

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, June 21, 2017, 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the 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: Scott Makin, *Chairperson*
Adrian Bellis
Edward Hemminger
Douglas Viets

Board Member Excused: Mary Neale

Staff Present:

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group 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
Jim Morse, Town of Farmington Code Enforcement Officer
John Weidenborner, Assistant Chief, Farmington Volunteer Fire Association

Applicants Present:

Michael Best, 6165 Brownsville Road, Farmington, N.Y. 14425
Michael Cerone, Route 332 MIII Enterprises, P.O. Box 509, Webster, N.Y. 14580
Paul M. Colucci, Vice President, DiMarco Group, 1950 Brighton–Henrietta Town Line Road,
Rochester, N.Y. 14623
Jim Columbo, Skylight Signs, 60 Industrial Park Circle, Rochester, N.Y. 14624
Donald Johnson 355 Hook Road, Farmington, N.Y. 14425
Charles Laplant 4909 State Route 96, Shortsville, N.Y. 14548
Jerry Goldman, 2 State Street Suite 500, Rochester, N.Y. 14614
Alfred LaDue, L.S., McMahon LaRue Associates P.C., 822 Holt Road,
Webster, N.Y. 14580
Matt Tomlinson, CPESC, Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614

Residents Present:

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425
 Cindy and Jim Dykes, 6137 Hanover Road, Farmington, N.Y. 14425
 Ellen Gunn, 1448 Windsor Circle, Farmington, N.Y. 14425
 John Keiffer, Beaver Creek Mini-Storage, P.O. Box 25068, Farmington, N.Y. 14425
 George D. Rioch, 4942 State Route 96, Shortsville, N.Y. 14548
 Brian Sandore, 6143 Hanover 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. Makin 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. Makin 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 JUNE 7, 2017

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the minutes of the June 7, 2017, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on Thursday, June 15, 2017:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT the Planning Board of the Town of Farmington, Ontario County, New York, will hold Public Hearings at 1023 Hook Road on the 21st day of June, 2017, commencing at 7:00 p.m. for the purpose of considering the applications of:

PB #0601-17: MERCIER REALTY, 99 RIDGELAND RD., ROCHESTER, N.Y. 14623: Request a four-lot subdivision approval to create Lot 1A consisting of 11.423 acres, Lot 1B consisting of 6.06 acres, Lot 1C consisting of 18.42 acres and the remaining lands of the parent parcel Lot 1D will consist of 15.119 acres to remain vacant. The property is located on Mercier Boulevard and on the east and west side of NYS Rout4 332 and zone Incentive Zoning District.

PB #0603-17: CHARLES LAPLANT, 4909 STATE ROUTE 96, SHORTSVILLE, N.Y. 14548: Request a three-lot subdivision approval to create Lot A consisting of 1.750 acres with an existing dwelling, Lot B consisting of 5.515 acres, and the remaining lands of the parent parcel Lot C will consist of 6.680 acres. The property is located on the south side of Route 96 approximately 605 feet west of County Road 28 and zone A-80 District.

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

Scott Makin, Chairperson
Planning Board

4. CONTINUED PUBLIC HEARING: SPECIAL USE PERMIT

PB #0402-17 Special Use Permit Application

Name: Michael Best, 6165 Brownsville Road, Farmington, N.Y. 14425

Location: 6165 Brownsville Road, Farmington, N.Y. 14425

Zoning District: A-80 Agricultural District

Request: A Special Use Permit for a Major Home Occupation: Outdoor Commercial Photography

Mr. Makin reconvened the Public Hearing on this application that had been continued from the meetings on April 19, 2017; and May 3, 2017.

Mr. Best presented this application.

He explained that he would like to use his property—upon which he has constructed hardscape stonework and extensive landscaping—as an outdoor photography venue and background for photos of families, high school and college students, weddings and portraits. He said that he hopes that people would come to his property as a photography location and to enjoy the land and its beauty.

Mr. Brand explained that the Zoning Board of Appeals (ZBA) approved with conditions Mr. Best’s application for an Area Variance for a Major Home Occupation. Included among the ZBA conditions of approval were restrictions on the use of outdoor lighting, noise, parking that extends beyond Mr. Best’s property line and signage. Mr. Best said that no photo sessions would be scheduled in the evenings and that the three parking spaces permitted by the Town Code would be adequate for those who would be coming onto the site at any one time.

Mr. Best asked about replacing a sign that had been on his property which was damaged during the recent wind storm. Mr. Morse explained that this sign is not a commercial speech sign and that it does not advertise Mr. Best’s company by name. Mr. Morse said that the sign only depicts a graphic image of a pond. Mr. Brand suggested that Mr. Best submit a photograph of the sign for review by Mr. Morse.

There were no further comments on this application from members of the Town staff at this time.

Mr. Makin 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. HEMMINGER seconded by MR. BELLIS, that the Public Hearing on this application be closed.

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

Board deliberations:

Mr. Hemminger noted that Mr. Best’s proposal is a better solution for him and for his neighborhood than the original plan. Mr. Hemminger said that Mr. Best’s current application is a better fit for the area. He extended wishes to Mr. Best for a successful venture.

Mr. Brand explained that draft resolutions for Mr. Best’s Special Use Permit (PB #0402-17) and Site Plan (PB #0404-17) have been prepared for the board’s consideration this evening. It was noted that action upon the Site Plan resolution would occur later in the meeting.

Mr. Makin then asked the clerk to read aloud the following State Environmental Quality Review (SEQR) resolution for both the Special Use Permit and the Site Plan:

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

PB #0402-17 and PB #0404-17

APPLICANT: Michael Best, 6165 Brownsville Road, Farmington, N.Y. 14425

ACTION: Special Use Permit and Site Plan Approval to allow a Major Home Occupation—Commercial Outdoor Photography Sessions—on a 5-acre site located at 6165 Brownsville Road

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

WHEREAS, the Board finds the Actions are identified in Section 617.5 (c) (6) and (15) as involving an expansion of a single-family residential use on an approved lot; and

WHEREAS, the Actions involve no physical disturbance or alteration of the natural site setting to be used for commercial outdoor photography sessions on the 5-acre site located at 6165 Brownsville Road.

NOW, THEREFORE, BE IT RESOLVED THAT the Board finds that the Actions are classified a Type II Actions under Section 617.5 (c) of the SEQR Regulations.

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

NOW, THEREFORE, BE IT RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon these Actions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Makin then asked the clerk to read aloud the following resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
SPECIAL USE PERMIT**

PB #0402-17

APPLICANT: Michael Best, 6165 Brownsville Road, Farmington, N.Y. 14425

**ACTION: Special Use Permit to allow a Major Home Occupation—
Commercial Outdoor Photography Sessions—on a 5-acre site
located at 6165 Brownsville Road.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has conducted a public hearing upon the requested special use permit to allow outdoor commercial photo sessions upon his five-acre site located at 6165 Brownsville Road; and

WHEREAS, the Board has completed its review under the provisions of the State Environmental Quality Review Act (SEQRA) finding the Action to be a Type II Action; and

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as Zoning Board) has approved an area variance with conditions (File ZB #0501-17); and

WHEREAS, the Board has considered the Ontario County Planning Board referral #88-2017.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant approval of the requested Special Use Permit to enable outdoor commercial photo sessions upon the five-acre site located at 6165 Brownsville Road subject to the following conditions:

1. All conditions imposed by the Zoning Board shall apply to this Special Use Permit.
2. There shall be no parking of vehicles along the shoulders of Brownsville Road associated with a commercial photo session.
3. No Building Permits shall be issued until Final Site Plan Approval has been granted by this Board.

Mr. Makin asked Mr. Best if he understood the resolution and agreed with the conditions. Mr. Best said that he understood the resolution and agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

5. NEW PUBLIC HEARING: PRELIMINARY 4-LOT SUBDIVISION

PB #0601-17 **Preliminary 4-Lot Subdivision Application**
Name: Mercier Realty, 99 Ridgeland Road, Rochester, N.Y. 14623

Location: Mercier Boulevard and NYS Route 332

Zoning District: IZ Incentive Zoning

Request: Preliminary Plat approval of a four-lot subdivision to create Lot 1A consisting of 11.423 acres, Lot 1B consisting of 6.06 acres, Lot 1C consisting of 18.42 acres and the remaining lands of the parent parcel Lot 1D consisting of 15.119 acres

Mr. Makin opened the Public Hearing on this application.

Mr. LaRue presented this application.

He explained that the applicant seeks to subdivide a 51.022-acre lot into four lots, i.e., Lot 1A consisting of 11.423 acres, Lot 1B consisting of 6.06 acres, Lot 1C consisting of 18.42 acres and the remaining lands of the parent parcel Lot 1D consisting of 15.119 acres. He said that each of the lots would remain vacant until such time as they may be sold. He said that the new owners would be required to submit site plans to the Planning Board for their proposed uses.

Mr. LaRue acknowledged receipt of the engineering comment letter from MRB Group. He explained that the engineering comments are being addressed with Mr. Brabant, the Town Engineer.

Mr. Brand discussed the Ontario County Planning Board's (OCPB) review of this subdivision application. He said that the OCPB recommended a modification that would prevent the Planning Board from taking action until comments from the Ontario County Soil and Water Conservation District are received and reviewed, and until an updated Traffic Study is submitted by the applicant and reviewed by the New York State Department of Transportation.

Mr. Brand said that this application is only for the subdivision of land. He said that the OCPB incorrectly and arbitrarily assigned an additional referral number for a proposed site plan which does not exist and which is not part of this subdivision application.

Mr. Brand explained that the subdivision application does not affect the provisions of the Town's Municipal Separate Storm Sewer System (MS4) Regulations because there would be no disturbance of the land involved by the subdivision. He said that the Ontario County Soil and Water Conservation District is not involved with the Town's MS4 Regulations.

Mr. Brand also explained that the filing of a subdivision map does not necessitate updating an existing Traffic Study when no development of any kind on any of the four new lots is proposed.

Mr. Brand said that the OCPB has no jurisdiction to arbitrarily create a site plan referral when the applicant has not submitted a site plan application. He also noted that the OCPB cannot use the hypothetical referral to modify or recommend denial of the subdivision application.

Mr. Brand explained that the action of the OCPB places a burden upon the Planning Board to consider a resolution to override the OCPB's recommendation. To do so, a super majority vote (majority-plus-1) of the Planning Board is required. Mr. Brand said that a resolution to override the OCPB's recommendation has been prepared for the board's consideration this evening.

Town staff members had no comments or questions on the subdivision application at this time.

Mr. Makin 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. HEMMINGER seconded by MR. BELLIS, that the Public Hearing on this application be closed.

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

Board deliberations:

Mr. Makin asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MERCIER REALTY 4-LOT SUBDIVISION PLAT APPLICATION
RESOLUTION OVERRIDING ONTARIO COUNTY PLANNING BOARD MODIFICATION**

PB #0601-17

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) opened a public hearing tonight on the proposed four lot subdivision of land owned by Mercier Realty (hereinafter referred to as Action); and

WHEREAS, the Planning Board received public testimony at tonight's public hearing upon said four lot subdivision of land which is also known as the Mercier Incentive Zoning Project; and

WHEREAS, the Planning Board also reviewed the Ontario County Planning Board's Referral #95-2017, a referral made under the provisions of Sections 239-l and -n of the New York State General Municipal Law, which has resulted in a recommendation of modification prohibiting the Planning Board from taken further action upon this matter until the comments from the Ontario County Soil and Water Conservation District are received and reviewed and an updated Traffic Study is submitted and reviewed by the NYSDOT prior to the Planning Board taking action; and

WHEREAS, a recommendation of modification made under the provisions of the General Municipal Law are to be complied with or the referring board has to over-ride

the County's recommendation with a majority plus one vote setting forth reasons for the over-ride.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after reviewing the Ontario County Planning Board Referrals #95-2017 and #95.1-2017 makes the following findings overriding the above referenced County Referrals:

1. The Town of Farmington did submit, on May 24, 2017 a referral for a proposed four lot subdivision of land owned by Mercier Realty which consists of Lots 1A, 1B, 1C and 1D only. This referral was given number 95-2017.
2. The Town of Farmington did not submit, on May 24, 2017 a referral for a proposed site plan for the above reference four lot subdivision of land. Yet the County assigned referral number 95.1-2017.
3. The County Planning recommendations apply only to a site plan referral (95.1-2017) which was never made by the Town.
4. The Planning Board finds that a proposed plat map does not affect the provisions of the Town's MS4 Regulations in that there is no disturbance involved with approving and filing a plat map in the Office of the Ontario County Clerk.
5. The Planning Board finds that the Ontario County Soil and Water Conservation District (OCSWCD) is not involved with the Town's MS4 Regulations and to deny the Planning Board's ability to act upon an application that does not affect the Town's MS4 Regulations is unfounded.
6. The Planning Board further finds that a proposed plat map does not necessitate updating an existing Traffic Study as there is no proposed development of any of the four lots being created.

BE IT FURTHER RESOLVED that based upon these findings the Planning Board does hereby vote to over-ride the Ontario County Planning Board's Referral #95.1-2017 recommendation of Modification as it is based upon a referral that was never made.

BE IT FINALLY RESOLVED that based upon these findings the Planning Board does here vote to override the Ontario County Planning Board's Referral #95-2017 recommendation of Modification as the comments made by the County are not relevant to subdivision of land.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye

Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. HEMMINGER, seconded by MR. BELLIS that the reading of the SEQR Determination of Classification resolution be waived. Motion carried by voice vote. The reading of the SEQR Determination of Classification resolution was waived.

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

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—DETERMINATION OF CLASSIFICATION**

PB #0601-17

APPLICANT: Mercier Realty, 99 Ridgeland Road, Rochester, N.Y. 14623

ACTION: Preliminary Four Lot Subdivision, Mercier Incentive Zoning Project

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria, under Parts 617.4 and 617.5 of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Board finds the Action is not identified under Section 617.4 or Section 617.5.

NOW, THEREFORE, BE IT RESOLVED THAT the Board finds that the Action is classified as an Unlisted Action under Section 617 of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT the Planning Board is the only involved agency and, therefore, is the designated lead agency under the SEQR Regulations for making the required determination of significance upon this Action.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scot Makin	Aye
Mary Neale	Excused

- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

BE IT FURTHER RESOLVED that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Makin then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY PLAT, MERCIER INCENTIVE ZONING PROJECT
LOTS 1A, 1B, 1C AND 1D**

PB #0601-17

APPLICANT: Mercier Realty, 99 Ridgeland Road, Rochester, N.Y. 14623

ACTION: Preliminary Subdivision Plat Approval, 4 Lots, located along both sides of New York State Route 332, between State Route 96 and Ontario County Road #41.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a Preliminary Plat drawing prepared by McMahan LaRue Associates, P.C., Engineers and Land Surveyors, proposing the creation of 4 Lots from 51.022 acres of land identified as “Subdivision of Lot 1, Mercier Subdivision;” and

WHEREAS, the Planning Board has previously made a determination of non-significance upon the proposed Action, thereby satisfying the procedural requirements under Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Planning Board has received testimony at tonight’s public hearing regarding the proposed subdivision.

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

1. Preliminary Plat Approval is based upon the above identified drawing prepared by McMahan LaRue Associates, P.C., identified as Project Number 1104-04 and with the following conditions of Approval.
2. The title of the plat map is to be amended to read . . . “Preliminary Plat Lot #1, Mercier Incentive Zoning Project.”
3. The Planning Board waives, at this time, the requirement set forth in Chapter 165, Article IX, Sections 103 through 111, the preparation of a storm water pollution prevention plan (SWPPP) and directs that prior to issuance of any future Building

Permit(s) for Lots #1A, 1B, 1C and/or 1D, that such a SWPPP be prepared, if deemed appropriate at the time.

4. There is to be a note added to the Preliminary Plat drawing that a Park and Recreation Fee, is hereby waived for this Action, as such fees will be determined at the time of future development of any of the four lots.
5. All comments contained in the MRB Group, D.P.C., review letter dated June 15, 2017, are to be addressed writing and changes made to the Preliminary Plat as requested.
6. There is to be information added to the revised Preliminary Plat as noted above. The Revision Box is to be amended to reflect these conditions of approval.
7. There is to be a signature lines added to the plat drawings for the Town Highway and Parks Superintendent, the Town Water & Sewer Superintendent and the Town Engineers.
8. Five revised paper copies of the Preliminary Plat drawings are to be submitted to the Town Code Enforcement Officer for his review and acceptance prior to the above referenced Town Officials signing and then the Planning Board Chairperson signing the copies. Upon signing, one copy will be placed in the property file in the Town Development Office, one copy each will be provided to the Town Officials and one copy returned to McMahan LaRue P.C. If additional copies of the signed Preliminary Subdivision Plat are required then they are to be provided at the time of submission. Once the Preliminary Subdivision Plat has been signed, then an application for Final Subdivision Plat approval will be entertained by the Planning Board.
9. Preliminary Subdivision Plat Approval is valid for a period of 180 days from today. If revised Preliminary Subdivision Plat drawings have not been signed prior to this period then a separate Planning Board resolution granting an extension for an additional 90 days will be required.

Mr. Makin asked Mr. LaRue if he understood the resolution and agreed with the conditions. Mr. LaRue said that he understood the resolution and agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

6. PUBLIC HEARING: PRELIMINARY 3-LOT SUBDIVISION

PB #0603-17 Preliminary 3-Lot Subdivision Application

Name: Charles Laplant, 4909 State Route 96, Shortsville, N.Y. 14548

Location: South side of State Route 96 approximately 605 feet west of County Road 28

Zoning District: A-80 Agricultural District

Request: Preliminary Plat approval of a three-lot subdivision to create Lot A consisting of 1.750 acres with an existing dwelling, Lot B consisting of 5.515 acres and the remaining lands of the parent parcel Lot C will consist of 6.680 acres

Mr. Makin opened the Public Hearing on this application.

Mr. Laplant presented this application.

He explained that he seeks to subdivide his property into three lots. He said that he has a prospective buyer for his existing home which is located on Lot A, which consists of 1.75 acres. He said that his hardship is that he is 68 years of age and a widower, and that his current home is too big for him. He would like to downsize the home by selling it and building a smaller home on Lot B of the subdivision to enable him to continue to reside in Farmington.

Mr. Laplant said that his intention is to have his son build a home on Lot C when his son retires from his position as a deputy with the Monroe County Sheriff's Department.

Mr. Laplant reported that he has discussed the subdivision with the Ontario County Soil and Water Conservation District and plans to have a percolation test performed on Lot B. He also plans to revise the subdivision plat to identify Lot B as a Buildable Lot, as required by the Zoning Board of Appeals (ZBA) at the meeting on June 20, 2017. Mr. Laplant also noted that he will be contacting the New York State Department of Transportation regarding the driveway from State Route 96 onto Lot B.

He said that he has been a Farmington resident for 44 years and that he desires to remain in the Town.

Mr. Brand explained that currently there are two Accessory Structures on Lot B and that the ZBA approved Mr. Laplant's Area Variance to allow these structures to remain on Lot B when it is subdivided from the parent parcel. Mr. Brand noted that the Area Vari-

ance requires Mr. Laplant to redesign Lot B as a Buildable Lot to enable him to obtain a street address for the lot and a Building Permit for the new home.

Mr. Laplant asked about the length of time for the subdivision approval process. Mr. Brand explained that if Mr. Laplant's engineer can provide the required materials in a timely manner, the subdivision application could be considered by the board in July.

Assistant Fire Chief Weidenborner noted that Mr. Laplant's property is within the Manchester fire district. He said that he sees no issues with the subdivision and that he would contact the Manchester fire district if any concerns are identified.

There were no further comments on this application from members of the Town staff at this time.

Mr. Makin then asked if anyone in attendance wished to speak for or against the application.

Mr. Rioch, who lives across from Mr. Laplant, said that Mr. Laplant is a good and friendly neighbor, and that Mr. Laplant is the type of person that he wants to have living in the Town. He strongly requested the Planning Board's support for Mr. Laplant's efforts to continue to live in Farmington.

Mr. Makin asked again if anyone wished to speak about the application. There were no further comments or questions from those in attendance.

Mr. Makin explained that the Public Hearing on this application would remain open to provide Mr. Laplant time to arrange for a revised subdivision plan as discussed this evening.

Mr. Makin then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY PLAT, CHARLES LAPLANT SUBDIVISION**

PB #0603-17

APPLICANT: Charles LaPlant, 4909 State Route 96, Shortsville, N.Y. 14548
ACTION: Preliminary Subdivision Plat Approval, 3 Lots, located along the south side of New York State Route 96.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a Preliminary Plat drawing prepared by David J. Hanley, N.Y.S. Licensed Land Surveyor, proposing the creation of 3 Lots from 13.945 acres of land identified as Tax Map Account 43.00-01-04.000 and entitled "Preliminary Survey Map and Minor Subdivision of Lands owned by Charles D. LaPlant"; and

WHEREAS, the Planning Board has reviewed and given consideration to the Ontario County Planning Board Referral #93-2017, a referral Classified as a Class 2 Action with comments and no specific recommendation; and

WHEREAS, the Planning Board has received testimony at tonight’s public hearing regarding the proposed subdivision; and

WHEREAS, the Planning Board has reviewed and discussed with the applicant the Town of Farmington Zoning Board of Appeals Resolution dated June 20, 2017, on the requested Area Variance for Lot B of this proposed subdivision plat.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to:

1. Table this application and direct the applicant to have a revised plat map be submitted showing proposed Lot B to be shown as a Buildable Lot; and
2. Continue the public hearing upon this three-lot subdivision until July 19, 2017.

Following the reading of the resolution, Mr. Hemminger noted that the application could be heard at the meeting on July 5, 2017, if Mr. Laplant’s engineer or surveyor submits the revised subdivision plat more quickly.

Mr. Laplant asked about the conditions regarding a Buildable Lot on Lot B. Mr. Brand explained that the notation of “Non-Buildable Lot” on the plans must be revised to “Buildable Lot” and that the revised plat must indicate the location of the new home, the septic and leach fields, and the water lines.

Mr. Brand also explained that an Area Variance from the ZBA would be required if the new home on Lot B is to be located behind one of the existing Accessory Structures. He advised that the revised subdivision plat should show the location of the proposed new home on Lot B to enable the distances between the new home and the Accessory Structure to be calculated for preparation of a prospective Area Variance application.

Mr. Laplant confirmed that the new home on Lot B would be located behind one of the Accessory Structures.

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

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused

WHEREAS, the Town of Farmington Zoning Board of Appeals (hereinafter referred to as Zoning Board) has approved an area variance with conditions (File ZB #0501-17); and

WHEREAS, the Board has considered the Ontario County Planning Board referral #88-2017.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant Final Site Plan Approval to enable outdoor commercial photo sessions upon the five-acre site located at 6165 Brownsville Road subject to the following conditions:

1. All conditions imposed by the Zoning Board shall apply to this Special Use Permit.
2. The Final Site Plan Drawing is to be titled “Final Site Plan Outdoor Commercial Photography Sessions, Michael Best Property, 6165 Brownsville Road.”
3. There shall be no parking of vehicles along the shoulders of Brownsville Road associated with a commercial photo session.
4. There shall be no outdoor lighting for commercial photography session(s) that will cause glare onto the adjacent public highway or create light trespass onto adjacent properties.
5. There shall be no noise associated with the outdoor commercial photography session(s) that creates a nuisance to adjacent properties.
6. No Building Permits shall be issued until Final Site Plan Approval has been granted by this Board.

Mr. Makin asked Mr. Best if he understood the resolution and agreed with the conditions. Mr. Best said that he understood the resolution and agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

8. CONTINUED FINAL SUBDIVISION PLAT

PB #0302-17 Final 43-Lot Subdivision Plat Application

Name: Bramwell Park LLC, 1303 Marsh Road, Pittsford, N.Y. 14534

Location: Southwest corner of Collett Road and Hook Road
Hickory Rise Subdivision, Section 4

Zoning District: IZ Incentive Zoning District

Request: Final Subdivision Plat approval of Hickory Rise Subdivision,
Section 4, 43 Lots

Mr. Makin resumed consideration of this application that had been continued from the meetings on April 5, 2017; May 3, 2017; May 17, 2017; and June 7, 2017.

Mr. Brand explained that he and Mr. Morse met with Gregg Bowering (the applicant) regarding the time of installation of sidewalks in Section 4 of the Hickory Rise Subdivision. He said that the Town Board Incentive Zoning resolution that was approved in 2013 may have to be recalled due to an inconsistent interpretation of the time of installation of the sidewalks within the subdivision and their connection to the subdivision’s walking trail system.

Mr. Brand said that Mr. Bowering fully understands the issue and is working with the Town staff on this issue.

There were no further comments or questions on this application from Town staff or board members this evening.

■ A motion was made by MR. HEMMINGER, seconded by MR. BELLIS, that the reading the resolution be waived.

Motion carried by voice vote. The reading of the resolution was waived.

■ A motion was made by MR. HEMMINGER, seconded by MR. VIETS, that the following resolution be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SUBDIVISION PLAT, SECTION 4, HICKORY RISE INCENTIVE ZONING PROJECT
CONTINUATION**

PB #0302.1-17

APPLICANT: Bramwell Park LLC, 1303 Marsh Road, Pittsford, N.Y. 14534

**ACTION: Hickory Rise Incentive Zoning Project
Final Subdivision Plat Approval, Section 4, (43 Residential
Lots)**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) did on June 7, 2017, grant a two-week extension to their taking action upon this application to permit the applicant, his engineer and the Town Director of Planning and Development to meet and to prepare specific language as to when sidewalks would be installed in Section 4 of the above referenced subdivision; and

WHEREAS, the applicant, Town Code Enforcement Officer and Town Director of Planning and Development did meet on Tuesday afternoon, June 20, 2017, finding that the original Town Board Resolution approving the conditions for development of sidewalks within the Hickory Rise Incentive Zoning Project will need to be recalled and amended; and

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received from Gregg Bowering, Bramwell Park, LLC, a request dated June 21, 2017, to continue deliberations upon this Action; and

WHEREAS, the requested extension of time is to permit Mr. Bowering, his engineers, BME Associates and the Town Director of Planning and Development addition time to prepare specific language for the resolution that will address the timing when sidewalks are to be installed within Section 4 of the Hickory Rise Incentive Zoning Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to continue to table further consideration of the draft resolution for Final Plat Approval, Section 4, Hickory Rise Incentive Zoning Project, to the July 5, 2017, meeting.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to Gregg Bowering, Bramwell Park, LLC, and to Robert Cantwell, BME Associates.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

9. PRELIMINARY SITE PLAN

PB #0604-17 Preliminary Site Plan Application

Name: Donald Johnson, 355 Hook Road, Farmington, N.Y. 14425

- Location:** 5930 County Road 41 (Country Max Store), northwest corner of County Road 41 and Beaver Creek Road
- Zoning District:** GB General Business
- Request:** Preliminary Site Plan approval for a seasonal food cart to be located at the Country Max Store.

Mr. Johnson presented this application.

He explained that would like to operate a food trailer on the Country Max Store property on County Road 41 west of Beaver Creek Road.

Mr. Brand reported that the Zoning Board of Appeals (ZBA) approved Mr. Johnson's Temporary Use Permit on June 20, 2017. The permit is valid from July 1, 2017, through November 20, 2017; and then from April 1, 2018, through November 30, 2018. The hours of operation of the food trailer are from 6:30 a.m. to 2:30 p.m. Mr. Brand also noted that the ZBA placed several conditions of approval regarding signage, parking, trash removal, and New York State Department of Health permits.

Mr. Brand explained that Mr. Johnson must submit a more detailed plan at the time of Final Site Plan review by the Planning Board.

Mr. Bellis asked about the display storage shed that is currently on the western portion of the Country Max Store property. Mr. Johnson said that the storage shed would remain.

There were no further comments or questions from Town staff on this application at this time.

■ A motion was made by MR. HEMMINGER, seconded by MR. VIETS, that the reading of the SEQR resolution on this application be waived.

Motion carried by voice vote. The reading of the SEQR resolution on this application was waived.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
CRITERIA FOR DETERMINING SIGNIFICANCE**

PB #0604-17

APPLICANT: Donald Johnson, 355 Hook Road, Farmington, N.Y. 14425

ACTION: Site Plan approval for a seasonal food trailer to be located at 5930 County Road 41 (Country Max Store), northwest corner of County Road 41 and Beaver Creek Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.2 (a) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, has found the above referenced Action to be a Type II Action under Section 617.5 (c) (1), (3) and (7) of the State Environmental Quality Review Regulations (SEQR) a part of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Action involves the temporary use of land, located within the west portion of the Country Max Store, located at the northwest corner of County Road 41 and Beaver Creek Road; and

WHEREAS, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board in making this Classification has satisfied the procedural requirements under SEQR and directs the Resolution to be placed in the Town file upon this Action.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Makin then asked the clerk to read aloud the following resolution.

■ **Consensus:** Following the reading, it was the consensus of the board to amend Condition #8 to permit one sandwich-board sign on the premises during the hours of operation, and to revise the hours and dates of operation, for consistency with the ZBA’s conditions of approval. The resolution that appears below includes these amendments:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN, DONALD JOHNSON
PROPERTY ADDRESS: 5930 COUNTY ROAD 41 (COUNTRY MAX STORE)**

PB #0604-17

APPLICANT: Donald Johnson, 355 Hook Road, Farmington, N.Y. 14425

ACTION: **Site Plan approval for a seasonal food cart to be located at 5930 County Road 41 (Country Max Store), northwest corner of County Road 41 and Beaver Creek Road**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an application for site plan approval for a seasonal food cart to be located on the western portion of the parking lot for the above referenced Country Max Store; and

WHEREAS, the Planning Board has previously made a determination of non-significance upon the proposed site plan, thereby satisfying the procedural requirements under Article 8 of the New York State Environmental Conservation Law; and

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

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

1. Preliminary Site Plan Approval is granted only upon the information shown on the un-titled, unidentified sketch drawing submitted with this application.
2. Prior to Final Site Plan Approval there is to be a detailed drawing prepared containing a title, a date and signed by Donald Johnson, the applicant.
3. A picture of the proposed Food Truck is to be submitted for the Town's Files.
4. The proposed Food Truck is to either remain on the site or be removed each night when not in operation.
5. The Food Truck is to be licensed.
6. Any and all New York State Health Department permits for food handling and sales is to be provided to the Town.
7. A separate trash receptacle is to be provided in close proximity to the Food Truck. Said receptacle is to be emptied each night before closing. No trash is to be allowed to remain overnight.
8. One directional sandwich board sign to be located along the northern right-of-way boundary for County Road 41, between the western driveway entrance to the Country Max Store and the adjacent gasoline/convenience store shall be permitted. Said sign is to be removed from along the shoulder of the County highway at the end of each day of operation and stored inside the food trailer.

- 9. There shall be no parking of patrons allowed along the shoulders of County Road 41. Any reports of the violation of this condition shall be grounds for revoking the final site plan approval.
- 10. The hours of operation shall be 6:30 a.m. to 2:30 p.m., as specified in the Temporary Use Permit.
- 11. The Food Truck shall be permitted to operate each year, for the next two years, commencing April 1st and ending November 30th.
- 12. This Site Plan Approval is valid only during the period specified by the Zoning Board of Appeals for the Temporary Use Permit.

Mr. Makin asked Mr. Johnson if he understood the resolution and agreed with the conditions. Mr. Johnson said that he understood the resolution and agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

10. PRELIMINARY SITE PLAN

PB #0501-17 Preliminary Site Plan Application

Name: Michael Cerone, c/o MIII Enterprises, P.O. Box 509, Webster, N.Y. 14580

Location: West side of NYS Route 332 opposite Farmbrook Drive and north of the Cobblestone Performing Arts Center

Zoning District: IZ Incentive Zoning District

Request: Preliminary Site Plan approval of the overall development of the 15-acre site for mixed commercial uses.

Mr. Colucci presented this application. Mr. Cerone and a representative from Costich Engineering also attended.

Mr. Colucci presented color renderings and elevation drawings of the design of the proposed structures.

The topics of discussion included:

- An application to the U.S. Army Corps of Engineers is being prepared regarding the two crossings of the wetland stream on the property and for the drainage culverts that will support both the dedicated Town road and the climate-controlled storage building in which Mr. Cerone's office also would be located.
- The climate-controlled structure will be a three-story 64,000-square-foot structure with an elevator and an area off the south side of the structure for vehicle loading and unloading. The structure would be a pre-engineered metal building. The applicant's architect has designed three stories of glass and other enhancements to give life to the east side of the structure that will face State Route 332.
- The interior of the climate-controlled structure will include safety and security enhancements for customers. The interior will be illuminated by a great deal of natural light. The expanse of glass will provide a visual enhancement during the evening.
- A masonry construction product will be used at the base level, followed by a secondary masonry material in darker and lighter tones of gray. A real-wood veneer placed over a substrate will be used to protect against weather conditions. Mr. Colucci reviewed the architectural details on each side of the structure.
- The road to be dedicated to the Town would be constructed during Phase 1 of the project. The 12-inch water main, the climate-controlled structure and six of the mini-storage buildings also would be constructed during Phase 1. The order of construction is under consideration at this time and will be available at the time of Final Site Plan review. The applicant's intent is also to install all the mini-storage-unit pads during Phase 1 to create a lower impact upon customers after the first portion of the mini-storage-area opens for business.

Mr. Brand reported that the project is moving along well and that descriptions of the parcels of land to be involved in the various land transfers associated with this project have been received from the adjacent landowners. Mr. Brand said that these land transfers would make possible the alignment of the new Town road to provide access to the Auburn Trail and to provide an additional access and exit from the Auburn Meadows Subdivision. Mr. Colucci and Mr. Cerone plan to meet with Mr. Brand to continue to work on these details.

Mr. Brand reported that a pre-construction meeting will be scheduled soon regarding Section 6 of the Auburn Meadows Subdivision. He said that the Town hopes to have a blacktop surface installed up to the Auburn Trail bed by the close of the asphalt plants this season.

Mr. Brand also noted that a developer is considering plans for a parcel of land on the southwest corner of State Route 332 and County Road 41 within the Major Thoroughfare Overlay District. He said that portions of this new development could ultimately tie in with the proposed new Town road in the vicinity of the Cerone project.

Mr. Colucci said that the applicant's greatest urgency is to begin clearing the property in August. He said that the wet spring has heightened this urgency to enable the vegetation to be cleared and for the land to dry for about one month prior the beginning of site work. He said that Costich Engineering is prepared to provide details to the Town Engineer on the clearing of the land.

Mr. Brand said that no objections were received from the Involved and Interested Agencies during the project's 30-day State Environmental Quality Review (SEQR) public comment period and regarding the Planning Board's intent to be designated as the Lead Agency for making the SEQR determination. He also noted that no public comments were received during this period of time.

Mr. Brand said that resolutions have been prepared for board consideration this evening regarding the Planning Board's designation of itself as the Lead Agency for making the SEQR determination, for the Planning Board's determination of non-significance under the SEQR regulations, and for the continuation of the Preliminary Site Plan application until July 5, 2017, to provide adequate time for Town staff review of the materials that have been submitted.

Mr. Morse had no comments on the application at this time.

Mr. Giroux asked about fire and emergency vehicle access to the climate-controlled structure and to the mini-storage buildings—especially from along the new road that is to be dedicated to the Town. The Costich Engineering representative indicated that the internal circulation of the driveways is capable of handling a full-size moving van. He said that the climate-controlled structure would be sprinklered and that calculations would be provided to demonstrate that emergency vehicles would have access to the structures. He noted that they would like to avoid as much disturbance in the northern portion of the property as possible and to retain the existing vegetation along the Town-dedicated road.

Assistant Fire Chief Weidenborner asked about fire and emergency vehicle access to the rear portions of the structures in the northwest corner of the property. Mr. Colucci said that there would be egress requirements for this area and that there would be an accessible route off the west side of the first structure in the northwest portion.

Assistant Fire Chief Weidenborner also requested a walk-through of the climate-controlled structure by firefighters when the structure is completed. He said that these walk-throughs are beneficial to the firefighters to become familiar with new structures and developments. Mr. Colucci said that this would be arranged.

Mr. Degear said that the Water and Sewer Department, and that Construction Inspector Matt Heilmann, would have technical comments on the Preliminary Site Plan. He said that he does not foresee major concerns at this time.

Mr. Makin asked if anyone in the audience wished to ask questions about the project. Mr. Keiffer asked about the sequencing of construction. Mr. Colucci said that Town-dedicated road, the 12-inch water main and the earthwork would be part of Phase 1. He said that the mini-storage buildings would be constructed first, followed later by the retail portion along State Route 332.

There were no further comments or questions from those in attendance.

Mr. Hemminger noted that the presentation given this evening was consistent with the previous presentations and materials presented by Mr. Colucci.

Mr. Viets asked about heating and ventilating units. Mr. Colucci explained the locations of the installation of ground-mounted condensers and of the furnaces on the various floors of the climate-controlled structure. He said that these installations would be detailed on the Final Site Plan. Mr. Viets requested that adequate screening be included for those units to be installed outdoors.

Mr. Viets also asked about soil drainage and percolation. He expressed concern about infiltration and stormwater runoff. Mr. Colucci said that the drainage plans would address these concerns.

Mr. Viets asked about the safety of the outdoor storage areas. Assistant Fire Chief Weidenborner noted that the outdoor storage of recreational vehicles, boats, trailers and other items could present a challenge to firefighters if a fire occurs on the premises. Mr. Colucci said that the Final Site Plan would indicate how these vehicles and items would be arranged in the outdoor storage area. He said that it is the applicant's intent to provide an attractive site. The representative from Costich Engineering noted that the outdoor storage area is intended to be gravel and that security keys would be available to customers.

Mr. Makin asked about the screening of the site. Mr. Colucci said that as much existing vegetation as possible would be retained and that the natural buffer along the west side of the property would remain. He said that a decorative six-foot-high fence is planned around the mini-storage buildings and the outdoor storage area, and that the fence may be eliminated around the climate-controlled structure because the access into that building would be by security key only.

Mr. Viets asked about the design of the retail structures along State Route 332. Mr. Colucci said that the retail component would mimic the architectural theme of the climate-controlled structure.

Mr. Brabant reviewed the comments which he discussed in the MRB Group engineering letter. These included:

- U.S. Army Corps of Engineers permit application.
- The various land transfers and/or administrative lot line adjustments.
- Emergency vehicle access the need for an emergency vehicle turning template to demonstrate adequate emergency vehicle access.
- A process for enabling the grading plan to go forward to provide time to clear and dry the land prior to site work.
- Staff review and approval of the applicant's Storm Water Pollution Prevention Plan (SWPPP).
- Delineation and protection of the wetland to enable work to occur around this protected area of the site prior to receipt of the U.S. Army Corps of Engineers permit.

Mr. Brabant also asked about the sidewalk to be installed by the applicant. Mr. Colucci said that the sidewalk would be installed along the Town-dedicated road up to the hammerhead turnaround at the boundary of the applicant's property.

Mr. Brabant said that cross-access easements must be arranged prior to Final Site Plan approval. He also noted that Mr. Degear and the Town Water and Sewer Department would have additional comments, including the metering of the structures.

Mr. Brabant asked about the exterior lighting at the intersection of the new Town-dedicated road and State Route 332. Mr. Colucci said that the lights in the area of the future retail component could be shielded to avoid light spillage onto the roadway, or they could be adjusted to provide light to the Town-dedicated road and the retail component. Mr. Brabant said that at least one of the exterior lights should be included in Phase 1.

There were no further comments or questions on this application from Town staff or board members at this time.

■ A motion was made MR. HEMMINGER, seconded by MR. BELLIS, that the reading of the SEQR Lead Agency Designation resolution be waived.

Motion carried by voice vote. The reading of the SEQR Lead Agency Designation resolution was waived.

■ A motion was made by MR. HEMMINGER, seconded by Mr. BELLIS, that the following resolution be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—DESIGNATION OF LEAD AGENCY
CERONE INCENTIVE ZONING PROJECT**

PB 0501-17

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) did on May 17, 2017, declare its intent to be designated the lead agency for this Action; and

WHEREAS, the Planning Board did establish a 30-day public review period, gave public notice thereof and commenced a coordinate review with other involved and interested agencies under the provisions of Part 617 of the State Environmental Quality Review (SEQR) procedures; and

WHEREAS, the 30-day public review period ended at noon on Friday, June 16, 2017; and

WHEREAS, no objections were received from other involved agencies with regard to the Planning Board being designated the lead agency under the SEQR Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby designate itself as the lead agency for making the required determination of significance upon the Action referenced above herein.

BE IT FINALLY RESOLVED that this resolution is to be provided to the applicant, Michael Cerone; to Paul Colucci, The DiMarco Group; and placed in the project file.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. BELLIS, seconded by MR. HEMMINGER, that the reading of the SEQR Determination of Non-Significance resolution be waived.

Motion carried by voice vote. The reading of the SEQR Determination of Non-Significance resolution was waived.

■ A motion was made by MR. VIETS, seconded by MR. HEMMINGER, that the following resolution be approved:

**TOWN OF FARMINGTON PLANNING BOARD
SEQR RESOLUTION—DETERMINATION OF NON-SIGNIFICANCE
CERONE INCENTIVE ZONING PROJECT**

PB 0501-17

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has determined the proposed Action referenced above to be a Type I Action (hereinafter referred to as Action) under Part 617 of the State Environmental Quality Review Act (SEQR) Regulations; and

WHEREAS, the Planning Board has conducted a coordinated review upon said Action with other involved agencies, given consideration to the comments received; and

WHEREAS, the Planning Board has conducted a series of public meetings upon said Action giving consideration to the comments provided; and

WHEREAS, the Planning Board has been established as the designated lead agency in accordance with the procedures established under Part 617 described above herein; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1 and 2 of the Full Environmental Assessment Form, along with supporting documentation and maps submitted with this application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and

- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site according to the State Office of Parks, Recreation and Historic Preservation (SHPO), or will the proposed Action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of current active agricultural land;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) here are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED THAT based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED THAT the Planning Board does hereby make a Determination of Non-Significance upon said Action and directs the Planning Board Chairperson to sign and date the Full Environmental Assessment Form and the Negative Declaration Form.

BE IT FURTHER RESOLVED THAT the Town Director of Planning and Development is hereby directed to file notice of this Negative Declaration in the New York State Environmental Notice Bulletin.

BE IT FINALLY RESOLVED THAT the Clerk of the Board is to file copies of the environmental record, Parts 1 and 2 of the Full Environmental Assessment Form, the Determination on Non-Significance, the Negative Declaration and the Resolution Designating the Planning Board lead agency with the identified involved and interested

agencies coordinated with during the public review and comment period; with Paul Colucci, Project Manager, The DiMarco Group; and Michael Cerone, applicant.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Makin then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
 CERONE INCENTIVE ZONING PROJECT—PRELIMINARY SITE PLAN
 CONTINUATION**

PB #0501-17

**APPLICANT: Michael Cerone, MIII Enterprises, P.O. Box 509,
Webster, New York 14580**

**ACTION: Cerone Incentive Zoning Project—Preliminary Site Plan
Application**

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 #106-2017; and

WHEREAS, the Planning Board has 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 Town Construction Inspector, Town Engineer, MRB Group, P.C., and the Town Director of Planning and Development have requested additional time to complete their review and reports to the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table further consideration upon this Action, to the July 5, 2017, meeting.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to Paul Colucci, The DiMarco Group; and to Michael Cerone, applicant.

Mr. Makin asked Mr. Colucci if he understood the resolution and agreed with it. Mr. Colucci said that he understood the resolution and agreed with it.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

11. SIGN SITE PLAN AMENDMENT

PB #0605-17 Sign Site Plan Amendment Application

Name: Skylight Signs, 60 Industrial Park Circle, Rochester, N.Y. 14624, on behalf of Brian Mattiaccio, D.D.S., 1393 Hathaway Drive, Farmington, N.Y. 14425

Location: 1393 Hathaway Drive, Farmington, N.Y. 14425

Zoning District: GB General Business

Request: Sign Site Plan Amendment

Mr. Columbo of Skylight Signs presented this application on behalf of Dr. Mattiaccio.

He explained that Dr. Mattiaccio would like install a second ground-mounted non-illuminated High Density Polyurethane (HDP) weatherproof sign that would be visible from Hathaway Drive.

Mr. Columbo said that Dr. Mattiaccio’s ground-mounted lighted sign at the corner of State Route 332 and Perez Drive is not visible to patients coming to the dentist’s office from northbound State Route 332 and that there is no dentist’s office identification sign visible to patients when they drive north on Hathaway Drive toward the various medical office buildings in that vicinity.

Mr. Brand reported that the Zoning Board of Appeals (ZBA) approved Dr. Mattiaccio’s Area Variance for the sign at the meeting on June 20, 2017. He said that the ZBA overrode the Ontario County Planning Board’s recommendation of denial of the Area Variance because this sign would be visible only from along Hathaway Drive—which is a Town Road—and would not have an adverse impact upon existing State highways. He said that the ZBA also determined that the proposed sign complies with the Town’s

adopted Site Design Guidelines for the Major Thoroughfare Overlay District and that a second ground-mounted commercial speech for Dr. Mattiaccio’s office is warranted on his corner lot.

Mr. Brand said that the sign is well designed, of a good design and is not overly offensive to the character of the neighborhood.

There were no questions or comments on this application from Town staff or members of the board.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the reading of the SEQR resolution for this application be waived.

Motion carried by voice vote. The reading of the SEQR resolution was waived.

■ A motion was made MR. HEMMIINGER, seconded by MR. VIETS, that the following resolution be approved:

**FARMINGTON ZONING BOARD OF APPEALS RESOLUTION
SEQR RESOLUTION—TYPE II ACTION**

ZB #0605-17

**APPLICANT: Brian Mattiaccio, 1393 Hathaway Drive, Farmington,
New York 14425**

**ACTION: Sign Site Plan Amendment, six-square-foot commercial speech
street identification sign**

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

WHEREAS, the Board has reviewed the Type II Actions List contained in Part 617.5 of Article 8 of the New York State Environmental Conservation Law (hereinafter referred to as SEQR Regulations); and

WHEREAS, the Board, prior to making a decision upon the above referenced Action, is obligated to first determine the classification of the Action.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby find that the proposed Action involves a minor temporary use of land having negligible or no permanent impact upon the environment as is defined in Part 617.5 (c) (15) of the SEQR Regulations.

BE IT FINALLY RESOLVED in accordance with the SEQR Regulations this Action is not subject to further review having been determined not to have a significant impact upon the environment.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Makin then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
BRIAN MATTIACIO COMMERCIAL SPEECH SIGN—HATHAWAY DRIVE**

PB 0605-17

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) opened a public meeting tonight on the proposed freestanding commercial speech sign to be located along Hathaway Drive and near the entrance to the Office Building located at 1393 Hathaway Drive (hereinafter referred to as Action); and

WHEREAS, the Planning Board has received public testimony at tonight’s public meeting upon said Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after reviewing the comments made at tonight’s meeting does hereby make the following decision upon this Action. The Sign Plan design, submitted with this application by Skylight Signs Inc. and identified as HDU SIGN, dated 5/09/17 is hereby approved.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

12. OPEN DISCUSSION

Director of Development and Planning:

Planning Board Report and Recommendation: Conifer Realty LLC Rezoning of Land South of County Road 41 and west of Running Brook Road from PD Planned Development to RMF Residential Multi-Family (Pintail Crossing)

Mr. Goldman, attorney and agent for Conifer Realty LLC, discussed the company's request to rezone a 15.9-acre portion of the formerly known "Glacier Lakes Planned Development Project" from PD Planned Development to RMF Residential Multi-Family for the Pintail Crossing Development. Matt Tomlinson of Marathon Engineering also attended.

The site is located south of County Road 41 and west of Running Brook Drive.

Mr. Goldman acknowledged receipt of the draft Planning Board Report and Recommendation and reported that he has been in contact with the Town Attorney concerning the method of properly rezoning the 15.9-acre parcel to Residential Multi-Family from the Planned Development classification. He said that this would be a technical issue to be determined by the Town Board.

Mr. Goldman said that Conifer Realty has no issues with having an emergency access connection to Running Brook Drive, with dedicating a 60-foot portion of Quentonshire Drive off County Road 41 to the Town, and to consider the Town's request for installation of sidewalks out to County Road 41.

He also noted that he has initiated communications with the Victor Central School District regarding the distance that school buses would enter the development. He said that although the entrance into the development would be dedicated to the Town, the applicant seeks to maintain the internal road as a private road.

Mr. Goldman said that the site has excess stormwater drainage capacity and no runoff is expected to be channeled off the site.

He said that a loop water main connection to be dedicated to the Town is under consideration and that Conifer Realty is ready to work with the Town Water and Sewer Department on this.

Mr. Goldman said that the Town Board would consider the rezoning application at its meeting on June 27, 2017, pending Planning Board approval of the Report and Recommendation this evening.

Mr. Brand noted that a draft Planning Board Report and Recommendation has been prepared for the board's consideration this evening.

Mr. Hemminger said that the draft report is comprehensive and has included each of the points that had been discussed at the previous meeting.

Mr. Brand informed Mr. Goldman that Supervisor Ingalsbe has contacted the Victor school superintendent to request that the director of transportation respond to Mr. Goldman's inquiry about school-bus access to the development.

Mr. Brand also noted that Supervisor Ingalsbe has requested the Town Attorney to have a response prepared for the Town Board meeting on June 27, 2017, regarding the rezoning application.

Mr. Goldman said that representatives of Conifer Realty met with members of the Farmbrook Homeowners' Association (the adjacent subdivision), that the meeting went well, and that the Homeowner's Association has not taken a formal position on the proposed development but seemed supportive.

■ A motion was made by MR. HEMMINGER, seconded by MR. VIETS, that the reading of the Planning Board Report and Recommendation resolution be waived.

Motion carried by voice vote. The reading of the Planning Board Report and Recommendation resolution was waived.

■ A motion was made by MR. HEMMINGER, seconded by Mr. BELLIS, that the following resolution and accompanying Planning Board Report and Recommendation be approved:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
REPORT AND RECOMMENDATION TO TOWN BOARD—
CONIFER REZONING APPLICATION**

**APPLICANT: Conifer Realty LLC (attention: Allen Handelman),
1000 University Avenue South, Suite 500,
Rochester, N.Y. 14607**

**ACTION: Rezoning request for approximately 16 acres of land located at
the eastern end of the former "Glacier Lakes Water Park
Planned Development Project" from PD Planned Development
to RMF Residential Multi-Family**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a draft report and recommendation from the Town Director of Planning and Development upon this rezoning Action; and

WHEREAS, the Planning Board has received testimony at the June 5, 2017, Planning Board meeting upon this proposed rezoning Action and the subsequent intent to develop

a total of 15 apartment buildings having a total of 120 dwelling units along with other site related improvements; and

WHEREAS, the Town Board has, by Resolution #242 of 2017, requested the Planning Board to prepare a report and to make a recommendation upon said rezoning Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the attached Report and Recommendation, dated June 21, 2017, and directs it to be submitted to the Town Board, for its consideration at their June 27, 2017, meeting.

BE IT FINALLY RESOLVED that the Board directs copies of this resolution be provided to: Allen Handelman, Conifer Realty, LLC, 1000 University Avenue South, Suite 500, Rochester, New York 14607; Jerry A. Goldman, Esquire, Woods, Oviatt, Gilman, LLP, 200 Crossroads Building, 2 State Street, Rochester, New York 14614; Matt Tomlinson, Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614; Mark DiFelice, Manager, DiFelice Lands, LLC, 91 Victor Heights Parkway, Victor, New York 14564; the Farmington Town Clerk; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Director of Planning and Development; the Town Code Enforcement Officer; and the Town Engineering Firm, MRB Group, P.C.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Memorandum

TO: Farmington Town Board

FROM: Scott Makin, Chairperson
Farmington Planning Board

DATE: June 21, 2017

RE: Report and recommendation regarding a petition from Conifer Realty, LLC, as agent for DiFelice Lands, LLC, requesting rezoning of a 15.9-acre portion of the formerly known “Glacier Lakes Planned Development Project,” from PD Planned Development to RMF Residential Multi-Family. The site is located south of County Road 41 and west of Running Brook Road.

The Town Planning Board, at their meeting on Wednesday, June 21, 2017, reviewed Town Board Resolution # 242 of 2017, which requests a report and recommendation on the above proposal for rezoning a portion of the Glacier Lakes Planned Development land. The Planning Board has also had an opportunity to receive testimony from the applicant's representatives, at the June 5th meeting and to review site design information pertaining to the proposed rezoning of land. The following is our report and recommendation upon the request.

Report

The Planning Board requests the Town Board seek legal advice from the Town's Attorney regarding the effect of subdividing a portion of an approved Planned Development site upon the remaining zoning designation for the DiFelice Property. In particular, since the subdividing of land would change the overall approved PD Site Plan, what would be the most appropriate zoning for that land.

The Planning Board notes that this approximately 16-acre site was originally planned for a transitional area between the former water park commercial area proposal and the Running Brook Neighborhood. At that time, the Running Brook residents were opposed to a public street connection with the water park site noting concerns with potentially significant increases in traffic movement through their area. The current proposal does not provide a public street connection between the apartments and the townhouses. Because of this the Assistant Farmington Fire Chief stated at the June 5th meeting that the department would like a crash gate connection between these two areas with an appropriate road base that could be covered by grass. The Planning Board supports this public safety design concept and if the site is rezoned that this be a condition of the rezoning.

The Planning Board notes that access to the property is one way (both in and out) across Quentonshire, a private drive serving industrial sites along the south side of County Road 41. While this private drive may be adequate for the needs of the two industrial sites and Conifer, it may not be adequate for the needs to the Town. Of concern, the Planning Board has asked that the applicant provide documentation from the Director of Transportation for the Victor Central School District whether or not school buses will come onto the private property and, if so, how far. If the buses come onto the property only to the proposed community center, which is currently shown in the isolated northern portion of the site, then a majority of school children living in the project will have a lengthy walk each school day from their dwellings to the community center. The length of this walk far exceeds 300 feet distance which is the maximum distance allowed for a parking space in a commercial project from the building located on such site. The Planning Board feels this situation will need to be addressed and may affect the Town Board's decision on whether or not to proceed.

The Planning Board feels that it may be more appropriate to have Quentonshire be improved and dedicated to the Town with a loop road from County Road 41. This loop road would be required to provide a stub connection to the west onto the balance of the

DiFelice Property. A traffic study will be required by the Planning Board as part of any site plan application.

Without a public street connection with the remaining DiFelice Property, as opposed to the current concept design, this apartment project would remain an island. In addition, the site is located within the Major Thoroughfare Overlay District (MTOD) upon the Town's Official Zoning Map; and driveway spacing standards should be reviewed before subdividing the large DiFelice parcel and creating either a driveway or public street spacing problem for future streets from the adjacent DiFelice site onto both State Route 332 and County Road 41. The Planning Board notes that Quentonshire, was always considered to become a public street as part of the water park project.

The applicant's engineer was questioned, at the Planning Board meeting, on the opportunity to connect this site's drainage with adjacent sites located along Red Fern Drive and the northern portion of the Farmbrook Neighborhood. The Planning Board was told that this would be looked at as part of the site design process. The Planning Board notes that a portion of the proposed Conifer Site was originally designed to accommodate drainage from the adjacent, and as yet undeveloped, Redfern Townhouse Project, located along Redfern Drive.

The Planning Board points out that the RMF District is affected by the Town Zoning Code definition of Lot Width. The definition of Lot Width is . . . "the distance between the side lot lines measured along the front building line of the lot as determined by the prescribed front yard requirement; provided, however, that width between side lot lines at their foremost points (where they intersect with the front lot line) shall not be less than 80% of the required lot width, except in the case of lots on the turning circle of a cul-de-sac, where the eighty-percent requirement shall not apply." While this definition is confusing, it does allow for the placement of buildings as shown on the concept plan. The Planning Board, however, feels that this definition needs to be addressed as part of the Zoning Code update later this year. The reason for this request is that there is no minimum lot width at the street line for a large multi-family project such as the one being proposed.

The Planning Board will be seeking sidewalks throughout the project site connecting to County Road 41 and across the frontage of this 16-acre site. The Board has informed the applicant of this. The Planning Board will also be seeking a looped water line connection, between the water line along County Road 41 and the Running Brook/Red Fern intersection.

The Water and Sewer Superintendent has expressed concern about private water lines and fire hydrants and the Planning Board will be supporting that Department's requests for dedicated facilities.

Recommendation

The Planning Board supports the concept of this area being developed for residential use in the manner originally proposed with the water park Planned Development Project. The Planning Board requests the Town Board determine what, if any effect, the proposed subdivision of land from the PD Planned Development Site will have on the remaining lands zoned PD. Does the change in the overall approved PD Map cause the PD Zoning to be null and void?

The Planning Board feels that the concept plan now being proposed for the apartment project is generally consistent with the previous water park design project. The Planning Board feels that with a proper redesign to address our concerns that this site could continue to provide a good land use transition between the more intense commercial development(s) to the west, which is envisioned in the adopted Town of Farmington Comprehensive Plan, and the developed residential neighborhoods to the south and east that surround this site. The major concern of the Planning Board is that this site has to be redesigned to be part of the community and not an isolated island surrounded by the community.

The Planning Board, by the attached resolution dated June 21, 2017, has directed me to sign and submit this report and recommendation to the Town Board.

(Signature) Scott Makin, Chairperson

Letter of Credit Establishment: Hickory Rise Subdivision, Section 3 Letter of Credit Establishment: Redfield Grove Incentive Zoning Project, Section 1 Solar Energy Moratorium Extension Major Thoroughfare Overlay District (MTOD) Map Amendments

■ **Consensus:** Mr. Hemminger suggested that the reading of the resolutions on the above-listed actions be waived, and that the resolutions of approval be voted upon concurrently. There were no objections from Town staff or members of the board.

■ A motion was made by MR. HEMMINGER, seconded by MR. BELLIS, that the reading of the following resolutions be waived:

- Letter of Credit Establishment: Hickory Rise Subdivision, Section 3
- Letter of Credit Establishment: Redfield Grove Incentive Zoning Project, Sec. 1
- Solar Energy Moratorium Extension
- Major Thoroughfare Overlay District (MTOD) Map Amendments

Motion carried by voice vote. The reading of the resolutions was waived.

■ A motion was made by MR. VIETS, seconded by MR. HEMMINGER, that the following resolutions be approved concurrently:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT ESTABLISHMENT
HICKORY RISE INCENTIVE ZONING PROJECT, SECTION 3**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, to approve a Letter of Credit for site improvements to be located within Section 3 of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit documents including the Applicant’s Engineer’s Estimates of Values; 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 establishment of a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to approve the request to establish a letter of credit for Section 3 site improvements in the total amount of \$618,627.12.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT
REDFIELD GROVE INCENTIVE ZONING PROJECT, SECTION 1**

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 Engineer, to approve a Letter of Credit for site improvements to be located within Section 1 of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit along with the Engineer’s 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 establishment of the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish of letter of credit for Section 1 site improvements in the total amount of \$870,840.15.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
SOLAR ENERGY MORATORIUM EXTENSION**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has been informed by the Town Director of Planning and Development (hereinafter referred to as Director) that a draft local law has been presented to the Town of Farmington Solar Regulations Advisory Committee; and

WHEREAS, the Planning Board understands that there are some unresolved issues associated with the above referenced draft local law; and

WHEREAS, the Planning Board further understands that the current moratorium expires at the end of June this year; and

WHEREAS, the Planning Board further understands that the Advisory Committee has requested additional information be obtained from the New York State Department of Agriculture and Markets and the New York State Environmental Facilities Corporation, on matters contained within the text of the current draft local law.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having discussed the status of the draft local law with both the Director and with Douglas Viets, the Planning Board’s representative on the Town of Farmington Solar Regulations Advisory Committee, does hereby recommend that the Town Board proceed with adopting a local law to extend the moratorium period on solar energy regulations to November 30, 2017.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MAJOR THOROUGHFARE OVERLAY DISTRICT (MTOD) OFFICIAL MAP AMENDMENT**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has been informed by the Town Director of Planning and Development (hereinafter referred to as Director) that a draft local law is to be presented to the Town of Farmington Town Board; and

WHEREAS, the Planning Board has had several recent presentations by the Director on the pending changes under consideration; and

WHEREAS, the proposed changes reflect previous understandings for future signalized intersections within the boundary of the Major Thoroughfare Overlay District (MTOD) as delineated on the Town’s Official Zoning Map; and

WHEREAS, the Planning Board further understands that the Regional Permit Administrator, in the New York State Department of Transportation Region 4 Office, has met with the Director and the Town’s Engineer to review the proposed amendments; and

WHEREAS, the Planning Board further understands that the Regional Permit Administrator has provided a letter of support for said amendments to the Official Major Thoroughfare Overlay District (MTOD) Map.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby endorse the proposed amendments to the MTOD Official Map.

BE IT FINALLY RESOLVED that the Planning Board, after having discussed the status of the draft local law with the Director, does hereby recommend that the Town Board proceed with adopting a local law to extend to amend the Official MTOD Map.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

Mr. Brand then commented on the following topics:

- Town staff met today (June 21, 2017) with the contractors working on the Town Hall addition and renovation project. The target date for the opening of the main meeting room is June 30th. Until the main meeting opens, Planning Board and other Town meetings will continue to be held in the Town Justice Court facility on Hook Road.
- The Project Review Committee will meet on June 30, 2017. Among the projects to be discussed are the Cerone Incentive Zoning Project, the proposed Taco Bell and Microtel Hotel on State Route 332, and the DiFelice Industrial Complex on the southwest corner of Collett Road and Hook Road.
- It was noted that Frank DiFelice is resuming consideration of developing a parcel of land at the corner of State Route 96 and Elizabeth Way.
- Mr. Brand reported that Brian Mattiaccio, D.D.S., commented at the meeting of the Zoning Board of Appeals on June 20, 2017, that he may be interested in developing another project in the vicinity of Hathaway Drive.
- Mr. Brand and Mr. Brabant requested the clerk to review the project abstract regarding the Final Site Plan deadline for the Mark DiMartino, D.D.S. Dental Office on the east side of Hathaway Drive, north of Calm Lake Drive. Final Site Plan approval for this project was given on November 2, 2016. The first 90-day extension began on April 20, 2017, and will expire on July 19, 2017.

Code Enforcement Officer:

Mr. Morse reported that the developer of the proposed Taco Bell Restaurant on State Route 332 has contacted him concerning possible zoning variances for setbacks and parking.

Highway Superintendent:

Mr. Giroux reported that the Mertensia Road improvement project is on schedule. He also reported that paving at the Town Hall will begin tomorrow (June 22, 2017).

Water and Sewer Superintendent:

Mr. Degear reported that there were no public comments at the recent public hearings conducted by the town boards of Canandaigua and Farmington on the proposed Brickyard Road Water Tank replacement project. With no opposition having been received, the project will move forward.

Town Engineer:

Mr. Brabant reported that the Town Board has scheduled a Public Hearing on the updated Parks and Recreation Master Plan for July 11, 2017.

Assistant Fire Chief:

Assistant Fire Chief Weidenborner reported that the fire department's annual carnival is scheduled from August 4–6, 2017. He also noted that the fire department has recently placed its new multi-use vehicle/chief's vehicle into service.

Planning Board Members' Comments:

Mr. Hemminger asked about the HEC-RAS hydraulic study of the Beaver Creek area for the Home Leasing Farmington Gardens II project. Mr. Brabant said that the Town Board has approved the revised design of the project, but that the applicant has not yet submitted revised plans. When the revised are submitted, they will be forwarded to the Planning Board and to the engineering firm working on the HEC-RAS study.

Mr. Bellis noted that he would be absent from the meetings of the Planning Board on July 5, 2017, and July 19, 2017.

13. PUBLIC COMMENTS

None.

14. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 9:05 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Court, 1023 Hook Road, Farmington, N.Y. 14425, on Wednesday, July 5, 2017, at 7:00 p.m.

Following the meeting, Mr. Giroux secured the building.

Respectfully submitted,

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