. Now that Eric is here, I'm wondering whether or not we'll get to see or understand what the battery management system will wind up being in terms of fire detection.

(29:04) Mr. Hemminger: We will. We will see that before we complete the environmental record because that will be an important aspect of doing the SEQR for this project and I think you heard from the fire chief that he was very comfortable that this battery storage unit has fire suppression built into it, if I'm not mistaken. So, it is a step above any other of the storage units we have in the Town which don't have suppression in them, so the answer is—it's planned to have that, but we will have those discussions before we finish the environment record and we will make sure that all the documentation is available for the public to review.

(29:58) Mr. Shenton: That you. At this point here, do we know the type of fire suppression will be?

(30:00) Mr. Hemminger: Eric—you want to fill him in on that, if you can?

(30:04) Mr. Wood: It's a static system.

(30:09) Mr. Shenton: Static? Thank you. That's what I was hoping.

(30:12) Mr. Hemminger. Okay. Good. So, sir, in the back.

(30:17) Mr. Cammarata (6009 Redfield Drive).

(30:23) Mr. Hemminger: Okay, you're on the clock.

(30:25) Mr. Cammarata: Just to piggy back what my neighbor just said, regarding the road, we've heard repeatedly about this master plan to connect the two ends of Commercial Drive. This goes back some 20, 25, 30 years ago. This was in the plan. What I'm wondering is, the MTOD—Major Thoroughfare Overlay District—

(30:56) Mr. Hemminger: Correct.

(30:57) Mr. Cammarata: —the plan sheet which is dated August 1st of 2017, Revision 5, does not show a requirement to make the road connection between the two ends of Commercial Drive. Why is it required today?

(31:17) Mr. Hemminger: Ron, I tried to give him the answers that I know. I know that the Town Board wants it done. I know that the Town Board has said that they want it done. We've turned it into the State saying that it's going to be done. What else can I say, Ron?

(31:33) Mr. Cammarata: So, you want it done but it was never on the public record.

(31:38) Mr. Hemminger: Oh, I don't think that's true. I don't think that's true.

(31:44) Mr. Cammarata: Would it not be on the MTOD?

(31:47) Mr. Brand: Could I ask the gentleman a question: Did you get the information from MRB recently—

(31:51) Mr. Cammarata: No.

(31:53) Mr. Brand: —because the official map that we have here in the Town Hall shows it.

(32:03) Mr. Hemminger: Okay, you might want to check with the Town to get the latest official map which would show that, and certainly reach out to the Building Department—they can get the right information to you, 'cause I think you've got an old map. Okay?

(32:19) Mr. Cammarata: Okay.

(32:20) Mr. Hemminger: Thank you. Whoops. Let me—there we go. Okay. Who else would like to speak. Over here, sir.

(32:28) Mr. Pollock (6005 Redfield Drive).

(32:31) Mr. Hemminger: Okay, on the clock.

(32:32) Mr. Pollock: Thanks. Just to gauge how many more people might be in the area—how many employees are going to be working here on a daily basis?

(32:43) Mr. Hemminger: Zero, right? Basically, solar farms don't do employees. They come and fix things. They come and look at things. They come and—you know—do maintenance, but the daily support is zero, correct?

(33:00) Mr. Pollock: So zero daytime opportunities for people in the area—

(33:02) Mr. Hemminger: It's managed—

(33:04) Mr. Ruffolo: It's only managed. There will be construction time frame but maintenance is very [?].

(33:13) Mr. Hemminger: Yes, very very loose.

(33:15) Mr. Pollock: Okay.

(33:17) Mr. Hemminger: All right, who else would like to speak? Sir.

(33:24) Mr. Sprung (5975 Redfield Drive).

(33:27) Mr. Hemminger: Okay, you're on the clock.

(33:29) Mr. Sprung: Quick question: Has the applicant contacted the Ontario County Soil and Water Conservation District?

(33:34) Mr. Hemminger: The Town does that automatically. We have an engineer on staff that deals with that on a regular basis. I mean, do we—

(33:44) Mr. Brand: We coordinated with Ontario County as part of the environmental record.

(33:49) Mr. Hemminger: That's true. We already coordinated with them. Okay? Anything else? Okay. Sounds like everybody's got scripted questions. Okay, who else has got a question for us? By the way, if you've got a bunch of questions, it's a heck of a lot easier if you just submit a bunch of questions and let us go off and do what we need to do and come back and answer them. But you can do whatever you want. It's a Public Hearing. So, next question. Yes.

(34:22) Ms. Petracca: I just purchased 5900 Tweed Trail which is about a half a mile from there. I am just hearing about this project, so forgive me, I'm not really prepared. I guess it's a fire question, to start with. So, how long would it take to put out a fire if there was one, and what would that release into the air and soil at that time.

(34:45) Mr. Hemminger: Let me turn to Eric on that one, because he is familiar with the fire suppression system and the system that is being planned for.

(34:54) Mr. Wood: So if there is an event, which is a little likelihood that there would be an event. But if there is an event, the ideology that we've implemented over the years through the testing process is that we allow the system to self-consume itself, being that we limit the amount of water that's applied to it, and the water that is applied is not applied directly to the exposure that is having the event. It's applied to the ones that are adjacent to it if its necessitated, so we limit the amount of water that is utilized so we don't—with that again, limit the amount of runoff, the concern of it, those kinds of aspects.

(35:29) Mr. Hemminger: Okay? And our fire department is well trained for the other units that are in our Town already, so. Anything else, ma'am?

(35:39) Ms. Petracca: So then, what would be released into the air while it waits to be—

(35:43) Mr. Wood: So the aspect of it is that what we see through the testing process, we can gain that information through the data that is collected. We see that what is put out in the air is going to be no different than what we see in residential fires, commercial fires, those kinds of things. And we see more of those occur across the nation than what we see here [?].

(36:04) Ms. Petracca: And without the fire or event, is there anything of concern in terms of endocrine disruptors that will be released on a daily basis?

(36:15) Mr. Wood: No.

(36:16) Ms. Petracca: Thank you.

(36:18) Mr. Hemminger: Thank you. Okay, who's next? Ma'am.

(36:24) Ms. Swikenhardt, (5779 Bonnie Brae Circle): From what I understand, these solar farms do not last forever.

(36:36) Mr. Hemminger: Right.

(36:37) Ms. Swidenhardt: Okay, so, when they're over with, then what happens, what do they do with them? They can't get rid of them, right?

(36:46) Mr. Hemminger: We have a decommissioning plan that will be established. At the end of service life, the owners are required to return the property to its original condition. It's part of the plan. It's part of what we also actually take a bond on—to make sure that there's enough funds—that in case they walk away and don't take care of it—that the Town has funds to be able to go through and do that. I think you're right—and these guys can probably answer that—probably today there's not a lot of recycling capabilities for solar panels but in the life cycle which is 20 to 30 years, I would guess that there's more recycling that will be set up and ready to go. But it's a normally 20- to 30-year lifespan, although for technology that's outrageously long, but that's they say, anyway.

(37:50) Ms. Swidenhardt: Well, why do we need this, to begin with?

(37:53) Mr. Hemminger: Well, I don't think it's a question of need. It's a question of what the property is zoned for, and what the applicant wants to put on it. I mean, whether they want to put in on and make money or not make money, that's their choice. The Town has zoned that to be a specially permitted use on that property. They get to do what they want to do on it, you know, same as you—you own property—as long as it's within the Code you can do what you want to with it. Okay? All right. Who's next? Ma'am.

(38:32) Ms. Dunford (6007 Redfield Drive): There's been a lot of discussion about existing battery storage facilities. and how much better this one in design is. Can I ask—my question is related to the population around this particular battery storage facility. According to the 2020 census, the census tract where this proposed facility will be, and the adjacent facilities—and this is 2020—had a total population of 11,030 people, and of that community 1,075 were 65 years of age or older. Could someone—perhaps the fire chief—tell us how this population density compares to the population densities around these other facilities of battery storage.

(39:31) Mr. Hemmingr: I don't think anybody has that information. I mean, the other—John, you can kind of share with us where the other storage facilities are, if you'd like.

(39:41) Chief Weidenborner: The other battery storages are at Tesla at the RG&E plant on Hook Road, literally the other side of your neighborhood, right where that big power plant in

Hook Road there is a system that's a little bigger than what they're proposing here. That's been in for a few years, and then we have the Delaware River Solar Farm which is three times the estimate of what they're building here up on the north end.

(40:01) Ms. Dunford: I'm not concerned about the size of that facility. I'm concerned about the population density around these facilities.

(40:06) Mr. Hemminger: Well, the one here at the RG&E station is less than a mile from you guys. So, in theory, there's a lot—the density is about the same, [?] for that one there, anyway.

(40:18) Chief Weidenborner: As far as the other one its built around industrial land, it's less dense.

(40:23) Mr. Hemminger: Yeah, solar farm's out there, but the battery storage is a mile from you guys.

(40:26) Ms. Dunford: So, does the bond—admittedly looking at the census maps—the districts that I looked at—the districts that are theoretically downwind of this particular area—so they wouldn't address the density around the existing—

(40:43) Mr. Hemminger: But like we said, I think the experts have said that the air quality from the burn is no different than a regular house fire burn, basically, is what their study has been.

(40:57) Ms. Dunford: I'm sorry—with the houses with the lithium batteries in them?

(41:00) Mr. Wood: The other [?] we see within the all cast structure is no different from what we're seeing in an actual structure fire itself.

(41:09) Ms. Dunford: So, we haven't heard data on exactly how big the battery storage facility—

(41:14) Mr. Hemminger: It's coming. It's got to come before the environment record is completed. Yes.

(41:20) Ms. Dunford: So we don't have that data yet.

(41:21) Mr. Hemminger: Well, we have some data. It certainly is available. We have had it. We are looking at. But it's available for the public because it's in our Building Department. Because you guys have provided all the information to there. It's available through the Building Department. All you've got to do is ask for. It's there. Yep. And it may even be published online. I'm not sure what's been published yet. [?] But before we get to the finish of the environmental record, all of it will be certainly online and available. Okay. All right. Let me reset there. And who'd like to speak next ma'am. Go ahead.

(42:04) Ms. Grady (6018 Redfield Drive):

(42:06) Mr. Hemminger: Okay.

(42:07) Ms. Grady: In the event of an incident with the battery storage, if there is one, what is the evacuation radius?

(42:16) Mr. Hemminger: I don't think there is one. Go ahead.

(42:20) Mr. Wood: There is not one currently established by the overarching aspects in the nation. But from our company's standpoint, when we do the training with the fire department, we tell them to do a hundred-foot offset so they're able to obtain their information accordingly. So the area in which this is being proposed is an ideal place because the distance offset between that site and the residential is [?] well over a hundred feet.

(42:50) Mr. Hemminger: Yeah, way over. Okay, who else would like to speak. Yes ma'am.

(43:02) Ms. Spitzer (5999 Redfield Drive): I'm just curious. Not every solar field has a battery.

(43:08) Mr. Hemminger: Correct.

(43:09) Ms. Spitzer: Why does this one have a battery?

(43:11) Mr. Hemminger: Good question. I'll let Frank answer that one.

(43:13) Ms. Spitzer: You don't want that one.

(43:14) Mr. Hemminger: Pardon? I'm not going to answer it. Frank's the expert. I mean, I've heard the answer, but I'll let Frank answer it.

(43:24) Mr. Ruffolo: Technology has evolved to the point where now it is actually beneficial to have energy storage beside a solar facility. They work hand in hand. A solar facility generates power during daylight hours. Batteries will transfer that power to evening for use at night when the solar not generating, so they work together. The reason that they have not been as popular is mostly technology issues. We needed the technology to get to a point where it is not only available, but safe, and it's a perfect pairing with solar.

(44:02) Mr. Hemminger: And it was, if I'm not mistaken—did I hear that it was a recommendation from RG&E, or RG&E likes the concept, or something.

(44:12) Mr. Ruffolo: So, then, someone asked us why are we doing this? The need is being generated from a State level—

(44:23) Mr. Hemminger: State level. Okay.

(44:25) Mr. Ruffolo: The State has not mandated it but—

(44:28) Mr. Hemminger: —encouraged—

(44:29) Mr. Ruffolo: —encouraged to become a carbon-free—encouraged carbon-free [?]. We're actually connecting to the utility to do that.

(44:41) Ms. Spitzer: And what do other solar fields do that don't have batteries?

(44:45) Mr. Ruffolo: So, they will only generate when the sun is shining and the utility grid absorbs that energy and redistributes it. So there's no transfer.

(44:56) Ms. Spitzer: Immediately?

(44:57) Mr. Ruffolo: Immediately, yes.

(44:58) Mr. Hemminger: And, if the State continues to do this encouraging, many of those probably will end up with newer battery storage capability after that, just 'cause they're built doesn't mean they can't continue to put those in, so, we just haven't seen it yet. So. Okay. Thank you very much.

(45:18) Mr. Hemminger: Okay, who's next in the room before I go online? Anyone else in the room like to speak? Anybody like to speak? [Pause] Okay, I'm going to turn online. Anyone online like to speak for or against this application? Anybody online like to speak for or against this application? [Pause] Okay, I'm going to ask one more time. Okay, just a second, I've got a question or a comment from Lance, our engineer.

(45:49) Mr. Brabant: It was just—it was mentioned earlier by the gentleman that the 2017 MTOD map did not show a cross connection from Corporate Drive. So I do have the map from 2017 that has five revisions, I'm assuming it's the same one. I don't know. What I'll do is send this to the Town for the record showing that the version that I believe the Town approved does in fact have that, and then obviously the residents that are questioning that can most certainly FOIL it from the Town to confirm that what I'm looking at is the same MTOD map. There is a newer version. I do think it's important. There's an updated version. The Town typically updates these maps every so often when new information becomes available, so MTOD maps have been going on for a number of years and there was an update to the MTOD map more recently, but I had heard 2017 version did not show it. I do have a version that does show it that I believe was approved by the Town, so I'll provide it to the Town just to have it for the record.

(46:53) Mr. Hemminger: What's the current version of the MTOD? I'll put him on the spot. Hate to do that, but—'cause I think almost every year there's a review, isn't there, a review and revision?

(47:11) Mr. Brand, Well, there's a review of the whole plan.

(47:13) Mr. Brabant: I'm just going to open it up so I can get the date on it.

(47:17) Mr. Hemminger: Okay. All right. Anyone else like to say anything else? Otherwise—okay, go ahead, ma'am.

(47:19) Ms. Petracca (5900 Tweed Trail): Is there anything that will be released into the air or soil or water during construction that is unlike a typical residential house?

(47:32) Mr. Hemminger: I would—I’ll answer no but go ahead, let Frank—

(47:36) Mr. Ruffolo: That’s the correct answer.

(47:47) Mr. Hemminger: It’s just the standard—actually usually, and again I’m speaking for the other project, usually it’s galvanized steel driven into the ground. It’s what I call semi-permanent. I mean, it’s in the ground, concrete pads, that can be pulled up, you know, jack hammered up and put back to original condition relatively easy. But that’s part of why we have the decommissioning plan and all of the maintenance and everything else that we require before we allow it go online.

(48:17) Mr. Hemminger: Answer?

(48:18) Mr. Brabant: The last signed version that the Town has was done by local law and this doesn’t say the number of 2022 was 2022.

(48:25) Mr. Hemminger: 2022. That’s what I thought. There was a more current one than certainly ’17.

(48:31) Mr. Hemminger: Okay, last call for any other final comments before we come to the board and then our plan is—well, we have resolutions that will continue the Preliminary Site Plans as well as Special Use Permit. Anyone else? Okay. We’ll turn to the board.

(48:50)

—End transcription—

There were no comments or questions from board members at this time.

Mr. Hemminger said again that no stakes or new markers will be placed along the proposed route of the Commercial Drive road connection until a firm agreement has been negotiated with New Energy Works, the company which owns the adjacent property to the south of the applicant’s property and upon which a portion of the Commercial Drive road connection could be located in an agreement is reached.

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

■ A motion was made by MR. BELLIS, 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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
ADJOURNMENT AND CONTINUATION OF THE SPECIAL USE PERMIT
FOR THE PROPOSED EAST PORTION OF THE SKY SOLAR, INC. SOLAR PROJECT**

PB #0406-24

APPLICANT: Sky Solar, Inc., 1129 Northern Boulevard, Suite 404,
Manhasset, N.Y. 11030

ACTION: Adjournment and Continuation of the Public Hearing.

DESCRIPTION: The application for a Special Use Permit to allow for the construction and operation of solar arrays, a transformer area and a stand-alone battery energy storage system upon a portion of Tax Map Account #29.00-1-84.112 comprised of a total of 5.5 acres of land with access from along East Corporate Drive and a future extension of Commercial Drive. This parcel is to be known as the western portion of the Sky Solar, Inc., Commercial Drive Solar Project and is located south of the American Lumber property which fronts along the south side of Collett Road and extends south to the north property line for Tax Map Account #29.00-1-84.113.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Planning Board) has tonight reconvened the Public Hearing on this application; and

WHEREAS, the Planning Board has tonight received testimony upon this application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby adjourn this Public Hearing tonight and moves to continue it at the scheduled July 17, 2024, public meeting to allow Town staff time to review the information received at tonight’s Public Hearing and to prepare Parts 2 and 3 of the Full Environmental Assessment Forms and any supplement(s) thereto as part of the environmental record on this Action.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to the Town Staff, the Applicant, the Applicant’s Engineers, the Town Director of Planning and Development, the Town Code Enforcement Officer, and the Town Engineer.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. BELLIS, 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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
ADJOURNMENT AND CONTINUATION OF THE SPECIAL USE PERMIT
FOR THE PROPOSED WEST PORTION OF THE SKY SOLAR, INC. SOLAR PROJECT
PB #0407-24**

APPLICANT: Sky Solar, Inc., 1129 Northern Boulevard, Suite 404,
Manhasset, N.Y. 11030

ACTION: Adjournment and Continuation.

DESCRIPTION: The application for a Special Use Permit to allow for the construction and operation of solar arrays and a transformer area upon a portion of Tax Map Account #29.07-1-057. This parcel is known as the eastern portion of the Sky Solar, Inc., Commercial Drive Solar Project and is located south of A Safe Place Self-Storage property which fronts along the south side of Collett Road and extending south to the north property line for New Energy Works and the western properties of Tax Map Account #'s 29.07-4-055 through -070 and Account #'s 29.0-4-073 and -074 which are located along the west side of Redfield Drive.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Planning Board) has tonight reconvened the Public Hearing on this application; and

WHEREAS, the Planning Board has tonight received testimony upon this application; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby adjourn this Public Hearing tonight and moves to continue it at the scheduled July 17, 2024, public meeting to allow Town staff time to review the information received at tonight’s Public Hearing and to prepare Parts 2 and 3 of the Full Environmental Assessment Forms and any supplement(s) thereto as part of the environmental record on this Action.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to the Town Staff, the Applicant, the Applicant’s Engineers, the Town Director of Planning and Development, the Town Code Enforcement Officer, and the Town Engineer.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. BELLIS, 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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
ADJOURNMENT AND CONTINUATION OF THE PRELIMINARY SITE PLAN
FOR THE PROPOSED EAST PORTION OF THE SKY SOLAR, INC. SOLAR PROJECT**

PB #0408-24

APPLICANT: Sky Solar, Inc., 1129 Northern Boulevard, Suite 404,
Manhasset, N.Y. 11030

ACTION: Adjournment and Continuation.

DESCRIPTION: The application for a Preliminary Site Plan approval to allow for the construction of solar arrays and a transformer area on the eastern portion of the Sky Solar, Inc., Commercial Drive Solar Project; and the construction of a section of Town Road with sidewalks, crosswalks, streetlights, water line and fire hydrants completing the missing link between the south end and the northern portion of Commercial Drive with the north end of the southern portion of Commercial Drive and located on Tax Map Accounts 029.07-1-057 and -058 which contains a total of 7.75 acres of land.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Planning Board) has tonight reconvened the Public Hearing on this application; and

WHEREAS, the Planning Board has tonight received testimony upon this application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby adjourn this Public Hearing tonight and moves to continue it at the scheduled July 17, 2024, public meeting to allow Town staff time to review the information received at tonight’s Public Hearing and to prepare Parts 2 and 3 of the Full Environmental Assessment Forms and any supplement(s) thereto as part of the environmental record on this Action.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to the Town Staff, the Applicant, the Applicant’s Engineers, the Town Director of Planning and Development, the Town Code Enforcement Officer, and the Town Engineer.

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

Adrian Bellis Aye
Timothy DeLucia Aye

Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. BELLIS, 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:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
 ADJOURNMENT AND CONTINUATION OF THE PRELIMINARY SITE PLAN
 FOR THE PROPOSED WEST PORTION OF THE SKY SOLAR, INC. SOLAR PROJECT**

PB #0409-24

APPLICANT: Sky Solar, Inc., 1129 Northern Boulevard, Suite 404, Manhasset, N.Y. 11030

ACTION: Adjournment and Continuation.

DESCRIPTION: The application for a Preliminary Site Plan approval to allow for the construction of solar arrays, a transformer area and a stand-alone battery energy storage system to be located upon a portion of Tax Map Account #29.00-1-84.112 comprised of a total of 5.5 acres of land with access from along East Corporate Drive and a future extension of Commercial Drive.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Planning Board) has tonight reconvened the Public Hearing on this application; and

WHEREAS, the Planning Board has tonight received testimony upon this application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby adjourn this Public Hearing tonight and moves to continue it at the scheduled July 17, 2024, public meeting to allow Town staff time to review the information received at tonight’s Public Hearing and to prepare Parts 2 and 3 of the Full Environmental Assessment Forms and any supplement(s) thereto as part of the environmental record on this Action.

BE IT FINALLY RESOLVED that a certified copy of this resolution is to be provided to the Town Staff, the Applicant, the Applicant’s Engineers, the Town Director of Planning and Development, the Town Code Enforcement Officer, and the Town Engineer.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye

Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

6. NEW PRELIMINARY SITE PLAN

PB #0601-24 New Preliminary Site Plan Application

Name: Marathon Engineering, c/o Rafael Barreto, 39 Cascade Drive, Rochester, N.Y. 14614; representing Brittany Sherrier, 16 Bent Oak Trail, Fairport, N.Y. 14450

Location: 5998 State Route 96

Zoning District: Redfield Drive Incentive Zoning District—Phase #3, Lot #1

Request: Preliminary Site Plan approval for a commercial/retail use of an existing structure for a tanning and waxing business, and related site improvements, on property located at 5998 State Route 96.

On May 15, 2024, the Planning Board determined that this application was completed and classified it as a Type II Action under the State Environmental Quality Review Act (SEQR).

Ms. Sherrier and Mr. Barreto (Marathon Engineering) presented this application.

Mr. Barreto said that this lot is part of Phase #3 of the Redfield Grove Incentive Zoning Project and is an existing building in a corner of the original lot which has been split off to provide a location for Ms. Sherrier's tanning and waxing business. As a condition of this project, he said that Ms. Sherrier will make updates to the property which will include paving the parking lot, providing a total of 11 parking spaces (six to be paved now and five additional parking spaces to be paved in the future), adding a light post along State Route 96 per the requirements of the Major Thoroughfare Overlay District, and constructing a sidewalk connection to State Route 96.

Mr. Barreto acknowledged receipt of the draft Preliminary Site Plan approval resolutions which had been provided to him prior to the meeting. He said that he read through the draft conditions of approval and that these can be sorted out.

Mr. Brand also referred to the draft Preliminary Site Plan resolution which had been provided prior to the meeting for the board's consideration this evening. He said that the State Environmental Quality Review (SEQR) classification for the Redfield Grove Incentive Zoning Project was previously addressed as part of the Phase #3 amendment (*see* PB

#0102-24, Planning Board minutes, January 17, 2024, SEQR classification, Type II Action).

Mr. Gordner said that the Building Department had no additional conditions of Preliminary Site Plan from those which appear on the draft resolution.

Ms. Sherrier asked if the sidewalk connection to State Route 96 must be done. Mr. Brand said that this is to comply with Americans With Disabilities (ADA) requirements.

Mr. Barreto asked about the installation of a ramp [to meet ADA requirements]. Mr. Hemminger said that the Planning Board has required sidewalk connections for all applicants.

Mr. Bellis asked about the location of the proposed five land-banked parking spaces. Mr. Barreto said that these will be located in the front of the existing building. Mr. Hemminger requested that these five land-banked parking spaces be shown on the Site Plan drawing. Mr. Barreto said that they are shown on one of the earlier drawings and that he will add them to the Preliminary Site Plan drawing.

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

■ A motion was made by MR. DELUCIA, 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:

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN, REDFIELD GROVE INCENTIVE ZONING PROJECT,
PHASE #3, LOT #1**

PB #0601-24

APPLICANT: Brittany Sherrier, 16 Bent Oak Trail, Fairport, N.Y. 14450

ACTION: Preliminary Site Plan, Redfield Grove Incentive Zoning Project, Phase #3, Lot #1, 5998 State Route 96: Approving with conditions the Preliminary Site Plan for 5998 State Route 96, SHMILLER PROPERTIES, LLC.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has tonight received an application for the above referenced Action; and

WHEREAS the Planning Board, in a resolution dated May 15, 2024, classified this Action as being a Type II Action under 6NYCRR, Part 617.5 (21) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS the Planning Board has opened the public meeting and received testimony; and

WHEREAS the Action is classified as an Exempt Action by the Ontario County Planning Board’s 2024 By-laws and, therefore, is not subject to a referral.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approve of the above referenced Action with the following conditions of amendment to the submitted Site Plan drawings:

1. Preliminary Site Plan Approval with Conditions is based upon the drawings prepared by Marathon Engineering, identified as job no. 1735-24, dated 05/09/2024, drawing numbers C 1.0 (Site Plans) and C 2.0 (Construction Details), entitled “Preliminary Site Plans for SHMILLER PROPERTIES, LLC,” as are to be amended in accordance with the following conditions of approval.
2. Drawing C 2.0 is to be revised to include the Streetlight Detail for the proposed Streetlight. Said streetlight and globe are to match the existing streetlights and globes elsewhere along the State Route 96 Main Street Overlay District.
3. Drawing C 1.0 is to be revised to show a Signature Block for the Planning Board Chairperson and placed on the drawing in the location as shown on Appendix G-13.0 of the Town’s Site Design & Development Criteria Manual—2024.
4. Drawing C 1.0 is to be revised to show the double line striping for on-site parking spaces.
5. Drawing C 2.0 is to be revised to show the on-site parking double line striping specification sheet as shown on Appendix G-16.0 of the Town’s Site Design & Development Manual - 2024.
6. Drawing C 1.0 is to be revised to show the location for the Public Safety Sign.
7. Drawing C 2.0 is to be revised to show the specification sheet for the Public Safety Sign as shown on Appendix G-9.0 of the Town’s Site Design & Development Manual—2024.
8. Drawings C 1.0 and C 2.0 are to have the Revision Boxes amended to reflect these conditions of Preliminary Site Plan Approval.

BE IT FURTHER RESOLVED that once the amendments are made to the Preliminary Site Plan drawings, as specified above, one paper copy and an electronic copy of the drawings are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Upon accepting the revised drawings, the CEO shall contact the Planning Board Chairperson to sign the preliminary drawings.

BE IT FURTHER RESOLVED that once the Preliminary Site Plan drawings have been signed then the Town Code Enforcement Officer may accept an application for Final Site Plan approval and scheduling at a future Planning Board meeting.

BE IT FURTHER RESOLVED that Preliminary Site Plan Approval with Conditions is valid for a period of 180 days from today and shall automatically expire unless all drawings have been signed, or an extension thereto is requested and approved by the Planning Board, within this time period.

BE IT FURTHER RESOLVED that no Building Permits may be issued by the CEO until Final Site Plan Approval has been granted by the Planning Board and all drawings signed and filed in the Town Development Office.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, the Applicant’s Engineer, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

Following the vote, Ms. Sherrier asked if it would be okay to begin interior work. Mr. Gordner said yes.

Ms. Sherrier asked about the schedule. She said that she is pushing with the driveway contractor to begin the paving this season. Mr. Hemminger said that she would be able to finalize the schedule with her contractor following the approval of the Final Site Plan.

7. OTHER BOARD ACTIONS

A. Determination of a complete application for Final Subdivision Plat for Debora K. Potter, 1426 County Road 8, Shortsville, N.Y.

PB #0701-24

Name: Debora K. Potter, 1426 County Road 8,
Shortsville, N.Y. 14548

- Location:** West side of County Road 8 and north side of County Road 41.
- Zoning District:** RR-80 Rural Residential District
- Request:** Determining a complete application for Final Two-Lot Subdivision Plat approval of land, Lots No. 1 and No. 2, identified as Tax Map Account 42.00-1-4.100, containing a total of approximately 2.9 acres of land and as further to be identified as Preliminary Subdivision of Land of Debora K. Potter. The proposed Lot No. 1 is a vacant piece of land and to be approved as a Non-Buildable Lot subject to site plan approval. Proposed Lot No. 2 is a parcel of land developed with a single-family dwelling and related site improvements.

On May 1, 2024, the Planning Board conducted a Public Hearing and approved the accompanying Preliminary Two-Lot Subdivision Plat application for this project.

Ms. Potter and others attended the meeting this evening.

Ms. Potter asked if there was any way to get through the process at the next meeting on July 17, 2024. Mr. Hemminger explained that the Final Subdivision Plat application will be on the July 17th agenda, which would then be followed at subsequent meetings by the Preliminary Site Plan and Final Site Plan applications for the building of the house which is proposed on Lot #2.

Ms. Potter asked about the process to complete the subdivision. Mr. Brand said that final drawings for signatures are to be submitted to the Town following Planning Board approval of the Final Subdivision Plat which is expected on July 17th. When the Final Subdivision Plat is signed, Ms. Potter (or her engineer) would then file the Final Subdivision Plat in the Ontario County Clerk's Office.

Ms. Potter asked if another Public Hearing is needed. Mr. Hemminger said no. He said that the Public Hearing on the subdivision was closed and that another Public Hearing on the Final Site Subdivision Plat is not needed.

Ms. Potter asked about the resolution this evening to declare that the Final Subdivision application is complete. Mr. Hemminger said that perhaps this resolution may not have been needed. He said that usually the Planning Board declares that an application is complete prior to making the State Environmental Quality Review (SEQR) determination. He said that he will discuss the procedure with the Town staff for future applications.

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0701-24

**APPLICANT: Debora K. Potter, 1426 County Road 8,
Shortsville, N.Y. 14548**

**ACTION: Acceptance of the above application as complete for
scheduling a public meeting for Final Subdivision Plat
Approval, Lots #1 and #2, Debora K. Potter Subdivision
Tract.**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the related application for the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for this application as being adequate for its consideration.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule a public meeting be held upon the above Action at the July 17, 2024, meeting.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, the Applicant’s Land Surveyors, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

**B. Determination of a complete application for Final Subdivision Plat for 1816
Quaker Meetinghouse Museum, 230 Sheldon Road, Farmington, N.Y. 14425**

PB #0702-24 Preliminary Site Plan Application
PB #0703-24 Special Use Permit Application

Name: David Bruinix, Site Manager, c/o 724 Victor Road, Macedon, N.Y. 14502; representing Farmington Quaker Meetinghouse Museum, 230 Sheldon Road, c/o Judith Wellman, 2 Harris Hill Road, Fulton, N.Y. 13069

Location: 230 Sheldon Road

Request: Acceptance of the above two (2) applications as complete for scheduling Public Hearings and directing the publishing and postings of the Legal Notices for said Actions; classifying the Actions under the State Environmental Quality Review Act (SEQRA) and directing submission of referrals to the Ontario County Planning Board.

On May 1, 2024, it was the consensus of the Planning Board to approve the applicant’s request to level the parking area (removal of topsoil), open a construction entrance, install road millings on the parking area, and store unused road millings on the property.

On May 8, 2024, the engineering concept for the consensus was submitted to the Town by BME Associates.

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

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

TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION
1816 QUAKER MEETINGHOUSE MUSEUM PROJECT
230 SHELDON ROAD, FARMINGTON, N.Y. 14425

PB #0702-24 Preliminary Site Plan Application
PB #0703-24 Special Use Permit Application

APPLICANTS: David Bruinix, 724 Victor Road, Macedon, N.Y. 14502
Judith Wellman, 2 Harris Hill Road, Fulton, N.Y. 13069

Mailing address: P.O. Box 25053,
Farmington, N.Y. 14425

ACTION: **Acceptance of the above two (2) applications as complete for scheduling Public Hearings and directing the publishing and postings of the Legal Notices for said Actions. classifying the Actions under the State Environmental Quality Review Act (SEQRA) and directing submission of referrals to the Ontario County Planning Board.**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the two (2) related applications for the 1816 Farmington Quaker Meetinghouse Museum Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for these two (2) applications as being adequate for consideration and Actions.

BE IT FURTHER RESOLVED that the Planning Board classifies these Actions as being Type II Actions under the provisions of 6NYCRR, Part 617.5 (c) (2) and (9), Article 8 of the New York State Environmental Conservation Law (ECL). Type II Actions have been determined not to have a significant impact on the environment and are otherwise precluded from environmental review under Article 8 of the ECL.

BE IT FURTHER RESOLVED that the Planning Board directs Town staff to submit referrals for these two (2) applications to the Ontario County Planning Board for their review, at their July 10, 2024, meeting, under the provisions of sections 239-1 & -m of the New York State General Municipal Law.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule Public Hearings be held upon these two (2) Actions at the July 17, 2024, meeting and further directs the publishing and posting of the Legal Notice for these Actions.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, the Applicant’s Engineer, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

C. Determination of a complete application for Final Subdivision Plat for DeHollander Five-Lot Re-Subdivision, Lots #R-1–#R-5 (Scout Plains Subdivision Tract)

PB #0704-24 Final Subdivision Plat Application

Name: DeHollander Design, Inc., c/o Scott DeHollander, P.E., 7346 Dryer Road, Victor, N.Y. 14564

Location: East side of County Road 8 and north side of Holtz Road

Request: Determining a complete application for the Final Subdivision Plat for the DeHollander Five-Lot Re-Subdivision, Lots #R-1–#R-5 (Scout Plains Subdivision Tract) and scheduling a Public Meeting.

The State Environmental Quality Review (SEQR) 30-day coordinated review period for this application was held from April 18–May 17, 2024.

On June 5, 2024, the Planning Board declared itself as the Lead Agency for making the SEQR determination of significance, a determination of non-significance was approved, and the Preliminary Five-Lot Re-Subdivision was approved with conditions.

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0704-24

APPLICANT: DeHollander Design, Inc., c/o Scott DeHollander, P.E., 7346 Dryer Road, Victor, N.Y. 14564

ACTION: Acceptance of the above application as complete for scheduling a public meeting for Final Subdivision Plat Approval, Lots #R-1 through R-5, Scouts Plain Subdivision Tract.

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the related application for the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for this application as being adequate for its consideration.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule a public meeting be held upon the above Action at the July 17, 2024, meeting.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, Applicant’s Land Surveyors, Town Staff, and the Town Engineer.

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

Adrian Bellis	Recused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

D. Determination of a complete application for Preliminary Site Plan for Lot #R-4 of the DeHollander Five-Lot Re-Subdivision (Scout Plains Subdivision Tract)

PB #0705-24 Preliminary Site Plan Application, Lot #R-4

Name: DeHollander Design, Inc., c/o Scott DeHollander, P.E., 7346 Dryer Road, Victor, N.Y. 14564

Location: East side of County Road 8 and north side of Holtz Road

Request: Determining a complete application for the Preliminary Site Plan for Lot #R-4 of the DeHollander Five-Lot Re-Subdivision (Scout Plains Subdivision Tract)

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0705-24

APPLICANT: DeHollander Design, Inc., c/o Scott DeHollander, P.E.,
7346 Dryer Road, Victor, New York 14564

ACTION: Acceptance of the above application as complete for
**scheduling a public meeting for Preliminary Site Plan
Approval, Lot #R-4, Scout Plains Subdivision Tract.**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the related application for the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for this application as being adequate for its consideration.

BE IT FURTHER RESOLVED that the Planning Board does hereby classify the Action as a Type II Action, under the provisions of 6NYCRR, Part 617. 5 (11) and (13), Article 8 of the New York State Environmental Conservation Law (ECL).

BE IT FURTHER RESOLVED that Type II Actions have been determined not to have a significant impact on the environment and are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule a public meeting be held upon the above Action at the July 17, 2024, meeting.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicant, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Recused
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

- E. Determination of a complete application for Final Two- (2-) Lot Subdivision Plat approval for site development of Lots #1A and #1B, Creekwood Extension/Brickwood Management Project to be located along Pintail Crossing.**

PB #0706-24 Final Two- (2-) Lot Subdivision Application

Name: Pintail Crossing LLC, Conifer Realty LLC, c/o Robert Corredine, 1000 University Avenue, Suite 500, Rochester, N.Y. 14607

Location: Pintail Crossing, Tax Map Account Nos. 41.07-1-28.411 and 41.07-1-28.412, Creekwood Extension/Brickwood Management Project

Request: Determining a complete application for the Final Subdivision Plat approval of Tax Map Account Nos. 41.07-1-28.411 and 41.07-1-28.412 for site development of Lots #1A and #1B, Creekwood Extension/Brickwood Management Project to be located along Pintail Crossing.

On April 17, 2024, the Planning Board approved the Preliminary Two-Lot Subdivision for this development (PB #0201-24).

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0706-24

APPLICANT: **Robert Corredine, Conifer Realty, LLC, 1000 University Avenue, Suite 500, Rochester, N.Y. 14607**

ACTION: **Acceptance of the above application as complete for scheduling a public meeting for Final Subdivision Plat Approval, Lots #R-1A and #R-1B, Creekwood Extension/Brickwood Management Project**

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the related application for the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for this application as being adequate for its consideration.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule a public meeting be held upon the above Action at the July 17, 2024, meeting.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicants, the Applicants’ Land Surveyor, the Applicants’ Engineers, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

F. Determination of a complete application for Preliminary Site Plan approval for Pintail Crossing/Creekwood Extension/Brickwood Management, Creekwood Phase 2, 40-unit townhouse project.

PB #0707-24 Preliminary Site Plan application

Name: Brickwood Management, c/o Evan Van Epps, 25 Silverlight Way, Rochester, N.Y. 14624

Location: Pintail Crossing/Creekwood Extension/Brickwood Management, Creekwood Phase 2, 40-unit townhouse project

Request: Determining a complete application for the Preliminary Site Plan for Creekwood Phase #2 40-unit townhouse project.

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

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

**TOWN OF FARMINGTON
PLANNING BOARD RESOLUTION**

PB #0707-24

APPLICANT: Evan Van Epps, Brickwood Management, 25 Silverlight Way, Rochester, N.Y. 14624

ACTION: Acceptance of the above application as complete for scheduling a public meeting for Preliminary Site Plan Approval—Creekwood Phase 2 Townhouse Project

WHEREAS the Town of Farmington Planning Board (hereinafter referred to as Planning Board) tonight has received and reviewed the related application for the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to accept the documents submitted for this application as being adequate for its consideration.

BE IT FURTHER RESOLVED that the Planning Board does hereby classify the Action as a Type II Action, under the provisions of 6NYCRR, Part 617. 5 (11) and (13), Article 8 of the New York State Environmental Conservation Law (ECL).

BE IT FURTHER RESOLVED that Type II Actions have been determined not to have a significant impact on the environment and are otherwise precluded from environmental review under the ECL.

BE IT FURTHER RESOLVED that the Planning Board does hereby schedule a public meeting be held upon the above Action at the July 17, 2024, meeting.

BE IT FINALLY RESOLVED that certified copies of this resolution are to be sent to the Applicants, the Applicants’ Land Surveyor, the Applicants’ Engineers, Town Staff, the Town Engineer and filed with the Town Development Office.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Excused
Douglas Viets	Aye

Motion carried.

8. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand provided the following information:

- Construction is underway on the Transportation Alternatives Program (TAP)—Sidewalks, Trail Connections and Bike Lanes Project. Bids for this project were opened on February 14, 2024. On June 21, 2022, the Commissioner of the New York State Department of Transportation had notified the Town of an award of \$1,769,000 of Federal highway funds to be matched with \$445,000 of Town funds for this project. A Pre-Construction Meeting was held with the contractor in May. The notice to proceed was issued to the contractor on May 2, 2024, and the first progress meeting with the contractor has been held.

The contractor is now constructing the sidewalk on the south side of County Road 41 between the Auburn Trail crossing and State Route 332. Utility poles have been moved, and the sidewalks and the connection to the Auburn Trail are in progress. Mr. Brand said that the project schedule may be amended due to the availability of concrete. He also said that citizens who are posting on social media sites are happy to see that the sidewalks are being constructed.

- The Preliminary Site Plan drawings for the Farmington Market Center project (the Tops Supermarket site on the south side of State Route 96) have not yet been submitted. Mr. Brand said that the property owner decided to revisit the lease agreements with the prospective businesses to determine if terms are still applicable. He said that it may be another month prior to the submission of a Preliminary Site Plan application.
- The Town Agricultural Advisory Committee will meet tomorrow night (June 20, 2024) to consider a proposed Agricultural Protection Overlay District (APOD). Mr. Brand said that the establishment of an APOD for the protection of the identified strategic farmland parcels in the Town is a recommendation of the adopted *Farm-land Protection Plan* and the *2021 Edition of the Town of Farmington Comprehensive Plan*. He said that other proposed amendments to the Town Code would be separated from the APOD regulations if the Agricultural Advisory Committee will require additional time [to consider the creation of the APOD].
- The applicant of the Whitestone Incentive Zoning Project has submitted a list of proposed uses to the Town which has been reviewed by the Town Board members and Town staff. The Town Board is expected to take action on this Incentive Zoning application at its next meeting on June 26, 2024. The applicant proposes the development of approximately 65.1 acres on the east side of State Router 32 and the south side of County Road 41 with mix uses such as a modern a modem self-storage facility on the County Road 41 frontage, and a market rate multifamily residential community on the larger interior portion of the property. The proposal is to re-subdivide the property into five lots, with Lot 1 being proposed for the multifamily residential community, Lot 2 for the self-storage operation, and Lots 3, 4 and 5 proposed for development of GB type uses/ development, such as a four-story hotel, a Quick Service Restaurant, and an office/ commercial use.

The multifamily portion of the project includes 280± market rate units in 28 buildings, with a clubhouse, parking, landscaping, village green, sidewalks and other site improvements. The buildings are proposed to include 10 units each, with a mix of one-, two- and three-bedroom units. The density of 6.91 units/acre is below the maximum density permitted in the Town's RMF District. Both garage and surface parking are included. Every unit has a garage, with the three-bedroom units having two-car garages, with driveway parking, and pockets of guest parking located around the community. The clubhouse may include a leasing office, fitness center, pool and/or other amenities for residents. Internal pedestrian trail and sidewalks are incorporated within the project to provide connectivity for the project and expand the Town's sidewalk system and access to the Auburn Trail. A substantial vegetative buffer is proposed to be maintained between the project and the adjacent residential neighborhood.

Code Enforcement Officer:

Mr. Gordner reviewed the proposed agenda for the next meeting of the Planning Board on July 17, 2024. He said that legal notices will be prepared, as appropriate, and referrals to the Ontario County Planning Board would be sent for the Special Use Permit application for the 1816 Quaker Meetinghouse Museum project (PB #0703-24) and the Pintail Crossing Final Subdivision Plat and Preliminary Site Plan applications (PB #0706-24 and PB #0707-24).

Mr. Hemminger again requested that topographic contour lines be better delineated on the Fowler Family Trust Preliminary Three-Lot Re-Subdivision application (PB #0702-23). Mr. Brand said that James Baker, P.E., the applicant's soils consultant, has not yet weighed in on the revised drawings and that the Town will look to Mr. Baker's comments.

Mr. Gordner also said that the Town is advertising for applicants for a full-time office position which is now available in the Building Department.

Highway Superintendent:

Mr. Ford said that the Highway Department staff has completed the Town's chip-seal-and-stone road projects and will begin assisting the Town of Victor Highway Department following the July 4th holiday. He said that a chip-seal-and-stone highway project on County Road 41 was completed by the Ontario County Highway Department.

9. PUBLIC COMMENTS

None.

10. TRAINING OPPORTUNITIES

■ 2024 Municipal Bootcamp Trainings:

A free annual program to provide certification credits to newly elected officials, planning and zoning boards, and municipal officials presented by Hancock Estabrook and MRB Group.

Thursday, June 27, 2024, 6:00 p.m.–7:00 p.m.

Session 6: Putting the Home in Hometown: Strategies for Attracting Housing Investment to Your Community

Thursday, July 25, 2024, 6:00 p.m.–7:00 p.m.

Session 7: From Big to Small: Translating Comprehensive Plans into Land Use Regulations

Thursday, September 26, 2024, 6:00 p.m.–7:00 p.m.

Session 8: Under the Tent: Open Meetings, Record Keeping, and Engaging the Public in Community Development

Thursday, October 24, 2024, 6:00 p.m.–7:00 p.m.

Session 9: Short, But Not Too Short: How Short-Term Rentals Are Changing the Development and Regulatory Landscape

Thursday, December 19, 2024, 6:00 p.m.–7:00 p.m.

Session 10: Santa's Nice and Naughty List: The Best and Worst of 2024

Questions and registration:

<https://www.hancocklaw.com/events/2024-municipal-bootcamp-trainings/>

■ New York Planning Federation Recorded Webinars:

For information: (518) 512-5270 or nypf@nypf.org

■ 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>

11. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:15 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, July 17, 2024, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425. This meeting will also be available via remote video conference.

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

Respectfully submitted,

_____ L.S.
John M. Robortella
Farmington Planning Board Clerk

Attachment #1:

Responses received via email from Sky Solar Inc. on June 14, 2024, to citizens' submissions which were presented at the Planning Board meeting on May 15, 2024.