

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD **Wednesday, August 15, 2018, 2018, 7:00 p.m.**

MINUTES—APPROVED

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

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

Board Member Excused: Shauncy Maloy

Staff Present:

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

Applicants Present:

Michael Birkby, Conifer Realty LLC, 1000 University Avenue, #500, Rochester, N.Y. 14607
Dave Cali, Meyer’s RV Superstores, 100 Sanford Road North, Churchville, N.Y. 14428
Patrick Laber, P.E., Project Engineer, Schultz Associates Engineers and Land Surveyors PC,
129 S. Union Street, Spencerport, N.Y. 14559
Tim Lawless, American Properties of WNY LLC (American Equipment LLC), 6112 Collett
Road, Farmington, N.Y. 14425
Robert Loud, Project Coordinator, Conifer Realty LLC, 1000 University Avenue, #500,
Rochester, N.Y. 14607
Mark Meyer, Meyer’s RV Superstores, 100 Sanford Road North, Churchville, N.Y. 14428
Matt Tomlinson, CPESC, Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614
Peter G. Vars, P.E., President, BME Associates, 10 Lift Bridge Lane East,
Fairport, N.Y. 14450
Harry Wells, American Properties of WNY LLC (American Equipment LLC), 6112 Collett
Road, Farmington, N.Y. 14425

Resident Present:

Gerald A. Bloss, 81 Gannett Road, 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 explained the emergency evacuation procedures and noted that copies of the evening's agenda were available on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

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

2. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on Wednesday, August, 2018:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT the Planning Board of the Town of Farmington, 1000 County Road 8, Ontario County, New York, will hold Public Hearings on the 15th day of August, 2018, commencing at 7:00 p.m. for the purpose of considering the applications of:

PB #0702-18: MEYER'S RV SUPERSTORES, 100 SANFORD ROAD NORTH, CHURCHVILLE, N.Y. 14428: Request a Special Use Permit to allow sales of new and used recreational vehicles according to Article VI, Chapter 165-28 D (4) of the Town of Farmington Codes. The applicant wishes to operate a new and used recreational vehicles dealership. The property is located at 6200 NYS Route 96 and zone General Business District.

PB #0801-18: CONIFER REALTY LLC, 1000 UNIVERSITY AVENUE, #500, ROCHESTER, N.Y. 14607: To subdivide the overall Pintail Crossing site into Lot #1 consisting of 9.12 acres, hereby known as Phase 1; and Lot #2 consisting of 6.03 acres, known as Phase 2. The property is located at the intersection of Pintail Crossing and Quentonshire Drive and zone Residential Multi-Family District.

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

Ed Hemminger, Chairperson
Planning Board

3. APPROVAL OF MINUTES OF AUGUST 1, 2018

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the August 1, 2018, meeting be approved.

Motion carried by voice vote.

4a. NEW PRELIMINARY SITE PLAN

PB #0701-18 New Preliminary Site Plan Application

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

Location: 6186 and 6200 NYS Route 96

Zoning District: GB General Business

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

4b. NEW SPECIAL USE PERMIT

PB #0702-18 New Special Use Permit Application

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

Location: 6186 and 6200 NYS Route 96

Zoning District: GB General Business

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

Mr. Hemminger concurrently opened the discussion on PB #0701-18 (Preliminary Site Plan) and the Public Hearing on PB #0702-18 (Special Use Permit).

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

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

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

Involved Agencies:

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

Interested Agencies:

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

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

Mr. Laber said that the applicant proposes construction of a 12,000-square-foot structure and related site improvements for a recreational vehicle sales and service dealership on 7.3 acres of land located on the northeast corner of State Route 96 and Mertensia Road on the former Heritage Motors site. He said that about 8,000 square feet in the new structure would be used for recreational vehicle maintenance, and that about 4,000 square feet in the new structure would be use for sales and a camping/accessories store.

Mr. Laber said that two lots have been combined to create the 7.3-acre parcel and that the existing automobile dealership structure on the site will be demolished.

Mr. Laber: Provided the following details:

- 40-space parking lot in front for employees and customers.
- 100 parking spaces in back for recreational vehicles.
- Two driveways into the property, i.e., one from State Route 96 using the adjacent Dollar Store driveway and easement, and the other from Mertensia Road. The Mertensia Road access would be as far north of the State Route 96/Mertensia

Road intersection as possible to reduce vehicle stacking and the impact upon the existing car wash business on the northwest corner of the intersection. The other existing driveway entrances onto the property have already been blocked off and will be permanently removed.

- In response to comments from the Project Review Committee, signage on State Route 96 will be installed to direct recreational vehicles to the Mertensia Road driveway.
- Motorized sliding gates will be installed near the State Route 96 entrance and east of the Mertensia Road entrance. The gates will be open during business hours. Three 50-foot x 14-foot parking spots for recreational vehicles will be available in the southwest portion of the property for deliveries of recreational vehicles after business hours.
- Access to all utilities will be off Mertensia Road. Water, sewer and gas are available. There is no need to encroach upon the State right-of-way for utility connections.
- A new stormwater management facility will be installed at the northeast end of the property. Stormwater runoff will follow the existing path of drainage. Bio-retention basins also will be installed. All storm sewers will drain to the stormwater management facility. An updated Stormwater Pollution Protection Plan (SWPPP) will be provided as requested by the Town engineer.
- A Special Use Permit is required for this use, in accordance with the provisions of Chapter 165, Article IV, Section 28 D (4) of the Town Code.
- A landscape plan, lighting plan and color building elevation renderings were provided. Site lighting will be dark-sky compliant as required by the Town Code. The landscaping plan has been designed by a landscape architect who followed the Town's Major Thoroughfare Overlay District (MTOD) requirements.
- A four-foot-high chain-link fence will be installed around the recreational vehicle yard. The fence will serve more as a barrier to define the yard than for security purposes.
- In response to comments at the Project Review Committee meeting, the colors of the structure have been revised to include a beige background with extended glass along the storefront which will face State Route 96. About a third of the corner of the structure facing State Route 96 will be glass. The overhang has been extended to the midpoint of the structure to add a more three-dimensional façade when viewed from State Route 96. Overhead doors will be located on the east and west sides of the structure. The structure will not be a pull-through building. A color elevation of the proposed structure and a color photograph of the applicant's location in Churchville, N.Y., were distributed.

- The Preliminary Site Plan and Special Use Permit applications were presented to the Ontario County Planning Board (OCPB) on July 11, 2018, which resulted in a recommendation of approval with comments.
- The State Historic Preservation Office (SHPO) has responded with a “no impact” letter, having determined that although the site is located in a potential archaeologically sensitive area, the application will have no impact upon cultural or historic structures.

Mr. Laber said that he has responded in writing to the Town’s engineer’s comments and will continue to address them. He said that he has no issues with the engineering comments.

Mr. Brand said that the Planning Board may not take action upon the application until the conclusion of the SEQR 30-day public review and comment period. He said that to date none of the SEQR Involved Agencies or Interested Agencies have objected to the Planning Board’s intent to be named as Lead Agency for making the SEQR determination of significance on this application. He said that he has prepared a resolution for board consideration this evening to continue this Public Hearing until September 5, 2018.

Mr. Morse said that the two parcels owned by the applicant have been combined by an Administrative Lot Line Adjustment. He said that his concerns were discussed at the Project Review Committee meeting. He requested that the applicant adhere to the comments of the Town engineer.

Mr. Giroux had no comments or questions on the application this evening.

Mr. Degear said that the Water and Sewer Department has reviewed the application and that his comments will be forwarded to the Town staff.

Mr. Brabant acknowledged receipt of Mr. Laber’s response letter and that Mr. Laber is working to address the engineering comments. Mr. Brabant requested that further details of traffic movement entering and exiting the property be shown on the plans. He said that the site will accommodate the Town and the New York State Department of Environmental stormwater requirements and that these details also must be shown on the plans. Mr. Brabant said that Mr. Laber is addressing all of the updated Site Design criteria.

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

Mr. Bellis asked about the length of the shared driveway with the Dollar Store off State Route 96 and the turning radius from the driveway into the site. Mr. Laber said that vehicles will have about a 60-foot turning radius into the site. Mr. Bellis expressed concern about Dollar Store customers having difficulty entering and leaving the store while negotiating the driveway with large recreational vehicles. Mr. Laber said that signage

directing recreational vehicles motorists to use the Mertensia Road driveway may alleviate some of this concern.

Mr. Bellis said that he was glad to see that the recreational vehicle parking areas will be pervious surfaces for drainage and will not be paved. He also asked about the use of stone on the façade of structure. Mr. Meyer said that stone would not be used but that a blue accent color would provide an accent to the beige color of the structure.

Mr. Viets said that the use of stone on the façade of the structure is encouraged to avoid having the look of a pole barn when the structure is viewed from State Route 96. He said that he especially liked the impression of the stone columns on the applicant's structure in Churchville, N.Y. Mr. Meyer said that he is not opposed to a split-face design of the façade. Mr. Viets requested that the façade be further enhanced.

Mr. Viets asked about the chain-link fence. Mr. Meyer said that the fence will be coated in black and that its purpose is more for control of the recreational vehicle lot.

Mr. Laber asked if Mr. Viets was seeking further enhancement of the structure when viewed from State Route 96. Mr. Viets said yes.

Ms. Neale asked if the shared Dollar Store driveway would have any type of separation. Mr. Laber said that the driveway would be about 30 wide but that no physical barrier separation is planned.

Mr. Hemminger said that he was glad to see the revisions to the Mertensia Road driveway, gate and pull-in area to alleviate the possibility of vehicle stacking on Mertensia Road and the potential blocking of fire apparatus.

Mr. Hemminger expressed concern about the shared access driveway off State Route 96. He said that Dollar Store customers may not be comfortable having to negotiate the shared driveway with large recreational vehicles. Mr. Meyer said that signage will be clear to direct recreational vehicles to use the Mertensia Road entrance. Mr. Hemminger said that this is more of a cultural issue and that Dollar Store customers may not understand how to maneuver around a 40-foot recreational vehicle.

Mr. Laber suggested that the owner of the Dollar Store property could be approached to permit striping on the shared driveway to better direct recreational vehicle motorists and Dollar Store customers into the appropriate parking lots. Mr. Meyer suggested that signs indicating "enter on right" and "exit on left" may be considered. He also noted that his staff porters recreational vehicles to the front entrance on their lot to avoid having customers drive the recreational vehicles on the lot.

Mr. Bellis asked about the sewage dump station. Mr. Degear said that the details of this are among the Water and Sewer Department issues which will be discussed with the applicant. Mr. Meyer said that about four customers per day usually use the sewage dump-

ing service in the mornings at his Churchville, N.Y., location. Mr. Degear said that the applicant must comply with the Town’s Sewer Use Law.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MEYER’S RV SUPERSTORE OF FARMINGTON
PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT CONTINUATION**

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

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

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

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Plan-ning Board) has received applications for the above referenced actions for property lo-cated along the north side of State Route 96 and the east side of Mertensia Road; and

WHEREAS, the Planning Board has opened the Public Hearings at tonight’s meeting upon the proposed Preliminary Site Plan and Special Use Permit applications (hereinafter referred to as Actions); and

WHEREAS, the Planning Board has, on July 18, 2018, established a 30-day public re-view and comment period, initiated a coordinated review with Involved and Interested Agencies and declared its intent to be designated as the Lead Agency for the coordinated review under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has given public notice of its declared intent to be made on Wednesday, September 5, 2018; and

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

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 Hearings thereon to 7:01 p.m. on September 5, 2018, to provide time for the public input and SEQR compliance.

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

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this resolution to Mark Meyer, Meyer’s RV Superstore of Farmington, 100 Sanford Road N., Churchville, N.Y. 14428; Patrick Laber, P.E., Schultz Associates, Engineers & Land Surveyors, P.C., 129 South Union Street, P.O. Box 89, Spencerport, N.Y 14559; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; Greg Trost, Assistant Resident Engineer, NYSDOT, Canandaigua Office, 125 Parish Street, Canandaigua, N.Y. 14424; the Town Director of Planning and Development; and the Town Engineering Firm, MRB Group, D.P.C., Attn: Lance S. Brabant, CPESC, Director of Planning Services.

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

Motion carried.

5a. NEW PRELIMINARY TWO-LOT SUBDIVISION

PB #0801-18 New Preliminary Two-Lot Subdivision Application

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

Location: Pintail Crossing Subdivision, south of Quentonshire Drive and County Road 41

Zoning District: RMF Residential Multiple Family

Request: To subdivide the overall Pintail Crossing site into Lot #1 consisting of 9.12 acres (hereby known as Phase 1) to consist of 8 buildings containing 64 apartments; and Lot #2 consisting of 6.03 acres (hereby known as Phase 2) to consist of 6 buildings containing 48 apartments.

5b. NEW PRELIMINARY SITE PLAN**PB #0804-18 New Preliminary Site Plan**

- Name:** Conifer Realty LLC, 1000 University Avenue, #500, Rochester, N.Y. 14607
- Location:** Pintail Crossing Subdivision, Phase 2 (south of Quentonshire Drive and County Road 41)
- Zoning District:** RMF Residential Multiple Family
- Request:** Preliminary Site Plan approval to develop Lot #2 of the Pintail Crossing Subdivision (hereby known as Phase 2) which will consist of 6 buildings containing 48 apartments.

Mr. Hemminger concurrently opened the Public Hearing on PB #0801-18 (Preliminary Two-Lot Subdivision) and the discussion on PB #0804-18 (Preliminary Site Plan).

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

Mr. Tomlinson (Marathon Engineering) presented these applications. Mr. Birkby and Mr. Loud from Conifer Realty also attended.

Mr. Tomlinson said that the applicant seeks to re-subdivide the Pintail Crossing Subdivision property because Phase II will be funded by a different lender than Phase I. He said that the locations of the structures and utilities in Phase I of the project will not be affected by the proposed re-subdivision. He explained the following revisions to Phase II because of the re-subdivision:

- Building #9 is roated 90 degrees
- Buildings #13 and #14 are slightly repositioned on the property

Mr. Tomlinson said the stormwater maintenance facility and drainage plans are unaffected by the re-subdivision and have been established for the entire subdivision. The New York State Department of Health has approved the water and sanitary sewer services. The New York State Department of Environmental Conservation will review the Phase II plans. He said that the re-subdivision is primarily driven by the needs of the applicant for flexibility in financing. He said that although construction of Phase II is not anticipated to begin until spring of 2019, the applicant must begin the financing arrangements now and it will be of assistance to the applicant to have the re-subdivision completed.

Mr. Tomlinson said that there are no proposed changes to the Stormwater Pollution Prevention Plan (SWPPP) and no major changes to the sanitary and water service. He noted

only one revision to a shorter lateral and said that all water mains remain as originally designed. He said that the approvals from the New York State Department of Environmental Conservation, the New York State Department of Health, and the Water and Sewer Department remain unchanged.

Mr. Tomlinson said that the application is really a minor modification, that he has received the draft resolutions prepared by Mr. Brand, and that he has no issues with them. He also acknowledged receipt of the MRB Group engineering letter which primarily discussed ownership and management issues. He said that the engineering comments have been addressed.

Mr. Brand said that he has prepared a draft SEQR resolution for the board's consideration this evening. He said that the application is a Type II Action under SEQR with no substantial change or impact upon the environment. He said that the re-subdivision is basically a map amendment and that resolutions to approve the Preliminary Subdivision Plat and the Preliminary Site Plan with conditions have been prepared for board consideration.

Mr. Morse said that the applicant appeared before the Zoning Board of Appeals on July 23, 2018, and received an Area Variance to New York State Town Law, Section 280-a, to create a lot without direct access to a mapped public street. Mr. Tomlinson said that frontage on Running Brook Drive was originally emergency access for the fire department during Phase I. He said that a copy of the easement for the shared access to Lot #2 was provided at the Project Review Committee.

Mr. Degear asked for assurance that there are no other changes to the utilities other than the shorter lateral discussed by Mr. Tomlinson earlier in the meeting, and that there will be no flipping of structures on the lots. Mr. Tomlinson said that there are no changes to water mains and sanitary sewer alignments. He said that the Phase II sanitary sewer connection at Running Brook Drive will be at a shallower depth than the Phase I connection.

Mr. Brabant said that MRB Group issued an engineering comment letter on August 1, 2018. He said that his main concerns are that the Notice of Intent (NOI) is for the overall stormwater maintenance on the site. He requires assurance that there will be no changes to the stormwater maintenance agreement. Mr. Brabant said cross access easements over both lots and both phases will be needed. He said that he is working through Mr. Tomlinson's responses and that his immediate concern is that nothing was changed from the preliminary overall plans regarding erosion and sediment control, grading and phasing for the SWPPP. Mr. Tomlinson said that both stormwater ponds are being installed now, that the ponds will be stabilized, and that all stormwater maintenance is being handled in Phase I. He said that hopefully the stormwater facilities will help with runoff from the neighboring properties by channeling their water into the ponds.

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

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the Public Hearing on PB #07801-18 (Preliminary Two-Lot Subdivision, Conifer Realty LLC, Pintail Crossing Multi-Family Apartment Project) be closed.

Motion carried by voice vote. The Public Hearing was closed.

Board deliberations:

Mr. Hemminger said that the handling of all the stormwater maintenance facilities in Phase I has been a “plus” for this project.

There were no other comments or questions from members of the Planning Board.

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—TYPE II ACTIONS**

**PB #0801-18 Preliminary Two-Lot Subdivision, Pintail Crossing
PB #0804-18 Preliminary Site Plan, Phase 2, Pintail Crossing**

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

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has received two applications for approval. One application (PB #0801-18) is for a two-lot subdivision of land that is being requested merely for financing purposes by a lending institution; and the other application (PB #0804-18) is for site plan approval of a portion of a previously approved apartment project known as Pintail Crossing; and

WHEREAS, the subdivision of land involves only the mapping of ownership patterns; and

WHEREAS, the site plan approval involves only the relocation of previously approved apartment units to meet setback requirements from the newly created property line that divides the original parcel of land into two lots with no change in the total number of dwelling units, buildings or previously approved site amenities; and

WHEREAS, the site plan approval involves a renewal of an amended site plan for the Phase 2 portion of the project known as Pintail Crossing.

NOW, THEREFORE, BE IT RESOLVED THAT the Board determines the above referenced Actions to be Type II Actions under Section 617.5 (c) (17) and (26) of the State Environmental Quality Review (SEQR) Regulations.

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

BE IT FINALLY RESOLVED, that the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the two files (PB #0801-18 and PB #0804-18) on this Action.

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

Motion carried.

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)
PRELIMINARY SUBDIVISION PLAT**

PB #0801-18

**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
Preliminary Subdivision Plat**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has opened a Public Hearing 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 has given consideration to the Planning Board’s Final Site Plan Resolution PB#0207-18; and

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

WHEREAS, the Planning Board has determined, under separate resolution, the proposed amendment to the overall site plan approval, dated February 21, 2018 is classified as a

Type II Action under Part 671.5 (c) (17) of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, Type II Actions are not subject to further review under Part 617.

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

1. Preliminary Subdivision Plat Approval is based upon the drawing prepared by: Madge Land Surveying , P.C., dated 06/21/18 and identified as “Preliminary Re-Subdivision Plat of the Pintail Crossing Subdivision.”
2. All comments contained in the Town Engineering Firm’s August 1, 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. There is to be signature lines and date spaces added for the Town Highway and Parks Superintendent, the Town Water and Sewer Superintendent, the Town Engineer and the Planning Board Chairperson.
4. Preliminary Subdivision Plat Approval is valid for a period of 180 days from today and shall expire unless extended by the planning board under separate resolution, or the drawing signed by all town officials and the planning board chairperson.
5. Once the revised Preliminary Subdivision Plat drawing has 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) drawings are to be submitted for signatures. Two signed drawings are to be returned to the applicant. If additional copies of the signed drawings are necessary, then the Applicant is to provide the additional sets at that time.
6. Once all Preliminary Subdivision Plat drawings have been signed and distributed then the Town Code Enforcement Officer may submit Final Subdivision Plat drawings for Phase II to be placed upon a future planning board meeting agenda.

Mr. Hemminger asked Mr. Tomlinson if he understood the resolution and agreed with the conditions. Mr. Tomlinson said that he understood the resolution and agreed with the 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	Excused
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

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)
 PRELIMINARY SITE PLAN—PHASE 2**

PB #0804-18

**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
 Preliminary Site Plan Approval—Phase 2**

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 has given consideration to the Planning Board’s Final Site Plan Resolution PB #0207-18; and

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

WHEREAS, the Planning Board has determined, under separate resolution, the proposed amendment to the overall site plan approval, dated February 21, 2018, is classified as a Type II Action under Part 671.5 (c) (26) of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, Type II Actions are not subject to further review under Part 617.

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

1. Preliminary Site Plan Approval is based upon the drawing prepared by: a) Marathon Engineering, dated 06/25/18 and identified as “Final Phase II Plans for Pintail Crossing, Conifer Realty, LLC, Drawing Number C1.0.”
2. All comments contained in the Town Engineering Firm’s August 1, 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. All conditions of Final Site Plan Approval (PB #0207-18) that apply to site improvements to be located in Phase II are to be complied with.
4. The title of the drawing is to be amended to read “Preliminary Site Plan Phase II—Pintail Crossing.”
5. The note on the drawing referencing 1.3 Floodplain is to be amended to include the FEMA Community Number, Map Panel Number, Effective Date and Zone C classification.
6. There is to be signature lines and date spaces added for the Town Highway and Parks Superintendent, the Town Water and Sewer Superintendent, the Town Engineer and the Planning Board Chairperson.
7. Preliminary 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, or the drawing signed by all town officials and the planning board chairperson.
8. Once the revised Preliminary Site Plan drawing has 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) drawings are to be submitted for signatures. Two signed drawings are to be returned to the applicant. If additional copies of the signed drawings are necessary, then the Applicant is to provide the additional sets at that time.
9. Once all Preliminary Site Plan drawings have been signed and distributed then the Town Code Enforcement Officer may submit Final Site Plan drawings for Phase II to be placed upon a future planning board meeting agenda.

Mr. Hemminger asked Mr. Tomlinson if he understood the resolution and agreed with the conditions. Mr. Tomlinson requested that Draft Condition #1 be corrected to read “Drawing Number C1.0.” The resolution as published above includes this correction. Mr. Tomlinson then said that he understood the resolution and agreed with the conditions.

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

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

Motion carried.

6. FINAL SITE PLAN

PB #0803-18 Final Site Plan Application

Name: American Properties of WNY LLC, 6112 Collett Road, Farmington, N.Y. 14425

Location: Northeast corner of the State Route 332/Collett Road Intersection (American Equipment LLC, 6112 Collett Road)

Zoning District: GB General Business

Request: Final Site Plan approval to construct a one-story 18,500-square-foot maintenance building and associated site improvements on approximately 8.4 acres of land.

The Planning Board approved the State Environmental Quality Review (SEQR) determination on this application (Unlisted Action, negative declaration) and the Preliminary Site Plan on June 20, 2018.

Mr. Vars (BME Associates) presented this application. Mr. Wells and Mr. Lawless of American Equipment LLC also attended.

Mr. Vars said that the conditions of Preliminary Site Plan approval have been addressed in the Final Site Plan application which has been prepared in conformance with the preliminary conditions. He said that written responses were provided in response to the Preliminary Site Plan conditions of approval and that the requested plan notes to both the Preliminary and Final drawings as identified in the preliminary conditions have been added.

Mr. Vars discussed the landscaping and site plan design as they relate to the structure’s frontage along State Route 332, as follows:

- The structure will be set back a minimum of 224 from the State Route 332 right-of-way (when a 100-foot setback from the right-of-way is required). This will provide a minimum of a 100-foot green space, the benefit of which will create a greater physical buffer between the State Route 332 corridor and the structure.

- An eight- to 12-foot earthen berm, above existing grade, will be constructed along the State Route 332 corridor portion of the site and planted with deciduous and conifer landscaping to break up the view of the structure from the highway.
- The berm will be approximately seven feet to eight feet above the State Route 332 travel lane elevation and will serve as a physical sight barrier to motorists on the State highway.
- The number of overhead doors on the west façade of the structure (facing State Route 332) has been reduced to three. Landscaping has been added in the immediate proximity of the structure to further break up the presentation of the structure to motorists on State Route 332.
- Thirty-five (35) trees will be planted within the buffer area between the structure and State Route 332.
- As requested during the Preliminary Site Plan review, a sidewalk will be installed along the west side of the existing access driveway from Lot B to Collett Road.
- The applicant previously provided a letter confirming the removal of the billboards currently located on the northwest portion of the property along State Route 332.
- The State Historic Preservation Office (SHPO) has signed off that the project will have no effect on cultural resources.
- Written responses were provided to the MRB Group engineering comment letter of August 13, 2018. MRB Group comments were technical in nature and there are no issues with responding to them to the Town engineer's satisfaction.

Mr. Brand said that he has submitted a draft resolution for board consideration this evening for the approval of the Final Site Plan with conditions. He said that the Project Review Committee was satisfied with the revisions which the applicant made to the Preliminary Site Plan, especially with addressing the concerns of the view of the structure from State Route 332. Mr. Brand asked that the Planning Board keep in mind that the view of the structure from the highway will be further blocked when the currently vacant parcel is developed (i.e., the two-acre site which is closer to Collett Road).

Mr. Brand said that the applicant will also remove containers and construction materials from the outdoor area in which they are now stored on the property, which will also have a positive impact upon the view of the property.

At this point, Mr. Brand said that he is not aware of any outstanding issues with the Final Site Plan application.

Mr. Giroux said that he was pleased with the screening of the structure from State Route 332 and the enhancements which the applicant has made to the site plan.

Mr. Degear said that there are no water and sewer issues with the application. He said that the Town will receive a dedicated fire hydrant as part of this application and that he is glad to see this business expand in Farmington.

Mr. Brabant said that green infrastructure initiatives will be located on Lot A but that water quantity will be sized by the stormwater management facility on Lot B. He said that the application meets the Town's Site Design criteria.

Mr. Viets asked about stormwater management on the property. Mr. Vars said that stormwater will be piped directly to the retention pond and that a cross-access easement will be granted if necessary.

Mr. Viets said that he appreciated the reduction in the number of overhead doors facing State Route 332 and the increase in the number of trees in the buffer area between State Route 332 and the structure.

Mr. Viets requested that the electrical transformer shown on the plans be screened by landscaping. He said that he did not see landscaping depicted around the transformer on the plans. Mr. Hemminger said that landscaping around the transformer would be added as a condition of approval to the draft Final Site Plan resolution.

Mr. Viets asked about a sidewalk across the front of the structure. Mr. Vars said that there are no plans for a sidewalk across the front of the structure. He said that there would be a sidewalk which would lead to the front door and that a concrete landing would be installed at the foyer.

Mr. Viets asked about the size of the building sign as depicted on the elevation rendering. Mr. Vars said that the size of the sign would comply with the requirements of the Town Code and will be approved by the Code Enforcement Officer. Mr. Viets requested that compliance of the sign with the Town Code be included as a condition of Final Site Plan approval.

Mr. Viets requested that some of the plantings around the stormwater pond be switched to deciduous trees to provide more screening of the pond in winter. Mr. Vars said that this would be coordinated with the MRB Group engineering review.

Ms. Neale said that the applicant has worked to meet and exceed the expectations of the Planning Board regarding this project. She especially liked the additional landscaping and asked about the large area of sunflowers which the applicant grows at the corner of State Route 332 and Collett Road. Mr. Wells said that he would consider relocating the planting of sunflowers on another part of the property if possible.

Mr. Bellis said that he was pleased to see the proposed sidewalk to extend from the structure to the sidewalk on Collett Road. He said that he had no issues with the size of the building-mounted sign as long as it complies with the Town Code as discussed by Mr. Viets.

Mr. Bellis asked about the berm along the frontage of State Route 332. Mr. Vars said that the average height of the berm would be seven feet.

Mr. Hemminger thanked Mr. Vars and Mr. Wells for listening to the requests of the board. He said that the Final Site Plan meets and exceeds the Town's Site Design criteria and that the structure will be better looking than some of the existing structures on State Route 332. He said that the Planning Board takes seriously that Farmington is the "Gateway to the Finger Lakes" and that this project enhances this image. He said that he will be interested to see future plans for the possible development of Lot A and how these plans would fit in with the current application.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN AND SIGN SITE PLAN APPROVAL**

PB #0803-18

APPLICANT: American Properties of WNY, LLC (American Equipment),
6112 Collett Road, Farmington, N.Y. 14425

ACTION: Final Site Plan Application for an 18,500-square-foot
maintenance building and associated site improvements on
approximately 8.4 acres of land north of Collett Road and east
of State Route 332

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has, at tonight's meeting opened this application for public comment and board deliberation; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board referral #83-2018, and recommendation that this be a Type I Classification, under the provisions of Sections 239-l and -m of the New York State General Municipal Law, which was made at its June 13, 2018, meeting.

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

1. The set of Final Site Plan drawings, prepared by BME Associates, having a date of May 2018, with a revised issue date of July 2018 identified as Project Number 2579-02, consisting of drawings numbered 2579-02 through 2579-10 are to be further amended as follows:
 - a) The responses to the report contained in the Town Engineers August 7, 2018, letter to the Director of Planning and Development are to be accepted by the Town Engineer and necessary further changes made to the drawings identified prior to submission to the Town for signatures; and
 - b) The two changes cited in the Town of Farmington Water and Sewer memo, dated 07/30/18, regarding Project No. PB 0601-18 are to be made on the appropriate drawings prior to submission for signatures.
2. In addition to the above referenced revised set of drawings, Final Site Plan approval shall also apply to the Building Drawings prepared by LeFrois Builders & Developers and the color Building Elevation Simulated Photo; and the view shed drawing prepared by BME Associates. Each of these documents are to have signature lines for the Planning Board Chairperson to sign and date.
3. Prior to the issuance of a Certificate of Occupancy, by the Town Code Enforcement Officer for the proposed Structure, the existing outdoor advertising commercial speech signs are to be removed from the property.
4. Final Site Plan approval does include Sign Site Plan approval. Sign Site Plan approval is only for the building mounted sign shown on the color rendering of the building that was prepared by LeFrois Builders & Developers. In addition, another condition of this Final Sign Site Plan approval is the installation of a public safety street address identification sign that meets the criteria contained in the Town's Site Design and Development Criteria. In addition, another condition of Sign Site Plan approval is that street address numbers are to be added above the public entrance elevation of the building. A final condition of Sign Site Plan approval is that the building mounted sign must comply with the provisions of the Town Code.
5. The applicant is to amend the landscaping plan to provide screening around the electrical transformer shown on the site plan.
6. Once all amendments have been made to the set of revised drawings and attachments, then one set of the drawings is to be submitted to the Town Code Enforcement Officer for his review. Once accepted, then a total of five (5) sets of drawings and simulated photographs are to be submitted for signing by the various town departments, the town engineer and then the Planning Board Chairperson. One (1) set of the signed documents are to be returned to the applicant. If additional copies of the signed documents are required then they are to be provided a part of the packages to be signed.

- 7. The applicant, upon obtaining signed final site plan documents shall prepare a Letter of Credit for approved site improvements being dedicated to the Town, submit said surety to the Town Construction Inspector for review and acceptance, along with any required easements. Once a letter of credit has been filed with the Town Clerk then a pre-construction meeting may be scheduled by the Town Code Enforcement Officer.
- 8. Final Site Plan approval is valid for a period of 180 days from today and shall expire unless all conditions of approval have been complied with and a Building Permit has been issued.

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

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

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

Motion carried.

7. PLANNING BOARD ACTION ITEMS

Mr. Brand said that a resolution has been prepared for board consideration this evening for:

- Redfield Grove Incentive Zoning Project, Phase 1: Letter of Credit Release #6

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
 LETTER OF CREDIT RELEASE #6—PARTIAL
 REDFIELD GROVE SUBDIVISION, PHASE 1 SITE IMPROVEMENTS**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, dated August 6, 2018, to approve a partial release (Release #6) from the above referenced Letter of Credit for site improvements within Section 1 of the Redfield Grove Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant’s Engineer Estimates of Value attachment thereto; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$102,081.45 (Release #6) from this Letter of Credit. The total amount in the Letter of Credit is \$870,840.15, with a balance remaining of \$250,594.83 after the sixth partial release of funds from the Letter of Credit.

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

Motion carried.

Annual Report to the Town Board on the *Comprehensive Plan*:

Mr. Hemminger requested that board members carefully review the draft “Annual Report to the Town Board on the *Comprehensive Plan*” which was submitted by Mr. Brand at the meeting on August 1, 2018. Mr. Hemminger said that action upon the Plan will be taken at the Planning Board on September 5, 2018.

Other Agenda Items:

Mr. Hemminger said that no action would be taken this evening on the designation of the Lead Agency for the SEQR determination on the Hathaway’s Corners application. He said that this would be held until the Planning Board meeting on September 5, 2018.

He also said that no action would be taken this evening on the Final Release of Surety being held (in lieu of a Letter of Credit) for approved site improvements associated with the MiniTec Framing Systems project (PB #0502-16). Mr. Brabant said that the applicant is working to submit the completed Appendix G-1.0 Form signed by Town staff, the signed Appendix G-2.0 Form, as well as the Record Drawings and GIS information. Mr. Brand said that no action upon this Final Release of Surety was taken by the Town Board at the August 14, 2018, meeting. Mr. Hemminger said that this item will be placed on the agenda when the requested materials have been submitted by the applicant.

8. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand discussed the following items:

1. The Transportation Alternatives Program (TAP) Sidewalk Grant has been submitted to and received by the New York State Department of Transportation. A number of letters of support were included in the submission. There are nine (9) sub-areas which have been identified for sidewalk and crosswalk installations. Several of them are:
 - Mertensia Road in the vicinity of the existing intersection of State Route 96 and Mertensia Road and along both sides of Elizabeth Way.
 - Along the north side of State Route 96 between Glen Carlyn and opposite Finger Lakes Gaming and Racetrack on State Route 96 to the Fairdale Glen Townhouse project.
 - Beaver Creek Road between the entrance to Finger Lakes Gaming and Race-track and County Road 41, then continuing west along County Road 41 to the intersection with State Route 332.
 - County Road 41, south side, from the Auburn Trail Connector east to State Route 332
2. Work is continuing on the Auburn Trail Connector temporary pedestrian/bicycle path segment located along the shoulder of Canandaigua–Farmington Town Line Road. The path is completed except for installation of topsoil and hydroseeding. The temporary pedestrian/bike path will connect the terminus of the Main Trail on Canandaigua–Farmington Town Line Road with the Auburn Meadows Subdivision.

MRB Group is working on design plans for the Ivory Drive/Farmington Pointe/Auburn Trail crossing and stub road. David Herman of MRB Group made the final elevation shots today (August 15). Plans will be delivered to Fisher Associates as soon as they are submitted to the Town.
3. The Town Codes Update Committee will reconvene shortly. The Comprehensive Plan Update Committee also is expected to begin work soon. Mr. Hemminger said that a Planning Board volunteer is needed to serve on the Comprehensive Plan Update Committee.

Code Enforcement Officer:

Mr. Morse said that two large-scale solar projects were presented to the Project Review Committee on August 3, 2018, i.e.:

- Cypress Creek Renewables Preliminary Site Plan and Special Use Permit, 5348 State Route 96, northwest corner of State Route 96 and Payne Road; and
- Delaware River Solar LLC Preliminary Subdivision Plat and Preliminary Site Plan, 4780 Fox Road, at the intersection of Yellow Mills Road (*see* Project Review Committee minutes, August 3, 2018).

He said that he is reviewing the fees for solar applications and is canvassing the fee schedules of other towns. For example, he said that the Town of Ogden in Monroe County assesses solar fees based upon the acreage of the project and that the Town of Canandaigua in Ontario County assesses fees based upon the number of kilowatts of the solar installation.

Mr. Morse also noted that Mark DiMartino, D.D.S., will meet with Town staff on Friday (August 17, 2018) regarding a second amendment to his Final Site Plan (PB #1101-16) for a single story, 3,752-square-foot dental office with related site improvements on the east side of Hathaway Drive north of Beaver Creek. The Final Site Plan was approved by the Planning Board on November 2, 2016. The Final Site Plan was amended on May 16, 2018 (PB #0607-18) to reduce the building footprint from 4,100 square feet to 3,752 square feet. Mr. Morse said that Dr. DiMartino is considering a further reduction in the square footage as a cost savings. Mr. Morse said that it must be determined if another site plan amendment is needed.

Mr. Morse said that an application for another food cart is expected and he anticipates that more than 600 building permits will have been issued by the Building Department by the end of this month.

Highway Superintendent:

Mr. Giroux said that he was impressed with the successful operations of the various stormwater management facilities in the Town during this week's heavy rainstorm. He said that difficult drainage issues would have otherwise occurred if these facilities had not been in place and had they not been properly designed.

Mr. Giroux also noted that the steel for the Allen Padgham Road bridge project is scheduled to arrive next week at the project work site.

Water and Sewer Superintendent:

Mr. Degear said that sewer flow meters have been installed on the sewer main on State Route 332 and that the installation of a 12-inch water line being installed on Beaver Creek Road has nearly reached Beaver Creek. He said the line will ultimately cross the creek and extend to County Road 41.

Town Engineer:

Mr. Brabant said the MRB Group engineering projects include the design plans for the Ivory Drive/Farmington Pointe/Auburn Trail crossing and stub road which will be completed shortly and delivered to Mr. Brand.

9. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:30 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, September 5, 2018, at 7:00 p.m.

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

Respectfully submitted,

John M. Robortella,
Clerk of the Farmington Planning Board

L.S.