

# *Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, August 16, 2017, 7:00 p.m.**

## **MINUTES—APPROVED**

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

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

**Board Member Excused:** Scott Makin

**Staff Present:**

Lance S. Brabant, CPESC, Town of Farmington Engineers, MRB Group D.P.C.  
Ronald L. Brand, Town of Farmington Director of Development and Planning  
David Degear, Town of Farmington Water and Sewer Superintendent  
Don Giroux, Town of Farmington Highway Superintendent  
James Morse, Town of Farmington Code Enforcement Officer  
John Weidenborner, Assistant Chief, Farmington Volunteer Fire Association

**Applicants Present:**

John Barry (Finger Lakes Hotel), 6108 Loomis Road, Farmington, N.Y. 14425  
Scott Benson, Victor Association of Cultural and Performing Arts, 630 Crowley Road,  
Farmington, N.Y. 14425 (Cobblestone Arts Center, 1622 State Route 332,  
Farmington, N.Y. 14425)  
Ryan Del Re, Creat A Scape Enterprise LLC, 6162 State Route 96, Farmington, N.Y. 14425  
Joseph Konwinski, 200 Hook Road, Farmington, N.Y. 14425  
Patrick S. Laber, P.E., Senior Project Engineer, Schultz Associates, P.C., 129 S. Union Street,  
P.O. Box 89, Spencerport, N.Y. 14559

**Residents Present:**

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425  
Brian Sandore, 6143 Hanover Road, Farmington, N.Y. 14425

## 1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Acting Chairperson Edward Hemminger. The Pledge of Allegiance was recited. Mr. Hemminger introduced the Planning Board members and staff, explained the emergency evacuation procedures and noted that copies of the evening's agenda were available on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 1, 2017.

## 2. APPROVAL OF MINUTES OF AUGUST 2, 2017

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the August 2, 2017, meeting be approved.

Motion carried by voice vote.

## 3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on August 9, 2017:

### LEGAL NOTICE

**NOTICE IS HEREBY GIVEN THAT** the Planning Board of the Town of Farmington, Ontario County, New York, will hold a Public Hearing at 1023 Hook Road on the 16th day of August, 2017, commencing at 7:00 p.m. for the purpose of considering the application of:

**PB #0801-17: JOSEPH KONWINSKI, 200 HOOK ROAD, FARMINGTON, N.Y. 14425:** Request a three-lot subdivision approval to create Lot 1 consisting of 1.56 acres, Lot 3 consisting of 2.25 acres and the remaining lands of parent parcel will consist of 3.45 acres with an existing dwelling. The property is located at 200 Hook Road and zone RS-25 District.

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

Scott Makin, Chairperson  
Planning Board

**4. NEW PUBLIC HEARING: PRELIMINARY 3-LOT SUBDIVISION****PB #0801-17 Preliminary 3-Lot Subdivision Application**

**Name:** Joseph Konwinski, 200 Hook Road, Farmington, N.Y. 14425

**Location:** 200 Hook Road, Farmington, N.Y. 14425

**Zoning District:** RS-25 Residential Suburban

**Request:** 3-Lot subdivision plat approval to create Lot #1 consisting of 1.63 acres as an Unbuildable Lot; Lot #2 consisting of 3.454 acres with an existing dwelling; and Lot #3 consisting of 2.252 acres as an Unbuildable Lot

Mr. Hemminger opened the Public Hearing on this application.

Mr. Konwinski presented this application.

Mr. Konwinski explained that he would like to subdivide his property of approximately seven acres into three lots with his existing home to be on Lot #2. Lot #1 and Lot #3 would be Unbuildable Lots at this time. He said that perc tests for conventional septic systems have been conducted on all three lots, that the property survey has been completed and that these materials have been submitted to the Building Department.

Mr. Brand said that draft resolutions for the State Environmental Quality Review (SEQR) determination and for Preliminary Subdivision approval with conditions have been prepared for board consideration this evening.

Mr. Morse said that he discussed with Mr. Konwinski the Town's zoning regulations regarding potential future building plans for Lot #1 and Lot #3.

Mr. Brabant said that MRB Group issued an engineering comment letter on August 8, 2017, and that he has requested that the distances of the existing septic system be labeled on the Subdivision Plans. Mr. Brabant said that he had no other issues with the application.

Mr. Degear, Mr. Giroux and Assistant Chief Weidenborner had no comments or questions on the application at this time.

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

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the Public Hearing on this application be closed.

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

**Board deliberations:**

■ A motion was made by MR. BELLIS, seconded by MR VIETS, that the SEQR resolutions for Mr. Konwinski’s applications (PB #0801-17 SEQR Determination of Classification and SEQR Criteria for Determining Significance) be combined for concurrent action and that the reading of the resolutions be waived.

Motion carried by voice vote. The SEQR resolutions for PB #0801-17 were combined for concurrent action and the reading of the resolutions was waived.

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

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

**PB #0801-17**

**APPLICANT: Joseph Konwinski, 200 Hook Road, Farmington, N.Y. 14425**

**ACTION: Three-Lot Subdivision, 200 Hook Road**

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

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

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

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

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

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

**PB #0801-17**

**APPLICANT:**                    **Joseph Konwinski, 200 Hook Road, Farmington, NY 14425**

**ACTION:**                        **3-Lot Subdivision Plat to create Lot #1 consisting of 1.63 acres as an Unbuildable Lot; Lot #2 consisting of 3.454 acres with an existing dwelling; and Lot #3 consisting of 2.252 acres as an Unbuildable Lot; located along the west side of Hook Road north of Green Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.2 (a) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, has found the above referenced Action to be an Unlisted Action; and

**WHEREAS**, the Planning Board has reviewed the completed Part 1 of the Short Environmental Assessment Form; and

**WHEREAS**, the Planning Board has completed Part 2 of the Short Environmental Assessment Form.

**WHEREAS**, the Planning Board is the only involved agency with said Actions and, therefore, is the designated lead agency for making the required determination of significance.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Parts 1 and 2 of the Short EAF and directs the Planning Board Chairperson to sign and date the EAF Part 2.

**BE IT FURTHER RESOLVED** that the Planning Board reasonably concludes the following impacts are expected to result from the proposed Actions, 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;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;

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

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

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

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

Motion carried.

Mr. Brand then read aloud and explained the conditions of approval in the draft Preliminary Subdivision approval resolution.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY PLAT, JOSEPH KONWINSKI SUBDIVISION**

**PB #0801-17**

**APPLICANT: Joseph Konwinski, 200 Hook Road, Farmington, NY 14425**

**ACTION: Preliminary Subdivision Plat Approval, 3 Lots, located along the west side of Hook Road north of Green Road.**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a Preliminary Plat drawing prepared by Freeland-Parrinello, Land Surveyors, proposing the creation of 3 Lots from 7.269 acres of land identified as Tax Map Account 8.00-01-28.100 and entitled “Preliminary Subdivision Plat of Lands of Joseph C. Konwinski and Rokhsanna Sadeghi;” and

**WHEREAS**, the Planning Board has reviewed and given consideration to the Ontario County Planning Board Referral #160-2017, an Administrative Review Referral with comments and no specific recommendation; and

**WHEREAS**, the Planning Board has received testimony at tonight’s Public Hearing regarding the proposed subdivision; and

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

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

1. Preliminary Subdivision Plat Approval is based upon the revised Preliminary Plat drawing prepared by Freeland-Parrinello Land Surveyors, dated June 23, 2017 and titled “Preliminary Subdivision Plat of Lands of Joseph C. Konwinski & Rokhsanna Sadeghi.”
2. The Town Engineer’s letter, dated August 8, 2017, to the Director of Development, contains recommendations that are to be addressed prior to signing the Preliminary Plat map. The comment about any new development (comment #1) and the distance from property lines (comment #3) are to be added to a revised Preliminary Plat map before signing by town officials. The 40-foot-wide drainage

easement, shown as being located in the southwest corner of the site, is to either be shown as a proposed drainage easement across Lot #3, or an existing drainage easement. In any event, before a Building Permit may be issued for Lot #3, the Liber and Page for this drainage easement is to be filed with the Town Development Office.

3. There is to be a note added to the revised Preliminary Plat map that reads . . . “Driveways for proposed Lots #1 and #3, shall comply with the criteria set forth in Section 2.05, Driveway Design Requirements, of the Town of Farmington Site Design and Development Criteria.” In particular, both of the proposed driveways are to have driveway pavement extending at least 10 feet back from the edge of the travel lane of the adjacent public highways.
4. Prior to the issuance of Building Permits for either Lot #1 or Lot #3, Site Plan approval from the Planning Board is required and there is to be a stamped and signed engineer’s certification of the percolation test(s) performed on June 8, 2017, or any other date of a new percolation test performed on these lots. A note to this effect is to be added to the revised Preliminary Plat map.
5. There is to be a Revision Box added to the Preliminary Plat map identifying the changes made to the original submission and the date such changes were made.
6. Preliminary Subdivision Plat Approval is valid for a period of 180 days from today.
7. Three (3) paper copies of the revised Preliminary Subdivision Plat drawing are to be submitted to the Town Code Enforcement Officer for his review and approval, prior to signing by the Planning Board Chairperson. One signed copy is to be placed in the Project File, one signed copy is to be provided to the Town Highway Superintendent, and the other signed copy is to be returned to the applicant. If additional signed copies of the revised Preliminary Plat are necessary, then the applicant is to provide the additional number of copies at the time of signing.
8. Once the revised Preliminary Subdivision Plat, cited above, has been signed by the Planning Board Chairperson then the Planning Board will entertain applications for Final Subdivision Plat Approval.
9. No Building Permits may be issued for any site development until the Final Subdivision Plat has been approved by the Planning Board, and the signed mylar and two signed paper copies are filed in the Ontario County Clerk’s Office, and tax map accounts have been provided by the County Office of Real Property to the Town for all three parcels of land.

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

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

Motion carried.

## 5. CONTINUED PRELIMINARY SITE PLAN

### **PB #0704-17                      Continued Preliminary Site Plan Application**

**Name:**                      Finger Lakes Hotel (John Barry), 6108 Loomis Road,  
Farmington, N.Y. 14425

**Location:**                      Finger Lakes Hotel, 6108 Loomis Road, Farmington, N.Y. 14425

**Zoning District:**                      GB General Business

**Request:**                      Preliminary Site Plan approval to construct an 1,834-square-foot  
one-story addition to the existing banquet facility

Mr. Hemminger resumed consideration of this application that had been continued from the meeting on July 19, 2017.

Mr. Barry presented this application.

Mr. Brand reported that since the meeting on July 19, 2017, the fire department conducted a test with a fire department vehicle to determine the clearance at the driveway underpass at the hotel. Photographs of the fire apparatus at the underpass—which were taken by the applicant and by Mr. Giroux—were submitted and distributed to the Planning Board and to the Town staff prior to tonight’s meeting.

Mr. Barry reported that the test confirmed that there would be a 12-inch clearance for the fire apparatus as it passed through the underpass and as it entered upon the upslope away from the underpass.

Assistant Chief Weidenborner said that the fire department requests a 13-inch clearance to compensate for potential layers of new pavement that may be installed during the coming years and to assure a safety measure of adequate clearance.

Mr. Giroux—who is also a member of the fire department—described how the test was conducted. He reported that he measured the clearance at 12 feet-2 inches and that the fire department requests a 13-foot clearance for assurance that the fire apparatus would

clear the underpass. He suggested that a post and string be established at the 13-foot clearance and that another test be made to assure that a 13-foot clearance would be met.

Mr. Hemminger supported the suggestion of a test to determine the 13-foot clearance. He noted that it would be better to be sure of the clearance now, rather than to have difficulties during and following construction.

Assistant Chief Weidenborner said that fire department personnel would set up the post and string measurement at the 13-foot mark and would conduct another test with the same fire vehicle, which is the largest apparatus in the fire department fleet.

Mr. Barry described the construction pillars and steel beams that were initially installed at the hotel in 1962. He explained that eight-inch steel beams would now be installed and that they—along with other construction techniques—would provide greater clearance at the underpass.

Assistant Chief Weidenborner said that the fire department would be conducting a walk-through of the Finger Lakes Hotel on August 28th and that the measurement would be taken that evening when the fire apparatus is on the premises.

Mr. Brand asked that photographs be taken and that they be submitted to the Planning Board for documentation of the clearance prior to the next meeting.

Mr. Barry said that the test would be repeated following construction, as well.

Mr. Morse asked Mr. Barry to provide six sets of the on-site parking plans in a larger size. Mr. Morse requested that the locations of the parking spaces be specifically shown on the plans. Mr. Morse also reminded the applicant of the double line striping requirements in the Town Code.

Mr. Brabant said that he is concerned about the emergency vehicle access and clearance at the underpass. He said that he was pleased to see that this issue is being reviewed.

Mr. Brand requested that Assistant Chief Weidenborner and/or Mr. Giroux provide the details of the clearance test which will be conducted on August 28, 2017, to him in time for preparation of a draft Preliminary Site Plan approval resolution for consideration by the Planning Board, at the meeting to be held on September 6, 2017.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN, FINGER LAKES HOTEL ONE-STORY ADDITION—  
CONTINUATION**

**PB #0704-17**

**APPLICANT: Finger Lakes Hotel, 6108 Loomis Road, Farmington, N.Y. 14425**

**ACTION: Preliminary Site Plan Approval for an 1,834-square-foot addition to the existing banquet facility at property located at 6108 Loomis Road, Farmington, N.Y. 14425**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Finger Lakes Hotel, 6108 Loomis Road, for a one-story 1,834-square-foot building addition to the existing banquet facility; and

**WHEREAS,** the Planning Board has received testimony at tonight’s public meeting regarding the proposed preliminary site plan drawing; and

**WHEREAS,** the Planning Board has identified that additional information regarding fire equipment and emergency vehicle access to the site is to be provided prior to the consideration of acting upon this Application; and

**WHEREAS,** the Planning Board cannot act upon this Application until the requested information has been provided by the applicant; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to table and continue the consideration upon this Application to Wednesday, September 6, 2017.

Mr. Barry asked if the board had any issues with the building elevations that were provided at the meeting on July 19, 2017. There were no issues or concerns expressed by members of the Planning Board.

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

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

Motion carried.

**6. PRELIMINARY SITE PLAN**

**PB #0802-17 Preliminary Site Plan Application**  
**Name:** Lorene Benson, Victor Association of Cultural and Performing Arts, Inc., 630 Crowley Road, Farmington, N.Y. 14425

- Location:** Cobblestone Arts Center, 1622 State Route 332,  
Farmington, N.Y. 14425
- Zoning District:** GB General Business
- Request:** Preliminary Site Plan approval to construct a 4,096-square-foot bus maintenance garage and bus parking lot

Mr. Laber presented this application. Mr. Benson also attended.

Mr. Laber described the application as follows:

- The bus maintenance garage would be located on the southwest portion of the Cobblestone Arts Center site, 1622 State Route 332.
- The structure would be approximately 60 feet x 60 feet and approximately 27 feet in height at the peak. It would metal sided with cultured stone at the bottom to match materials that were used during the recent expansion project. The color may be white or blue.
- Ten buses are currently being stored off the site. A total of 12 parking spaces for the buses are shown on the plans to accommodate a potential future increase in the fleet. Six vehicle parking spaces for drivers' vehicles also are shown. The buses are half-size vehicles.
- The access lane to the bus garage would extend off the existing parking lot and lead into an overhead door to the structure. An exit point would be located on the south side of the parking lot to avoid buses having to back up.
- A 1,000-gallon gasoline storage tank would be moved from the off-site location to this site. The tank meets all State and local requirements. Documentation will be provided to the Building Department.
- The existing dumpster would be relocated from its current position on the site (which will become part of the Auburn Trail) to an area on the south side of the property.
- Although this application would not disturb more than one acre of land, the combined effect of the several recent projects on the site will exceed one acre. The existing stormwater retention pond on the site will be modified and a Stormwater Pollution Protection Plan (SWPPP) will be submitted.
- A sanitary sewer force main and water service to the bus garage have been removed from the plans due to the costs involved in bringing water utilities to the site. The structure is proposed to be dry and will only have electric service. There will be no water or sewer connections. Mr. Laber noted that there may be an op-

portunity in the future to bring water to the structure from the proposed Cerone Incentive Zoning Project on property to the north of the site. As a result of the removal of the water and sewer utilities from the plans, the originally proposed 2,000-gallon oil/water separator and the originally proposed 2,500-gallon holding tank also have been removed from the plans.

- A site lighting plan and details on the building-mounted lighting fixtures will be provided.
- Mr. Laber reported that the application has been reviewed by the Ontario County Planning Board (OCPB). He noted that the OCPB and the Town Engineer requested details on landscaping, which will be provided.

Mr. Brand said that draft resolutions for the State Environmental Quality Review (SEQR) determination and for Preliminary Subdivision Approval with conditions have been prepared for board consideration this evening.

Mr. Degear expressed support of the application for construction of the bus garage. He explained that his concern was the manner in which the water and sewer utility service was to have been brought to the structure. He said that he understands that cost is a concern for the applicant and that the potential ability to receive these services from the Cerone Incentive Zoning Project to the north is a good compromise.

Mr. Brabant explained that the main point of the MRB Group engineering comment letter concerned the cumulative effect of the several recent projects on this site upon the stormwater management facility and upon water quality measures. He said that the applicant's plans to modify the existing stormwater management facility and to provide a SWPPP will address the Town's engineering concerns as they relate to drainage.

Ms. Neale informed Mr. Laber that she requests, on behalf of the Planning Board, a color rendering of the bus garage, a description of the building materials to be used, and elevations. She said that these may be submitted in time for inclusion in the board packets with the Final Site Plans.

Mr. Viets asked about the gasoline storage tank and its security. Mr. Benson explained that the tank is electronically controlled with locking caps and a fuel meter to record drivers' uses. He said that it is a double walled tank and that it would be secured in the evenings. Mr. Benson said that there have been no problems with the tank or its use at its current location on Crowley Road.

Mr. Hemminger discussed the road connection to the north, through the Cerone Incentive Zoning Project site, to the future signalized intersection at State Route 332 and Farmbrook Drive, noting that this will provide a much safer route for the Center's school buses to enter State Route 332.

Mr. Morse explained the new Town standards for double-line striping of parking spaces.

Mr. Hemminger reiterated Ms. Neale's request for a color rendering of the bus garage and for landscape plans.

■ A motion was made by MS. NEALE, seconded by MR VIETS, that the SEQR resolutions for the Victor Association of Cultural and Performing Arts Inc. applications (PB #0802-17: SEQR Determination of Classification and SEQR Criteria for Determining Significance) be combined for concurrent action and that the reading of the resolutions be waived.

Motion carried by voice vote. The SEQR resolutions for PB #0802-17 were combined for concurrent action and the reading of the resolutions was waived.

■ A motion was made by MS. NEALE, seconded by MR VIETS, that the following SEQR resolutions be approved:

**FARMINGTON PLANNING BOARD RESOLUTION  
SEQR RESOLUTION—DETERMINATION OF CLASSIFICATION  
PRELIMINARY SITE PLAN, COBBLESTONE ARTS CENTER BUS FACILITY**

**PB #0802-17**

**APPLICANT: Lorene Benson, Victor Association of Cultural and Performing Arts, Inc., 630 Crowley Road, Farmington, N.Y. 14425**

**ACTION: Preliminary Site Plan Approval for a 4,096-square-foot bus maintenance garage, relocation of the site dumpster and additional site parking to the facility located at 1622 New York State Route 332**

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

**WHEREAS**, the Board finds the Action is not identified under Section 617.4, as being a Type I Action; and

**WHEREAS**, the Board finds the Action is not identified under Section 617.5 (7)—the Type II Action list—as being an Action that involves the construction of an accessory non-residential structure having more than 4,000 square feet in gross floor area, therefore, it is defined as an Unlisted Action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board finds that the Action is classified as an Unlisted Action under Section 617.6 of the SEQR Regulations.

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

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

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

**PB #0802-17**

**APPLICANT: Lorene Benson, Victor Association of Cultural and Performing Arts Inc., 630 Crowley Road, Farmington, N.Y. 14425**

**ACTION: Preliminary Site Plan Approval for a 4,096-square-foot bus maintenance garage, relocation of the site dumpster and additional site parking to the facility located at 1622 New York State Route 332**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.2 (a) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, has found the above referenced Action to be an Unlisted Action; and

**WHEREAS**, the Planning Board has reviewed the completed Part 1 of the Short Environmental Assessment Form; and

**WHEREAS**, the Planning Board has completed Parts 2 and 3 of the Short Environmental Assessment Form.

**WHEREAS**, the Planning Board is the only involved agency with said Actions and, therefore, is the designated lead agency for making the required determination of significance.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby accept the findings contained in Parts 1 and 2 of the Short EAF and directs the Planning Board Chairperson to sign and date the EAF Part 3.

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

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

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

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

Motion carried.

Mr. Hemminger then asked the clerk to read aloud the following resolution. Prior to the reading, Draft Condition #2 regarding the originally proposed 2,000-gallon oil/water separator and Draft Condition #3 regarding the originally proposed 2,500-gallon holding tank were deleted from the draft resolution.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN, COBBLESTONE ARTS & EDUCATIONAL CENTER  
BUS FACILITY**

**PB #0802-17**

**APPLICANT: Lorene Benson, Victor Association of Cultural and Performing Arts, Inc., 630 Crowley Road, Farmington, N.Y. 14425**

**ACTION: Preliminary Site Plan Approval for a 4,096-square-foot bus maintenance garage, relocation of the site dumpster and additional site parking to the facility located at 1622 New York State Route 332**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Lorene Benson, Victor Association of Cultural and Performing Arts, Inc., for a one-story 4,096-square-foot bus garage, expanded black topped apron for parking of buses, relocated dumpster and enclosure to the Cobblestone Arts and Education facility site; and

**WHEREAS**, the Planning Board has reviewed the amended Preliminary Site & Utility Plan drawing, prepared by Schultz Associates, Engineers & Land Surveyors, P.C., having a revised date of 8/01/17 with Revision Box Note that reads... “Removed Water Service and Sanitary Force Main: Added Holding Tank,” Project No. 17.145, Sheets No: C-1 through C-7, dated June 27, 2017; and

**WHEREAS**, the Planning Board has received testimony at tonight's public meeting regarding the proposed preliminary site plan drawing; and

**WHEREAS**, the Planning Board has reviewed the Town Project Review Committee (PRC) Comments made at the July 28, 2017, meeting, the Ontario County Planning Board Referral #151-2017, a Class 1 Referral with comments; and

**WHEREAS**, the Planning Board has reviewed the public meeting record upon this Application.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby move to approve this application for Preliminary Site Plan Approval with the following conditions:

1. The Preliminary Site Plan is not to show the original proposed force main and water line connections to the Existing 1 Story Frame Structure, including the notation regarding the Contractor to connect to existing utilities.
2. The Preliminary Site Plan is to show the details of the relocated site dumpster and enclosure to include a template for the access by the refuse hauler.
3. The Preliminary Site Plan is to be updated to show the names of the adjacent land owners.
4. The Trench Detail, shown on Sheet C-5 needs to be updated to conform with the amended Site Design Criteria dated August 2016.
5. There is to be a noted added to the drawings to that identifies whether or not a Department of Environmental Conservation Bulk Storage Permit is required for the above ground 1,000-gallon gasoline storage tank. If a Permit is necessary, then a copy of said Permit is to be provided to the Town Code Enforcement Officer prior to the issuance of a Certificate of Compliance.
6. All comments contained in the MRB Group D.P.C. Letter, dated August 10, 2017, are to be addressed in writing and where appropriate revisions made to the preliminary site plan drawings prior to signing by Town Departments and the Town Engineer.
7. Once all changes required by these conditions of approval have been made to the preliminary site plan drawings and the Revision Boxes amended, then one set of the drawings are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a total of five (5) paper sets of drawings are to be submitted for signing by Town Department Heads, the Town Engineer and then the Planning Board Chairperson. If additional signed drawings are required by the applicant then they are to be provided at the time of signing.

- 8. Preliminary Site Plan Approval is valid for a period of 180 days from today and shall expire unless amendments have been made to the drawings and signatures have been affixed thereto.
- 9. Once there is a set of signed preliminary site plan drawings then the applicant may submit an application for Final Site Plan Approval.
- 10. No Building Permits, or site clearing is to occur until Final Site Plan Approval has been granted by the Planning Board.

Following the reading of the resolution, Mr. Brand requested that Mr. Laber depict on the revised Preliminary Site Plan the locations of the handicapped parking spaces. Mr. Laber said that he would do so.

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

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

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

Motion carried.

**7. PRELIMINARY SITE PLAN**

**PB #0803-17 Preliminary Site Plan Application**

**Name:** Create A Scape, 6162 State Route 96, Farmington, N.Y. 14425

**Location:** 6162 State Route 96, Farmington, N.Y. 14425

**Zoning District:** GB General Business

**Request:** Preliminary Site Plan approval to utilize the existing structure and site to operate a landscape construction business

Mr. Del Re presented this application.

Mr. Brand explained that the Ontario County Planning Board (OCPB) has recommended a modification to this site plan requiring the applicant to provide plans for the adjacent

parcels that the company owns on State Route 96 and for the applicant to provide a traffic study analysis to confirm that access to State Route 96 would be acceptable.

Mr. Brand reported that representatives from the OCPB and from the New York State Department of Transportation (DOT) attended the Project Review Committee meetings at which this application was discussed. He said that the OCPB recently approved the Town's revisions to the Major Thoroughfare Overlay District (MTOD) map with no requests for amendments to this portion of State Route 96. He also reported that the DOT representative had no objections to the site plan because the applicant would be using the site's existing driveway with no modifications to the structure or to the driveway from the manner of use by the business which formerly occupied the site.

Mr. Brand said that a traffic study is not warranted because the applicant has proposed no changes to the structure or to the driveway and the new use is less intense than the previously proposed athletic center. He said that the Town would request the DOT representative to confirm in writing his comments discussed at the Project Review Committee meetings of having no objections to using the existing point of access.

Mr. Del Re said that he attended the OCPB meeting and that he was shocked when he heard of the OCPB's modification for a traffic study, especially because the DOT representative reported at the Project Review Committee meeting that a traffic study was not needed.

Mr. Brand said that he would prepare a resolution for board consideration to override the OCPB's modification recommendation. He said that the rationale for the override would be based in part upon the comments of the DOT representative at the Project Review Committee meeting, upon the OCPB's approval of the revised MTOD map, and upon the applicant's site plan that does not propose changes to the site from the manner of use by the business which formerly occupied the site.

Mr. Hemminger said that the Planning Board would continue the application to the next meeting on September 6, 2017, to provide time for Mr. Brand to prepare the override resolution. He said that the board seeks to be cautious at this point.

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

Mr. Bellis and Mr. Hemminger said that they were pleased that Mr. Del Re's company would be reopening the vacant structure on this site for his landscape business.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
PRELIMINARY SITE PLAN, CREATE A SCAPE ENTERPRISE LLC  
CONTINUATION**

**PB #0803-17**

**APPLICANT:** Create A Scape Enterprise LLC, 6162 State Route 96  
Farmington, N.Y. 14425

**ACTION:** Preliminary Site Plan Approval—To use an existing structure for office and retail sales and to use the site for outdoor storage of materials and equipment used in conjunction with a landscape construction business

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received an application for preliminary site plan approval for property located at 6162 State Route 96; and

**WHEREAS**, the Ontario County Planning Board referral #162 of 2017 recommended modification that the applicant provide plans that show the potential for buildout of the properties under the ownership, including a traffic impact assessment pertaining to the associated facility flow/ trips and access off of and onto State Route 96 is to be provided, reviewed by the New York State Department of Transportation to determine if any mitigation should be required, prior to the Planning Board taking action; and

**WHEREAS**, the Planning Board has reviewed the public record upon this application for preliminary site plan approval; and

**WHEREAS**, the Planning Board understands that in order to override the County Planning Board's recommendation of modification, a majority plus one vote of the entire membership of the Town Planning Board will be required; and

**WHEREAS**, the Planning Board needs to review a resolution with reasons to override the County Planning Board's recommendation of modification.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board does hereby instruct to the Town's Director of Planning and Development to prepare a draft resolution setting forth reasons for over-riding the County Referral #162-2017, recommending modification to this application.

**BE IT FURTHER RESOLVED** that the Planning Board requests said draft resolution to be submitted for review and decision at the September 6, 2017, meeting along with a draft resolution of approval with conditions.

**BE IT FURTHER RESOLVED** that the Planning Board tables, to September 6, 2017, further consideration upon this application for preliminary site plan approval.

**BE IT FINALLY RESOLVED** that copies of this resolution are to be provided to the applicant; Greg Trost, Assistant Resident Engineer, NYSDOT, Ontario County Office, Parrish Street, Canandaigua, New York 14424; the applicant's engineers, Lu Engineering, 339 East Avenue, Suite 200, Rochester, New York 14604; and the Ontario County

Planning Board, Ontario County Office Building, Suite 200, 20 Ontario Street, Canandaigua, New York 14424.

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

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

Motion carried.

**8. OPEN DISCUSSION**

***Director of Development and Planning:***

Mr. Brand commented on the following topics:

- Tonight’s meeting will be the final Planning Board’s session in the Town Court Facility. The Main Meeting Room in the renovated Town Hall has been approved by Mr. Morse—the Town Code Enforcement Officer—for occupancy. This evening’s meeting would have been held in the Town Hall. However, the Legal Notice advertising tonight’s Public Hearing had already been published with the Town Court Facility location. Mr. Brand noted that the renovated Main Meeting Room includes three large-screen monitors for the electronic display of presentations and other materials; and a new sound system for board members, Town staff and residents.
- Bids for the exterior landscape work at the renovated Town Hall are now being solicited from contractors. Bids will be opened on August 25, 2017. The contract will be awarded by the Town Board on September 5, 2017. Landscaping is to be completed by September 29, 2017. Installation of the new flagpole is yet to be completed.
- Mr. Brand said that revised site plans have not yet been submitted by the Home Leasing consulting engineer for the Farmington Gardens apartments project on State Route 332. As a result, Fisher Associates has not been able to resume the HEC-RAS hydraulic study of the impact of the apartment project upon Beaver Creek.
- The Town Board will hold a Public Hearing on August 22, 2017, on Conifer Realty’s application to rezone approximately 16 acres of land of the former Glacier Lakes Water Park Planned Development Project on State Route 332 and

County Road 41 from PD Planned Development to RMF Residential Multi-Family.

- The Solar Regulations Committee met on August 15, 2017, to discuss the most recent draft of the Town's proposed local law on Solar Photovoltaic (PV) Systems. Mr. Brand reported that he is working with a professor from Pace University on the final text of the proposal. Adoption of the local law by the Town Board is tentatively scheduled in October.

***Code Enforcement Officer:***

Mr. Morse reported that a Site Plan application is expected soon for construction of a new dentist's office on the east side of State Route 332 between Farmbrook Drive and Clover Meadow Drive.

He also reported that an Area Variance application is expected to be submitted to the Zoning Board of Appeals for a barn in the Town of Macedon that encroaches three feet over the Town boundary line onto property in the Town of Farmington.

***Highway Superintendent:***

Mr. Giroux reported that paving in the Doe Haven Subdivision has begun. When completed by next week, he said that Mertensia Road and Doe Haven Drive will be ready for road striping. He also reported that road sealing will begin later in the month of August in the Phillips Landing and Sunny Acres subdivisions.

***Water and Sewer Superintendent:***

Mr. Degear reported that the low-pressure sewer line to serve the Town Hall campus has been completed and that the Town Hall is now on the public sewer system.

***Fire Chief:***

Assistant Chief Weidenborner reported that the fire department is scheduling walk-throughs at a number of businesses and new structures—including the Finger Lakes Hotel and the Collett Woods Phase 3 apartment project—to become familiar with the design and floor plans of these buildings.

***Town Engineer:***

Mr. Brabant reported that the revised Major Thoroughfare Overlay District (MTOD) maps have been completed and have been delivered to the Town staff. He said that an electronic PDF file also has been provided for posting upon the Town website. He said that the next project for MRB Group is the completion and approval of the Town's Site Design Criteria.

**9. PUBLIC COMMENTS**

Mr. Sandore asked about the drive-in movie theater that was mentioned at the previous meeting. Mr. Brand said that no further information has been received.

Mr. Del Re asked about potential future improvements to State Route 96—which would affect his business—and the impact of the revised MTOD map upon the road. Mr. Brand and Mr. Brabant explained that the MTOD map is a planning tool used by the Town to assist in evaluating new projects within the area covered by the map, which is generally the major transportation corridors of State Route 96 and State Route 332.

Mr. Del Re asked about the status of proposed improvements to State Route 96 from Mertensia Road east to the State Route 96/State Route 332 intersection. Mr. Brand said that road improvements would depend upon the expansion plans of the owners of the Farmington Market Center on the south side of State Route 96 and/or the large parcel of land east of this site which is now owned by LeFrois Builders. He said that the costs of the road improvements would have to be paid by the developers a large-scale project. Mr. Brand explained that Mr. Del Re does not have enough property to create a warrant from the New York State Department of Transportation to install a traffic signal at his driveway or the future access near the Griffith Building, but that his business would benefit from a possible future traffic signal on State Route 96 if and when the Farmington Market Center and other applications for projects move forward.

Mr. Hemminger said that the applicant usually pays for these types of road improvements. Mr. Brand explained that the applicant would pay for most of the costs, especially if the applicant presents an Incentive Zoning application which would include amenities paid for by the applicant for the benefit of the Town.

**10. ADJOURNMENT**

■ A motion was made MS. NEALE, seconded by MR. VIETS, 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 at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, September 6, 2017, at 7:00 p.m.

Following the meeting, Mr. Giroux secured the building.

Respectfully submitted,

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