

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, August 18, 2021 • 7:00 p.m.

MINUTES—APPROVED

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

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

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

Board Member Excused: Shauncy Maloy

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

Applicants Present at the Town Hall:
Alexander H. Amering, P.E., Costich Engineering, 217 Lake Avenue, Rochester, N.Y. 14608
Jeff Berends, Construction Manager, Meyer’s RV Superstore of Farmington,
c/o 100 Sanford Road North, Churchville, N.Y. 14428
Kevin Bragg, Chrisantha Construction Corporation, 4661 Dewey Avenue, P.O. Box 165,
Gorham, N.Y. 14461-0165

Applicant Present via Zoom video conference:
Walter F. Baker, D.S.B. Engineers & Architects P.C., 2394 Ridgeway Avenue,
Rochester, N.Y. 14626

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

Others Present via Zoom video conference:

None

1. MEETING OPENING

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

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

2. APPROVAL OF MINUTES OF AUGUST 4, 2021

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the minutes of the August 4, 2021, 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 11, 2021:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington will conduct a Public Hearing on the 18th day of August 2021 commencing at 7:00 p.m., in the Farmington Town Hall, Main Meeting Room, 1000 County Road 8, Farmington, New York 14425 for the purpose of receiving testimony upon and giving consideration to the application of:

PB 0703-21: LOOMIS ROAD INDUSTRIAL PARK LLC, 120 LINDEN OAKS, ROCHESTER, NEW YORK 14625: Preliminary Site Plan Approval to erect a 12,600-square-foot building upon Lot #4 of the Loomis Road Industrial Park Subdivision and related site improvements including a new Town road, stormwater control facilities, landscaping, site lighting and building elevation. The property is located on the north side of Loomis Road between the New York State Thruway and Loomis Road and is zoned GI General Industrial and MTOD Major Thoroughfare Overlay District.

PB 0805-21: GERSTNER MEDICAL, 1175 PITTSFORD-VICTOR ROAD SUITE 140, PITTSFORD, NEW YORK 14534: Preliminary Two-Lot Subdivision Plat approval of Land, identified as Tax Map Account 29.00-2-23.142, containing a total of 3.014 acres of land; and as further to be identified as Preliminary Subdivision Plat Map for Lot 1 and Lot 2, T. Bene Properties. The proposed Action involves creating Lot 1 consisting of 1.636

acres and Lot 2 consisting of 1.378 acres. Lot 2 is to remain vacant as non-approved building lot requiring site plan approval before any Building Permits may be issued. The property is located at 5801 County Road 41; and is zoned PD Planned Development and MTOD Major Thoroughfare Overlay 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.

Ed Hemminger, Chairman, Planning Board

4. **NEW PUBLIC HEARING: PRELIMINARY SITE PLAN**

PB #0703-21 New Preliminary Site Plan Application

Name: Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14625

Location: North side of Loomis Road between the New York State Thruway and Loomis Road

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

Request: Preliminary Site Plan Approval to erect a 12,600-square-foot building upon Lot #4 of the Loomis Road Industrial Park Sub-division and related site improvements including a new Town road, stormwater control facilities, landscaping, site lighting and building elevation.

This application was reviewed by the Project Review Committee on December 4, 2020; January 8, 2021; February 5, 2021; March 5, 2021; April 1, 2021; May 7, 2021; June 4, 2021; and July 2, 2021.

The Planning Board approved the State Environmental Quality Review (SEQR) classification for the Preliminary Re-Subdivision Plat for this project (Type II Action) and the Preliminary Re-Subdivision Plat with conditions on May 19, 2021 (PB #0506-21).

Mr. Hemminger opened the Public Hearing on the Preliminary Site Plan application.

Mr. Brand said that the State Environmental Quality Review (SEQR) 30-day review and comment period for this application (Preliminary Site Plan) ended on Monday, August 9, 2021. He said that no objections were received from the Involved and Interested Agencies to the Planning Board's intent to be designated as the Lead Agency for making the SEQR determination on the Preliminary Site Plan.

He also said that the applicant requested that the Preliminary Site Plan application be continued to the Planning Board's meeting on Wednesday, September 15, 2021.

Mr. Delpriore confirmed that the applicant requested the continuation to September 15, 2021, and that the applicant was not required to attend the meeting this evening.

Mr. Brabant said that the applicant is working to provide responses to his recent MRB Group engineering comment letter.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions.

There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions.

There were no comments or questions from those on the Zoom video conference.

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

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, 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
DESIGNATE LEAD AGENCY AND CONTINUATION OF DELIBERATIONS**

PB #0703-21

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks
Rochester, N.Y. 14625**

ACTION: Preliminary Site Plan approval to develop Lot #4, a 4.672-acre site, and approval of related Overall Site Improvements to be installed within the 32.80-acre proposed 10-Lot Loomis Road Industrial Park, located along the north side of Loomis Road and the south side of the New York State Thruway (I-90); Designation of the Planning Board as the Lead Agency under SEQR; and continuing the Public Hearing and the Board's deliberations upon this Action to Wednesday, September 15, 2021

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight opened the Public Hearing on the above referenced application for Preliminary Site Plan approval, hereinafter referred to as Action; and

WHEREAS, the Board has tonight received testimony on the above referenced application; and

WHEREAS, the Board has on July 8, 2021, declared its intention, to the Involved Agencies, to be designated the Lead Agency for the coordinated review upon the above referenced Action at tonight’s meeting; and

WHEREAS, the Board has on July 8, 2021, initiated a 30-day coordinated review with Involved Agencies and the public, a part of the State Environmental Quality Review procedures, for establishing a Lead Agency and for making a determination of significance upon said Action; and

WHEREAS, the Board has received no objections from the identified Involved Agencies to the Board being designated as the Lead Agency; and

WHEREAS, the Board has received comments from said Involved Agencies that are to be considered in making a determination of significance upon said Action; and

WHEREAS, the Town Clerk has notified the Town Director of Planning and Development that no public comments were received during the established 30-day public review period; and

WHEREAS, the Applicant has, on August 2, 2021, in an email to the Town Code Enforcement Officer, requested a continuation of this Public Hearing to Wednesday, September 15, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby designate itself as the Lead Agency for making the Determination of Significance upon this Action and directs the Clerk of the Board to provide a certified copy of this resolution to each the Involved Agencies and the Applicant.

BE IT FINALLY RESOLVED that the Board does hereby move to table any further discussion upon this Action at tonight’s meeting, to continue the Public Hearing hereon to Wednesday, September 15, 2021, commencing at 7:00 p.m., and to continue further public discussion and Board deliberation at that time.

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

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

Motion carried.

5. NEW PUBLIC HEARING: PRELIMINARY TWO-LOT SUBDIVISION**PB #0805-21 New Preliminary Two-Lot Subdivision Application**

Name: Gerstner Medical, 1175 Pittsford–Victor Road, Suite 140,
Victor, N.Y. 14534

Location: 5801 County Road 41

Zoning District: PD Planned Development and MTOD Major Thoroughfare
Overlay District

Request: Preliminary Two-Lot Subdivision Plat approval of Land, identified as Tax Map Account 29.00-2-23.142, containing a total of 3.014 acres of land; and as further to be identified as Preliminary Subdivision Plat Map for Lot 1 and Lot 2, T. Bene Properties. The proposed Action involves creating Lot 1 consisting of 1.636 acres and Lot 2 consisting of 1.378 acres. Lot 2 is to remain vacant as non-approved building lot requiring site plan approval before any Building Permits may be issued.

This application was reviewed by the Project Review Committee on June 4, 2021; and August 6, 2021.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Amering (Costich Engineering) presented this application in the meeting room. Mr. Bragg (Chrisantha Construction Corporation) also attended.

Mr. Amering provided the following information:

- Gerstner Medical operates a medical equipment company in Rochester.
- The applicant proposes the construction of a new building in the rear portion of the 3.014-acre VR Food Equipment Inc. property at 5801 County Road 41 (southeast corner of County Road 41 and Quentonshire Drive). VR Food Equipment occupies the front portion of the parcel. A subdivision to separate the rear portion of the parcel is proposed. The property is located in a Planned Unit Development Zoning District.
- An office building of approximately 7,500 square feet is planned. Mr. Amering said that a mock-up operating room will be included in the building for the display of medical equipment to the applicant's clients.
- A small warehouse area will also be located within the building.

- Access will be off Quentonshire Drive which recently was improved during the Pintail Crossing residential development project.
- The existing zoning of this parcel requires a minimum lot size of 60,000 square feet. Mr. Amering said that the subdivision of the property will comply with this requirement.

Mr. Brand said that two resolutions have been prepared for the board's consideration this evening, i.e., the first to classify this application as a SEQR Type II Action, and the second to approve the Preliminary Subdivision Plat with conditions.

Mr. Delpriore said that the Zoning Officer has determined that the subdivision will create a non-conformance with the setback of new Lot #1, upon which the VR Food Equipment building is located. Mr. Delpriore said that the owner of VR Food Equipment will have to apply for, and be granted, a Front Setback Area Variance from the Zoning Board of Appeals (ZBA) to bring new Lot #1 into compliance with the Town Code, and that the variance must be received prior to the Planning Board's consideration of the Final Subdivision Plat application.

Mr. Brand said that Quentonshire Drive was a private driveway and was not originally built as a Town road. The driveway was upgraded to Town standards during the construction of the adjacent Pintail Crossing residential development. The proposed subdivision will create the need for the owner of VR Food Equipment to apply for a Front Setback Area Variance to comply with the provisions of the Town Code which are based upon Town-dedicated roads.

Mr. Brabant said that he has been working with the applicant on stormwater issues. He requested that a note be added to the subdivision plat that stormwater mitigation measures are to be addressed and described on the Final Subdivision Plat Map and the Final Site Plan Map for proposed Lot #2.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions.

There were no comments or questions from those in the meeting room.

Mr. Hemminger then asked if anyone on the Zoom video conference wished to speak for or against this application, or to ask questions.

There were no comments or questions from those on the Zoom video conference.

Mr. DeLucia said that his questions have been addressed in the conditions of approval of the draft Subdivision Plat approval resolution.

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

Mr. Hemminger then closed the Public Hearing on on this application (PB #0805-21).

Mr. Hemminger asked the Applicant and the Applicant's Engineer if there were any objections to the two draft resolutions that are about to be acted upon tonight. Both replied there are no objections to the resolutions.

Board deliberations:

■ A motion was made by MR. DELUCIA, 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:

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

PB #0805-21

**APPLICANT: Gerstner Medical, 1175 Pittsford-Victor Road, Suite 140,
Pittsford, New York 14534**

**ACTION: SEQR Classification: Preliminary Subdivision Plat Approval
for Lots #1 and #2, T. Bene Properties, identified as Tax Map
Account #29.00-2-23.142, containing a total of 3.014 acres of
land located at the south east corner of the intersection of
County Road 41 and Quentonshire Drive**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has at tonight's Public Hearing opened and received testimony upon the above referenced Action; and

WHEREAS, the Board has reviewed the criteria in Part 617.5 (c) (23) of the State Environmental Quality Review (SEQR) Regulations for determining the Classification associated with the above referenced Action.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby Classify the above referenced Action as being a Type II Action under the provisions of Part 617.5 (c) (23) of the State Environmental Quality Review (SEQR) Regulations, a part of Article 8 of the New York State Environmental Conservation Law.

BE IT FURTHER RESOLVED THAT Type II Actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the State Environmental Conservation Law, Article 8.

BE IT FURTHER RESOLVED THAT the Board by Classifying the above referenced Action as being a Type II Action has satisfied the procedural requirements under the State's SEQR Regulations and directs a copy of this classification be placed in the project file.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
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:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SUBDIVISION PLAT**

PB #0805-21

**APPLICANT: Gerstner Medical, 1175 Pittsford-Victor Road, Suite 140,
Pittsford, New York 14534**

**ACTION: Preliminary Subdivision Plat Approval, for Lots #1 and #2, T.
Bene Properties, identified as Tax Map Account #29.00-2-
23.142, containing a total of 3.014 acres of land located at the
south east corner of the intersection of County Road 41 and
Quentonshire Drive**

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

WHEREAS, the Board has under separate resolution classified the above referenced Action as a Type II Action under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has conducted a public meeting tonight, received testimony and has given consideration thereto; and

WHEREAS, the Board has received and given consideration to the Ontario County Planning Board’s Referral No. 164-2021, a Class 1 with comments only.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant approval of the above referenced Action with the following conditions to be made to the drawing:

1. The Preliminary Plat Drawing, prepared by Costich Engineering, Drawing No. 8401 VS100, Sheet 1 of 1, dated 07/13/2021, entitled “Gerstner Medical Quenton

Shire Drive, Subdivision Plan is to have its title changed to read . . . “Preliminary Subdivision Plat, Lots #1 and #2, T. Bene Properties.”

2. All references on the preliminary plat map to Quenton Shire Drive are to be changed to Quentonshire Drive.
3. There is to be a note added to the drawing that states . . . “Site lies within a Zone C Area of Minimal Flooding, Flood Insurance Rate Map, Panel 0020B, dated September 30, 1983.”
4. There is to be a Note added to the drawing that reads . . . “Before Building Permits may be issued for any site development of the proposed lots, Preliminary Site Plan approval shall be required by the Planning Board.”
5. There needs to be only four (4) signature lines shown on the Preliminary Plat Map. In addition, the subtitles for those signature lines should include: Town Highway Superintendent; Acting Town Water and Sewer Superintendent; Town Engineer; and Planning Board Chairperson.
6. The Town Zoning Officer notes that the Front Yard Setback for the Building on Lot #1 is 80 feet, while the map is showing 30 feet. The property owner will need to apply for and be granted a Front Setback area variance to bring the proposed Lot #1 into conformance with Town Code. The Final Subdivision Plat will be required to have a note added which references the Zoning Board of Appeals File Number and date of Action upon said requested area variance.
7. There is to be a note added to the Preliminary Plat Map which reads . . . “Stormwater mitigation measures are to be addressed and described on the Final Plat Map and a Final Site Plan Map for proposed Lot #2.”
8. The comments contained in the Town Engineer’s letter dated August 12, 2021, to Mr. Ronald Brand, Director of Planning and Development, are to be addressed in writing prior to the Town Engineer’s signature being affixed to the Preliminary Plat drawing.

BE IT FURTHER RESOLVED THAT once the Applicant has made all amendments to the drawing, then one (1) amended paper print drawing is to be submitted to the Town Code Enforcement Officer (CEO) for his review and acceptance. Once accepted, a total of three (3) additional paper copies are to be sent to the CEO for signing by the four (4) Town Officials. Should the Applicant, or the Applicant’s Engineer require additional signed copies then the number required should be provided at that time.

BE IT FURTHER RESOLVED THAT once all signatures have been affixed on the Preliminary Plat drawing, then the Applicant may submit an application for Final Subdivision Plat Approval and placed upon a future planning board meeting agenda.

BE IT FINALLY RESOLVED THAT copies of this resolution are to be provided to the Applicant and the Applicant’s Engineers.

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

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

Motion carried.

Following the vote, Mr. Amering asked about the Front Setback Area Variance. Mr. Brand said that the site plan application process can continue but that the Planning Board cannot consider the Final Subdivision Plat application until the Area Variance has been granted by the ZBA. Mr. Brand also said that a reference of the ZBA file number and date of action upon the requested Area Variance must be noted on the Final Subdivision Plat.

6. PLANNING BOARD ACTION ITEMS

A. Creekwood Townhomes Letter of Credit Establishment:

■ A motion was made by MR. DELUCIA, 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
RECOMMENDATION TO ESTABLISH A LETTER OF CREDIT
CREEKWOOD TOWNHOMES, REDFERN DRIVE**

PB #0403-19

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, dated August 9, 2021, to recommend approval of a Letter of Credit for site improvements within the above referenced Creekwood Townhomes Project, located on Red Fern Drive; and

WHEREAS, the Planning Board has reviewed the above referenced letter and the attached Applicant’s Engineer’s Estimate of Value for certain site improvements to be dedicated to the Town of Farmington; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested establishment of a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to accept and direct the filing of a letter of credit, in the Town Clerk’s Office, in the total amount of \$21,922.00 for the above referenced Project.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this resolution to the Applicant and the Applicant’s Engineer, the Town Code Enforcement Officer, the Town Construction Inspector and the Town Engineer.

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

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

Motion carried.

B. Meyer’s RV Superstore of Farmington Construction Schedule Update:

Mr. Berends, Project Manager, provided the following information:

- The installation of the eight-inch water service was completed today to a point, on the site, within five feet of the new building as required by the schedule.
- Engineered drawings for the water line have been sent out for stamping. Upon receipt, the drawings will be submitted to the Development Office. Mr. Berends said that he has discussed this with Mr. Delpriore.
- The installation of the oil separator will begin next Wednesday (August 25, 2021).
- Work on the installation of the sanitary sewer service for the new building will wrap up next week.
- The design of the new building is in progress. Upon completion, the stamped plans will be submitted to the Development Office for review.

- The in-ground natural gas and electric utility services have been installed. The gas line has not yet been tapped. The date for this will be provided by the utility contractor.
- The streetscape punch list site walk with New York State Department of Transportation Assistant Resident Engineer Greg Trost was conducted today. Mr. Trost will send a confirming email that all punch list items have been addressed and that he has signed-off on this work.
- Construction of the foundation for the new building continues. The erection of the steel framing will begin as soon as the Building Permit is issued.

Mr. Brand said that the applicant's project manager is doing a great job and that work on the site is progressing well. He said that the delays in the schedules are caused by the changing schedules of other agencies and their contractors, and that the delays shown in the latest revised schedule should not be held against the applicant.

Mr. Delpriore said that the draft resolution which has been prepared for the board's consideration this evening addresses the remaining outstanding items for Phase 1. He also said that work is progressing well and that there will be no need for the Planning Board to become involved with Phase 2 of the project. Mr. Delpriore said that he agrees with the recommendation in the draft resolution [for an extension for submission of an updated Phase 1 schedule to September 1, 2021].

Mr. Hemminger said that communications [between the applicant and the Development Office] are continuing regularly and that the work is going well.

Mr. Delpriore said that it is a pleasure to work with Mr. Berends and that he [Mr. Berends] is great at resolving problems.

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

■ A motion was made by MR. DELUCIA, 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
PHASE 1—FINAL SITE PLAN AMENDMENT, REVISION #7**

PB #1102-20

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

ACTION: Final Site Plan Amendment, Phase 1, Revision #7,

Meyer’s RV Superstore of Farmington, located on property at the northeast corner of State Route 96 and Mertensia Road

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

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

WHEREAS, the Planning Board has also reviewed the Town staff comments that were made as part of the record for the August 6, 2021, Project Review Committee (PRC) meeting; and

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

WHEREAS, the Planning Board, having reviewed the above referenced Project Review Committee meeting minutes is aware that the latest revised Work Schedule dated 7/30/21, identifies a number of previously scheduled tasks that remain to be completed which include:

- The flow meter has been installed and the remaining stormwater work also will be completed by the end of next week.
- Forming of the sidewalks along the Mertensia Road frontage is underway and will be soon completed.
- Three items were identified during the Main Street Scape punch list walk which was conducted on June 30, 2021, with New York State Department of Transportation Assistant Resident Engineer Greg Trost and the Town staff. The items to be addressed are the re-establishment of the turf along State Route 96, the relocation of the pedestrian stop bar, and the striping of the crosswalk.
- The foundation work for the new building is installed and has been inspected. RG&E will continue installation of the gas and electric service for the new building.
- The streetlights have been installed.

- The New York State Department of Environmental Conservation (DEC) Significant Industrial User (SIU) permit forms have been prepared and going through the approval process at MRB Group.
- The deadline for completion of the punch list for Phase 1 site work is August 13, 2021.
- The delays in completing some of the work was out of the control of Mr. Berends due to other agencies scheduling of certain site work items and shipping delays of ordered products; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby direct the applicant and his site contractor to continue work on the remaining tasks identified in the July 30, 2021, Schedule Update, and to submit to the Town Code Enforcement Officer, on or before noon on September 1st an updated schedule (to be known as Revision #8) for completing the Phase 1 tasks identified above herein for Town and State DOT staff review at the next PRC Meeting on Friday, September 3, 2021.

BE IT FURTHER RESOLVED that the Applicant and his site contractor are to participate in the September 3, 2021, PRC Meeting to provide up-to-date information upon the Phase 1 scheduled site improvements and any remaining State DOT/Town Staff concerns and to commit to making a revised schedule as may be required at that time.

BE IT FURTHER RESOLVED that following the September 3rd PRC review of the remaining Phase 1 tasks, the Applicant is to provide an updated schedule (identified as Revision #8), to the Town Code Enforcement Officer, on or before noon on Wednesday, September 8, 2021, for the Planning Board's review at their September 15, 2021 meeting.

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

BE IT FURTHER RESOLVED that all items identified as part of the Final Phase 1 Site Plan Approval include the following remaining tasks:

1. Excess material removed from the site;
2. NYSDOT Highway Work Permit requirements and accepted by State DOT Staff;

- 3. Install of all concrete curbs;
- 4. On-site drive aisles, on-site parking blacktopped and striped, and access points from the adjacent Family Dollar store and Mertensia Road;
- 5. Install sidewalk for the remainder of Mertensia Rd side of property;
- 6. On-site landscaping within the Phase 1 portion of the site;
- 7. Install of 8-inch water line to the building;
- 8. Install of oil water separator

shall be completed on or before the end of the day on Friday, August 13, 2021.

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

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

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

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

Motion carried.

C. Monarch Manor Subdivision, Phase 2: Sixth 90-Day Extension:

The fourth and fifth 90-day extensions of the Final Subdivision Plat for Monarch Manor Subdivision, Phase 2, were approved by the Planning Board on February 17, 2021, to extend from March 2, 2021, to August 30, 2021 (total of 180 days).

Mr. Baker (D.S.B. Engineers & Architects) presented this application via Zoom video conference.

In a letter to the board on August 11, 2021, Mr. Baker wrote that the New York State Department of Health (DOH) and the New York State Department of En-

vironmental Conservation (DEC) have approved the plans for the water main and the sanitary sewer. He said that the contractor will complete the water main looping from Section 1 to Canandaigua–Farmington Town Line Road as soon as the DOH and the DEC have returned the signed plans.

Mr. Baker acknowledged receipt of MRB Group engineering comments from Mr. Brabant. Mr. Baker said that the mylar will be submitted to the DOH following the completion of the subdivision plat with the final coordinates by the surveyor. He said that the DOH staff in Geneva, N.Y., is working only a few days a week.

Mr. Brand asked about updating the Section 2 Letter of Credit. Mr. Baker said that even though Mr. DiPrima (the applicant) has purchased some materials in advance, the costs of other construction materials have gone up and will have to be updated.

Mr. Brand requested that Mr. Baker submit the revised Letter of Credit estimate for Section 2 to the Development Office as soon as possible to avoid delays in the scheduling of the Section 2 Pre-Construction Meeting and the road dedication.

Mr. Brand asked if the road in Section 2 would be paved before winter. Mr. Baker said that they will try but that they cannot proceed until the subdivision plat mylar has been returned from the DOH.

Mr. Brabant said that Mr. Baker submitted the Letter of Credit estimate to MRB Group and to the Town for review, and that he [Mr. Brabant] will provide an engineering comment letter by next week.

Mr. Bellis asked what will happen at the end of this proposed 90-day extension on November 29, 2021. Mr. Brand said that the proposed extension is only to provide the applicant with more time receive the signed plans by the DOH and the DEC. Then those plans will need to be signed by Town staff and the Town Engineers, and then filed with the County. If all signatures are not affixed by November 29, 2021, then the Applicant will have to come back to the Planning Board for a new resolution for Final Subdivision Plat/Site Plan approvals. It was noted that the applicant will have 62 days to file the signed Final Subdivision Plat mylars in the Ontario County Clerk's Office and then will then have two years to begin construction.

Mr. Brand said that the Applicant's Engineer is working with the Town's Engineers on an amended Letter of Credit that will need to be recommended by the Planning Board to the Town Board, and then filed with the Town Clerk's Office. Then a Pre-Construction meeting may be scheduled and an order to proceed with installation of all the material which is sitting on the site. Finally, Mr. Brand requested that Mr. Baker continue with all aspects necessary to obtain approvals to allow the construction of the roadway this fall, before the snow flies.

Mr. Giroux confirmed that there will be no installation of asphalt if there it is snowing.

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

■ A motion was made by MR. DELUCIA, 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
FINAL SUBDIVISION PLAT, SECTION 2**

PB #0701-19

**APPLICANT: A&D Real Estate Development Corporation, c/o
Anthony DiPrima, 7 Beauclaire Lane, Fairport, N.Y.
14450**

**ACTION: Final Subdivision Plat Approval: Sixth 90-Day
Extension Section 2, Monarch Manor Incentive Zoning
Project**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a written request dated August 11, 2021, from Walter F. Baker, Engineering Manager, D.S.B. Engineers & Architects, P.C., for an extension of time to the conditions of approval for the above referenced Action; and

WHEREAS, the Planning Board did on February 17, 2021, grant the fourth and fifth extensions of 90 days each for Final Subdivision Plat Approval which is to expire on Monday, August 30, 2021; and

WHEREAS, the Planning Board understands from the above referenced request and testimony received at tonight's meeting that final plat drawings have now been approved by both the New York State Department of Health and the New York State Department of Environmental Conservation, and that signed drawings by the Applicant's Engineer and Land Surveyor have been re-submitted to these two State agencies for their signing, and that this request for a 90-day extension is due to the uncertainty associated with the timing of those two agencies completing their reviews and approvals and having all Town Officials then sign the drawings prior to August 30th deadline.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to grant approval for a sixth 90-day extension to the conditions of approval for the Final Subdivision Plat for Section 2, Monarch Manor Incentive Zoning Project; and

BE IT FURTHER RESOLVED that said 90-day period is to commence on August 30, 2021, and shall end on Monday, November 29, 2021; and

BE IT FINALLY RESOLVED that prior to the Planning Board granting this 90-day extension for Section 2 of the Monarch Manor Subdivision, the applicant is to provide the Town written details as to how and when the dead-end sections of water mains located within and adjacent to Section 1 of the Monarch Manor Subdivision will be looped with the water mains that are shown on the Overall Plan for this Incentive Zoning project. In particular, the developer is to coordinate the installation of these water main connections in a manner that addresses the concerns contained in the December 2, 2020, letter from the Acting Town Water and Sewer Superintendent to the Town Director of Development.

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

Adrian Bellis	No
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused
Douglas Viets	Aye

Motion carried.

D. PB #0802-21: Application of Jim Stathopoulos (G&A Development and Construction Corporation, Farmington Commons): Recall SEQR Resolution of August 4, 2021; Reclassify SEQR Classification:

Mr. Brand said that an error was made on August 4, 2021, in the State Environmental Quality Review (SEQR) classification of the Preliminary Site Plan application of Jim Stathopoulos (G&A Development and Construction Corporation/Farmington Commons) for construction of a 2,600-square-foot single-story financial institution on the west side of State Route 332 south of the main Farmington Commons Plaza.

Mr. Brand said that the application should have been classified as a Type II SEQR Action and should not have been classified as an Unlisted SEQR Action.

He said that a draft resolution has been prepared for the board’s consideration this evening to recall the previous SEQR resolution for this application (PB #0802-21, August 4, 2021) and to reclassify the application as a SEQR Type II Action.

Mr. Brand said that several of the identified SEQR Involved Agencies have submitted comments on this application.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION—RECALL
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) RECLASSIFICATION**

PB #0802-21

APPLICANT: Jim Stathopoulos, c/o G&A Development and Construction Corporation, 101 North Street, Canandaigua, N.Y. 14424

ACTION: Recall SEQR Classification of August 4, 2021, and Reclassify: Preliminary Site Plan Approval for a 2,600-square-foot single-story financial institution to be located upon proposed Lot #R-2 of the proposed Preliminary Plat Map prepared for Lots #R-1, #R-2 and #R-3, G&A Development and Construction Corporation (Farmington Commons)

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board), on Wednesday, August 4, 2021, classified the above referenced Action as being an Unlisted Action under the above referenced Part 617 of the State Environmental Quality Review (SEQR) Regulations, a part of Article 8 of the New York State Environmental Conservation Law; and

WHEREAS, the Town Director of Planning and Development, upon further review, has realized an error was made in classifying the above referenced Action as being an Unlisted Action; and

WHEREAS, the above referenced Action identifies the proposed single-story financial institution will have a total of 2,600 square feet of gross floor area; and

WHEREAS, § 617.5 (c) (9) of the SEQR Regulations reads . . . “ construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities” to be a Type II Action.

NOW THEREFORE BE IT RESOLVED that the Board does hereby recall the above referenced classification of the proposed Action as being an Unlisted Action.

BE IT FURTHER RESOLVED that the Board does hereby classify the above referenced Action as being a Type II Action as further defined in § 617.5 (c) (9) of the SEQR Regulations.

BE IT FURTHER RESOLVED that the Board directs the Town Director of Planning and Development to give notice of this reclassification to the identified Involved Agencies.

BE IT FURTHER RESOLVED that the Board in making this Type II Classification of the above referenced Action finds that no further processing is required under SEQR; and that Type II Actions have been found categorically to not have significant adverse impacts on the environment; and directs a copy of this resolution be placed in the Project File and provided to the Applicant, the Applicant’s Engineer and the Applicant’s legal advisor.

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

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

Motion carried.

E. GLN Farmington Realty Letter of Credit Establishment:

■ 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
RECOMMENDATION TO ESTABLISH A LETTER OF CREDIT
GLN FARMINGTON REALTY, PHASE 1A**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, dated August 16, 2021, to recommend approval of a Letter of Credit for site improvements within the above referenced Project, to be located along an extension of Mercier Boulevard from a new intersection with State Route 96 into the site; and

WHEREAS, the Planning Board has reviewed the above referenced letter and the attached Applicant’s Engineer’s Estimate of Value for certain site improvements to be dedicated to the Town of Farmington; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested establishment of a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to accept and recommend the filing of a letter of credit, in the Town Clerk's Office, in the total amount of \$874,588.12 for the above referenced Project.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this resolution to the Applicant and the Applicant's Engineer, the Town Code Enforcement Officer, the Town Construction Inspector and the Town Engineer.

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

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

Motion carried.

7. **OPEN DISCUSSION**

Director of Development and Planning Report:

Mr. Brand provided the following information:

- The final information meeting on the State Route 332 and Route 96 Sub-Area Study for Ontario County and the Towns of Canandaigua and Farmington was held at the Farmington Town Hall last night (August 17, 2021). Mr. Brand said that the study includes a number of recommendations for planning, zoning and transportation improvements within these major transportation corridors. The most current version of the study (July 2021) is posted on the Town website. Mr. Brand said that he also will send the report to the board via email. He asked that any comments be directed to him so he can prepare one response to the Study Consulting Team.
- The pre-application for the 2021–2022 Transportation Alternatives Program (TAP) Improvement Program Grant has been submitted electronically and accepted by the State. The deadline for submitting the final application is 5:00 p.m. on Wednesday, September 29, 2021. If approved, the grant will provide 75 percent of the total project cost for design, construction and inspection of 17,000 lineal feet of side-

walks, approximately 330 lineal feet of stone dust trails, and one pedestrian bridge crossing of Beaver Creek on County Road 41. At the present time, the total project cost is \$1,996,800 with \$1,497,600 being the Federal share and \$499,200 the Town's share.

Mr. Brand said originally, at the time of the public information meeting, there was a Sub-Area #11 component of the grant. This component consisted of 1,100 lineal feet of sidewalk/trail connection starting at the Plastermill and Gateway Drive intersection extending south across the Ontario Central Railroad Line to Collett Road. This component was removed from the grant pre-application at the recommendation of the New York State Department of Transportation (DOT). The work involved with obtaining Federal Highway Administration approvals for crossing an active rail line would be too long to meet the grant's construction schedule. This sub-area project would have required a crossing with pedestrian-activated signals and a crosswalk over railroad tracks, then a sidewalk constructed within the unused portion of Mertensia Road, north of Collett Road. Mr. Brand said that the DOT indicated that acquiring the necessary approvals and permits for such a pedestrian crossing over railroad tracks would be an involved process and could likely deduct from scoring on the Town's application.

- Supreme Court Justice Craig J. Doran has scheduled a conference on September 2, 2021, at 2:30 p.m., with the Town's Special Legal Counsel and the attorney for the residents who have brought an Article 78 Proceeding regarding the Delaware River Solar (DRS) project on Yellow Mills Road. On July 14, 2021, the attorneys requested that the judge assign a date for oral arguments.

Mr. Brand also said that the Town Board continued (laid over) the draft resolution for adopting the DRS Decommissioning Plan at its meeting on August 10, 2021, at the request of the DRS project manager. He said that the Town yesterday received another request from DRS with further amendments to the Decommissioning Plan. The Town Board awaits completion of the Town's Special Legal Counsel's report on the proposed changes. Mr. Brand said that the DRS project manager has informed him that DRS cannot live with the Decommissioning Plan as it is currently written.

- The 2020 United States Census data for the Town of Farmington was released last Friday. The data finds a population for the Town (as of April 1, 2020) of 14,170, an increase of 16.5 percent from the population of 11,825 (as of April 1, 2010).

Mr. Hemminger said that growth within the Town has been occurring primarily within the southwest quadrant which is the area that was first recommended for growth since 1965, when the Town's first Master Plan was prepared. He said that the development of this area of the Town is based upon good planning principles and that for the past 50 years the growth pattern is according to the original master plan and its amendments.

Code Enforcement Officer:

Mr. Delpriore said that the Planning Board meetings in September will be busy. He requested that board members contact the Development Office with questions as the applications are scheduled and the information posted on the shared board website.

Highway and Parks Superintendent:

Mr. Giroux said that approval of the TAP sidewalk/trail connection grant would double the length of sidewalks in the Town and would require additional highway equipment for maintenance and snow plowing.

Mr. Giroux also reported on the progress of construction at Beaver Creek Park, which continues as weather permits, i.e., color coding of the tennis and basketball courts, paving of the Clovertrail and Amber Drive entrances, and pouring of concrete sidewalks. He also discussed the progress being made with the Town's streetlight program, noting the installation of several lightpoles within the Farmbrook subdivision and in other areas of the Town.

Town Engineer:

Mr. Brabant said that there are currently a total of eight Pre-Construction Meetings scheduled to be held during the Town's Project Review Committee meeting on Friday, September 3, 2021. He said that this would result in eight additional projects starting construction which will be added to the staff's workload. Mr. Brabant said that the U.S. Census data speaks to the growth occurring within both the Town of Farmington and the Town of Victor.

Board Members' Comments:

Mr. Hemminger said the Planning Board's membership is expected to again be at full strength on September 1, 2021, with the Town Board's recent appointment of Aaron Sweeney to serve the remainder of the unexpired term of Mr. Maloy who has stepped down from the board due to employment obligations. Mr. Hemminger expressed his appreciation for Mr. Maloy's dedication and service to the community and, on behalf of the board, wished him well with his professional career.

8. PUBLIC COMMENTS

None.

9. TRAINING OPPORTUNITIES

■ 2021 Municipal Bootcamp:

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

Remaining sessions in 2021:

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.

Session 9: Well, Aren't You Special?

Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 10: All the Right Forms in All the Right Places

Questions to:

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

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

Registration link:

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

■ New York Planning Federation 2021 Summer Programming

“The Essentials of Planning and Zoning”

“Meeting Process and Communication”

“Clean Energy”

“Planning Past, Present & Future”

Each session lasts about an hour. Watch at your convenience for training credit hours.

To enroll: nypf@nypf.org to receive a link to watch any program in the NYPF library. Include your municipality and position.

■ **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. VIETS, seconded by MR. DELUCIA, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:40 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, September 1, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

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

Respectfully submitted,

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