

# Town of Farmington

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, April 6, 2022 • 7:00 p.m.**

## **MINUTES—APPROVED**

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

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

**R** = Attended via remote video conference.

**Board Members Present**                      Edward Hemminger, *Chairperson*  
Adrian Bellis  
Aaron Sweeney  
Douglas Viets

**Board Member Excused:**                      Timothy DeLucia

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

**Attending:**  
Bill Anterline, P.E., Fisher Associates, 180 Charlotte Street, Rochester, N.Y. 14607  
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425  
Nicole Lake, WPIT, Project Manager, Fisher Associates, 180 Charlotte Street,  
Rochester, N.Y. 14607  
Jeremy Stambovsky, TOMRA NY Recycling LLC—**R**

**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 February 2, 2022.

**2. APPROVAL OF MINUTES OF MARCH 16, 2022**

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the minutes of the March 16, 2022, meeting be approved.

Motion carried by voice vote. Mr. Sweeney abstained due to his absence from the meeting on March 16, 2022.

**3. LEGAL NOTICE**

None.

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*Clerk's Note:* The first application on this evening's agenda was the continuation of the Public Hearing for the Preliminary Two-Lot Subdivision of the Estate of Shirley Bowerman (PB #0301-22). In the absence of the applicant or a representative, Mr. Hemminger postponed the reopening of the Public Hearing until later in the meeting.

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**4. NEW FINAL SITE PLAN**

**PB #0401-22                      New Final Site Plan Application**

**Name:**                              TOMRA NY Recycling LLC, 5923 Loomis Road,  
Farmington, N.Y. 14425

**Location:**                        5923 Loomis Road

**Zoning District:**                GI General Industrial and MTOD Major Thoroughfare Overlay  
District

**Request:**                         Final Site Plan approval to expand the facility parking lot to the  
south, to the edge of the delineated wetland boundary.

On February 16, 2022, the Planning Board approved the State Environmental Quality Review (SEQR) classification (Unlisted Action) and the Preliminary Site Plan with conditions.

Ms. Lake and Mr. Anterline (both representing Fisher Associates) presented this application in the meeting room. Mr. Stambovsky (TOMRA NY Recycling) attended via video conference.

Ms. Lake said that the Final Site Plan application addresses the previous comments from the Planning Board and the Town staff. She said that a landscape plan has been added, and that she worked with the Town staff on the easement package and the adjustment of the easements.

Mr. Anterline acknowledged receipt of MRB Group engineering comments. He said that these comments have been addressed in a response letter from Fisher Associates which was submitted to the Town and to the Planning Board earlier today.

Ms. Lake said that representatives from Fisher Associates and TOMRA met with the Town staff on several occasions to review the application. She also said that they met with the Project Review Committee [on March 4, 2022, and April 1, 2022].

Mr. Brand said that he has prepared a draft resolution for the board's consideration this evening for Final Site Plan approval with conditions. He said that the board may wish to discuss with the Town staff an issue with the electrical connection to a fuel tank and the fire inspection prior to considering the resolution.

Mr. Delpriore said that the Town Fire Marshal has been working with TOMRA on the fire inspection for the past six months. He said that a remaining outstanding issue concerns the fuel tank which has not been installed in a manner which can be approved by the Fire Marshal. Mr. Delpriore said that the fire inspection has been open for the past six months and that things need to be wrapped up and completed.

Mr. Delpriore said that Mr. Brand sent the applicant a communication about this several days ago. Mr. Delpriore said that he spoke with the Fire Marshal about an hour ago and that the issue remains outstanding.

Ms. Lake said that TOMRA has decided to completely remove the fuel tank from the site. Mr. Stambovsky confirmed this and said that the fuel tank will be removed within the next two weeks.

Mr. Bellis asked about the purpose of the fuel tank. Mr. Stambovsky said that it is not anything of major relevance to the company and that it will just be removed from the site [to conclude the issue of the fire inspection].

Mr. Hemminger said that he will offer a condition of Final Site Plan approval that the fire inspection is to be completed and accepted by the Fire Marshal prior to signatures being affixed to the Final Site Plan by the Town staff.

Mr. Delpriore suggested that the condition also include that the fire inspection fee is to be paid in full by the applicant. He said that the payment will officially close out the fire inspection.

Mr. Brabant suggested that perhaps the board may wish to consider amending the condition that the Final Site Plan must be signed prior to the scheduling of a Pre-Construction Meeting or prior to the issuing of permits. Mr. Delpriore said that he would prefer that the fire inspection is to be completed prior to signatures on the plans [due to the length of time that the fire inspection has been open]. He said that the removal of the fuel tank [by the applicant] should not take too much time.

Mr. Brabant said that the removal of the fuel tank in two weeks would still be enough time to schedule the Pre-Construction Meeting during the regular monthly meeting of the Project Review Committee on Friday, May 6, 2022.

Mr. Delpriore acknowledged receipt of the original Stormwater Maintenance Agreement. He said that the Town Board is expected to approve the Agreement at its meeting on Tuesday, April 12, 2022.

Mr. Ford said that the Final Site Plan includes an easement at the end of Tomra Trail for a future hammerhead turnaround [for Town snowplows and other vehicles].

Mr. Anterline said that an existing access easement at the end of Tomra Trail is shown on Existing Conditions Overall Plan Sheet C-105. He said that the company is moving toward the discontinuance (abandonment) of Tomra Trail [as a dedicated Town road] and that there is an accessible area of asphalt pavement at the end of—and beyond the end—of Tomra Trail at the present time.

Mr. Brabant said that this easement provides the Town with the ability to access the existing stormwater pond and that the area of the construction of a proposed hammerhead turnaround is already of a hard surface.

Mr. Anterline said that there is also another existing easement [on the property] to provide the Town with access to the stormwater pond.

Mr. Hemminger said that draft Condition #9 may have to be amended [regarding the construction of a future hammerhead turnaround at the end of Tomra Trail].

Mr. Brabant acknowledged receipt of the applicant's responses to the most recent MRB Group engineering comment letter. He said that he is satisfied with the responses, that stormwater on the site is being addressed, and that MRB Group is satisfied with the Stormwater Maintenance Agreement. Mr. Brabant said that he has been working with Ms. Lake and with Mr. Anterline on the engineer's estimate for the Letter of Credit and that they are making several revisions to the recent correspondence on this. Mr. Brabant said that the Letter of Credit will be submitted to the Town upon receipt from Fisher Associates [to begin the Planning Board and the Town Board approval processes].

Mr. Brabant also said that he discussed with the applicant's engineers that record drawings will be required prior to the close-out of the project.

Mr. Brabant discussed a proposed stormwater easement over the relocated storm pipe. He said that the Town does not wish to take ownership or dedication of this utility but would like an easement for emergency access to the pipe. Mr. Anterline said that this issue came up prior to the discussion of the discontinuance of Tomra Trail. He acknowledged that the easement would be for Town inspection purposes only [and not for dedication of this utility to the Town].

Mr. Sweeney asked if there is a timeframe for the discontinuance of Tomra Trail [as a Town dedicated road]. Ms. Lake said that they will likely start the process in May. Mr. Hemminger said that the process involves initiation of the discontinuance [of the road] by the applicant and ultimately approval by the Town Board. Ms. Lake said that she will reach out to the Town staff regarding the process.

Mr. Sweeney also asked about the maintenance of Tomra Trail if it were to be discontinued by the Town and taken over by the applicant. Mr. Brabant said that right now the maintenance of the road is the responsibility of the Town but that if and when the road is discontinued that there will be new language regarding the abandonment process and how the then-private road will be maintained. He said that the MRB Group reviews of this application to date have been that Tomra Trail is a Town dedicated road.

Mr. Bellis acknowledged that Tomra Trail is a Town road at this time.

Mr. Viets discussed the sizing of the trees to be planted on the site, per the Major Thoroughfare Overlay District (MTOD) guidelines. Mr. Anterline said that they are planning to have trees at mature heights at the time of planting.

Mr. Hemminger asked if draft Condition #9 (regarding the hammerhead turnaround) should be rewritten. Mr. Brabant asked that the condition be read aloud by Mr. Hemminger. Following the reading of the condition and additional discussion, it was the consensus of the board and the Town staff that no changes were needed to draft Condition #9.

Mr. Anterline asked if there were any other issues with the fire inspection [other than the fuel tank which was discussed earlier in the meeting]. Mr. Delpriore said that he did not believe that there are other conditions but that he will check the inspection report with the Fire Marshal. Mr. Bellis said that any other issues with the fire inspection must be addressed prior to signatures on the Final Site Plan.

Mr. Hemminger then recommended that the following new condition of Final Site Plan approval be added to the draft resolution:

New Condition #10:

The fire inspection is to be completed, accepted by the Town Fire Marshal and paid in full by the applicant prior to signatures being affixed to the Final Site Plan by the Town staff.

Mr. Hemminger asked if anyone in the meeting room or on the video conference wished to comment or ask questions on this application. There were no requestes from those in the meeting room or on the video conference.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
TOMRA NY RECYCLING LLC  
FINAL SITE PLAN APPROVAL WITH CONDITIONS**

**PB #0401 - 22**

**APPLICANT: TOMRA NY Recycling, LLC, 5923 Loomis Road,  
Farmington, N.Y. 14425**

**ACTION: Final Site Plan Approval for expansion to the existing site  
associated with the installation of glass processing system  
upgrade in the southeast corner of the existing on-site building.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has tonight opened a public meeting upon the above referenced Action; and

**WHEREAS**, the Planning Board has received and has considered the Ontario County Planning Board’s Referral # 28-2022, dated February 9, 2022, recommending approval of this Action; and

**WHEREAS**, the Planning Board has at its meeting on February 16, 2022, and under separate resolution accepted Part 2 of the Short Environmental Assessment Form (SEAF), completed the Part 3 SEAF, and has made a determination of non-significance upon the proposed Action; and

**WHEREAS**, the Planning Board has considered the testimony received at tonight’s public meeting held upon the above referenced Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to approve the Final Site Plan Application with the following conditions:

1. Final Site Plan approval is based upon the packet of information dated March 2022, submitted by the Applicant’s Engineer, Fisher Associates, and the set of drawings entitled “Tomra NY Recycling, LLC, Tomra NY Recycling Project, Final Design,” Project Number 210357, having the last revision date of 03/09/2021, and as is hereby further amended with the following conditions below.

2. Drawing No. C-150 is to be further amended by adding a note that reads . . . “All stormwater improvements and MS4 Stormwater requirements are to be completed prior to the Code Enforcement Officer issuing a Certificate of Completion.”
3. An original of The Property Maintenance Policy, a copy of which is currently located in Attachment D of the Final Site Plan Application materials, is to be submitted to the Town Planning Board Chairperson for signing and filing prior to scheduling a pre-construction meeting on this project. If the applicant desires an original document returned then he/she is to provide it at the time of signing.
4. All landscaping improvements shown on drawing C-132 are to be installed on or before May 31, 2022. These landscaping improvements shall be guaranteed by the Applicant for a period of two (2) years from the date of planting. After this period, all landscaping is to be maintained by the applicant.
5. All surface treatments for the parking areas shown are to be completed on or before June 30, 2022.
6. All easements identified in the Planning Board’s Resolution (PB #0204-22) are to be accepted by the Town Board, filed in the Ontario County Clerk’s Office and a copy of the liber and page of any filing is to be provided to the Town Development Office on or before May 31, 2022.
7. All comments contained in the Town Engineer’s Letter, dated March 31, 2022, are to be addressed in writing and amendments made to the Final Site Plan drawings as may be required prior to the scheduling of a Pre-Construction Meeting by the Town Code Enforcement Officer.
8. A site data table is to be added to drawing [C-105] as part of the Final Site Plan application. Said table identifies the zoning of the project site, the dimensional and area requirements of both lots, existing conditions, and proposed conditions. This information is to be included prior to the Town Engineer’s signing of the Final drawings.
9. There is to be a note added to drawing [C-105] that reads as follows . . . “The construction of the hammerhead turnaround is to be shown on this drawing and is to be installed not later than October 31, 2022, or formal abandonment procedures for Tomra Trail have been introduced to the Town Board thereby eliminating the need for said hammerhead construction.”
10. The fire inspection is to be completed, accepted by the Town Fire Marshal and paid in full by the applicant prior to signatures being affixed to the Final Site Plan by the Town staff.
11. Final Site Plan Approval is valid for a period of 180 days from today and shall automatically expire if revised drawings are not signed by Town Officials.

- 12. Once a revised set of Final Site Plan drawings have been reviewed by the Town Code Enforcement Officer, and accepted, then a mylar of the drawings is to be submitted of signing by Town Department Heads and the Town Engineer. The Applicant is instructed to work with the Town Code Enforcement Officer on the number of signed paper copies to be submitted.

Mr. Hemminger asked Ms. Lake and Mr. Anterline if they agreed with the conditions. Ms. Lake and Mr. Anterline said that they agreed with the conditions.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

*Clerk's Note:* The applicant or a representative did not arrive for the continued Public Hearing on the the Preliminary Two-Lot Subdivision of the Estate of Shirley Bowerman (PB #0301-22). Mr. Hemminger asked if anyone in the meeting room or on the video conference had any objections to the continuation of the Public Hearing in the absence of a formal presentation by the applicant or a representative. There were no objections from anyone in the meeting room or on the video conference

**5. CONTINUED PUBLIC HEARING: PRELIMINARY TWO-LOT SUBDIVISION**

**PB #0301-22                      Continued Preliminary Two-Lot Subdivision Application**

**Name:** Estate of Shirley Bowerman, c/o Joy Pechler, Executrix,  
35 Sugar Hill Drive, Okatie, South Carolina 29909

**Location:** 452 Bowerman Road

**Zoning District:** A-80 Agricultural District

**Request:** Preliminary Two-Lot Subdivision Plat approval of land, identified as Tax Map Account #8.00-1-52.000 containing a total of 117.971 acres of land; and as further to be identified as Subdivision of Lands of Shirley B. Bowerman Estate. The proposed action involves creating Lot #1 consisting of 8.502 acres with an existing house and Lot #2 consisting of 109.469 acres to remain vacant as a non-approved



building lot requiring site plan approval before any building permits may be issued.

The Public Hearing on this application was opened on March 2, 2022, and was continued to the meeting this evening (April 6, 2022) at the request of the applicant's engineer to provide time for him to work through some of the comments which had been submitted by the Development Office.

Mr. Hemminger reconvened the Public Hearing.

Neither the applicant or a representative were present in the meeting room or via video conference.

Mr. Brand said that the Town Zoning Officer expressed concerns about the originally proposed areas of the two lots. Following a meeting with the purchaser of one of the lots, the applicant increased the area of proposed Lot #1 from the original 5.000 acres to 8.502 acres and reduced the area of proposed Lot #2 from 112.971 acres to 109.469 acres. Mr. Brand said these revisions eliminated the original concerns of the areas of the subdivided lots.

Mr. Brand said that a draft resolution has been prepared for the board's consideration to approve the Preliminary Two-Lot Subdivision Plat with conditions.

Mr. Delpriore said that the Town Zoning Officer had concerns that the original areas of the two lots as presented would have resulted in having the existing barns on the property [Lot #1] located too close to the lot lines which would have prevented them from having the ability to house livestock, per the Town Code.

Mr. Hemminger asked twice if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requestes from those in the meeting room.

Mr. Hemminger then asked twice if anyone on the video conference wished to speak for or against this application, or to ask questions. Mr. Delpriore said that there were no participants on the video conference at this time.

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

■ A motion was made by MR. BELLIS, seconded by MR. SWEENEY, that the Public Hearing be closed.

Motion carried by voice vote. The Public Hearing on PB #0301-22 was closed.

**Board deliberations:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SEQR CLASSIFICATION, CRITERIA FINDINGS AND DETERMINATION OF SIGNIFICANCE**

**PB #0301-22**

**APPLICANT:** Joy Pechler, Exeutrix of the Estate of Shirley Bowerman,  
35 Sugar Hill Drive, Okatie, South Carolina 29909

**ACTION:** SEQR Classification: Preliminary Two-Lot Subdivision Plan approval of Tax Map #8.00-1-52.000, creating Lot #1 with 8.502 acres located along the west side of Bowerman Road between Green Road and Brownsville Road, and Lot #2 with 109.469 acres located along the north side of Brownsville Road and the west side of Bowerman Road.

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the provisions of Parts 617.4 and 617.5 of 6 NYCRR Part 617, the State’s Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has received and reviewed the Applicant’s Part 1, Short Environmental Assessment Form (SEAF) as part of the application process; and

**WHEREAS**, the Planning Board has received Part 2 of the SEAF that has been prepared by the Town’s Director of Planning and Development; and

**WHEREAS**, the Planning Board has considered the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board determines that the proposed Action identified above herein is classified as an Unlisted Action under the SEQR Regulations.

**BE IT FURTHER RESOLVED** that the Planning Board has reviewed the Part 2 SEAF identified above herein, finds it to be complete, and therefore, does accept said document.

**BE IT FURTHER RESOLVED** that the Planning, based upon its reviews of the materials described above herein, reasonably concludes 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 community 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 within the community; 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 within the community; 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 Action is likely to remain the same and is anticipated to be consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources in the community that will likely be adversely affected by the proposed action, or impair the existing community or neighborhood characters; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will be changes in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses, which have been anticipated in the proposed Action and are felt likely not to have a major adverse impact upon the environment; and
- (ix) there will not be a large number of persons attracted to the community for more than a few days when compared to the number of persons who would come to such a place absent the action; and
- (x) there will not be created a material demand for other actions that would result in one of the above consequences; and
- (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
- (xiii) there are not two or more related actions which would have a significant adverse impact upon the environment.

**BE IT FURTHER RESOLVED** that based upon the above referenced information, analysis of the SEQCR Criteria above and the supporting documentation referenced above, the Planning Board finds that the proposed action WILL NOT result in any significant adverse environmental impacts.

**BE IT FINALLY RESOLVED** that the Planning Board does hereby make a Determination of Non-Significance upon said Action.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
 ESTATE OF SHIRLEY BOWERMAN  
 PRELIMINARY TWO-LOT SUBDIVISION**

**PB #0301-22**

**APPLICANT: Joy Pechler, Executrix of the Estate of Shirley Bowerman, 35 Sugar Hill Drive, Okatie, South Carolina 29909**

**ACTION: Preliminary Two Lot Subdivision Plan Approval of Tax Map No. 8.00-1-52.000, creating Lot #1 with 8.502 acres located along the west side of Bowerman Road, between Green Road and Brownsville Road, and Lot #2 with 109.469 acres, located along the north side of Brownsville Road and the west side of Bowerman Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has continued a Public Hearing tonight, from the March 2, 2022 meeting, upon the above referenced Action; and

**WHEREAS**, the Planning Board has under separate resolution adopted on April 6, 2022, made a determination of non-significance, under the provisions of the State’s Environmental Quality Review (SEQR) Regulations, upon the proposed Action; and

**WHEREAS**, the Planning Board has considered the testimony received at tonight’s Public Hearing held upon the above referenced Action.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to approve the Preliminary Subdivision Plan Application with the following conditions:

1. Preliminary subdivision plat approval is based upon the revised drawing prepared by Freeland-Parrinello, Land Surveyors, dated March 1, 2022, entitled “Prelimi-

nary Subdivision Plat, Lots #1 and #2, Shirley B. Bowerman Estate, Town of Farmington, Ontario County, New York.”

- 2. There is to be a note added to the drawing that states . . . “If, at any time, the agricultural use of Lot #1 ceases, then all remaining accessory structures are to be made compliant with State and Town Codes, including the removal of all inoperable farm-related equipment from Lot #1.”

**BE IT FURTHER RESOLVED** that the Applicant’s Surveyor is to submit a revised mylar and one (1) paper copy to the Town Code Enforcement Officer for his review and acceptance. Then these documents are to be signed by all Town Departments, the Town Engineer and the Planning Board Chairperson. The mylar will be returned to the Applicant’s Surveyor.

**BE IT FURTHER RESOLVED** that the Applicant’s Surveyor is to then submit an application for Final Subdivision Plat approval, to be accompanied by the necessary number of drawings for scheduling at a future Planning Board meeting.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**6. PLANNING BOARD ACTION ITEMS**

**A. Auto Wash Project: Partial Letter of Credit Release #1:**

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PARTIAL LETTER OF CREDIT RELEASE #1  
FARMINGTON AUTO WASH PROJECT**

**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, dated March 29, 2022, to recommend approval of a partial release (Release #1) from the above referenced Letter of Credit for site improvements within the Farmington Auto Wash Project; and

**WHEREAS**, the Planning Board has also received and reviewed the Letter of Credit Release Forms G-1.1, dated March 29, 2022, and G-2.0, dated March 29, 2022, signed by all Department Heads and the Town Engineers, along with the applicant’s Engineer Estimates of Value attachment thereto; and

**WHEREAS**, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether to honor the requested release from the Letter of Credit.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$22,531.25 (Release #1) from this letter of credit. The total amount in the Letter of Credit is \$46,285.78 with a balance of \$23,754.53 remaining after this first partial release of funds.

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

Adrian Bellis	Aye
Timothy DeLucia	Excused
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

**B. Review of Draft Amendment for a Local Law: Special Use Criteria for Mini-Warehouse Sites**

Mr. Brand presented a review of proposed text amendments to Town Code Chapter 165, Articles II and VI related to mini warehouse regulations. He said that Town Zoning Officer John Weidenborner had submitted a memo to the board in advance of the meeting which included his [Mr. Weidenborner’s ] proposed text amendments and text amendments from Town Code Enforcement Officer Dan Delpriore.

Mr. Delpriore said that the Development Office staff reviewed a number of codes from local municipalities and from throughout New York State with regulations on this topic. He said that both conditioned and unconditioned storage facilities were considered in the preparation of the proposed amendments.

Among the topics discussed by the board and the Town staff were:

- Installation of a fence around a conditioned storage building.
- Storefronts with mini storage facilities to the rear.

- Consistency of storage building setbacks in the various zoning districts in the Town.
- Calculation of the size of storage buildings (width x depth or total square footage).
- Parking areas and screening of parking at storage facilities.
- Fencing around facilities with outdoor storage areas, i.e., for boats, RVs, trailers, etc.
- Fencing as an additional security feature.
- Height of storage buildings.

■ **CONSENSUS:** Following additional discussion, it was the consensus of the board that the memorandum from Mr. Brand, which includes the proposed text amendments from Mr. Delpriore and Mr. Weidenborner, should be referred to the Town Board on Tuesday, April 12, 2022, to allow the Town Board to begin their consideration. The Planning Board will use the next two weeks to continue their review and will provide any further recommendations to the Town Board following the Planning Board meeting on April 20, 2022.

Mr. Hemminger requested that Planning Board members provide any additional comments to him as soon as possible and in advance of the next Planning Board meeting on Wednesday, April 20, 2022.

The following is the text of Mr. Brand's memorandum. The comments of Mr. Delpriore and Mr. Weidenborner **appear in red**; Mr. Brand's comments **appear in blue**.

To: Town of Farmington Planning Board

From: Ron Brand, Director of Planning and Development

Date: April 5, 2022

Re: Proposed Text Amendments: Mini Warehouse Regulations

You have received from John Weidenborner, Town Zoning Officer, a list of questions that he and Dan Delpriore, the Town Code Enforcement Officer have to the proposed amendments to Chapter 165, Articles II and VI, relating to mini warehouse regulations. A discussion of the proposed amendments is on your meeting agenda tomorrow night. In the interest of moving these amendments forward, I have provided all proposed amendments to Chapter 165, Articles II and VI, copied John and Dan's comments in **red** and my responses in **blue**.

I trust you will find this report helpful. I would like to introduce a draft local law to the Town Board Committees next week for their review. Hopefully, on April 26th, we could make a decision on moving these proposed amendments to a Public Hearing and County Planning Board referral in May.

### **§ 165-10. Definitions**

~~MINISTORAGE — A grouping of separate storage spaces constructed within a one-story building, each space not to exceed 300 square feet and having its own separate outdoor access.~~

*This definition is to be removed from Article II.*

MINI WAREHOUSE SITE—A parcel of land containing both Conditioned and Unconditioned Mini Warehouse Space.

SPACE, CONDITIONED—An area or room that is enclosed within the building thermal envelope and is directly or indirectly heated or cooled using fossil fuel or electricity as the energy source. Spaces are indirectly heated or cooled where they communicate through openings with conditioned spaces, where they are separated from conditioned spaces by uninsulated walls, floors or ceilings, or where they contain uninsulated ducts, piping or other sources of heating or cooling using fossil fuel or electricity.

SPACE, UNCONDITIONED—An area or room that is enclosed within the building not meeting the definition of Conditioned Space.

*These definitions are to be added to Article II.*

### **§ 165-84.1 Mini warehouse sites—Special Use Permit Criteria.**

A. Mini warehouse sites may be allowed as a special permit use in the GB General Business District, LI Limited Industrial District and GI General Industrial District with the approval of a special use permit and site plan approval by the Planning Board.

*There is no change recommended to this section.*

B. No mini warehouse site shall be located within 1,500 feet of an existing mini warehouse site.

*There is no change recommended to this section.*

C. In the GB General Business District, mini warehouse sites may be allowed upon a lot only when there is a permitted commercial storefront use that is part of the



mini warehouse structure. The storefront portion shall occupy an area commensurate with the width of the mini warehouse structure and contain the minimum standard set forth in Subsection F below. Where there is more than one mini warehouse structure on a lot, there must be a commercial storefront use for each structure. In the event that a commercial storefront use becomes vacant for a period of eight months or more and there is no evidence submitted to the Code Enforcement Officer of the owner's good-faith effort to lease the facility, the Planning Board shall have the right to require a public hearing on whether or not to continue said special use permit. Should it be determined by the Planning Board that this condition of approval is not being addressed, the Planning Board may have the right to make the special use permit null and void for the particular mini warehouse structure.

There is no change recommended to this section

~~D. In the GB General Business District, no mini warehouse structure may be used as part of a storefront use with Planning Board authorization as part of an approved site plan.~~

In the GB General Business, LI Limited Industrial and GI General Industrial Districts, no mini warehouse structure may be used as part of a storefront without Planning Board authorization as part of an approved special use permit and site plan.

**Not sure why they need a special use permit to have a storefront as it is allowed in code. It should just come back to planning board for amended site plan.**

**STOREFRONT**—That portion of a building facing the front yard portion of a lot which is used for permitted and special permitted uses within a respective zoning district.

Storefronts are allowed for Permitted principal uses. A mini warehouse structure is not listed as a permitted principal use in the GB, LI, or GI Districts. Mini warehouse structures are allowed only by special use permit and site plan approval within the GB, LI and GI Districts. Therefore, no storefront portion of a mini warehouse structure may be used without Planning Board approval of a special use permit and site plan.

The reason this provision was placed in the code as a special use permit was when the Town Board originally was addressing mini warehouse structures they wanted control over the conversions of buildings, such as those located along the west side of Commercial Drive, from being converted into mini warehouse structures in the rear with unrelated store fronts. An additional concern was with the on-site parking provisions for storefronts not related to mini warehouses and on-site parking for those using the mini warehouse units.

~~E. In the GB General Business District, a portion of a storefront structure shall be designated as the rental office for the mini warehouse structure(s).~~

In the GB General Business, LI Limited Industrial and GI General Industrial Districts, a portion of a storefront within a mini warehouse structure may also be designated as the rental office for the mini warehouse site.

There are no concerns with this proposed amendment.

F. In the GB General Business District, the storefront portion of a mini warehouse structure shall not be smaller than 20%, nor larger than 35%, of the total square-foot print for said mini warehouse structure.

Why are we limiting the % used here? You already stated it had to be an amended site plan why not leave it up to the Planning Board the appropriate size// agree.

This is part of the current code. The courts have determined that the Planning Board is not a legislative body, they are an administrative body, therefore, they cannot arbitrarily set standards for the storefront portion of a mini warehouse structure. As written, there is a large enough range (20% - 35%) for the Planning Board to work within. If someone wants a larger storefront, then that's what the ZBA is for.

G. In the LI of GI Districts, mini warehouse sites are not required to have a storefront. In those instances where a storefront is proposed, only uses permitted within the respective zoning district may be allowed.

This is part of the current code. There are no concerns with this section remaining.

H. In the LI or GI Districts, where a mini warehouse structure does contain a storefront, said storefront area shall not be smaller than 20%, nor larger than 35% of the total square-foot print for said mini warehouse structure.

Why are we limiting the % used here? You already stated it had to be an amended site plan why not leave it up to the Planning Board the appropriate size// Agree

It is not me who stated it had to be an amended site plan. The above section [F] pertained to only the GB District which was what is in the existing regulations. This section only pertains to the LI and GI Districts. We could combine the two [F. & H.]

I. The minimum lot size for a mini warehouse site, in either the GB, LI or GI Districts shall be two acres, with a minimum lot width of 200 feet.

There is no change proposed to this section.

J. The maximum length for a mini warehouse structure, including the retail portion, shall be 200 feet.

Why are we putting a maximum length to a mini warehouse when we are limiting the square footage? I don't think this section is needed. I agree instead of worrying about length and width, just state maximum square footage for a condition[ed] and unconditioned mini warehouse and then let the developer/applicant figure out the rest.

I am not aware of any area variance being requested or granted for the length of a mini warehouse structure since the adoption of the regulations over ten years ago. However, since the adoption of the special use permit criteria there have been two (2) area variances granted for the width of mini warehouse structures. Both of these were granted for the same project.

We are establishing the square footage for a mini warehouse structure as the result of a recent interpretation by the Town that there is no limit on the square footage for a mini warehouse structure, only limits on the width and length. Therefore, a mini warehouse structure with a width of 131 feet [as the result of an area variance being granted] could have a length of 200 feet [26,200 sq.ft.].

K. ~~The maximum width for a mini warehouse structure shall be 40 feet.~~

The maximum size for an unconditioned mini warehouse structure, not including any storefront portion shall be 6,000 sq. ft. [should have been 8,000 sq.ft.]. Any retail portion of the mini warehouse unconditioned structure used for storefront purposes shall be conditioned space. The maximum total size for a mini warehouse conditioned structure, including a storefront portion, in the GB District is 16,000 square feet; in the LI District is 21,000 square feet; and in the GI District 30,500 square feet.

I don't agree with having multiple sizes per district. We should set one size for mini warehouse. Again, I believe for conditioned mini warehouse the maximum [size] should be 24,000 square feet, as we only have one size for unconditioned mini warehouses. I agree again make one max size obviously lot size and coverage requirements are going to limit building sizes on smaller lots.

There are three (3) different zoning districts [GB, LI & GI] being proposed where mini warehouse structures could be built with a special use permit. There are three (3) different minimum lot sizes and two (2) different lot coverages for these three (3) zoning districts. The proposed maximum lot coverages, for mini warehouse structures, are based upon the Zoning Schedule. A 24,000 square foot building on a 40,000 square foot lot [GB] exceeds the maximum 35% coverage.

L. The minimum area for a mini warehouse unit shall be 100 square feet.

There is no change proposed to this section.

M. The maximum area for a mini warehouse unit shall not exceed 300 square feet.

There is no change proposed to this section.

N. The maximum total percentage of one-hundred square-foot mini warehouse units in a mini warehouse structure shall not exceed 30%. Of this total number, not more than 30% shall be permitted along the exterior portion of a mini warehouse structure that faces an adjacent residential zoned property, [parkland] or a public highway.

I believe this section should be removed.

This section has been in the Town Code for years and I'm not aware of it being of any concern until now. I do not understand the reason for wanting this removed. This section limits a mini warehouse structure from having an excessive number of small units, each with an overhead door, that would face adjacent residential zoned property, parkland, or a public highway. Maybe, if this section was to specify an unconditioned mini warehouse structure it would be better.

O. The minimum front setback for a mini warehouse structure in the GB District shall be 100 feet. Where there is a storefront proposed for the structure, the minimum front setback [for the storefront portion of the structure] shall be 75 feet.

Why do we make the setback less when there is a storefront as I would think this area would be where the parking for the store would need to be? I think we should remove the 75 foot setback, can't we just use the districts zoning setbacks, they are already going to have extra landscape screening.

This section has been in the Town Code for years. I am not aware of any variances being requested. Please note that I have proposed adding words [for the storefront portion of the structure] to avoid confusion. The front setback listed in the Zoning Schedule for the GB District is 75 feet. The intent here is to allow the storefront portion of the structure to be more visible and more readily identifiable. As for the location for parking spaces for the storefront they could be located wherever the Planning Board determines most appropriate.

P. The minimum front setback for a mini warehouse structure in the GI General Industrial or the LI Limited Industrial District shall be 100 feet. Where there is a storefront proposed for the structure, the minimum front setback [for the storefront portion of the structure] shall be 80 feet.

Why do we make the setback less when there is a storefront as I would think this area would be where the parking for the store would need to be? I think we should remove the 75 foot setback with storefront and leave it as 100-foot set back only. // Once again why have different setbacks, can't we just use the districts zoning setbacks, they are already going to have extra landscape screening.

This section has been in the Town Code for years. I am not aware of any variances being requested. Please note that I have proposed adding words [for the storefront portion of the structure] to avoid confusion. The front setback listed in the Zoning Schedule for the LI and GI Districts is 80 feet. The intent here is to allow the storefront portion of the structure to be more visible and more readily identifiable. As for the location for parking spaces for the storefront they could be located wherever the Planning Board determines most appropriate.

~~Q. There shall be no outdoor storage of materials or goods on a mini warehouse site.~~

After reading this [the proposed amendment below] a few times what about leaving Q the same and adding a new letter that includes “Outdoor parking of stored travel trailers, trailers, recreational vehicles, boats, etc., may be allowed as part of site plan approval for a mini warehouse site provided that: (i) such parking is within a designated area of the site that is fully screened by either a [solid] fence, a berm and/or landscaping, to the greatest extent practical, from view from along adjacent highways, parkland, and residential neighborhoods; and (ii) outdoor storage use/area shall be accessory to the mini warehouse use; and (iii) designated off-street parking spaces for mini warehouse sites shall not be used for outdoor parking of stored vehicles listed above.”

This section has been in the Town Code for years. However, a recent interpretation determined that materials or goods does not include any restriction in the Code for outdoor storage of the types of vehicles listed above. I agree that two (2) sections, one to remain [materials or goods] and a new one for the vehicles listed above] would be appropriate. Keep the above section [Q.] and add a new section as proposed. The wording is much clearer.

~~R. All mini warehouse sites shall be fully secured by a six-foot-high security fence along those portions of a mini warehouse site that does not have an exterior wall of a mini warehouse structure facing the rear of side lot lines. Said exterior wall shall not have any openings for mini warehouse units to be accessed from. All access to the mini warehouse structures shall be by gated entry point(s). Where there is a storefront as part of a mini warehouse structure, then the security fence shall be attached to the side portion of the storefront and extend towards the interior aisle portion(s) of the mini warehouse site.~~

Access to all unconditioned mini warehouse structures located within a mini warehouse site shall be by gated entry point(s). All unconditioned mini warehouse structures may be fully secured by a six-foot-high fence. A solid wall shall be located along those portions of any unconditioned mini warehouse structure that has an exterior wall facing the rear or side lot lines. All fences/walls visible from adjacent highways, parkland, and residential neighborhoods shall be constructed of decorative material such as slump stone masonry, concrete block, decorative brick or stone, wrought iron, or other similar materials that fully screen the mini ware-

house units. Said exterior wall ~~shall not have any openings~~ for the unconditioned mini warehouse units [shall not have any openings for access]. ~~to be accessed from.~~ Where there is a storefront as part of an unconditioned mini warehouse structure, then a fence may be attached to the side portion of the storefront and extend towards the interior drive aisle portion(s) of the mini warehouse site. Access to a conditioned mini warehouse structure, that has a locked/alarmed exterior entrance door(s), is not required to be further secured by a six (6) foot high fence/wall surrounding said structure.

Why do we need this last sentence as we change this to maybe having a fence but in the last sentences we state are not required but again we are not requiring the fence at all

This section has been part of the existing code. It has been reworded to read better and there is now a distinction added that fencing/wall is not required to be placed around a proposed conditioned mini warehouse structure.

S. All mini warehouse units and storefronts shall be accessible to the Code Enforcement Officer for fire safety inspections as required under the Uniform Code.

There is no change recommended to this section of the code.

~~T. All mini warehouse structures shall have their exterior walls that face or are visible from along a public right-of-way, or are adjacent to a residential-zoned lot, consist of decorated brick or stone.~~

A minimum of forty (40) feet in length of clear, unobstructed driveway shall be provided from the adjacent highway right-of-way to the primary access gate or principal entry point to any mini warehouse structure. The minimum driveway width between all mini warehouse structures shall be twenty-five (25) feet. The minimum driveway width circulating around the structures and connecting to the internal drive aisles shall be thirty (30) feet where serving two-way traffic movements.

There is no change recommended to this section of the code.

U. All mini warehouse sites shall have a dust-free surface.

There is no change recommended to this section of the code.

V. All mini warehouse sites that have storefronts shall provide adequate parking for said use which is separate from the parking areas for the mini warehouse units. Said parking areas shall be shown on the site plan approved by the Planning Board. In the event that an applicant proposes the banking of parking spaces on a site, the site plan shall note this and shall delineate the area of the site to be used for banking the parking spaces otherwise required.

There is no change recommended to this section of the code.

W. All mini warehouse sites shall have security lighting that is in compliance with the Town's dark sky lighting regulations contained in § 165-64 of this chapter.

There is no change recommended to this section of the code.

X. All mini warehouse sites shall be maintained free of litter or debris.

There is no change recommended to this section of the code.

~~Y. A landscaped area, at least six feet in width, shall be provided around the mini warehouse site. Said landscaped area is to be adjacent to the security fence and within the required side and rear yard portion of a mini warehouse site. All landscaping shall be identified on a site plan and is to be installed within six months of the certificate of compliance.~~

A landscaped area, at least six (6) feet in width shall be provided around the mini warehouse site. Said landscaped area is to be delineated on the approved site plan and shall contain those native plants and trees specified within the MTOD Major Thoroughfare Overlay District landscaping guidelines adopted by the Planning Board. A two-year surety guarantee for maintaining this landscape area shall be required starting at the time of issuance of either a certificate of occupancy or a certificate of completion

There is no change recommended to this section of the code.

Z. All mini warehouse sites shall provide adequate landscaped areas across the frontage of the site and along any side or rear yard portion of a site. A landscaping plan shall be submitted as part of any site plan application. The amount of funds to be used for site landscaping to be provided shall not exceed 5% of the total project cost.

**This should be removed as this is addressed in section Y above. //**

I agree this is a duplicate and should be removed.

AA. All mini warehouse sites shall provide a sidewalk connecting to a sidewalk that traverses the front of the site.

**Not sure if need in the GI and LI or maybe have a statement that the installation of sidewalks per location is at the Planning Board discretion.**

I propose amending this section [AA.] to read as follows . . . “All mini warehouse sites shall provide a sidewalk across the site’s frontage when the site is identified on the Town of Farmington Sidewalk/Trail Master Plan Map, Map No. 19, con-

tained in Appendix #2 of the latest adopted edition of the Town of Farmington Comprehensive Plan.”

BB. ~~All mini warehouse site commercial speech signage shall comply with the provisions of Chapter 165, § 165-43B, of the Town Code.~~

All mini warehouse sites having more than one (1) structure shall have similar building elevations and colors, and each building shall be identified by either a letter or number that is legible from the adjacent public highway and on the of each structure near the entrance to said structure. All other Commercial Speech Signage must comply with sign regulations contained elsewhere in the Town Code.

There is no further change recommended to this section of the code.

CC. All mini warehouse site(s) noncommercial speech signs may identify the owner(s) and their telephone number and/or e-mail address.

There is no further change recommended to this section of the code.

DD. All mini warehouse sites shall have posted by the gated entrance to the mini warehouse site an information sign identifying telephone numbers to be called in the case of an emergency.

Add “If no gate is proposed said sign shall be posted conspicuously near the main entrance to the property.” What if there is no gate, maybe we state that a sign at the entrance must have this information //

Here is a proposed amendment. “All mini warehouse sites shall have conspicuously posted, near the main entrance to the site, a Non-Commercial Speech sign containing the contact information to be called in the event of a site emergency.”

EE. Snow removal from within the mini warehouse compound shall be required unless the owner can demonstrate an area, within said compound, where snow storage will not interfere with internal circulation of emergency vehicles and users of the facility.

There is no further change recommended to this section of the code.

FF. All mini warehouse sites shall provide internal roadway circulation designed to accommodate access throughout by emergency vehicles.

There is no further change recommended to this section of the code.

GG. The parking spaces for conditioned mini warehouse storage building(s) shall be clearly identified on the approved site plan, marked on pavement near the main entrance to the building and shall not be located greater that one-hundred-fifty (150)



lineal feet from the building's main entrance. Each conditioned mini warehouse storage building shall have two (2) designated handicapped parking spaces per \_\_\_ storage units. None of these parking spaces may be used for the outdoor parking of vehicles being stored on the site as is identified above herein. Unconditioned mini warehouse buildings may have parking located alongside the drive aisles for each building.

There is no further change recommended to this section of the code.

HH. The maximum lot coverage for conditioned mini warehouse structures when located within a GB General Business District shall be forty percent (40%) of the Buildable Area of the site. The maximum lot coverage for conditioned mini warehouse structures when located within a LI Limited Industrial District, or a GI General Industrial District shall be thirty-five percent (35%) of the Buildable Area of the site.

Why do we need to state this as it is already in Schedule 1 that shows the maximum building area on a lot? // agreed I would either remove or just refer to schedule 1 and/or zoning district requirements.

The thought here for listing this requirement is that it facilitates an applicant preparing their answers as to how an application meets the criteria listed in Article VI of the Town Code. The Planning Board's determination is based upon whether all of the criteria listed is being met.

II. The maximum height allowed for a conditioned mini warehouse building shall be three (3) stories in the GB General Business, the LI Limited Industrial and the GI General Industrial Districts.

There is no further change recommended to this section of the code.

JJ. One (1) loading dock may be allowed to be attached to a conditioned mini warehouse building provided that the building has a minimum of ten (10) storage units each sized one hundred (100) square feet in area or larger. The loading dock shall be kept clear of all material and debris after loading/unloading operations have ceased.

There is no further change recommended to this section of the code.

KK. All packing, rubbish, or debris associated with any mini warehouse storage building/unit shall be stored on-site and within an approved trash receptacle shown on the site plan.

There is no further change recommended to this section of the code.

LL. Roof-mounted solar panels on an unconditioned mini warehouse structure are not considered an accessory use to the mini warehouse site operations.

**Just confirming they are allowed on conditioned buildings?**

This is a good question. There currently is one mini warehouse site where roof-mounted solar panels have been installed on the roofs of both conditioned and unconditioned buildings.

MM. Vehicles, trailers and related equipment may be rented or leased on-site as an accessory use to the mini warehouse use. However, no more than three (3) vehicles, trailers and/or related equipment for rent or lease may be parked, displayed or stored in front of any mini warehouse structure for more than twenty-four (24) hours. All on-site Commercial Speech Signage must comply with regulations contained elsewhere in the Town Code.

There is no further change recommended to this section of the code.

NN. Mini warehouse sites are intended for dead storage of personal goods and vehicles. The following activities are prohibited.

- (i) Furniture, garage and junk sales.
- (ii) Auctions of any kind or retail activity except for such activity conducted by the site's owner for legal purposes. All such auctions are considered to be a special event subject to review and approval by the Town Code Enforcement Officer.
- (iii) Automobile repair, and similar uses.
- (iv) Storage of hazardous or flammable materials must comply with NYS Fire Codes.
- (v) Cabinet making and similar manufacturing, whether it is for sale or for the storage of renter's personal use.
- (vi) No dumping of sewage or trash, no washing of laundry. No living within a stored RV or boat shall be permitted.

There is no further change recommended to this section of the code.

## 7. OPEN DISCUSSION

### *Director of Development and Planning:*

Mr. Brand reported on the following topics:

- No information has been received on the status of the 2021–2022 Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant. The application for this grant was presented at a public information meeting which was held at the Town Hall on August 3, 2021.

The TAP–CMAQ Program, is a Federal Highway Administration Program which provides reimbursement of up to 75 percent of project-related costs for non motorized transportation improvements, with the remaining 25 percent to be provided by the Town. The Program’s goals and objectives are focused toward improving non-driver access to jobs, education, services, public transit and community amenities by providing non-motorized alternatives, increasing the number of trips taken by pedestrians and/or bicyclists, and improving bicycle and pedestrian safety programs.

If approved, the grant award will fund the construction of approximately 17,000 lineal feet of sidewalks and the construction of a 350-foot pedestrian bridge across Beaver Creek and along the south side County Road 41. The total grant estimate is \$1,996,800. The TAP-CMAQ is a matching grant. The Federal share would be 75 percent (\$1,497,600). The Town share would be 25 percent (\$499,200).

Mr. Brand said that it was originally thought that the grant awards would have been announced in February 2022.

- The New York State Department of Transportation (DOT) will install “No Standing” signs on State Route 332 south of the intersection with State Route 96 as a safety measure to prevent vehicles (especially large trucks) from standing (parking) on State Route 332 in the vicinity of the Burger King, KFC, Taco Bell and Dunkin’ Donuts restaurants. Mr. Brand said that the “No Standing” area will be a distance of 100 feet into the road median in each direction to improve traffic safety in what can be a congested traffic area. He said that the “No Standing” signs will permit police traffic enforcement.
- The engineer for the Farmington Market Center project on State Route 96 is going to reach out to Amy Dake of SRF Associates on the cost of producing a traffic analysis to show the anticipated trip generators from adjacent sites through the adjacent GLN Farmington Realty property and out to State Route 96. Mr. Brand said that there was a dollar amount proposed by the applicant [\$75,000] which has not yet been confirmed by the Town Board. He said that there is another \$85,000 amenity towards the completion of the road [Mercier Boulevard] from the hammerhead turnaround to tie into the south property [Mercier Boulevard cul-de-sac]. Mr. Brand said that the Town previously sought some input for projected costs and arrived at the preliminary estimates based upon the input from the New York State Department of Transportation and MRB Group. Mr. Brand said that this is something which must be addressed and that the Town is waiting for the Farmington Market Center engineer to arrange a meeting with all parties.

- The amenities for a proposed Incentive Zoning project on State Route 96 east of the Finger Lakes Gaming & Racetrack is being discussed by the Town staff with the applicant. Details of the amenities include highways, parks, water and sanitary sewer service. The application will be presented to the Town Board upon receipt.
- The Town Agricultural Advisory Committee will meet on Thursday, April 21, 2022, at 6:30 p.m. at the Town Hall to discuss updates on agricultural conservation easements and a prospective Agricultural Conservation Zoning District.
- The Pre-Construction Meeting for the Delaware River Solar project on property at the southwest corner of Yellow Mills Road and Fox Road has been scheduled for Thursday, April 21, 2022. Mr. Viets suggested that the applicant begin to make arrangements for the ordering of pine trees and other planting species which currently have long order lead times from growers.

***Code Enforcement Officer:***

Mr. Delpriore reported on the following topics:

- The Loomis Road Industrial Park Preliminary Site Plan and Special Use Permit will be on the Planning Board agenda for Wednesday, April 20, 2022. Mr. Delpriore said that the applicant is expected to request one final continuation date and to provide additional details on this project.
- The Preliminary Site Plan and the Special Use Permit for A Safe Place Storage, 6025 Denny Drive, also will be on the Planning Board agenda on April 20, 2022.
- The Certificate of Occupancy for Auto Wash on the northwest corner of State Route 96 and Mertensia Road was issued earlier this week and the facility has opened for business. The final landscaping and seeding of the site must be completed by May 31, 2022.
- The new Meyer's RV building on the northeast corner of State Route 96 and Mertensia opened last week. The building-mounted sign will be installed on Friday, April 8, 2022. Demolition of the old building on the site will begin next week following the disconnection of the natural gas service by RG&E which is scheduled for Saturday, April 9, 2022. All other utilities have already been disconnected from the old building.
- O&L Realty LLC, the applicant of the Farmington Subdivision, proposes the re-subdivision of 46 existing residential lots in the undeveloped section of the Farmbrook Subdivision and one lot owned by the Farmbrook Homeowners Association to accommodate 46 homes and a stormwater management pond to address increased runoff from the remaining 71 undeveloped lots in the subdivision. The re-subdivision application has been referred to the Ontario County Planning Board

(Referral #69-2022) and is expected to be on the Town Planning Board agenda in May.

***Town Highway and Parks Superintendent:***

Mr. Ford reported that the Highway Department is gearing down from winter work and is preparing for spring.

***Town Engineer:***

Mr. Brabant said that MRB Group is working with the New York State Department of Environmental Conservation on the General Permit for MS4 communities. He said that they are now going through the review process and that the Town's MS4 Committee meetings will resume.

***Board Members' Comments:***

Mr. Hemminger asked if any new solar applications have been received by the Town now that the solar moratorium has been lifted. Mr. Brand said that one site which had been considered for a solar installation may now be considered for housing by the property owner and that other applicants have expressed concern about finding an equal amount of acreage to establish a conservation easement for the life of a proposed solar farm. He said that this requirement may be a deterrent to applicants [from proposing solar farms in the Town]. Mr. Brand also said that an applicant is looking at a site on New Michigan Road in the Town of Canandaigua for a solar installation.

Mr. Bellis asked about the road condition of Redfern Drive. He said that mud and debris is often on the road. Mr. Ford said that he is aware of this and that the contractor working in this area usually cleans the road by the end of each workday.

**8. PUBLIC COMMENTS**

None.

**9. TRAINING OPPORTUNITIES**

**■ 2022 Municipal Bootcamp:**

Hancock Estabrook and MRB Group are offering a free annual training program to assist local governments, municipal officials, and planning and zoning boards. The program will include 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program in the series will be pro-

vided remotely on the fourth Thursday of each month with subject matter experts from MRB Group and knowledgeable attorneys from Hancock Estabrook LLP. Topics will be ively, useful and—potentially as important—qualify for the education requirements for members of planning boards and zoning boards of appeal.

Remaining sessions in 2022:

***Thursday, April 28, 2022, 6:00 p.m. to 7:00 p.m.***

Here Comes the Sun: Shaping Solar and Battery Storage Projects

***Thursday May 19, 2022, 6:00 p.m. to 7:00 p.m.***

Keep the Grass Green and the Water Clean: Your Role in SEQR Review

***Thursday, June 23, 2022, 6:00 p.m. to 7:00 p.m.***

How it All Fits Together: Long-Range Plans and Near-Term Challenges

***Thursday, July 28, 2022, 6:00 p.m. to 7:00 p.m.***

Ask Us Anything: Hot Topics in Planning, Zoning and Community Development

***Thursday, September 22, 2022, 6:00 p.m. to 7:00 p.m.***

What Not to Say and What Really Not to Do: Avoiding Sexual Harassment

***Thursday, October 27, 2022, 6:00 p.m. to 7:00 p.m.***

A History Lesson: Managing Projects with Historic Significance

***Thursday, December 22, 2022, 6:00 p.m. to 7:00 p.m.***

Santa’s Nice and Naughty List: The Best and Worst of 2022

*Select this link for the 2022 Municipal Bootcamp information page. RSVP and registration tab are at the bottom of the website page.*

<https://www.hancocklaw.com/events/the-2022-municipal-bootcamp/>

**■ New York Planning Federation Recorded Webinars:**

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

***The Essentials of Planning and Zoning:***

Introduction to Planning, Zoning and Land Use

Everything You’ve Ever Wanted to Know About Preparing a Comprehensive Plan

Understanding and Applying SEQRA (NY State Environmental Quality Review Act)

The What, Why, and How of Site Plan Review

Common Mistakes and Mishaps in Site Plan Review

***Meeting Process and Communication:***

Enhancing Transparency Effectiveness in Planning Proceedings

Innovations and Best Practices for Planning/Zoning Boards

Engaging Diverse Communities and Dealing with Difficult People  
 Working with Elected Officials and Understanding Everyone’s Role in Planning  
 The Open Meetings Law for Zoning and Planning Boards, Part 2  
 Working with Developers to Foster Investment in the Community  
 Communication, the Media and Social Media  
 Open Government and Planning and Zoning Decision Making

■ **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>

**10. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:20 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, April 20, 2022, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and via Zoom video conference.

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

Respectfully submitted,

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