

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD

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

Special Planning Board Meeting, Wednesday, November 13, 2024 • 5:30 p.m.

MINUTES—DRAFT #2—SUBJECT TO CHANGE

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Unless otherwise noted, remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months. Video recordings of the meetings are posted on the Town of Farmington's YouTube channel (subscribe at youtube.com; enter Town of Farmington NY in the search box).

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

R = *Attended via remote video conference.*

Clerk's Note: *The Planning Board meeting which was originally scheduled on November 6, 2024, was cancelled by Chairperson Edward Hemminger due to a lack of a quorum for the conducting of the meeting. Notices of the cancellation were sent to the Planning Board members, to the Town staff, to the Canandaigua Daily Messenger newspaper, and to the applicants and their representatives. Cancellation notices also were posted on the Town website calendar and on the bulletin board at the Town Hall.*

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

Staff Present:
Dan Delpriore, Town of Farmington Code Enforcement Officer
Paula Ruthven, Town of Farmington Zoning Officer

Attending:
Brian Mahoney, Partner, Canandaigua Development Company, 83 South Main Street,
Canandaigua, N.Y. 14424

1. MEETING OPENING

The meeting was called to order at 5:30 p.m. by Chairperson Edward Hemminger.

2. APPROVAL OF MINUTES**Minutes of October 16, 2024:**

Mr. Hemminger said that the approval of the minutes of October 16, 2024, will be carried over to the next meeting on November 20, 2024.

3. LEGAL NOTICE and PUBLIC NOTICES OF THE SPECIAL MEETING**Legal Notice:**

A Legal Notice was not required to be published for tonight's agenda item.

Public Notices:

Mr. Hemminger attested that Public Notices of this Special Meeting were provided by Town Staff to the Clerk of the Board and to the Town's official newspaper (the Canandaigua *Daily Messenger*) on November 6, 2024. He also attested that Public Notices were posted on the bulletin board at the Town Hall and on the calendar on the Town website on that date. Mr. Hemminger also attested that a draft resolution which had been prepared by the Town staff for the board's consideration this evening was posted on the Town website and was sent to Planning Board members, to the Town staff, and to the applicants and their representatives.

4. BOARD ACTION**Second Extension of 180 Days: Paddock Landing Incentive Zoning Project:****PB #1201-23 Overall Preliminary Subdivision Plat****PB #1202-23 Overall Preliminary Site Plan**

On February 21, 2024, the Planning Board approved the Overall Preliminary Subdivision Plat with conditions (PB #1201-23) and the Overall Preliminary Site Plan with conditions (PB #1202-23).

On August 7, 2024, the Planning Board approved the first 90-day extension of these applications from August 19, 2024, to November 16, 2024.

Mr. Mahoney of the Canandaigua Development Company attended in the meeting room.

Mr. Delpriore said that the applicant has requested a 90-day extension of the approvals of the Overall Preliminary Subdivision Plat and the Overall Preliminary Site Plan which will expire on Saturday, November 16, 2024. He said that the extension was to have been considered by the board at the regularly scheduled meeting on November 6, 2024, but that meeting was cancelled by the Planning Board Chairperson due to a lack of a quorum.

Mr. Delpriore said that this evening's Special Meeting was called to consider the applicant's extension request, and to avoid having the application held over to the next regular meeting on November 20, 2024, which would have been after the expiration of the Overall Preliminary Subdivision Plat and the Overall Preliminary Site Plan.

Mr. Mahoney said that they have been working with RG&E to get power to the site and that they are not passive participants [in dealing with RG&E] but that they have taken this issue to the company's executive levels. Mr. Mahoney said that they are pushing very hard to obtain approval from RG&E [to bring electric power to all the homes which have been proposed for construction on the site].

He said that so far RG&E has discussed giving the applicant approval for some portion of the proposed number of homes, such as 50 homes. Mr. Mahoney said that the project would not be financially viable with a fewer number of homes than what have been proposed. He said that they told RG&E that they have firm bids to construct the project and that they require approval from RG&E before they can break ground. Mr. Mahoney said that they are asking for an extension of time from the Planning Board to continue to work with RG&E on this issue.

Mr. Hemminger asked about the status of comments regarding this project from the New York State Department of Environmental Conservation (DEC) and the New York State Department of Transportation (DOT). Mr. Mahoney said that Mr. Brenner has been dealing with the DEC and the DOT and that he [Mr. Mahoney] believes that the DEC has decided that an oversized culvert was not necessary and that a normal sized culvert will suffice. Mr. Mahoney said that it really comes down to resolving the issue with RG&E.

Mr. Hemminger suggested that the board consider granting an extension of 180 days due to the length of time which the applicant must spend in negotiations with RG&E. There were no objections to this from members of the board. Mr. Mahoney thanked the board for this consideration.

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

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the reading of the following resolution be waived, and that the resolution be approved as amended this evening:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PADDOCK LANDING INCENTIVE ZONING PROJECT
SECOND EXTENSION OF APPROVALS FOR 180 DAYS**

PB #1201-23 Overall Preliminary Subdivision Plat
PB #1202-23 Overall Preliminary Site Plan

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received a letter dated October 7, 2024, from Ryan T. Destro, P.E., BME Associates, requesting on behalf of the Applicants, Canandaigua Development Company, LLC, a second 90-day extension to the Overall Preliminary Subdivision and Site Plan approvals for the above referenced Project, which is set to expire on November 16, 2024; and

WHEREAS, the Planning Board had scheduled this Action for consideration at their November 6, 2024, meeting which was canceled due to a lack of a quorum; and

WHEREAS, the next scheduled Planning Board meeting is Wednesday, November 20, 2024, which is after November 16, 2024, the period for the Board to consider acting upon this time extension request; and

WHEREAS, the Applicant's Engineer has identified a need exists to extend the original 270-day condition of approval to allow the Applicants to obtain final approvals from the New York State Department of Environmental Conservation and the United States Army Corps of Engineers for the proposed wetland crossings for two future town road entrances to above referenced Incentive Zoning Project; and

WHEREAS, the Applicants also continue to seek approvals from RG&E to allow for natural gas and electric services for the proposed project; and

WHEREAS, the Applicants have demonstrated a good faith effort working with the now identified three (3) agencies towards finding a solution to allow this project to proceed; and

WHEREAS, the Clerk of the Board, has given notice of tonight's special meeting to the Town's Official Newspaper, has posted a Public Notice of this special meeting on the Town Hall Bulletin Board, and a notice of this special meeting has been posted on the Town's Official Website; and

WHEREAS, the Applicants have been provided a copy of this draft resolution and a copy of this draft resolution has been posted on the Town's Official Website, on Wednesday, November 6, 2024, all of which are in accordance with the provisions of the State's Open Meetings Law and established Town Operating Procedures.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to approve a 180-day extension of time to: the first conditional approval granted on February 21, 2024, that expired on August 19, 2024; and to the first 90-day extension granted on August 7, 2024, that is set to expire on November 16, 2024.

BE IT FURTHER RESOLVED that said 180-day extension period shall commence on Saturday, November 16, 2024, and continue through Wednesday, May 14, 2025.

BE IT FURTHER RESOLVED that the Applicant is hereby given notice that should there not be resolution of this issue on or before Wednesday, May 1, 2025, then there will need to be a third letter requesting another [a third] extension to continue the condition of approval starting on Wednesday, May 14, 2025. This letter must be submitted to the Planning Board not later than noon on Wednesday, April 23, 2025, to allow the request to be placed on the May 7, 2025, meeting agenda.

BE IT FINALLY RESOLVED that the Board does hereby direct that certified copies of this resolution are to be provided to the Farmington Town Highway and Parks Superintendent; the Acting Superintendent of the Farmington Town Water and Sewer Department; the Town Code Enforcement Officer; the Town Construction Inspectors; the Town Fire Marshal; the Town Engineers, MRB Group, D.P.C., Attn: Lance S. Brabant, Director of Planning Services; the Town Director of Planning and Development; the Applicants; and the Applicants Engineers.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Regina Sousa	Aye
Douglas Viets	Aye

Motion carried.

Following the voting, Mr. Mahoney expressed his appreciation to the board and to the Town staff for arranging the Special Meeting this evening to consider the extension request.

5. TRAINING OPPORTUNITIES

■ 2024 Municipal Bootcamp Trainings:

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

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

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

Questions and registration:

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

■ New York Planning Federation Recorded Webinars:

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

■ General Code e-Code

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.

Information: <https://www.generalcode.com/training/>

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:
<https://www.co.ontario.ny.us/192/Training>

6. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 5:35 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, November 20, 2024, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425. This meeting will also be available via remote video conference.

Following the meeting, the doors to the Town Hall remained unlocked due to the evening hours of the Town Clerk's Office.

Respectfully submitted,

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