

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, February 21, 2018, 7:00 p.m.

MINUTES—APPROVED

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

Board Members Present: Edward Hemminger, *Chairperson*
Adrian Bellis
Shauncy Maloy
Mary Neale
Douglas Viets

Staff Present:

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group, D.P.C.
Ronald L. Brand, Town of Farmington Director of Development and Planning
David Degear, Town of Farmington Water and Sewer Superintendent
Don Giroux, Town of Farmington Highway Superintendent
James Morse, Town of Farmington Code Enforcement Officer
John Weidenborner, Assistant Chief, Farmington Volunteer Fire Association

Applicants Present:

Julie Bachan, National Fuel Gas Supply Corporation, 6363 Main Street,
Williamsville, N.Y. 14221-5887
Michael Birkby, Conifer Realty LLC, 1000 University Avenue, Suite 500,
Rochester, N.Y. 14607
Matthew Bragg, Chrisantha Construction Corporation, 10 Dewey Avenue, Gorham, N.Y. 14461
Sarah Costich, R.L.A., Costich Engineering, 217 Lake Avenue, Rochester, N.Y. 14618
Amy C. Dake, P.E., PTOE, Senior Managing Traffic Engineer, SRF Associates,
3495 Winton Place, Building E, Suite 110, Rochester, N.Y. 14623
Maggie Duggan, National Fuel Gas Supply Corporation, 6363 Main Street,
Williamsville, N.Y. 14221-5887
Kip Finley, P.E., Director of Development, Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625
Jerry A. Goldman, Esq., Woods Oviatt Gilman LLP, 700 Crossroads Building,
2 State Street, Rochester, N.Y. 14614
Peter Gorman, P.E., Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614

Ken Hurley, Haley & Aldrich, H&A of New York, LLP, 200 Town Centre Drive, Suite 2,
Rochester, N.Y. 14623

Terry Kreuz, Assistant Superintendent, National Fuel Gas Supply Corporation,
6363 Main Street, Williamsville, N.Y. 14221-5887

Robert [?], 1000 University Avenue, Rochester, N.Y. 14607

Jett Mehta, President, Indus Hospitality Group, 950 Panorama Trail S., Rochester, N.Y. 14625

Alicia Sturn, D.D.S., 7614 Arbor Glen Drive, Victor, N.Y. 14564

Adam S. Walters, Partner, Phillips Lytle LLP, One Canalside, 125 Main Street,
Buffalo, N.Y. 14203-2887

Joshua Wendt, National Fuel Gas Supply Corporation, 6363 Main Street,
Williamsville, N.Y. 14221-5887

Scott Wilbur, 7614 Arbor Glen Drive, Victor, N.Y. 14564

Residents Present:

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

Peter Ingalsbe, Supervisor, Town of Farmington

Gary Weidenborner, 5799 Mountain Ash Drive, Farmington, N.Y. 14425

1. MEETING OPENING

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

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 1, 2017.

2. APPROVAL OF MINUTES OF FEBRUARY 14, 2018

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the February 14, 2018, meeting be approved.

Motion carried by voice vote.

3. NEW FINAL 3-LOT SUBDIVISION

PB #0205-18 New Final 3-Lot Subdivision Application

Name: Alicia Sturn, D.D.S., PLLC, 7614 Arbor Glen Drive,
Victor, N.Y. 14564

- Location:** East side of State Route 332 between Farmbrook Drive and Clovermeadow Drive
- Zoning District:** RB Restricted Business and MTOD Major Thoroughfare Overlay District
- Request:** Final 3-Lot Subdivision Plat approval (parent parcel of 5.882± to create Lot #1 consisting of 1.077 acres, Lot #2 consisting of 0.918 acres and Lot #3 consisting of 3.887 acres)

Mr. Hemminger concurrently opened the discussion on this application and the following PB #0206-18—Alicia Sturn, D.D.S. Final Site Plan application.

The Planning Board approved the State Environmental Quality Review (SEQR) classification of this application as an Unlisted Action on September 6, 2017.

On September 6, 2017, the Planning Board declared its intent to be designated as the Lead Agency for making the required SEQR determination of significance and established the 30-day public review period which began on September 7, 2017, and concluded on October 6, 2017.

On October 18, 2017, the Planning Board declared itself as the Lead Agency for making the SEQR determination of significance, determined that the proposed Action will not result in any significant adverse environmental impacts, issued a Determination of Non-Significance and directed the Planning Board Chairperson to sign the Full Environmental Assessment Form and the Negative Declaration Form.

The Planning Board approved the Preliminary 3-Lot Subdivision Plat with conditions on October 18, 2017.

Ms. Costich of Costich Engineering presented this application. Dr. Sturn, Mr. Bragg and Mr. Wilbur also attended.

Mr. Bragg distributed color elevation renderings of the structure. Also included was a color rendering of the non-illuminated monument sign which is a component of the Final Site Plan application.

Ms. Costich reported that the comments which were previously received from the Town Engineer and the Planning Board have been addressed and are reflected on both the Final Subdivision Plat and the Final Site Plan. She also noted that she has reviewed the draft Planning Board Final Subdivision Plat and Final Site Plan resolutions.

Mr. Brand confirmed that the address of the dentist office will be 1637 State Route 332.

Ms. Costich said that notes on lawn mowing and the installation of light poles are included on the Final Site Plan.

Mr. Morse explained that the office address will be 1637 State Route 332 because of a possible future right-in/right-out driveway and because it is undesirable with the Post Office and the County 911 Office to have a street address off a private driveway. He also discussed the public-safety signage which is required to be installed and visible from State Route 332.

Mr. Brabant reported that the applicant has addressed all of the comments on the MRB Group engineering letter of February 16, 2018. He said that several technical details on the previous plan were refined for consistency to comply with the current Farmington Site Design criteria. Mr. Brabant said that the remaining engineering issues to be addressed by the applicant are submission of the final Stormwater Pollution Prevention Plan (SWPPP) and the MS4 acceptance form and approval letter.

Mr. Hemminger asked if anyone in attendance wished to comment or ask questions on the application. There were no comments or questions from those in attendance.

Mr. Viets asked about the area for snow storage and if other snow-storage locations on the site were considered. Ms. Costich said that several of the locations of landscape plantings were adjusted to accommodate snow storage. She said that she is comfortable that there are adequate snow storage areas on the site.

Ms. Neale expressed her appreciation for the color elevation renderings of the structure.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL 3-LOT SUBDIVISION PLAT, EAST SIDE OF STATE ROUTE 332
ALICIA STURN, D.D.S., PLLC**

PB #0205-18

**APPLICANT: Alicia Sturn, D.D.S., PLLC, 7614 Arbor Glen Drive,
Victor, N.Y. 14564**

**ACTION: Final Three-Lot Subdivision Plat, east side of State Route 332
between Clover Meadow Lane and Farmbrook Drive; to
subdivide 5.882± acres into three lots (Lot #1 consisting of
1.077 acres for a future commercial building, Lot #2 consisting
of 0.918 acres for a proposed dental office and Lot #3
consisting of 3.887 acres for a future commercial building)**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Alicia Sturn for Final Subdivision Plat Approval for Lots #1, #2 and #3 of the Farmington Dentist N.Y.S. Route 332 Subdivision

(identified as Tax Map Account #041.12-01-96.11, containing a total of 5.882± acres); and

WHEREAS, the Planning Board has completed its review under SEQR Regulations making a determination of non-significance upon this Action; and

WHEREAS, the Planning Board finds that the proposed Action has been reviewed by the Ontario County Planning Board, Referral No. 175-2017, resulting in a recommendation of Modification that no Action can be taken until the comments from the Ontario County Soil and Water Conservation District are received and reviewed; and

WHEREAS, Megan L. Webster, District Manager, CPESC, Ontario County Soil and Water Conservation District, has reported via e-mail dated September 19, 2017, to James Morse, Town Code Enforcement Officer, that she has reviewed the Storm Water Pollution Prevention Plan (SWPPP) and finds no concerns with the proposed project; and

WHEREAS, the Planning Board has received testimony at tonight's public meeting regarding the proposed final subdivision.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to grant Final Subdivision Plat Approval with the following conditions:

1. Final Subdivision Plat Approval is based upon the drawing prepared by Costich Engineering, Land Surveying and Landscape Architecture, identified as Drawing #6465, VS100, Sheet 3 of 18, entitled "Subdivision Map, Farmington Dentist N.Y.S. Route 332," dated 8/2/2017, with a revised date of 2/01/2018 and subject further to the conditions set forth herein.
2. Any and all comments contained in the MRB Group's report letter dated February 16, 2018, requiring change to the Final Subdivision Plat Drawing cited above herein are to be made and noted in the drawing's revision box before the Town Engineer's signing of the drawing.
3. Final Plat Approval is valid for a period of 180 days and must be renewed unless all conditions of approval have been complied with. Failure to comply within this time period shall result in this Final Plat Approval being made null and void.
4. Once all conditions of Final Plat Approval have been made upon the revised drawing, a mylar and eight (8) paper prints are to be submitted to the Town Code Enforcement Officer, for his review and acceptance for signing by all officials.
5. Once the Planning Board Chairperson's signature has been affixed to the revised Final Plat drawings then the applicant is to submit the signed final plat mylar and two signed paper copies for filing in the Ontario County Clerk's Office.

- 6. Copies of this resolution are to be provided to: Alicia Sturn, Applicant; Matthew Bragg, Chrisantha Construction Corporation; Sarah Costich King, Costich Engineering; and the Ontario County Planning Board.

Mr. Hemminger asked Ms. Costich if she understood the resolution and agreed with the conditions. Ms. Costich said that she understood the resolution and agreed with conditions.

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

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

Motion carried.

4. NEW FINAL SITE PLAN AND FINAL SIGN SITE PLAN

PB #0206-18 New Final Site Plan and Final Sign Site Plan Application

Name: Alicia Sturn, D.D.S., PLLC, 7614 Arbor Glen Drive,
Victor, N.Y. 14564

Location: East side of State Route 332 between Farmbrook Drive and
Clovermeadow Drive

Zoning District: RB Restricted Business and MTOD Major Thoroughfare Overlay
District

Request: Final Site Plan approval for Lot #2 for the construction of a 3,750-
square-foot dentist office and related site improvements, construc-
tion of a proposed driveway across Lot #1 to Farmbrook Drive,
and Final Sign Site Plan approval for a double-faced non-illumi-
nated monument sign

The Planning Board approved the Preliminary Site Plan for Lot #2 and a portion of Lot #1 on October 18, 2018.

This application was discussed concurrently during the presentation of the Final Three-Lot Subdivision application (*see* above listing).

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN APPROVAL, LOTS #1 AND #1, EAST SIDE OF STATE ROUTE 332
ALICIA STURN, D.D.S., PLLC**

PB #0206-18

**APPLICANT: Alicia Sturn, D.D.S., PLLC, 7614 Arbor Glen Drive,
Victor, N.Y. 14564**

**ACTION: Final Site Plan Approval, Lot #2 and a portion of Lot #1, east
side of State Route 332 between Clover Meadow Lane and
Farmbrook Drive**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Alicia Sturn for Final Site Plan Approval for Lot #2 and a portion of Lot #1 of the Farmington Dentist N.Y.S. Route 332 Sub-division (identified as Tax Map Account #041.12-01-96.11, containing a total of 0.918± acres); and

WHEREAS, the Planning Board has completed its review under SEQR Regulations making a determination of non-significance upon this Action; and

WHEREAS, the Planning Board finds that the proposed Action has been reviewed by the Ontario County Planning Board, Referral No. 175-2017, resulting in a recommendation of Modification that no Action can be taken until the comments from the Ontario County Soil and Water Conservation District are received and reviewed; and

WHEREAS, Megan L. Webster, District Manager, CPESC, Ontario County Soil and Water Conservation District, has reported via email dated September 19, 2017, to James Morse, Town Code Enforcement Officer, that she has reviewed the Storm Water Pollution Prevention Plan (SWPPP) and finds no concerns with the proposed project; and

WHEREAS, the Planning Board has reviewed the February 16, 2018, letter from Lance Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., the Town's Engineering Firm, which provides comments upon the Final Site Plan Action; and

WHEREAS, the Planning Board has received testimony at tonight's Public Meeting regarding the proposed Final site plan.

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

1. Final Site Plan Approval is based upon the drawing prepared by Costich Engineering, Land Surveying and Landscape Architecture, identified as Drawing #6465, CA100, Sheet 5 of 18, entitled “Site and Pavement Marking Plan Map, Farmington Dentist N.Y.S. Route 332,” dated 01/31/2018 and subject further to the conditions set forth herein.
2. This Final site plan approval is valid only for the proposed development upon Lot #2 of a 3,728-square-foot dentist office building and related site improvements, including landscaping, as shown on Drawing #6465, CA100; and that portion of Lot #1 involving the construction of the proposed twenty-six-foot-wide asphalt driveway; the thirty-foot-wide landscape area east of said driveway and extending south from the right-of-way of Farmbrook Drive to the southern boundary limit for Lot #2, as shown on Drawing #6465, LA100; the installation of landscaping across the State Route 332 frontage of Lot #2, as shown on Drawing #6465 LA100; and the installation of the eight-foot-tall Board on Board fence, as shown on Drawing #6465, LA500, commencing at the northern property line and extending south onto a portion of Lot #3, as shown on Drawing #36465 LA100.
3. Any and all comments contained in the MRB Group’s report letter dated February 16, 2018, requiring change to the Final Site Plan Drawing cited above herein are to be made and noted in the drawing’s revision box before the Town Engineer’s signing of the drawing.
4. The Final Site Plan drawing is to be amended to show details for the south pedestrian crossing of the cross walk across State Route 332.
5. The proposed sidewalk shown on Drawing #6465 CA110 is to be installed prior to the issuance of the Certificate of Occupancy by the Town Code Enforcement Officer for the proposed Dentist Office on Lot #2. A note to this effect is to be placed upon the Final Site Plan drawing.
6. The three proposed street lights shown on Drawing #6465 CA110 are to be installed prior to the issuance of the Certificate of Occupancy by the Town Code Enforcement Officer for the proposed Dentist Office on Lot #2. A note to this effect is to be placed upon the Final Site Plan drawing.
7. The proposed landscaping area along the east side of Lot #1 and Lot #2 are to be installed prior to the issuance of the Certificate of Occupancy by the Town Code Enforcement Officer for the proposed Dentist Office on Lot #2. A note to this effect is to be placed upon the Final Site Plan drawing.
8. This site plan approval does include Sign Site Plan Approvals that are required under Chapter 165 of the Town Code. The Planning Board’s Approval is for the double-faced non-illuminated monument sign shown on the drawing prepared by Sklight Signs, Inc., dated 1/24/18 and entitled Farmington Dental. The Planning Board Chairperson’s signature is to be affixed to this drawing.

- 9. This site plan approval does include the building elevations prepared by Hanlon Architects, Sheet No. A4, entitled “Farmington Dental Exterior Elevations,” Project Number 17-060. The Planning Board Chairperson is to sign copies of this drawing and the two-color renderings submitted by Hanlon Architects, with this application.
- 10. Until such time as a Final Site Plan has been approved by the Planning Board for Lot #1, this Applicant shall maintain a mowed area along both sides of the proposed sidewalk shown on Drawing #6465 CA100 that is being installed as part of the site plan approval for Lot #2. A note to this effect is to be placed upon the Final Site Plan drawing.
- 11. Final Site Plan Approval is valid for a period of 180 days and must be renewed unless all conditions of approval have been made and a signed Final site plan map has been placed in the file in the Town Development Office. Failure to comply within this time period shall result in this Final plan approval being made null and void.
- 12. Once all conditions of Final Site Plan Approval have been made on the revised drawing, a total of six (6) paper prints are to be submitted to the Town Code Enforcement Officer, within 180 days, for his review and acceptance for signing by all officials.
- 13. Copies of this resolution are to be provided to: Alicia Sturn, Applicant; Matthew Bragg, Chrisantha Construction Corporation; Sarah Costich King, Costich Engineering; and the Ontario County Planning Board.

Mr. Hemminger asked Ms. Costich if she understood the resolution and agreed with the conditions. Ms. Costich said that she understood the resolution and agreed with conditions.

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

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

Motion carried.

5. CONTINUED PUBLIC HEARING: TWO-LOT PRELIMINARY SUBDIVISION

PB #1202-17 Continued Two-Lot Preliminary Subdivision Application

Name: Indus Hospitality Group/Indus Real Estate II, LLC;
950 Panorama Trail S., Rochester, N.Y. 14625

Location: Lands located behind 1301 State Route 332 (KFC Restaurant)

Zoning District: GB General Business

Request: Two-Lot Preliminary Subdivision Plat approval to create Lot #2 consisting of 1.452 acres and Lot #3 consisting of 1.288 acres.

CONTINUED PUBLIC HEARING: SPECIAL USE PERMIT

PB #1203-17 Continued Special Use Permit Application

Name: Indus Hospitality Group/Indus Real Estate II, LLC;
950 Panorama Trail S., Rochester, N.Y. 14625

Location: Proposed Lot #3 located east of the KFC Restaurant at 1301 State Route 332

Zoning District: GB General Business

Request: Special Use Permit approval to allow a motel according to Article VI, Chapter 165-73 of the Farmington Town Codes. The applicant wishes to construct a three-story Microtel Hotel with 60 rooms and related site improvements.

CONTINUED PUBLIC HEARING: SPECIAL USE PERMIT

PB #1204-17 Continued Special Use Permit Application

Name: Indus Hospitality Group/Indus Real Estate II, LLC;
950 Panorama Trail S., Rochester, N.Y. 14625

Location: Proposed Lot #2 located north of the KFC Restaurant at 1301 State Route 332

Zoning District: GB General Business

Request: Special Use Permit approval to allow a fast-food restaurant according to Article VI, Chapter 165-69 of the Farmington Town Codes. The applicant wishes to construct a 2,100-square-foot Taco Bell Restaurant.

CONTINUED PRELIMINARY SITE PLAN**PB #1205-17 Continued Preliminary Site Plan Application**

- Name:** Indus Hospitality Group/Indus Real Estate II, LLC;
950 Panorama Trail S., Rochester, N.Y. 14625
- Location:** East and north of the KFC Restaurant at 1301 State Route 332
- Zoning District:** GB General Business
- Request:** Preliminary Site Plan approval to construct a three-story Microtel Hotel with 60 rooms and a 2,100-square-foot Taco Bell Restaurant

Mr. Hemminiger concurrently reconvened the following Public Hearings which were opened on December 6, 2017; and continued on January 3, 2018, and February 14, 2018:

- PB #1202-17 (Indus Hospitality Group Two-Lot Preliminary Subdivision)
- PB #1203-17 (Indus Hospitality Group Special Use Permit for a hotel)
- PB #1204-17 (Indus Hospitality Group Special Use Permit for fast-food restaurant)

Mr. Hemminger concurrently resumed the discussion on the following application which also began on December 6, 2017; and continued on January 3, 2018, and February 14, 2018:

- PB #1205 (Indus Hospitality Group Preliminary Site Plan application)

The applicant also has eight applications pending before the Zoning Board of Appeals (ZBA):

- ZB #0701-17: Area Variance for 140 parking spaces (191 are required by the Town Code)
- ZB #0702-17: Area Variance for side setback of 22 feet (minimum of 30 feet is required by Town Code)
- ZB #0703-17: Area Variance for lot width of 15 feet (minimum of 150 feet is required)
- ZB #0704-17: Area Variance for front setback of 20 feet (minimum of 50 feet is required by Town Code)

- ZB #0705-17: Area Variance to create a parcel without direct access to a mapped street
- ZB #0706-17: Area Variance for lot width of 15 feet (a minimum of 150 feet is required)
- ZB #0707-17: Area Variance for front setback of 30 feet (a minimum of 50 feet is required)
- ZB #0708-17: Area Variance to create a parcel without direct access to a mapped street

The ZBA initially established the 30-day State Environmental Quality Review (SEQR) public review and comment period and the coordinated review process with Involved and Interested Agencies which began on November 28, 2017, and which ended at noon on December 29, 2017.

During the coordinated review process, the Planning Board declared its intent to be designated Lead Agency and notified the ZBA. The ZBA determined that it had no objection to the Planning Board designating itself as the Lead Agency to make the SEQR determination of significance on these applications.

On December 6, 2017, the Planning Board declared its intent to be designated the Lead Agency for making the required determination of significance upon the above referenced ongoing coordinated review under the SEQR Regulations.

On January 3, 2018, the Planning Board designated itself as the Lead Agency for making the required determination of significance upon the above referenced ongoing coordinated review under the SEQR Regulations.

On January 3, 2018, all applications were continued to February 7, 2018 (rescheduled to February 14, 2018). On February 14, 2018, all applications were continued to February 21, 2018.

Mr. Finley, Mr. Gorman (Marathon Engineering) and Ms. Dake (SRF Associates) presented these applications. Mr. Mehta, President of Indus Hospitality Group, also attended.

Mr. Finley and Mr. Hemminger said that traffic is an issue which must be addressed with these applications. Mr. Hemminger asked if the Planning Board must consider the future build-out or possible changes in the use on this property during the State Environmental Quality Review (SEQR) determination. Mr. Brand said that the proposed Taco Bell Restaurant and the Microtel Hotel represent the full build-out on this site. He said that a subsequent SEQR would be required if the applicant were to propose a future change in use.

Ms. Dake reviewed the chronology of the various traffic impact assessments associated with the applications:

- **Traffic Impact Assessment by SRF Associates (SRF), March 1, 2017.** The study area consisted of the State Route 332/State Route 96 intersection and the State Route 332/Burger King–Aldi–KFC Restaurant–Dunkin’ Donuts driveway. Ms. Dake said that vehicle turn movements were counted at morning peak, mid-day and afternoon peak hours; that a delay study was made; that accidents over the past three years were reviewed; and that potential traffic counts two years into the future were estimated. She reported that the SRF Traffic Impact Assessment concluded that the proposed Taco Bell and Microtel Hotel project would not have a significant adverse impact upon traffic in the area.
- The Traffic Impact Assessment was originally based upon a Taco Bell Restaurant and a retail use. Ms. Dake said that the Assessment was revised when the applicant replaced the proposed retail use with the Microtel Hotel. She said that expected traffic volumes actually decreased when the retail use was replaced by the hotel. She said that the original Traffic Impact Assessment conclusions remained valid.
- On August 9, 2017, a letter was submitted to the applicant from Daniel J. McCusker, P.E., Acting Regional Traffic Engineer, New York State Department of Transportation (NYSDOT). Ms. Dake reported that the NYSDOT reviewed and approved the SRF Traffic Impact Assessment with the following comments:

“ . . . To mitigate traffic impacts and alleviate delays and queue lengths exiting the driveway, a second lane exiting the site is warranted. . . . ” and “ . . . The geometry of the driveway should have two 12-foot lanes exiting and one 12-foot lane entering with driveway radii based on the design vehicle. The exiting lanes should consist of a left-turn lane and a through/right lane, and be aligned with the driveway across the street. . . . ”
- On January 24, 2018, Robert E. Schiller, P.E., Project Engineer, of the engineering firm of Erdman Anthony, submitted a comment letter to Town Engineer Lance Brabant on the SRF Traffic Impact Assessment. Ms. Dake said that Erdman Anthony agreed with the SRF traffic counts and methodology and with the NYSDOT recommendations. She said that the Erdman Anthony review also concluded that the project would have no significant adverse impacts related to traffic. SRF issued a reply letter to the Erdman Anthony comments on February 1, 2018.
- On February 7, 2018, SRF issued a comment letter in response to questions submitted by Planning Board member Douglas Viets.
- On February 19, 2018, Ms. Dake reported on updated traffic counts in correspondence to Mr. Brand, i.e.:

“ . . . The 2016 traffic counts were adjusted to 2017 using the same methodology that is used by NYSDOT and other agencies. The data remains valid at this time and is representative of current conditions on Route 332. In addition, we collected AM trip generation data at the Taco Bell in Victor last Friday (2/16/2018) between 7 and 9 a.m. The data indicated there were 14 trips entering the driveway and 12 trips exiting the driveway during the AM peak hour of 7:30–8:30 AM. This is very comparable to the volumes noted in our July 10, 2017, letter which estimated 10 entering trips and 10 exiting trips based upon AM Taco Bell data. The difference in trips (4 entering and 2 exiting) will not alter the results of the study and no further study is required. . . . ”

Mr. Brand reviewed the current status of this project which includes eight pending Area Variance applications before the Zoning Board of Appeals; and one Preliminary Two-Lot Subdivision application, two Special Use Permit applications, and one Preliminary Site Plan application pending before the Planning Board. He said that the two major issues before the Planning Board are traffic and stormwater management.

Discussing another potential application which could have a future effect upon the Indus project, Mr. Brand reported that he and Code Enforcement Officer Jim Morse recently met with Andy Prestigiacomio, the owner of the property to the south of the Indus property (A&P Plumbing). He said that Mr. Prestigiacomio is aware of the drainage issues in this area and may be planning to subdivide his property for a plumbing store fronting along Beaver Creek Road and another commercial use fronting along State Route 332. Mr. Brand also reported that the Town is not in favor of a cross-access easement across the Indus property from Mr. Prestigiacomio's property to State Route 332. He noted that if anything, the cross-access easement should be provided to allow access from the Indus site across the Prestigiacomio property to Beaver Creek Road, which could provide a second ingress/egress point for the Indus property. Mr. Brand said that this possibility is in the future and was not for Planning Board consideration at this time but that he wanted to share this information with the board. He said that Mr. Prestigiacomio's plans will continue to be monitored. He said that Mr. Prestigiacomio understands that he cannot access his property to State Route 332 across the Indus property.

Mr. Brand also noted that a secondary emergency access onto the Indus property could become available if an existing soil stockpile located on top of a sanitary sewer line to the east of the Indus property were to be removed and the existing gravel base were to be extended onto the Indus property. This would require an emergency access gate and would not be used as a second means of ingress/egress to the hotel site.

Mr. Hemminger asked about consideration of the drainage and stormwater management issues as part of the SEQR determination. Mr. Brand said that the applicant has been in contact with an adjacent property owner (Jeffrey Braddon, the owner of Rochester Canine Campus LLC, 1295 Beaver Creek Road) regarding the use of a portion of Mr. Braddon's property by Indus for stormwater management. Mr. Braddon submitted a letter dated January 26, 2018, to Mr. Brand in which Mr. Braddon said that he was willing to grant to Indus a stormwater easement in the basin area on his property and a temporary

easement for grading along the Indus eastern boundary, the basin area and the stockpile area on his property. In the letter, Mr. Braddon emphasized that he would like to retain as much natural vegetation as possible between the fencing on his property and the eastern boundary of the Indus property. (Prior to the meeting, Mr. Brand distributed Mr. Braddon's letter to Planning Board members and Town staff via e-mail.)

Mr. Brabant discussed the traffic studies submitted by SRF and the review by Erdman Anthony. He confirmed that Erdman Anthony concurred with the SRF conclusion and traffic counts.

Mr. Brabant said that Erdman Anthony deferred to the Town “. . . if a [traffic] recount is necessary based on recently constructed projects in the vicinity of this development. . . .” (Robert Schiller, P.E., Erdman Anthony, January 24, 2018).

Mr. Brabant explained that the applicant's current plans indicate that some stormwater mitigation measures may have to be located on the adjacent Canine Campus property. He said that a formal Stormwater Maintenance Agreement would be required to guarantee long-term emergency access by the Town to the stormwater management facility and that the applicant would be required to obtain an easement from Mr. Braddon for the use of his property. Mr. Brabant said that the applicant would have to meet Mr. Braddon's conditions regarding the prohibition of tree removal or clearing of vegetation on the Canine Campus property.

Mr. Hemminger said that easement agreements must permit the Town to have access to the stormwater management facility as the Town determines. He said that access easements must meet the Town's requirements and are not subject to negotiation.

Mr. Hemminger asked Mr. Brabant if he was comfortable and absolutely convinced that the traffic impact data as presented by SRF and reviewed by Erdman Anthony mitigates the significant traffic issues as they relate to this project. Mr. Brabant said that the Town relies on the SRF data by the firm's position as traffic experts but he again noted that Erdman Anthony left the door open to the Town to determine if more recent traffic data should be acquired.

Mr. Brabant said that plans for the stormwater management facility and drainage issues must be resolved prior to Preliminary Site Plan approval. He said that the drainage issues are part of the SEQR determination and that the applications should not advance past the Preliminary Site Plan stage without the required easements and stormwater management plans to meet the New York State Department of Environmental Conservation and the Town's MS4 Program requirements. He said that the applicant would have to show that all drainage can be mitigated upon their property or that easements are in place to enable the required stormwater mitigation measures to be installed on the adjacent Canine Campus property.

Mr. Hemminger asked if anyone in attendance wished to speak for or against the applications, or ask questions. There were no comments or questions from those in attendance.

Ms. Dake commented on the methodology which was used to calculate traffic counts. She explained that traffic counts at the State Route 332/State Route 96 intersection were taken in 2016 and that actual traffic counts at the current KFC Restaurant/Dunkin' Donuts driveway were taken in 2017. She said that consideration of traffic generated by the Federal Express Distribution Facility on Collett Road was included in the 2017 update.

Mr. Finley discussed the existing soil stockpile atop the sanitary sewer on the Indus property. He said that a gravel driveway already exists from Beaver Creek Road to the stockpile and that it would be no problem for Indus to remove the stockpile and continue the gravel driveway about another 150 feet to the parking lot of the development. He said that he was pleased that this could provide a secondary emergency access into the property.

Mr. Finley said that he met with Mr. Braddon to discuss possible stormwater management scenarios on Mr. Braddon's adjacent property. He said that Mr. Braddon suggested that perhaps an existing drainage channel could be cleaned and lined with stone, and that existing vegetation along the fringe could remain. Mr. Finley said that Mr. Braddon is concerned that trees and vegetation would remain in place to block the Indus project from view of the dogs at the kennel.

Mr. Viets said that he was pleased that the NYSDOT has reviewed the traffic impact assessment and is comfortable with the conclusion, especially because State Route 332 is under the NYSDOT's jurisdiction. He said that he appreciated the additional traffic counts which were provided by the applicant.

Mr. Viets asked about the driveway on the west side of State Route 332 into the Aldi Supermarket/Burger King parking lots, located on the opposite side of State Route 332 from the Indus property (reference: "Layout Plan" C1.0, dated 10/24/17, last revised 01/18/18). Ms. Dake said that there definitely would not be two straight-throughs, as currently shown on the Site Plan, and that a portion of that driveway would be restriped.

Ms. Neale asked about the percentage of greenspace on the Indus property. Mr. Gorman said that the Town requires a minimum of 30 percent greenspace and that the project currently has 54 percent of greenspace. Mr. Finley noted that the stormwater basin at the north of the property is open space and is included in the greenspace calculation.

Mr. Maloy asked about the stormwater retention pond. Mr. Gorman reviewed the location of the stormwater retention pond which is located on the northern portion of the property. He also reviewed the drainage outlet from the retention pond into the adjacent Canine Campus property.

Mr. Maloy asked about the capacity of the stormwater retention pond for 10-year and 100-year storms. Mr. Brabant and Mr. Finley explained the stormwater flow from the retention pond to the drainage channel and onto the adjacent property. Mr. Finley said that Mr. Braddon has requested that the drainage channel remain in place but that it be

cleaned. Mr. Finley said that the pond would retain water for most storms and that water would flow through the channel to the adjacent property during severe storms.

Mr. Bellis asked if stormwater would flow to the retention pond at the Dollar General Store to the north of the Indus property. Mr. Brabant said that there would be no flow into the Dollar General Store property.

Mr. Hemminger discussed the traffic queue for vehicles attempting to turn left (south) onto State Route 332 from the Indus driveway. Ms. Dake said that there would be about three to four vehicles in the queue at any one time. Mr. Hemminger expressed concern that the queue is very shallow for four businesses (Dunkin' Donuts, KFC Restaurant, Taco Bell Restaurant and the Microtel Hotel) to use one driveway to exit onto State Route 332. He noted that more than four vehicles could build up in the queue if they are attempting to exit the property and to turn left (south) onto State Route 332 during peak hours.

Ms. Dake said that she expects that more vehicles would be making right-hand turns onto State Route 332 (north) rather than left-hand turns. She said that traffic counts indicate that a queue longer than three or four vehicles would be very infrequent during peak hours.

Mr. Maloy expressed concern that a long queue waiting to exit onto State Route 332 could create a back-up on State Route 332 for traffic attempting to turn into the Indus driveway at the same time. Ms. Dake said that afternoon traffic was counted and that there were very few motorists waiting to turn left (south) onto State Route 332 from the driveway. She said that she would be more concerned with motorists trying to go straight across State Route 332 to the Aldi/Burger King driveway than to make left-hand turns.

Mr. Hemminger expressed concern about motorists on State Route 332 who approach the State Route 332/State Route 96 at high speed and may not be expecting the increase in traffic entering and leaving the Indus property.

Mr. Hemminger said that he believes that the significance of the traffic concerns has been mitigated by the left-turn lane to be provided at the Indus driveway, by the volume of traffic data provided by the applicant, and by the Town Engineer's comments. He said that he believes that the Planning Board is ready to consider the SEQR determination and requested that Mr. Brand draft an appropriate resolution for consideration at the next meeting by the Planning Board.

Mr. Viets said that the internal traffic flow on the Indus property, the stormwater management design and the required easements would have to be resolved prior to Preliminary Site Plan consideration. He also noted that the applicant must resolve the eight Area Variance applications before the Zoning Board of Appeals and would have to redesign the plans if one or more of the variances were not approved. Mr. Hemminger said that the Preliminary Site Plan application would be considered by the Planning Board following the resolution of the Area Variances by the Zoning Board of Appeals.

Mr. Finley said that he was hoping that the Planning Board would approve the SEQR determination this evening and that the Zoning Board of Appeals would consider the Area Variances at its meeting on Monday, February 26, 2018.

Mr. Hemminger said that the SEQR determination would be considered by the Planning Board at the meeting on March 7, 2018, and that the Zoning Board of Appeals may consider the Area Variances at its meeting on March 26, 2018.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
INDUS HOSPITALITY GROUP
PRELIMINARY SUBDIVISION, SPECIAL USE PERMITS (2) AND PRELIMINARY SITE PLAN
CONTINUATION**

**PB #1202-17 Preliminary Two-Lot Subdivision
PB #1203-17 Special Use Permit—Hotel/Motel
PB #1204-17 Special Use Permit—Fast-Food Restaurant w/Drive-Through
PB #1205-17 Preliminary Site Plan—Microtel Hotel and Taco Bell
Restaurant**

**APPLICANT: Indus Real Estate II LLC, 950 Panorama Trail South,
Rochester, N.Y. 14625**

**ACTIONS: Preliminary Two Lot Subdivision, Special Use Permit to allow
a hotel/motel, Special Use Permit to allow a fast-food
restaurant with drive-through service, and Preliminary Site
Plan for a 3-story Microtel Hotel and a Taco Bell Restaurant
with a drive-through service (Indus Real Estate II LLC/Indus
Hospitality Group)**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received applications for the above referenced actions for property located along the east side of State Route 332, between State Route 96 and County Road 41; and

WHEREAS, the Planning Board has reopened the Public Hearing at tonight's meeting upon the proposed Preliminary Subdivision Plat, Preliminary Site Plans and Special Use Permits (hereinafter referred to as Actions); and

WHEREAS, the Planning Board has been designated as the Lead Agency for the coordinated review under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has completed its review of Part 2 of the Short Environmental Assessment Form (EAF) finding that a total of four (4) potentially moderate to large impacts may occur as the result of acting upon and approving the applications as currently submitted; and

WHEREAS, the Planning Board has completed a Part 3 with Attachment which described the need for additional information to be prepared, submitted and reviewed, prior to the Planning Board being able to make a reasoned elaboration and then an informed decision upon the anticipated impacts identified to date; and

WHEREAS, the Planning Board may not make a decision upon these two Actions until such time as a determination of significance upon these Actions has been made.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table any further discussion upon the above referenced Actions and moves to continue the public hearing thereon to 7:00 p.m. on Wednesday, March 7, 2018, so as to provide time for the applicant to provide the requested information.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this resolution to: Indus Hospitality Group, 950 Panorama Trail S., Rochester, New York 14625, Attn: Kip Finley; to Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614; to Gregory Trost, Assistant Resident Engineer, New York State Department of Transportation, Ontario County Regional Office, 125 Parish Street, Canandaigua, New York 14424; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Director of Planning and Development; and the Town Engineering Firm, MRB Group, D.P.C.

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

Motion carried.

6. NEW FINAL SITE PLAN

PB #0207-18 New Final Site Plan Application

Name: Conifer Realty LLC, 1000 University Avenue, Suite 500, Rochester, N.Y. 14607

Location: 15.9-acre site on the south side of County Road 41, west of Running Brook Drive and Red Fern Drive

Zoning District: RMF Residential Multi-Family

Request: Final Site Plan approval of “Pintail Crossing Residential Multi-Family Development” consisting of 14 two-story buildings with each building having eight residential units for a total of 112 dwelling units, and related site improvements

The Planning Board approved the State Environmental Quality Review (SEQR) classification of this application as an Unlisted Action on November 1, 2017.

On November 1, 2017, the Planning Board declared its intent to be designated as the Lead Agency for making the required SEQR determination of significance and established the 30-day public review period which began on November 2, 2017, and concluded on December 4, 2017.

On December 6, 2017, the Planning Board declared itself as the Lead Agency for making the SEQR determination of significance and determined that the proposed Action will not result in any significant adverse environmental impacts.

The Planning Board approved the Preliminary Site Plan with conditions on December 6, 2017.

Mr. Goldman of the Woods Oviatt Gilman law firm presented this application. Mr. Gorman of Marathon Engineering and Mr. Birkby of Conifer Realty also attended.

Mr. Goldman reported that meetings have been held with the Town Engineer, Town staff and the Project Review Committee since the approval of the Preliminary Site Plan on December 6, 2018. He acknowledged receipt of the engineering and staff comments, that he is in agreement with all comments and that the applicant has no issues with them.

Mr. Goldman also acknowledged receipt of the February 16, 2018, letter from Town Highway Superintendent Donald Giroux to Matt Tomlinson of Marathon Engineering regarding the Highway Superintendent’s determination that the existing portion of Quen-tonshire Drive which is to be dedicated to the Town must be completely rebuilt to Town specifications. Mr. Goldman said that the applicant has no objections to this requirement.

Mr. Hemminger asked if anyone in attendance wished to comment or ask questions on the application. There were no requests from those in attendance.

Mr. Brand said that a draft resolution has been prepared for board consideration this evening to approve the Final Site Plan. He noted that he discussed with Mr. Goldman the procedure that all easements must be submitted to the Town’s Construction Inspector and Town Attorney, and filed with Ontario County, prior to the issuance of building permits. Mr. Brand also reviewed the steps for submission of a Letter of Credit estimate. He noted that a Pre-Construction Meeting would be scheduled following receipt of the Letter of Credit by the Town Clerk.

Mr. Goldman said that the applicant plans to move forward and is on track for construction to begin this spring.

Mr. Morse requested that copies of the easements be submitted to the Town Construction Inspector as soon as possible. He said that the Construction Inspector would review the easement documents and submit them to the Town Attorney. Mr. Morse also noted that the easements must be filed prior the issuance of building permits.

Mr. Giroux said that he was pleased that the applicant has agreed to rebuild the existing portion of Quentonshire Drive to Town specifications. He had no other comments or questions.

Mr. Degear said that the Water and Sewer Department is ready for Final Site Plan approval.

Mr. Brabant confirmed that the applicant has responded to the comments in the MRB Group engineering letter. He requested that the plans be updated to depict the reconstruction of Quentonshire Drive. Mr. Gorman said that the plans would be updated as requested.

Mr. Brabant said that a Stormwater Management Agreement must be submitted prior to the issuance of building permits. He also noted that the applicant must submit the final Stormwater Pollution Prevention Plan (SWPPP) and the MS4 Program agreement.

Assistant Chief Weidenborner said that representatives from the fire department met with the applicant's engineer to review emergency vehicle access into the site.

Ms. Neale asked if the color elevation renderings as submitted are accurate depictions of the structures. Mr. Birkby said that the renderings are accurate depictions of the proposed construction.

Mr. Bellis asked about the covered bus-stop waiting area. Mr. Gorman reviewed this area on the plans.

Mr. Maloy expressed concern about adequate site lighting, especially in the vicinity of Building #2 and Building #3. Mr. Gorman said that the parking lots would be well lit and that standard commercial fixtures are proposed for installation. Mr. Birkby said that each apartment entrance would have an acorn-style fixture and that there would be four porch lights per building. Mr. Hemminger said that site lighting must comply with the Town's dark-sky compliant requirements.

Mr. Brand asked about compliance with the issues which he raised in a memo to the applicant dated February 7, 2018. Mr. Gorman acknowledged receipt of the memo and confirmed that the issues have been addressed on the Final Site Plan, as follows:

1. Drawing C1.1, Layout Plan, Bldg. #1, is showing an ADA unit located in the rear portion of the building. It seems more appropriate to have this unit located in the front portion of the building both for access by impaired persons and emergency response units.
2. Drawing C1.2, Layout Plan, Bldg. #5, is showing an ADA unit located in the rear portion of the building. It seems more appropriate to have this unit located in the front portion of the building both for access by impaired persons and emergency response units. It is noted that proposed Building #4 does have an ADA unit located in the front portion of that building.
3. Drawing C1.2, Layout Plan, Bldg. #8, is showing an ADA unit on the opposite side of the handicapped parking spaces. Also, this unit should be relocated to the shorter sidewalk portion of the building.
4. Drawing C1.2. Snow storage is shown around Dumpster #2, however, there is no other snow storage shown on this drawing.
5. Drawing C5.1, Lighting and Landscaping. The current illumination pattern for the turnaround for Quentonshire Drive appears dark and it is recommended that the two closest light fixtures be repositioned to better illuminate this current dead-end area.
6. A decision needs to be made for bringing the current section of Quentonshire Drive up to standard to permit formal dedication to the Town.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
CONIFER REALTY LLC (PINTAIL CROSSING MULTI-FAMILY APARTMENT PROJECT)
FINAL SITE PLAN**

PB #0207-18

**APPLICANT: Conifer Realty LLC, c/o Allen Handelman,
1000 University Avenue, Suite 500, Rochester, N.Y. 14607**

**ACTION: Pintail Crossing Residential Multi-Family Apartment Project
South Side of County Road 41
Final Site Plan Approval**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has opened a public meeting tonight upon the above referenced Action; and

WHEREAS, the Planning Board has given consideration to the Ontario County Planning Board Referral #211-2017; and

WHEREAS, the Planning Board, as the designated Lead Agency, has made a Determination of Non-Significance upon said Action as provided for under Part 617 of the State Environmental Quality Review Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to approve the above referenced Action with the following conditions:

1. Final Site Plan Approval is based upon the set of drawings prepared by: a) Marathon Engineering, dated October 24, 2017 and identified as “Final Site Plan Phase I for Pintail Crossing, Conifer Realty, LLC, Drawing Numbers CO.1 through C6.3, Sheet Numbers 2 of 24 through 24 of 24”; and b) NH Architecture color rendering of the Apartment Buildings Elevation Drawings and Floor Plan, as further amended herein.
2. All comments contained in the Town Engineering Firm’s February 16, 2018, letter to the Town Director of Planning and Development are to be addressed in writing and changes made to the Final Site Development Plans as may be required in said letter.
3. Final Site Plan Approval is based upon the Applicant providing detailed design drawings for the reconstruction of Quentonshire Drive, from County Road 41 to the proposed hammerhead turn around at the intersection with Pintail Drive. These design plans are to be reviewed and accepted by the Town Engineers and the Town Highway Superintendent prior to the Planning Board Chairperson signing the Final Site Plan drawings.
4. All conditions of Preliminary Site Plan Approval (PB #1201-17) are to be complied with.
5. All comments contained in the February 7, 2018, memorandum from the Director of Development to the Town Planning Board and Staff are to be addressed in writing and changes made as agreed-to by the Planning Board at tonight’s meeting.
6. Final Site Plan Approval is valid for a period of 180 days from today and shall expire unless extended by the planning board under separate resolution.
7. Final Site Plan Approval does not include a freestanding commercial speech sign being discussed for placement within the right-of-way of Quentonshire Drive at County Road 41.
8. Once revised Final Site Plan drawings have been prepared, one copy is to be provided to the Town Code Enforcement Officer for his review and acceptance. Then

a total of six (6) sets of the drawings are to be submitted for signatures. If additional copies of the signed drawings are necessary, then the Applicant is to provide the additional sets at that time.

- 9. Once all Final Site Plan drawings have been signed and distributed, then the necessary letter of credit is to be accepted by the Town Board and filed with the Town Clerk. Once this has happened, then a pre-construction meeting may be scheduled by the Town Code Enforcement Officer.

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

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

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

Motion carried.

7. INFORMAL PRESENTATION

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

Location: On a 92.4-acre parcel, 1,660 feet east of Hook Road adjacent to Rochester Gas & Electric substation/utility power lines and rights-of-way (New York State Thruway)

Request: Installation of the Farmington Compressor Station:

- Two (2) 16,000-horsepower electric motor drive compressor packages housed in buildings
- Substation, medium voltage, e-house power distribution and generator buildings
- Vent gas recovery, air compressor, storage and office buildings
- Ancillary equipment

This project was discussed at the Project Review Committee meeting on September 29, 2017 (*see minutes, on file*).

Mr. Walters of the law firm of Phillips Lytle LLC (the applicant's attorney) presented this application. Attending from the National Fuel Gas Supply Corporation were Ms. Duggan, Ms. Bachan, Mr. Kreuz, and Mr. Wendt. Mr. Hurley attended from Haley & Aldrich Inc.

Mr. Walters said that the purpose of this evening's presentation is to provide the Planning Board with an opportunity to raise concerns or major issues which the applicant should address during the design of the Preliminary Site Plan, which is now in progress. He said that the design of the site is in the early stages and that the material to be presented this evening is conceptual. He said that some evolution of the plan is expected prior to the formal presentation of the Preliminary Site Plan.

Mr. Walters discussed the following points in his presentation this evening and in his discussion of the project with the Project Review Committee:

- National Fuel Gas Company (National Fuel) is a large, diversified public energy company with headquarters in western New York (2,080 full-time employees, \$5.5 billion investments in New York and Pennsylvania since 2008), 742,000 utility accounts served (1.2 million people in New York, 0.5 million in Pennsylvania), utility and midstream footprint in 18 New York counties and 23 Pennsylvania counties.

- **Empire North Project:**

Target in-service date: November 2019

System: Empire Pipeline

Estimated Cost: \$135 million, natural gas delivery for New York and northeast utilities as well as the North American Pipeline Grid. The project involves affiliated and non-affiliated companies.

Facilities: 32,000 HP electric-driven Compressor Station in Farmington, N.Y.; minor Regulator Station upgrade (new meter station in Victor, N.Y.); existing facility improvement (Empire Connector Pipeline in New York); 22,214 HP turbine-driven Compressor Station in Jackson, Pennsylvania).

- **Farmington Compressor Station:**

92.4-acre parcel.

Compressor Station to take up less than 10 acres and will be located more than 1,660 feet off Hook Road adjacent to Rochester Gas & Electric substation/utility power lines and rights-of-way (New York State Thruway).

Proposed site zoned General Industrial.

• **Description of Farmington Compressor Station:**

Two (2) 16,000 horsepower electric motor drive compressor packages housed in buildings.

Substation, medium voltage, e-house power distribution and generator buildings.

Vent gas recovery, air compressor, storage and office buildings.

Ancillary equipment.

• **Minimizing Impacts:**

Commitment to low noise: Minimal to no increase over ambient noise levels at the closest residences, i.e., low-noise electric motor-driven compressor packages; acoustically designed compressor buildings with sound suppression; low-noise auxiliary equipment; extensive utilization of below-grade piping; low-noise station and gas vent silencing.

Commitment to low emissions: Electric motor drives, vent gas recovery system, no-stack emissions.

Commitment to develop landscaping during the Site Plan process.

Commitment to no perceived increase in vibration.

Commitment to minimal functional facility lighting.

• **Planned Schedule:**

April 2018 SWPPP/MS4 approval: Overall site plan, utility plan, grading and drainage plan, landscaping plan.

Building elevations/engineering blueprints.

July 2018 Final Site Plan submittal: Lighting plan/photometric study, renderings/photo simulations, water and septic review and approval.

January 2019 Building Permit submittal: Propose to review one complete set of building elevation/plan drawing packages prior to

submittal of remaining Building Permit packages; possible Building Permit approach.

• **Empire North Project Investment:**

\$135 million overall expected cost (\$79 million in New York State).

Expected electric transmission upgrades will enhance reliability for local utility customers.

The Farmington Compressor Station will provide an estimated total property tax revenue of \$25 million over 10 years, i.e.:

Town of Farmington	\$ 107,700 annually
Ontario County	\$ 616,900 annually
Victor School District	\$1,590,000 annually
Library Tax	\$ 17,700 annually

- The project is regulated by the Federal Energy Regulatory Commission (FERC).
- Haley & Aldrich Inc. (corporate office in Burlington, Mass.; Rochester office at 200 Town Centre Drive, Suite 2, Rochester, N.Y. 14623) has been retained for the environmental study, the 7-C Federal Energy Regulatory Commission filing, civil site work and the Stormwater Pollution Protection Plan (SWPPP).
- The Farmington Compressor Station would be staffed during regular business hours. It would not be staffed 24 hours a day. There will be no vibrations from the equipment. The structures would be designed to blend with the rural character of the area. A photograph was presented for illustrative purposes only of a station which was designed to respect the agricultural heritage of the location in which it was to be constructed.
- There will be no stationary emissions from the proposed compressor station due to the use of electric motor driven compressor units. An air permit is not required.
- The site is surrounded by an existing road and utility infrastructure. About 10 acres would be used during construction. The finished construction area would comprise about five acres. The facility would be visible only from the New York State Thruway.
- Empire will own the property.
- Each of the two compressors would be located in a separate structure on the site. Safety is the highest priority. When the units are not operating, there would be no gas pressure in the building. The facility will use vent gas recycling, in which gas which is normally vented to the atmosphere for maintenance activities is instead

routed through a small compressor and returned into the pipeline, further reducing potential air emissions.

- There will be no direct access into the site from Hook Road. The applicant plans to use a portion of the existing Town Highway Department driveway off Hook Road for access to the site. A parking area and a small office building will be located off the access road.
- The facility will be about 1,600 feet from Hook Road. Mr. Walter said that it would be difficult to see and would be located back along the New York State Thruway and near the New York State Electric and Gas Substation. He said that this is an idea location.

Mr. Walters said that the standard State Environmental Quality Review (SEQR) is pre-empted by the Federal Energy Regulatory Commission (FERC) requirements. FERC is an independent Federal regulatory agency within the U.S. Department of Energy which has exclusive jurisdiction over the environmental review including the siting of interstate natural gas pipeline facilities such as the proposed Farmington Compressor Station. As part of the review of this application and the overall Empire North Project, FERC will undertake a detailed analysis of potential environmental impacts related to the proposed facilities, i.e., air quality and noise, cultural resources, geology, soils, vegetation and wildlife, land use, alternatives and aquatic resources. Upon completion of the environmental analysis, FERC will issue an environmental assessment which will be an integral part of FERC's decisions on whether to approve the proposed project. FERC's environmental assessments typically recommend various mitigation measures which are included to ensure that the project facilities do not significantly affect the quality of the human environment.

Mr. Walters said that in addition to the FERC analysis, National Fuel has a policy to make application to Town boards and departments, even though this step is pre-empted by Federal law. He said that involvement of the local municipality is a beneficial initiative to involve the community, to receive local input and to develop mitigation measures.

He then explained the flow of natural gas as it enters the station, passes through filters, a condensing tank, and the compressors and coolers. Mr. Walters said that the Farmington location would be the first installation of compressors to be powered by electricity.

Mr. Walters said that the preliminary sizes of the compressor buildings are about 90 feet x 60 feet and 40 feet high. He said that they would be designed in an agricultural aesthetic to blend in with the adjacent farmland.

Mr. Hemminger asked if the station could be expanded in the future. Mr. Kreuz said that the station could not be expanded without expanding the pipeline itself or adding a second pipeline.

Mr. Brand asked if the company has considered generating electricity through the installation of solar panels to avoid using electricity from the NYSEG substation. Mr. Kreuz

said that there could be some consideration to the use of solar panels for back-up power but that the operation of the station is more attuned to the electrical consumption of a steel plant. Mr. Walters said that the company has been in contact with NYSEG which has the capacity to provide the power required by the compressors. He also noted that the project may provide NYSEG with the impetus to make substation improvements which would benefit the utility's customers.

Mr. Hemminger noted that Ontario County has a robust fiber optic ring near Route 96 which could be used by the company.

Mr. Brand discussed the adjacent farmland. Mr. Walters said that it is not the company's intention to disrupt the farmland. Mr. Kreuz noted that the compressor structures would not be located on good farmland which is located closer to Hook Road and which would not be affected by the construction.

Mr. Brand asked about the granting of an easement to the Town across the applicant's property for access to Collett Road. Ms. Bachan said that this has been discussed with Supervisor Ingalsbe and is a possibility.

Assistant Chief Weidenborner reported that representatives of the fire department met with company representatives.

Mr. Maloy asked about the pressure of the natural gas within the pipeline. Mr. Kreuz explained that friction within the pipeline lowers the pressure of the natural gas. He said that the pressure would be increased by the compressors and therefore the pressure of the natural gas leaving the station would be greater than the pressure of the natural gas which arrives at the station. He said that the compressors would allow an increase in the amount of natural gas to flow through the pipeline.

Mr. Hemminger asked about the company's schedule. Mr. Walters said that a Preliminary Site Plan application could be ready at some point between April and July of this year. He said that it is the company's intention to submit a draft Stormwater Pollution Prevention Plan (SWPPP) to the Town Engineer in advance of the Preliminary Site Plan application to the Planning Board.

Mr. Walters also noted that the traditional State Environmental Quality Review is pre-empted by the Federal Energy Regulatory Commission regulations.

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

8. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand reported that he has just returned from the annual Association of Towns meeting. He said that he would prepare a training session for Planning Board members based upon recent legal cases which were discussed at the meeting.

He also noted that the Laviano Incentive Zoning Project would be discussed at the Project Review Committee meeting on March 2, 2018, followed by a formal introduction to the Planning Board at the meeting on March 7, 2018. He noted that the Planning Board will have up to 70 days to complete its review and make its report and recommendation to the Town Board.

Mr. Brand said that Mr. Morse and Mr. Brabant would assist the Planning Board with resolutions and related board business during his absence in March.

Code Enforcement Officer:

Mr. Morse said that there is concern with the height of the driveway underpass at the Finger Lakes Hotel (6108 Loomis Road) and the ability of the highest fire truck to have adequate clearance. He said that the height of the underpass was specifically included in a condition of approval in the Planning Board approval resolution (PB #0704-17) and that this height cannot be overruled by the Building Department staff. Mr. Morse said perhaps a letter from the fire department certifying adequate clearance for the highest fire truck may be sufficient. He will keep the board informed.

Mr. Morse also reported that Farmington Service (1307 County Road 8) is planning construction of a second structure to provide indoor storage of tow trucks.

He also noted that an auto doll-up shop has been proposed for a currently-vacant structure on the east side of Mertensia Road south of State Route 96.

Water and Sewer Superintendent:

Mr. Degear reported that the disinfection unit at the Water and Sewer Plant should be installed in April and ready for operation in May. He also noted that Town crews have been busy with several recent water-main breaks.

Town Supervisor:

Supervisor Ingalsbe reported that bids for the Auburn Trail Connector Project will be opened on February 23, 2018. He said that the Town Board is expected to award the contract on February 27, 2018, and that construction could begin shortly thereafter.

Board Members' Comments:

Mr. Hemminger asked the clerk to send the 2017 Rules of Procedure and 2017 Site Design Criteria to board members for review. He said that this would be an action item on the agenda of the next Planning Board meeting.

9. PUBLIC COMMENTS

None.

10. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:45 p.m.

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

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

Respectfully submitted,

John M. Robortella L.S.
Clerk of the Farmington Planning Board