

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, September 20, 2023 • 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. 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

Board Members Excused: Aaron Sweeney
Douglas Viets

Staff Present:
Ronald L. Brand, Town of Farmington Director of Development and Planning
Dan Delpriore, Town of Farmington Code Enforcement Officer
Tim Ford, Town of Farmington Highway Superintendent

Attending:
Charlene M. Henecke, 6018 Loomis Road, Farmington, N.Y. 14425

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 4, 2023.

2. APPROVAL OF MINUTES

Minutes of September 6, 2023:

Due to the absence of Mr. DeLucia from the Planning Board meeting on September 6, 2023, the minutes of that meeting could not be approved this evening for lack of a quorum of those who were present on September 6th. The approval will be held over until the next meeting of the Planning Board on October 4, 2023.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on September 13, 2023:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington will conduct a Public Hearing on the 20th day of September 2023 commencing at 7:00 p.m. in the Farmington Town Hall, Main Meeting Room, 1000 County Road 8, Farmington, N.Y. 14425 for the purpose of receiving testimony upon and giving consideration to the application of:

PB #0901-23: MARY AND EVERETT ESTABROOKS (WHITESTONE FARMS LTD.) 3 CROSS STREET, BRISTOL, RHODE ISLAND 02809: Preliminary Three-Lot Subdivision Plat approval of land, identified as Tax Map Accounts 30.00-1-80.220 and 30.00-1-80.100, containing a total of 50.609 acres of land; and as further to be identified as Subdivision of Lands of Whitestone Farms LTD and Four Way Farms LLC, Lots #1, #2 and #3. The proposed Action involves creating Lot #1 consisting of 19.769 acres with an existing pole barn, Lot #2 consisting of a horse farm with 11.601 acres with four existing pole barns and Lot #3 consisting of 19.239 acres, all of which are to remain as non-approved building lots requiring site plan approvals before any Building Permits may be issued for a non-agricultural use. The property is located at 5322 State Route 96 and the adjacent parcels to the west and east are zoned A-80 Agricultural.

ALL PARTIES IN INTEREST will be given an opportunity to be heard in respect to such application. Persons may appear in person, or by agent or via Zoom.

Ed Hemminger, Chairman, Planning Board

4. PUBLIC HEARING: NEW PRELIMINARY THREE-LOT SUBDIVISION

PB #0901-23 New Preliminary Three-Lot Subdivision Application

Name: Mary and Everett Estabrooks (Whitestone Farms LTD,
3 Cross Street, Bristol, Rhode Island 02809

Location: 5322 State Route 96, Farmington, N.Y. 14425

Zoning District: A-80 Agricultural

Request: Preliminary Three- Lot Subdivision Plat approval of land, identified as Tax Map Accounts 30.00-1-80.220 and 30.00-1-80.100, containing a total of 50.609 acres of land; and as further to be identified as Subdivision of Lands of Whitestone Farms LTD and Four Way Farms LLC, Lots #1, #2 and #3. The proposed Action involves creating Lot #1 consisting of 19.769 acres with an existing pole barn, Lot #2 consisting of a horse farm with 11.601 acres with four existing pole barns and Lot #3 consisting of 19.239 acres, all of which are to remain as non-approved building lots requiring site plan approvals before any Building Permits may be issued for a non-agricultural use.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Delpriore said that a letter had been received from Project Coordinator Lindsey Tidd of Marks Engineering, dated September 12, 2023, in which Ms. Tidd requested that the application be withdrawn because the applicants have decided to move forward with a lot line adjustment (*see* Attachment #1 to the minutes, p. 9).

Mr. Hemminger asked if anyone in the meeting room or on the remote video conference wished to speak for or against this application, or ask questions. There were no comments or questions from Ms. Henecke who was in attendance in the meeting. There were no attendees on the remote video conference.

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

Mr. Hemminger then closed the Public Hearing. He said that no action by the Planning Board is required.

5. OTHER BOARD ACTIONS

Field Change: Loomis Hidden Treasures LLC Mini Storage Project:

Prior to the previous Planning Board meeting on September 6, 2023, John and Jasmine Watson, who are the owners of the Loomis Hidden Treasures LLC mini storage project at 6006 Loomis Road, requested a Field Change to their site plan to instead a white vinyl instead of the previously approved sand-color fence.

Following the discussion at the Planning Board meeting on September 6, 2023, it was the consensus of the board that the Town staff be directed to review the approval resolutions of the Zoning Board of Appeals, the Special Use Permit, and the Planning Board (Preliminary and Final Site Plans) to determine if there are any inconsistencies and to provide the board with a summary of the type of materials and style of fencing which have been approved. He also requested that this information be provided to the applicants, as well, because these approvals were given prior to the current applicants' involvement in the project.

(See Planning Board minutes, September 6, 2023.)

On September 13, 2023, Town Code Enforcement Officer/Fire Marshal August Gordner submitted the following review to the Town staff and the Planning Board:

At your request and at the request of the Planning Board, the files have been reviewed for Hidden Treasures. After a review, it has been determined that through all of the attached documents a wood privacy fence and chain-link were discussed as part of the Public Hearing for the Final Site Plan. The documents attached will show that a white vinyl fence was the only fence type that staff requested not be installed per your comments. The Preliminary and Final Site Plan both have a fence detail shown as vinyl which was again never discussed other than saying no to white. I am unsure if this detail was referenced to simply show a solid barrier or if vinyl was intended.

Furthermore, during my conversations with the new owner, their preferred option was to install one type of fence material on the entire property to maintain the same image, and preferred using a wood fence to accomplish that. After the meeting last week, you informed me that the applicant came to an agreement with one of the residents about a white vinyl fence, but only after being told a wood structure would not be approved. The conditions do not state that the fence in question required to be a maintenance free structure.

I believe that based on the information reviewed this project should be allowed to comply with the minutes of the Final Site Plan Public Hearing, as the signed site plan itself is noted as a solid barrier, and the public did not object at that time.

—*Augie Gordner*
Code Enforcement Officer/Fire Marshal

Mr. Hemminger resumed the discussion of this Field Change this evening.

He said that the Final Site Plan had been signed with the installation of a sand-color vinyl fence but that since the previous meeting a neighboring property owner discussed the Field Change with Mr. Watson and that they have both agreed with the installation of a white vinyl fence.

Mr. Hemminger asked Ms. Henecke (6018 Loomis Road), who was present this evening, if she agreed with Mr. Watson regarding the installation of a white vinyl fence. Ms. Henecke said yes.

Mr. Hemminger said that a vinyl fence would last longer than a wood fence.

He then asked if there were additional comments or questions from the Town staff or the Planning Board members. There were no additional comments or questions on this Field Change this evening.

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the requested Field Change to install a white vinyl fence at the Loomis Hidden Treasures Mini Storage Project, 6006 Loomis Road, as shown in the location on the Final Site Plan prepared by Gregory W. McMahan, P.E., of McMahan LaRue Associates, be approved.

Motion carried by voice vote.

6. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand provided the following information:

- The Town Board is expected to take action upon the Farmington Market Center Incentive Zoning application at the next meeting on Tuesday, September 26, 2023.
- The Town staff is working on amendments to outdated subdivision regulations in Town Code Chapter 144.
- Preparation of maintenance bonds for Section 7N and 8N of the Auburn Meadows Subdivision, for Section 2 of the Monarch Manor Subdivision and for Phase 5 of the Hathaway's Corners subdivision are now in progress.
- Supervisor Ingalsbe and Mr. Brand are expected to meet on Monday, September 25, 2023, with a prospective developer of property on State Route 332 north of the CVS Pharmacy and south of Corporate Drive East.
- The GLN Realty site on the south side of State Route 96, west of the Farmington Commons Plaza and east of the Farmington Market Center, has been mowed.
- The Town Board will open Public Hearings on Tuesday, September 26, 2023, on a number of proposed local laws regarding amendments to Town Code Chapter 9, entitled "Boards, Committees and Commissions." One of the proposed local laws concerns the addition of Article V entitled "Planning Board (PB) Duties and Responsibilities."

Code Enforcement Officer:

Mr. Delpriore said that the consideration of the Fowler Family Trust Preliminary Re-Subdivision Plat (PB #0702-23), which was continued from the meeting on September 6, 2023, will be on the Planning Board's agenda for the next meeting on October 4, 2023. He said that the applicant has submitted the requested additional information, and that this material is now under review by the Town staff. Mr. Delpriore said that this application will be referred to the Ontario County Planning Board following the Planning Board's determination that the application is complete. Mr. Hemminger said that his major requirement is that the Preliminary Re-Subdivision Plat must show placeholders for the future homes on the lots to enable the staff to determine if the need for additional variances would be created by the three-lot re-subdivision [of the property].

Mr. Delpriore said that no other applications have been received for the Planning Board meetings in October and that it may be possible to cancel the Planning Board meeting which had been scheduled for October 18, 2023. He said that several submittals have already been received for the Planning Board meetings in November.

Highway and Parks Superintendent:

Mr. Ford said that Ruston Paving has completed the installation of the road binder on Osburn Lane. He said that the Town could now expect construction of additional homes in this section of the Hathaway's Corners subdivision.

Board Members' Comments:

Mr. Bellis asked about the progress of the reconstruction of the Dollar General Store on the south side of State Route 96. Mr. Delpriore said that the framing of the main structure has been completed but the contractor is experiencing scheduling difficulties with having other building trades on the site due to a Field Change which concerned the water and sanitary sewer connections.

Mr. Bellis also asked about the GLN Realty site on the south side of State Route 96, west of the Farmington Commons Plaza and east of the Farmington Market Center. Mr. Delpriore said that the site has been mowed, that the topsoil pile is still present, that the owner's Stormwater Pollution Prevention Plan (SWPPP) is now compliant and that the silt fence along State Route 96 has been repaired. He also said that the applicant has requested that the SWPPP inspections be conducted monthly instead of weekly.

Mr. Bellis then asked about the storage of building materials on the CountryMax construction site on the southwest corner of Collett Road and Hook Road. Mr. Delpriore said that a requested Field Change had been denied by the Town staff which created a delay in the construction work. He said that the building materials had been in storage for which the applicant was paying a daily storage fee and that these materials have now been brought to

the construction site. Mr. Bellis expressed concern about the protection and maintenance of these building materials which will remain on the site until they are ready for installation. Mr. Delpriore said that the Town staff has already discussed this with the construction manager and that the applicant has been advised that these materials must be stored properly on the site. Mr. Hemminger said that he is also aware of the difficulties that developers are facing with scheduling construction trade workers and receiving materials. Mr. Delpriore said that CountryMax recently brought in a new crew and that they are trying to complete the foundation and get the structure up prior to the winter weather. He said that the remaining site work may then be postponed until the spring.

7. PUBLIC COMMENTS

None.

8. TRAINING OPPORTUNITIES

■ 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>

■ 4th Thursday 2023 Monthly Municipal Boot Camp Program Presented by MRB Group, and Hancock and Estabrook

<https://register.gotowebinar.com/register/5013248983683015766>

Thursday, September 28, 2023, 6 p.m. to 7 p.m.: Transforming Former Industrial Properties

Thursday, October 26, 2023, 6 p.m. to 7 p.m.: Preventing Sexual Harassment

Thursday, December 14, 2023, 6 p.m. to 7 p.m.: Case Studies: Good and Bad of 2022

9. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:15 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, October 4, 2023, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and also via remote video conference.

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

Respectfully submitted,

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



MarksEngineering

4303 Routes 5 & 20
Canandaigua, NY 14424

September 12, 2023

Town of Farmington
% Ms. Sarah Mitchell
1000 County Rd. 8
Farmington, NY 14425

Re: Whitestone Farms, LTD (Estabrooks) - 5322 State Route 96 - Town of Farmington - Lot Line Adjustment

Dear Ms. Mitchell,

On behalf of our client, Whitestone Farms, LTD, we are requesting to withdraw the subdivision application for the subject property that was previously submitted. After discussion with our client, the decision was made to withdraw the subdivision and move forward with a lot line adjustment.

Please see the lot line adjustment map with the supporting materials in addition to this letter. We are requesting to have the Code Enforcement Office review and approve the lot line adjustment.

As always, if you have any questions please feel free to contact me.

Sincerely,

Lindsey Tidd
Project Coordinator
585-905-0360 ext. 101

Attachment #1.