

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, April 21, 2021 • 7:00 p.m.

MINUTES—APPROVED

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

In response to the conditions in New York State that were created by the Coronavirus (COVID-19) pandemic and the directives issued by the New York State Governor, the Ontario County Administrator and the Town of Farmington Supervisor, the Planning Board meeting this evening was held in accordance with New York State Governor Andrew M. Cuomo's Executive Order No. 202: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency, dated March 26, 2020, and extended by Executive Order 202.99 through April 25, 2021.

Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit an public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

The meeting was conducted at the Farmington Town Hall and via telephone/video conference format for those not wishing to attend in person. During the meeting, the agenda and each draft resolution was posted upon the video screen for the public, the applicants and the board members who were participating in the meeting via telephone/video format.

The Public Notice of the format of the meeting, the agenda, the draft resolutions, the dial-in telephone number and the conference call identification number were posted upon the Town website and upon the Town Hall entrance doors on April 16, 2021.

This meeting was conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021, with the following revisions per the above reference to the Governor’s Executive Order:

- All applications will be introduced by the Planning Board Chairperson.
- The Planning Board Chairperson will ask for comments from the Town staff.
- The Planning Board Chairperson will ask for comments from the Planning Board.
- The applicant(s) will provide responses where needed at the direction of the Planning Board Chairperson.
- The Planning Board members will vote upon the application(s).
- Public comments will be received by thre Planning Board Chairperson only during the Public Comment agenda item.
- The meeting will be recorded and later fully transcribed by the Clerk of the Board.

Board Members Present: Edward Hemminger, *Chairperson*
 Adrian Bellis
 Timothy DeLucia
 Shauncy Maloy
 Douglas Viets

Staff Present at the Town Hall:
 Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.
 Ronald L. Brand, Town of Farmington Director of Development and Planning
 Dan Delpriore, Town of Farmington Code Enforcement Officer
 Don Giroux, Town of Farmington Highway and Parks Superintendent

Applicant Present via Telephone/Video Conference:
 Jeff Berends, Construction Manager, Meyer’s RV Superstore of Farmington,
 c/o 100 Sanford Road North, Churchville, N.Y. 14428

Others Present at the Town Hall:
 Chief Phil Robinson, Farmington Volunteer Fire Association

Others Present via Telephone/Video Conference:
 [Others, unidentified]

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021.

For those attending in person at the Farmington Town Hall, safety measures were implemented in accordance with the Governor's relevant Executive Orders regarding the COVID-19 pandemic. Board members, Town staff and residents who were in attendance at the Town Hall remained at separated distances of at least six feet and used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. Hand sanitizers were available throughout the building. Guidelines and safety measures were posted on the meeting room door and in the lobby of the Town Hall. Separate entrance and exit locations were used. Public access was restricted to the lobby, the main meeting room and the public restrooms.

2. APPROVAL OF MINUTES OF APRIL 7, 2021

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the minutes of the April 7, 2021, meeting be approved.

Motion carried by voice vote.

3. PLANNING BOARD ACTION ITEMS

A. PB #1102-20 New Final Site Plan Amendment

Name: Meyer's RV Superstore of Farmington, c/o 100 Sanford Road North, Churchville, N.Y. 14428

Location: 6200 State Route 96

Zoning District: GB General Business

Request: Final Site Plan Amendment—Phase 1 to the Overall Site Plan for Meyer's RV Finger Lakes Superstore, and related site improvements, located on property on the northeast corner of State Route 96 and Mertensia Road

See Appendix #1: Meyer's RV abstract of actions.

Mr. Berends (Meyer's RV Stores) presented this application via telephone/video conference call.

He provided the following construction schedule update:

- The water service and the boring under Mertensia Road has been completed by Rochester Pipeline. The water service has been tapped.
- The streetscape sidewalk along State Route 96 has been completed.
- Topsoil was installed today and will be installed tomorrow (April 22, 2021).
- Landscaping and plantings will begin next week.
- Excavation and installation of site lighting bases and conduit will begin next week.
- Extra rock on the site will be removed tomorrow and Friday. The bioretention pond will be completed next week. The remaining debris from the pond also will be removed from the site next week.
- Watermain and stormwater work also will continue next week.

Mr. Brand said that a draft resolution has been prepared by the Town staff for the board's consideration this evening which provides the dates for the next construction schedule update to be submitted by the applicant to the Project Review Committee (PRC) and to the Planning Board.

Mr. Brand said that Town Construction Inspector Matt Heilmann is very pleased with the work at the project site to date. Mr. Brand said that the site is undergoing a major change.

Mr. Delpriore said that the Town staff has been working with the applicant regarding safety on the site during construction. He said that everything is going along well, that the issue of the relocation of the utility pole has been resolved by Rochester Gas & Electric (RG&E) and that the water service has been installed to the site from the west side to the east side of Mertensia Road via an underground bore.

Mr. Delpriore said that the draft resolution which has been prepared for the board's consideration this evening provides the dates for the next construction schedule updates to be submitted by the applicant to the Project Review Committee on May 7, 2021, and to the Planning Board on May 19, 2021.

Mr. Brabant said that he participated in a site inspection with the Town staff and that the progress of construction is on par with where the applicant should be. He said that he had no issues with the updated schedule.

Mr. Maloy requested a listing of the items on the construction schedule which have been completed. Mr. Berends said that the following items have been completed:

- #3** Construction of the stormwater pond completed and inspected by the Town.
- #12** Boring underneath Mertensia Road for installation of water service to the site.
- #13** Clear and grub trees/grade/stone for new driveway at Dollar Tree.
- #14** Install orange construction fencing with signage determining customer, employee and construction access, and parking.
- #15** Install sanitary tap.
- #16** Inspection.
- #19** Install water taps.
- #20** Inspection.

Mr. Maloy asked how the installation of the water service from the west side of Mertensia Road to the site was resolved. Mr. Brabant said that RG&E relocated a utility pole which had been in the way of the route of the water line.

Mr. Bellis said that he was glad that the construction is proceeding well. He suggested that the date of May 19th for the next review of the construction schedule update by the planning board be advanced to June 16, 2021. Mr. Bellis said that the applicant would still be required to submit schedule updates in May and June to the PRC and to the Town staff but would not be required to attend the Planning Board meeting on May 19th, in recognition of the progress which the applicant has shown.

Mr. Hemminger, Mr. Viets and Mr. DeLucia also said that they are pleased with the site construction progress.

It was the consensus of the board to adjust the dates in the draft resolution as suggested by Mr. Bellis.

Mr. Hemminger said that the applicant would still be required to provide regular construction schedule updates in May to the Town staff and to the PRC.

Mr. Berends said that he agreed with this.

Mr. Brand requested that the installation of the sidewalk along the State Route 96 and Mertensia Road frontages be added as individual items to the construction schedule. Mr. Berends said that he would add these to the schedule.

There were no further 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
FINAL SITE PLAN AMENDMENT—PHASE 1**

PB #1102-20

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

ACTION: Final Site Plan Approval, Phase 1, Meyer’s RV Superstore of Farmington, located on property at the northeast corner of State Route 96 and Mertensia Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has on November 7, 2018, granted Final Site Plan approval with conditions for the above referenced Action; and,

WHEREAS, the Planning Board at its last meeting on Wednesday, April 7, 2021, received a revised schedule for completing the identified tasks to be located within the Phase 1 portion of the overall site improvements; and

WHEREAS, the Planning Board has also reviewed the Town and State DOT staff comments that were made as part of the record for the April 1, 2021, Project Review Committee (PRC) meeting; and

WHEREAS, the Planning Board has observed that work continues within the Phase 1 portion of the site and across the Route 96 frontage to the site and within the State’s right-of-way; and

WHEREAS, the Planning Board is aware that the latest revised Work Schedule dated 4/6/21 identifies a number of tasks are scheduled to be completed during the month of March which include: borings underneath Mertensia Road for the installation of water service and sanitary sewer service for the site, including inspections; and

WHEREAS, the Planning Board, based upon its review of the above referenced revised Work Schedule, finds that the following tasks have been completed: installation of a section of the six-inch diameter sanitary sewer line to serve the site; installation of a section of the 8-inch water service; installation of gas and electric services; installation of temporary site access from the adjacent Family Dollar site; completion of the sidewalk installation across the State Route 96 frontage; site

stabilization work along the State Route 96 frontage; and the installation of light pole bases and conduit; and

WHEREAS, the Planning Board further finds that work has commenced on the installation of: bio-retention areas; the site's new entrance off-from Mertensia Road; the clearing of the site along the east side of Mertensia Road for the installation of sidewalk across this portion of the site's frontage; and the on-site dumping station.

WHEREAS, the Planning Board has given consideration to the applicant's representative's testimony presented at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby direct the applicant and his site contractor to submit to the Town Code Enforcement Officer, on or before noon on May 4th an updated schedule (to be known as Revision #6) for completing the Phase 1 tasks identified above herein for Town and State DOT staff review at the next PRC Meeting on Friday, May 7, 2021.

BE IT FURTHER RESOLVED that the Applicant and his site contractor are to participate in the May 7, 2021 and the June 4, 2021, PRC Meetings to provide up-to-date information upon the Phase 1 scheduled site improvements and to understand any remaining State DOT/Town Staff concerns and to commit to making a revised schedule as may be required at that time.

BE IT FURTHER RESOLVED that following the June 4, 2021, PRC meeting and review of the remaining Phase 1 tasks, the Applicant is to provide an updated schedule (identified as Revision #6), to the Town Code Enforcement Officer, on or before noon on Wednesday, June 9, 2021 for both the Planning Board and the Applicant to review at the June 16, 2021, meeting.

BE IT FURTHER RESOLVED that all of the Conditions of Final Site Plan Approval, PB 1102-18, dated November 7, 2018, remain in effect unless otherwise modified by separate Planning Board resolution.

BE IT FURTHER RESOLVED that all items identified as part of the Final Phase 1 Site Plan Approval include the following remaining tasks to be completed on or before the end of the day on Thursday, July 1, 2021:

1. Excess material to be removed from the site;
2. Pedestrian crossing signal installed, inspected by and accepted by State DOT Staff;
3. On-site drive aisles, on-site parking blacktopped and striped, and access points from the adjacent Dollar Tree store and Mertensia Road;

- 4. On-site light poles along both State Route 96 and Mertensia Road installed and operational; and
- 5. On-site landscaping within the Phase 1 portion of the site.

BE IT FURTHER RESOLVED that the Applicant may not start work on any of the Phase 2 site improvements until the Phase 1 work has been completed, inspected and accepted by the Town.

BE IT FINALLY RESOLVED that failure, by the applicant, to comply with completion of the work items identified in the Phase 1 portion of the amended final site plan shall render the Planning Board’s previous approval cited above herein, Null and Void.

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Douglas Viets	Aye

Motion carried.

B. Main Street Overlay District (MSOD) Guidelines (State Route 96 Corridor):

The Main Street Overlay District (MSOD) (State Route 96 Corridor) will extend along State Route 96 in the Town of Farmington from the Victor town line east to Hook Road/Beaver Creek Road on the south and to Fairdale Glen Townhouse Project entrance on the north. The guidelines regulate setbacks, signs, lighting and other streetscape elements to create a pedestrian oriented district.

The MSOD Building Guidelines do not require an existing principal structure to be located closer to an adjacent public highway right-of-way. Instead, the setbacks contained in the MSOD (§165-34.2) provide opportunity for expansion of an existing structure that is located on a site within the mapped MSOD/MTOD by allowing the structure to be added to, thereby bringing the Front Setback Line closer to the adjacent public street than would have otherwise been possible by the previous Front Setback Line (e.g., 100 feet from the right-of-way boundary line along State Route 96). Placing principal buildings closer to the highway right-of-way boundary facilitates the principle of creating a Main Street Corridor with buildings located closer to the adjacent travel lanes thereby creating a sense of destination.

The MSOD regulations establish new criteria for site improvements. These site improvements include building placement, dumpster locations, share/combined access, shared on-site parking and drive aisles, pedestrian separated facilities, on-site lighting that complements street lighting along the public highways, and site

landscaping (these are the streetscape improvements identified elsewhere in the guidelines).

Within the MSOD there may be a site that is located along one or more public highways. In those instances, the Front Building Line shall be that portion of the parcel where the building is facing the access (driveway) from an adjacent public street. In the event a parcel of land has two (2) driveways, one from each of two adjacent streets, then the Front Building Line shall be that portion of the parcel where the building facing State Route 96 contains the Front Building Line. No parcel may be developed that would contribute to cut-through traffic movements between two public streets. Where a building has two or more sides facing an adjacent public street, all exposed sides shall have similar architectural treatments. Ancillary structures (e.g., air conditioning units, trash receptacles, etc.) shall be hidden from view to the greatest extent possible.

The MSOD Building Guidelines are subject to the MSOD criteria (§ 165-34.2 of Town Code), the Site Design Guidelines provided for in Local Law #6 of 2009, the MTOD Guidelines (§ 165-34 of Town Code) and the criteria contained in §165-100 (site development plan). Where there are conflicts among these various sections of the Town Code, the more stringent guidelines that achieve harmony, in the finding of the Planning Board, shall prevail.

Mr. Hemminger said that he and Mr. Viets have reviewed the MSOD guidelines and that he [Mr. Hemminger] has submitted several proposed administrative revisions for consideration by the Town staff. He said that further clarification is required to determine how the Major Thoroughfare Overlay District (MTOD) and MSOD guidelines fit together with the Town's existing Site Design and Development criteria.

Mr. Brand acknowledged receipt today of Mr. Hemminger's comments. He requested that board members submit feedback on these comments to him and to Mr. Brabant prior to the finalization and adoption of the guidelines by the Town Board in May.

Mr. Brand also said that as time permits the Town staff will discuss with the board how the MTOD, MSOD and Site Design and Development criteria can be merged. He said that although the compliance of applicants with the guidelines and criteria may be required for dedication, they are not Town law and that more specific requirements [than are included in the guidelines] would have to be amendments to the Town Code. He did note that there are now specific requirements in Chapter 165 of the Town Code for such components as: the open buffer area along State Route 96 from the edge of the travel lanes, new sign regulations, new landscaping criteria, etc., all of which must be met as part of any site plan approval.

Mr. Brand said that the first step is for board members to submit any additional comments and proposed revisions to the MRB document identified as the MSOD streetscape design guidelines.

Mr. Hemminger said that his comments relate to administrative items. Mr. Viets said that his comments are more mechanical.

Mr. Viets asked which of the the MSOD guidelines or the State Route 96 streetscape guidelines should be the more strict version. Mr. Brand said that the Town staff focused the MSOD guidelines around the GLN Farmington Realty project on the south side of State Route 96 which is one of the more unique sites in the State Route 96 corridor with frontage on three roads. He also said that additional information for applicants on landscaping is included in the MSOD guidelines to relieve the Code Enforcement Officer of the responsibility [of determining landscaping]. Mr. Brand said that the criteria contained in the MSOD regulations in Chapter 165 are the more strict version being referenced.

Mr. Viets asked if the local law should be more strict than the guidelines. He asked if the guidelines are more of a “big picture” for the Town staff and applicants. Mr. Brand said that the guideline amendments were adopted into the Town Code with regards to building elevations, signage, site lighting and landscaping. In regard to the design of building elevations, parking and other site improvements that these could be included in the Town Code if the planning board feels they need to be further clarified. Mr. Hemminger said that the Town Code takes precedence. The other documents provide guidelines.

Mr. Brand said that the MTOD guidelines were originally created for the Planning Board’s reference when working with developers. He said that the Town is now getting to the point of becoming more detail oriented in its’ site planning and that the required elevation rendering designs may need to be considered for inclusion in the Town Code.

Mr. Viets said that he believes the guidelines also require accompanying criteria.

Mr. Brand said that the Town continues to follow its policy of consistent requirements and guidelines with all applicants. Having the considerations further spelled out in the Town Code would help to ensure this policy.

Mr. Hemminger said that the if the Town requires something for everyone, they [the requirements] go into the Town Code. Mr. Brand said that the Planning Board would then have no choice if [a requirement] is in the Town Code but that the Planning Board now has room to compromise [with a developer] on the design guidelines.

Mr. Viets said that the key is that the minimum criteria must be included and addressed in the Town Code and that there is “wobble room” in the guidelines.

Mr. Brabant said that this evening's discussion makes 100 percent sense and that the Town and the Planning Board are headed in the right direction.

Mr. Hemminger said that the MSOD guidelines, contained in the MRB Group document are now under review by the Town Board and that he will distribute his recently submitted administrative comments to the Planning Board for their review.

Mr. DeLucia asked if the guidelines have been reviewed or if input has been received from a landscape architect. Mr. Brabant said that a landscape architect provided input on landscape species, the size of the State Route 96 buffer and related topics. He said that it would be appropriate for an architect to provide comments on building architecture, if the Planning Board so desired and the Town Board agreed.

Mr. Viets asked if the MSOD will be updated annually. Mr. Brand said that it will be updated as needed. Mr. Hemminger noted that at some point the frontages along the New York State Route 96 corridor may become fully built out. However, the need for the regulations would continue as there may be development of the interior portions of these sites, or redevelopment of the front portions.

Mr. Maloy asked about the inclusion in the MSOD guidelines of wood benches as an alternative to the metal benches shown. He also suggested that iron fencing be added to match the design style of iron benches and trash receptacles.

Mr. Brabant said that iron fencing and benches are preferred but that a wood fence could be considered, for example, if a stormwater pond were to be located along the State Route 96 frontage, as it is at the Byrne Dairy Store on the southwest corner of State Route 96 and Mertensia Road. He said that the MSOD strictly concerns the 30-foot buffer area along State Route 96 and that the streetscape guidelines and the MSOD are one and the same.

Mr. Maloy asked if the only time that a fence would be installed within the State Route 96 corridor buffer would be around a stormwater pond. Mr. Brand said that a fence could also be considered [by an applicant] as a separation of a drive-up customer window from nearby travel lanes. Mr. Maloy said that a metal fence to match [a structure] might be more appropriate and that a wood fence may not match all occasions.

Mr. Brabant said that the Planning Board would have purview over all applications regarding a wood or a metal fence. He said that the Town staff could not include every possibility [in the MSOD guidelines] and that the guidelines reflect what the Town would ideally like to see within the 30-foot buffer area. He said that the information on lighting, benches, walkways and landscaping are the basic guidelines for consideration.

Mr. Brand said that the Town is starting to see the MSOD concept being put in use at the Meyer's RV project site on the northeast corner of State Route 96 and Mertensia Road. He noted that the nearby car wash and Mattie's Power Sports would further define the town's Main Streetscape Design Guidelines. He noted that these site improvements were being accomplished using both the Town Code amendments for the MSOD and the Streetscape Design Guideline. Finally, he noted that any work on this matter would have to be put off until later this year given the long list of existing and anticipated projects.

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

C. Draft 2021 Comprehensive Plan Update:

Mr. Brand said that the Town is now within the 30-day public review and comment period for the preliminary draft of the 2021 Town of Farmington Comprehensive Plan Update document which has been posted upon the Town website. Notification of the posting was made in the most recent issue of the Town Newsletter and on the Town's Facebook social media page.

Mr. Hemminger said that the plan makes sense.

Mr. Bellis said that he had no amendments.

Mr. Brand said that the Town Agricultural Advisory Committee will meet tomorrow night (April 22, 2021) to discuss the draft. He said that to date there have been few comments [from the public] submitted on the draft.

He encouraged members of the Planning Board, as individual members of the community, to review the draft and provide any comments, additions or revisions.

Mr. Hemminger said that he found that several tasks which he would have recommended have already been included in the draft.

Mr. Brand requested that Mr. Hemminger further review the sections of the draft on expansion of broadband high-speed internet services in the Town, i.e.:

Chapter 3: Public Utilities, Facilities and Services:

The objectives are to have:

Adequate high speed internet services available throughout the Town.

To accomplish this objective, the Town should:

1. *Seek expansion of 5G and WiFi6 networks, along with other innovative internet improvements, into the community that will improve bandwidth, speed and latency, and reach areas where fiber is prohibitively expensive.*
2. *Work with neighborhood organizations to organize support for alternative internet services.*
3. *Provide assistance to the community for organizing a corner stone area to build extension of internet services throughout the Town.*

Chapter 5: Ongoing Priority Actions (2021–2030):

Pursue Federal, State and County programs to extend affordable high speed internet services throughout the Town and County.

Mr. Hemminger said that the biggest issue is that a municipality should work with a provider. He said that a singular cellular provider would not be able to implement a town-wide broadband system. He said that he will further research this and provide something more specific for the draft.

Mr. Brand said that the document is extensive as he and the Update Committee felt it important to reach out to a new audience [of residents] who may not appreciate, or understand a shorter and more abbreviated plan. He said that they may wish to know how and why the Comprehensive Plan came about from the beginning in 1967 to present date.

Mr. Maloy said that the Comprehensive Plan is a lengthy document with a great deal of background material and that this may deter residents from taking the time to read it, although he said that he understands the need to have the back-up material included in the Plan. He asked if an executive summary document could be prepared to accompany the longer (more detailed) plan update document.

Mr. Brand said that a shorter summary document may be considered [following adoption of the Comprehensive Plan Update by the Town Board]. He said that he did not feel comfortable posting [a shorter document] because he would have been placed in the position of picking and choosing what to report [to the community] and that the shorter document would not have been the work of the Update Committee. He said that all of the material in the draft update document has been previously provided to the Committee which will meet next in May to further discuss the draft.

Mr. Brand said that he appreciates the input he has received the members of the Plan Update Committee and does not take it as criticism. He said that the Comprehensive Plan is ultimately your [the Town's] plan and that it should not be his

[Mr. Brand's] plan. That point has always been stressed during his tenure with the Town.

He said that during the past 10-year planning period the Town has experienced the greatest amount of industrial growth during any 10-year period, which has been explained in the 2021 Plan Update. He said that it is important that this history be included as it demonstrates a balanced economy is being created in the community. He noted that some residents may still have the impression that Farmington is becoming a fully built-out residential community.

Mr. Hemminger said that an Executive Summary to the Comprehensive Plan should be clear that approximately 75 percent to 80 percent of the land in the Town is still open or in agricultural use.

Mr. Brand said that he will be interested to review the findings of the most recent Bergmann Associates study of the State Route 332/State Route 96 Sub-area Study being conducted, to see what recommendations may need to be implemented to protect the increasing volumes of traffic and highway safety concerns along these two major highway corridors.

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

4. OPEN DISCUSSION

Director of Development and Planning Report:

Mr. Brand discussed the following topics:

- The Town moratorium on solar projects extends to August 10, 2021. Mr. Brand said that a new draft solar law is ready to go but that the Town is awaiting the result of the Article 78 proceeding which has been brought by several citizens regarding the Planning Board's approval of the Delaware River Solar project on Yellow Mills Road. Mr. Brand said that the Town's response to the court is due to Ontario County Supreme Court on May 7, 2021. He said that the court decision may render insights regarding the existing Town Code Solar Regulations [Chapter 165-65.3, under which the Yellow Mills Road project was approved.

Mr. Brand said that the staff and the Town's Special Legal Counsel are preparing a draft resolution for the board's consideration to clarify the Planning Board's administrative record on the Yellow Mills Road solar project and how the Planning Board decisions were made. He said that this resolution will be on the Planning Board agenda for the meeting on May 5, 2021.

- The Town Board is expected to adopt five local laws at its next meeting on April 27, 2021, on the topics of appearance tickets, construction codes, manufactured dwellings, illicit stormwater discharges, and administrative code definitions.
- The Town staff met this week with the applicant and their engineers for the proposed townhouse project on the southwest corner of Collett Road and Mertensia Road. The Ontario County Planning Board has determined that the application is incomplete. Mr. Brand said that the applicant will revise the plans and resubmit applications to the Town for a special use permit, preliminary subdivision and site plan approvals, and any identified area variances.
- The Town staff also met with the owner of property on the east side of State Route 332, south of the Farmbrook neighborhood [Clovermeadow Lane and north of the Duke of Gloucester Way regarding a proposed mixed use development. The property owner had questions regarding the location of the sanitary sewer service and the installation of a new traffic signal on State Route 332.
- The owner of property on the west side of State Route 332 between the Burger King Restaurant and the Farmington Commons (Auto Zone) Plaza has inquired if the Town would support a request to the New York State Department of Transportation for the installation of an additional traffic signal at the ALDI Supermarket/Burger King Restaurant driveway opposite the driveway for Dunkin Donuts/Taco Bell/Kentucky Fried Chicken and the Microtel sites. It also was noted at a recent meeting with the applicant and their engineers that the plaza property owner may wish to sell one of the parcels. Mr. Hemminger said that the potential buyer must consider whether the sale and development of an individual lot will comply with the Town Code requirement for green space.

Code Enforcement Officer Report:

Mr. Delpriore said that the following applications will be on the Planning Board agenda on May 5, 2021:

- Delaware River Solar administrative resolution.
- Special Use Permit for the Finger Lakes Hotel on Loomis Road (repurposing the use of the hotel and separating the events center from the hotel operation).
- Final Site Plan for Infrastructure Improvements for the GLN Farmington Realty project on the south side of State Route 96.
- Final Site Plan for construction of 61 single-family homes in the Villas Section of Hathaway's Corners on the southwest corner of State Route 332 and County Road 41.

The following projects will be on the Planning Board agenda on May 19, 2021:

- Preliminary Site Plan for the upgrade to the Auto Wash car wash on the northwest corner of State Route 96 and Mertensia Road.
- The 10-lot Loomis Road Industrial Park, located in the old gravel pit adjacent to the Finger Lakes Hotel.
- Final Site Plan for the distribution facility at the Blackwood Industrial Park on the northwest corner of County Road 8 and County Road 41.

Mr. Delpriore said that the applications and drawings for these projects will be provided [electronically] to the Planning Board in advance of the meetings. He requested that comments be provided to the Town staff as soon as possible for inclusion in the Planning Board packets for these meetings which would be in compliance with the new meeting procedures developed by his department.

Mr. Viets asked if the applications and drawings could be provided to the board at this time. Mr. Delpriore said that he will provide electronic links to the projects now but that all staff comments may not yet have been received.

Mr. Delpriore said that the applicant of the proposed for-sale townhomes on the southwest corner of Collett Road and Mertensia Road has withdrawn the application to the Zoning Board of Appeals (ZBA) for a blanket area variance. He said that the Town staff met with the applicant and his engineers to discuss the Town Code and the location of this property in the Major Thoroughfare Overlay District (MTOD). Mr. Delpriore said that the Town does not offer administrative subdivisions and that the applicant may submit plans for a 220-lot subdivision in June.

Highway and Parks Superintendent:

Mr. Giroux reviewed the progress of the current highway improvement project on a portion of the Canandaigua–Farmington Town Line Road. He said that curbing is anticipated to be poured on April 26th, followed by binder paving on April 29th and May 3rd.

Board Members' Comments:

Mr. Maloy asked about the proposed Final Site Plan for Infrastructure improvements to be dedicated within Phase 1A of the GLN Farmington Realty Project that is to be submitted next month. Mr. Delpriore said that the applicant would like to prepare the site for marketability and have a portion of the site's dedicated highway [Mercier Boulevard] providing access to the four (4) potential pads along the south side of New York State Route 96 when tenants are acquired. He said that the Final Site Plan will include land for the construction of the Town-dedicated road (a portion of Mercier Boulevard) and the

overall site's stormwater management facilities. He noted that there is no subdivision of land being proposed, as the applicant is retaining ownership of all of the property located on the site. Mr. Brabant said that the Town will suggest that the front lots (which are located along the south side of State Route 96) should be cleared of stumps, graded and stabilized at this time of the infrastructure construction. Mr. Delpriore said that the stumps were not removed when the trees were cut and the brush cleared from this portion of the site because the applicant did not yet have a stormwater permit from the New York State Department of Conservation (DEC). He said that the applicant will now need to have the DEC permit for the infrastructure work. Mr. Bellis said that it would make sense to improve the site's road frontage. Mr. Brabant said that the applicant would still have to return to the Planning Board for final approvals of the individual site plans for the commercial sites along the south side of New York State Route 96.

Mr. Maloy asked when the new solar law would be provided to the Planning Board for review. Mr. Brand said that the Town is awaiting the ruling from the Ontario County Supreme Court Justice regarding the Article 78 proceeding which has been filed by several citizens regarding the board's approval of the Yellow Mills Road solar project. He said that the Planning Board's response to the Article 78 proceeding is due to the court on May 7, 2021.

Mr. Maloy suggested that the new solar law should include the requirement for training of first responders to solar installations, especially for those installations which will have battery storage of electricity. He also suggested that a property owner may want to clear trees prior to the decommissioning of the solar installation. He said that this would remove the surrounding vegetative screening while the solar panels are still in place. Mr. Maloy said that the idea is more aimed toward identifying trees which are not on the solar site and which may be cleared for development or agriculture in the future.

Mr. Bellis asked about the installation of sidewalks along the State Route 96 frontage of the Auto Wash car wash facility on the northwest corner of State Route 96 and Mertensia Road. He expressed concern that the sidewalk should connect to an existing sidewalk in front of Maddie's Motor Sports on the north side of State Route 96. Mr. Delpriore reported that preliminary site plans for the car wash site have just been received and they show a five-foot-wide sidewalk between Maddie's Motor Sports and the crosswalks at the intersection of State Route 96 and Mertensia Road.

Farmington Volunteer Fire Association:

Mr. Hemminger asked about the status of the proposed plans for Fire Station #2, located along the east side of Hook Road, north of State Route 96. Chief Robinson said that the fire association is continuing to review the plans and consideration of the cost and funding of the project. No known decisions have been made at this time.

Mr. Brand requested that the fire association consider the timeframe for approval of the site plan for this project which will require reviews by the Town, Ontario County, the New

York State Department of Transportation and the New York State Department of Health. He also said that a State Environmental Quality Review (SEQR) review and comment period will be required. He expressed the desire to avoid any time crunch that may become necessary should there be any funding opportunities identified which would be dependent upon an approved site plan.

Mr. Hemminger said that the process may take at least four months assuming that everything is in order.

Chief Robinson said that he would pass on this information to the building committee.

5. PUBLIC COMMENTS

None.

6. TRAINING OPPORTUNITIES

■ Genesee–Finger Lakes Regional Planning Council Spring 2021 Local Government Workshop

Online sessions April 15–May 18, 2021

Tuesdays and Thursdays; sessions begin at 11:30 a.m.

Topics include: Planning Board Overview, Clean Energy Communities, Solar Energy Facility Planning and Siting, Invasive Plants, Recognizing Indigenous People in Planning and Land Use, New York’s Quirky System of Local Government, Hot Topics in Planning, and others.

All sessions are free; registration required at this link:

<https://www.eventbrite.com/e/145079499689>

Website for more information: <http://www.gflrpc.org>

Questions to: Jason Haremza: jharemza@gflrpc.org

■ 2021 Municipal Bootcamp:

A free annual program to provide certification credits to newly elected officials, planning and zoning boards and town officials sponsored by Hancock Estabrook and MRB Group. The program includes 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program will be provided remotely on the fourth Thursday of the month with subject matter experts and attorneys from Hancock Estabrook and MREB Group.

Remaining sessions in 2021:

Thursday, May 27, 2021, 6:00 p.m. to 7:00 p.m.
Session 5: Come One, Come All to the Greatest Show on . . . well . . .

Thursday, June 24, 2021, 6:00 p.m. to 7:00 p.m.
Session 6: Planning From (At Least) Six Feet Away

Thursday, July 22, 2021, 6:00 p.m. to 7:00 p.m.
Session 7: Ask Me Anything

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.
Session 9: Well, Aren't You Special?

Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 10: All the Right Forms in All the Right Places

Questions to:

Wendy A. Marsh, Partner, Hancock Estabrook
wmarsh@hancocklaw.com
(315) 565-4536

Matt Horn, Director, Local Government Services, MRB Group
matt.horn@mrbgroup.com
(315) 220-0740

Registration link:

<https://register.gotowebinar.com/rt/4608077833213548299>

■ **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>

7. **ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:15 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, May 5, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

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

Respectfully submitted,

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

Appendix #1
Meyer’s RV Project Abstract of Actions:

April 6, 2018

Project Review Committee Concept Plan presentation and discussion.

July 13, 2018

Project Review Committee discussion.

July 18, 2018

PB #0701-18 Preliminary Site Plan Application

PB #0702-18 Special Use Permit Application

Planning Board Action: Declaration of intent to be designated SEQR Lead Agency, establishment of 30-day public review and comment period, identification of Involved and Interested Agencies, scheduling Public Hearing on August 15, 2018. CARRIED

August 15, 2018

PB #0701-18 Preliminary Site Plan Application

PB #0702-18 Special Use Permit Application

Planning Board Action: Public Hearing opened.
Public Hearing continued to September 5, 2018. APPROVED

September 5, 2018

PB #0701-18 Preliminary Site Plan Application

PB #0702-18 Special Use Permit Application

Planning Board Action: Public Hearing continued.
Public Hearing closed.
Planning Board designates itself as Lead Agency for SEQR.
Resolution directing a draft of the Full EAF, Part 2 and Part 3
APPROVED

September 7, 2018

Project Review Committee discussion.

September 19, 2018

PB #0701-18 and PB #0702-18

SEQR Criteria for Determining Significance:

No significant adverse environmental impacts.

APPROVED

Planning Board Action:
PB #0701-18: Preliminary Site Plan APPROVED
PB #0702-18: Special Use Permit APPROVED

October 5, 2018

Project Review Committee discussion.

November 7, 2018

Planning Board Action:
PB #1102-18: Final Site Plan APPROVED

January 16, 2019

Letter of Credit for Site Improvements in the amount of \$357,134.72. APPROVED

March 1, 2019

Project Review Committee discussion.

April 5, 2019

Pre-Construction Meeting.
Project Review Committee discussion.

May 3, 2019

Project Review Committee discussion.

June 7, 2019

Project Review Committee discussion.

July 12, 2019

Project Review Committee discussion.

August 9, 2019

Project Review Committee discussion.

September 6, 2019

Project Review Committee discussion.

November 1, 2019

Planning Review Committee discussion.

December 5, 2019

Project Review Committee discussion.

January 3, 2020

Project Review Committee discussion.

March 6, 2020

Project Review Committee discussion.

July 2, 2020

Project Review Committee discussion.

August 7, 2020

Project Review Committee discussion.

September 4, 2020

Project Review Committee discussion.

October 2, 2020

Project Review Committee discussion.

October 21, 2020

PB #1002-20

Planning Board:

Final Site Plan Amendment—Phase 1, continued to November 18, 2020

November 6, 2020

Project Review Committee discussion.

November 18, 2020

PB #1102-20

Final Site Plan Amendment—Phase 1, approved.

December 4, 2020

Project Review Committee discussion.

January 8, 2021

Project Review Committee discussion.

January 20, 2021

Itemized production schedule provided by Jeff Berends, Construction Manager; discussed at Planning Board meeting.

February 5, 2021

Project Review Committee discussion.

February 17, 2021

Planning Board discussion of proposed resolution of an Amendment to Final Site Plan, Phase 1. Discussion only. No action taken.

March 3, 2021

PB #1102-20

Final Site Plan Amendment—Phase 1, approved.

March 5, 2021

Project Review Committee discussion.

March 17, 2021

PB #1102-20

Final Site Plan Amendment—Phase 1, approved.

April 1, 2021

Project Review Committee discussion.

April 7, 2021

PB #0401-21

Final Site Plan Amendment—Phase 2, approved.

April 21, 2021

PB #1102-20

Final Site Plan Amendment—Phase 1, approved.