

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD **Wednesday, August 21, 2019, 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.

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

Board Member Excused: Mary Neale

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

Applicants Present:
Jeffrey M. Ashline, CSI, Senior Project Manager, Mossien Associates, 70 Linden Oaks, Suite 110, Rochester, N.Y. 14625-2804
Michael J. Colacino, Vice President, Lyons National Bank, 35 William Street, Lyons, N.Y. 14489
Steve DeRaddo, Executive Vice President, Lyons National Bank, 399 Exchange Street, Geneva, N.Y. 14456
Jeff Friend, District Manager, Lyons National Bank, 399 Exchange Street, Geneva, N.Y. 14456
Matthew Guche, Ontario Mall Antiques, 1740 State Route 332, Farmington, N.Y. 14425
Thomas L. Kime, President, Lyons National Bank, 399 Exchange Street, Geneva, N.Y. 14456
J. Lincoln (Linc) Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450

Resident Present:
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited, Mr. Hemminger explained the emergency evacuation procedures. He asked everyone to please sign in and requested that cell phones and other devices be set on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on February 6, 2019.

2. APPROVAL OF MINUTES OF AUGUST 7, 2019

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the minutes of the August 7, 2019, meeting be approved.

Motion carried by voice vote.

3. NEW PRELIMINARY SITE PLAN

PB #0804-19 New Preliminary Site Plan Application

Name: Lyons National Bank, 399 Exchange Street, Geneva, N.Y. 14456

Location: 1423 Hathaway Drive

Zoning District: GB General Business

Request: Preliminary Site Plan approval to renovate the existing Hathaway Farmhouse located at the northwest corner of State Route 332 and County Road 41; and the addition of a 4,522-square-foot building for a new full-service bank branch, including an ATM and other site amenities.

This application was reviewed by the Project Review Committee on June 26, 2019; and August 9, 2019. The Planning Board received a concept presentation on July 2, 2019.

The Zoning Board of Appeals (ZBA) approved two Area Variances on July 22, 2019 (a 44-foot setback from the right-of-way line of State Route 332, when 100 feet is required; and a 55-foot setback from the right-of-way line of County Road 41 when 75 feet is required).

Mr. Swedrock (BME Associates) presented this application. Mr. Kime, Mr. Colacino, Mr. DeRaddo and Mr. Friend from Lyons National Bank; and Mr. Ashline from Mossien Associates also attended.

Mr. Swedrock said that the existing historic Hathaway House will be preserved and renovated for use as a community meeting space. Other structures on the site will be demolished. New construction will include a full service bank branch with two drive-through lanes and one Automatic Teller Machine for a total of 4,339 square feet (first floor = 3,421 square feet; second floor = 918 square feet).

Mr. Swedrock said that the 1.5-acre parcel is zoned General Business in the Major Thoroughfare Overlay District (MTOD).

He said that the Area Variances approved by the ZBA will be reflected upon the Final Site Plan. Twenty-nine parking spaces will be provide for customers, employees and guests. Two access driveways off Hathaway Drive are proposed; one of them is pending based upon approval of the use of the Rochester Gas & Electric Corporation (RG&E) right of way.

Mr. Swedrock said that new water service will be provided from County Road 41. A new sanitary sewer lateral is proposed off State Route 332 in conjunction with the sanitary sewer line that is now being installed along the west side of State Route 332 by the developer of the Hathaway's Corners project (on the southwest corner of State Route 332 and County Road 41). A stub along the sewer line will be installed for the subsequent connection to the Lyons National Bank.

Mr. Swedrock said that although less than one acre of land will be disturbed the project will include a stormwater bioretention facility and landscaping. He acknowledged receipt of the MRB Group engineering comment letter of August 14, 2019. He said that written responses have been provided to the engineering comments and to the comments from the Planning Board and the Project Review Committee. He said that revisions based upon these comments appear on the Preliminary Site Plan presented this evening.

Mr. Swedrock reviewed the revised color elevation rendering of the existing Hathaway House and the new bank construction. He said that the Planning Board members' previous comments on the white color of the Hathaway House and the red color of the bank have been incorporated with additional white trim on the bank to provide a more cohesive design.

Mr. Swedrock said that although the bank's other branches usually use trash totes, a dumpster enclosure will be built on the site to mimic the existing storage shed which is now in a state of disrepair and which will subsequently be removed.

He said that the comments from the Town Fire Marshal will be incorporated into the Final Site Plan.

Mr. Brand said that he and Town representatives toured the site and identified a number of existing trees—include scrub trees and pines—which are showing signs of disease and other damage and which are not able to be saved. He said that he also spoke with Greg Trost, Assistant Resident Engineer of the New York State Department of Transportation,

regarding the bushes that were planted as part of the State Route 332 improvement project year ago. Mr. Brand said that Mr. Trost agreed that the bushes located within the highway right of way were selected for planting at the time of that State Route 332 project. Mr. Brand said that the bushes are now encroaching upon the sidewalk along the north side of County Road 41. He said that the applicant will provide a new landscaping plan on the Final Site Plan, and that he is convinced that the Planning Board will have a landscaping plan of which the board can take a hard look as part of the Final Site Plan approval.

Mr. Brand said that eventually there will be sidewalks on the north side of County Road 41 west of the intersection with Hathaway Drive. Therefore, it is requested that there be a stub extending from the curve in the existing sidewalk at the intersection of County Road 41 and Hathaway Drive to allow pedestrians a safe crossing of Hathaway Drive to the existing sidewalk. He said that this connection is to be shown on the revised plans and that it is included as Condition #3a on the draft Preliminary Site Plan resolution under consideration by the Planning Board this evening, i.e., “Show a sidewalk connection to the desired location at the southwest corner of the property near the intersection of County Road 41 and Hathaway Drive. At this location, there is to be a handicap ramp installed with a detectable warning pad in accordance with the Town’s Site Design and Development Criteria. . . .”

Mr. Brand discussed the applicant’s proposal for the installation of bollard-type lighting fixtures along portions of the sidewalk across the site’s frontage on the north side of County Road 41. He said that because of the elevation differences between the sidewalk and the road these types of fixtures would be less intrusive to passing motorists. Mr. Brand said that streetlights are proposed for installation along the east side of Hathaway Drive across the length of the bank property. These would eventually link to proposed streetlights across the frontage of adjacent properties (a dental office and the Farmington Gardens apartment development) to provide a walkway to the future Farmington Market Center and the LeFrois development on State Route 96.

Mr. Kime said that the bank plans to save as many trees as possible that are worth saving. He said that several of the existing trees have been damaged by lightning, that some are striking overhead wires and that others are scrub trees that are not worth saving. He said that the bank will provide a landscape plan for the board’s consideration at the Final Site Plan stage. He said that the bank traditionally seeks to provide a pleasing site.

Mr. Brand discussed a comment from the Town Fire Marshal regarding the installation of a sidewalk off the exit on the east side of the Hathaway building out to the sidewalk on County Road 41 near the proposed patio. He said that the Fire Marshal has required that this exit must be a hard surface. Mr. Kime said that this exit was not intended to be a fire exit, but he understood the Fire Marshal’s request and will provide a sidewalk connection to the sidewalk along County Road 41.

Mr. Brand asked about what appears to be a barn door on the east side of the new bank building construction. Mr. Kime said that although this gives the impression of a barn

door it is actually a window, and that the interior space in the bank will be an office or a waiting area.

Mr. Delpriore said that the concerns of the Building Department staff have been addressed at the Planning Board concept presentation and at the Project Review Committee meetings. He said that the application has been reviewed by the Ontario County Planning Board. He confirmed that Fire Marshal Jamie Kincaid has been working with the applicant on the plans.

Mr. Hemminger asked if the Farmington fire department concerns have been addressed. Mr. Delpriore said that the fire department concerns regarding adequate fire apparatus access and turnaround space have been addressed.

Mr. Degear said that water and sewer issues have been addressed and that he recommends approval of the application.

Mr. Brabant acknowledged receipt of the applicant's responses to the MRB Group engineering comment letter of August 14, 2019. He said that the applicant is proposing water quality measures on the property even though the land disturbance will be under one acre.

Mr. Viets said that he will be interested in the placement of the State historic monument sign and the landscaping at the time of submission of the Final Site Plan.

Mr. Bellis asked if the design would change if the second access into the site off Hathaway Drive is not approved by RG&E. Mr. Kime said that the plan would work with one access driveway but that the bank traditionally prefers two access points. He said that the bank representatives have been in contact with RG&E, that the design has been shared with RG&E, and that the second access driveway would improve RG&E's access to its property, as well. Mr. Swedrock reviewed the length of the RG&E right of way along Hathaway Drive on the site plan. Mr. Kime said that the bank's proposal would improve RG&E's situation and that the bank has received a good reception to the plan, although a commitment from RG&E has not yet been received.

Mr. Bellis said that he was pleased with the revised colors and trim of the new construction portion of the bank. He asked about the transition section between the existing Hathaway House and the bank. Mr. Kime said that the transition section will be in the style of the Hathaway House.

Mr. Bellis asked about the height of the new construction. Mr. Ashline said that the highest occupied floor is at height of 12 feet, which is within the Town Code requirements. He said that the decorative cupola will be higher than a height of 40 feet. (At the Project Review Committee meeting on August 9, 2019, Town Fire Marshal Jamie Kincaid said that there are no issues with cupola because it is a decorative non-occupied feature.)

Mr. Bellis asked about the lighting plans. Mr. Ashline said that they are included on the current elevation renderings and that they will be included on the Final Site Plan, as well. Mr. Kime said that he is considering adding a couple of lights on the front of the Hathaway House to provide lighting. He is looking into fixtures that would resemble the historic building.

Mr. Hemminger said that the red “LNB” lettering is not easily visible on the red portion of the bank. He suggested that a better contrast be considered. Mr. Kime said that the bank traditionally does not overstate its signage and may eliminate this building sign and only install one ground-mounted monument sign.

Mr. Bellis asked about the location of the flagpole. Mr. Swedrock said that the flagpole will be installed near the patio area. Mr. Ashline said that a door near the patio is not a public exit and that customers would not be encouraged to use this door. Mr. Delpriore said that a sidewalk off this door is required if it will be a useable door. Mr. Kime said that there would be no problem to install a sidewalk off this door.

Mr. Bellis asked about the height of the flagpole. Mr. Delpriore said that the height of the flagpole must be in the proper ratio to the Hathaway House.

Mr. Hemminger asked Mr. Swedrock if he received the draft resolutions prior to the meeting, if he understood the resolutions, and if he agreed with the conditions of approval.

Mr. Swedrock requested revisions to two conditions of approval. Following discussion, it was the consensus of the board to revise these conditions, as follows:

Revised Condition 6b: Add lighting along the sidewalks on County Road 41; and

Revised Condition 6c: Add street lighting at the requested sidewalk connection to the sidewalk ramp at the intersection of Hathaway Drive and County Road 41 and continue north to the RG&E property boundary (a distance of approximately 500 feet); and

With these revisions, Mr. Swedrock said that he agreed with the conditions of approval.

Mr. Bellis asked about the historic marker that was located along County Road 41. Mr. Kime said that the marker is in a state of disrepair and is now being kept inside the Hathaway House. Mr. Brand suggested that the New York State Department of Transportation be contacted to determine if the State would replace this.

Mr. Brand said that the Final Site Plan drawings would include a revised dumpster enclosure to reflect the design of one of the existing outbuildings on the site. Mr. Kime agreed not provide a revised design and said that the bank does not use dumpsters but instead uses trash totes. There would be no problem placing a roof on top of this enclosure.

There were no further 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:

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—UNLISTED ACTION**

PB #0804-19

**APPLICANT: Lyons National Bank, 399 Exchange Street, Geneva, N.Y.
14456**

**ACTION: Preliminary Site Plan Application—Lyons National Branch
Bank, located at the northwest corner of New York State
Route 332 and County Road 41, east of Hathaway Drive**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) based upon its review of Sections 617.4. and 617.5 of the State Environmental Quality Review (SEQR) Regulations, a part of article 8 of the New York State Environmental Conservation Law, finds the proposed Actions are not listed as a Type I Action or a Type II Action.

NOW, THEREFORE, BE IT RESOLVED that the Board determines the proposed Action is classified as an Unlisted Action.

BE IT FURTHER RESOLVED that the Board has received from the Town Director of Planning and Development a draft of Parts 2 and 3 of the Short Environmental Assessment Form; and has reviewed said Form hereby finding them to be complete.

BE IT FINALLY RESOLVED that the Board has given consideration to the Draft resolution for determining the Environmental Significance of said action which has been prepared by the Town Director of Planning and Development; and finds said resolution to be complete and ready to be acted upon at tonight’s meeting.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

■ A motion was made by MR. VIETS, seconded by MR. MALOY, 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
CRITERIA FOR DETERMINING SIGNIFICANCE**

PB #0804-19

**APPLICANT: Lyons National Bank, 399 Exchange Street, Geneva, N.Y.
14456**

**ACTION: Preliminary Site Plan Application—Lyons National
Branch Bank, located at the northwest corner of New York
State Route 332 and County Road 41, east of Hathaway Drive**

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

WHEREAS, the Planning Board has reviewed Part 2 of the Short Environmental Assessment Form (hereinafter referred to as EAF).

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

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (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
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

■ 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
PRELIMINARY SITE PLAN**

PB #0804-19

APPLICANT: Lyons National Bank, 399 Exchange Street, Geneva, N.Y. 14456

ACTION: Preliminary Site Plan Application—Lyons National Branch Bank, located at the northwest corner of New York State Route 332 and County Road 41, east of Hathaway Drive

WHEREAS, the Town of Farmington Planning Board has made, by separate resolution dated August 21, 2019, a determination of non-significance upon this Action in accordance with the provisions of §617 of NYCRR, Article 8, New York State Environmental Conservation Law; and,

WHEREAS, the Planning Board has conducted a public meeting upon this proposed Action; and

WHEREAS, the Planning Board has given consideration to the public hearing record and to the Ontario County Planning Board referral #166-2019, dated August 14, 2019, classified as a Class 1 with comments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby approve of the Preliminary Site Plan application with the following conditions:

1. Preliminary Site Plan Approval is based upon the set of drawings prepared by BME Associates, dated July 2019, Project No. 2645, Drawing Numbers 02 through 11, entitled “Lyons National Bank—Farmington, Preliminary Site Plan,” as is further hereby amended by these conditions of approval contained below herein.
2. All comments contained in the MRB Letter, dated August 14, 2019, are to be addressed in writing and changes made to the drawings as indicated in said letter prior to the Town Engineer’s signing of the Preliminary Site Plan drawing.
3. The Preliminary Site Plan, Drawing 02, is to be amended as follows:
 - a. Show a sidewalk connection to the desired location at the southwest corner of the property near the intersection of County Road 41 and Hathaway Drive. At this location there is to be a handicap ramp installed

- with a detectable warning pad in accordance with the Town's Site Design and Development Criteria; and
- b. Label the handicap ramp to the building and the railing that is to be installed. Add a note to this drawing that identifies the Drawing Number where the design details are shown; and
 - c. Identify where on the site the State Historic Marker is to be relocated to. It appears to be replaced with a proposed commercial speech monument sign; and
 - d. Either show the relocation for the mailbox, or remove the mailbox and notation from the site plan; and
 - e. Identify the location for the Public Safety Street Address Sign (1423) near the driveway entrance along Hathaway Drive.
4. This Preliminary Site Plan approval does not include the following:
- a. A second driveway access to Hathaway Drive; and
 - b. Sign Site Plan Approval.
5. The Landscaping Plan, Drawing 07, is to be revised to:
- a. Include the landscaping plan and details surrounding the proposed commercial speech monument sign; and
 - b. Include the location for the State Historic Marker Sign.
6. The Lighting Plan, Drawing 08, is to be revised as follows:
- a. Include lighting fixtures and illumination pattern for the handicap ramp entrance to the branch bank entrance; and
 - b. Add lighting along the sidewalks on County Road 41; and
 - c. Add street lighting at the requested sidewalk connection to the sidewalk ramp at the intersection of Hathaway Drive and County Road 41 and continue north to the RG&E property boundary (a distance of approximately 500 feet); and
 - d. Add all building mounted fixture(s) and illumination pattern for the entrance to the Hathaway House from the sidewalk along County Road 41.

- 7. All proposed easements are to be filed in the Ontario County Clerk’s Office and recorded in the Town Development Office prior to the scheduling of a pre-construction meeting for this site’s development.
- 8. The two (2) Building Elevation Drawings prepared by Mossien Associates, Architects, P.C., dated July 17, 2019, identified as MAA#2019-012:02, are to have signature line and title added for the Planning Board Chairperson to complete.
- 9. The two (2) Building Elevation Drawings cited above are to be stamped “Preliminary Site Plan, PB #0804-19.”
- 10. Once all conditions of Preliminary Site Plan Approval have been made on the drawings, one (1) copy is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a mylar and one additional paper set of revised drawings and Building Elevation drawings are to be submitted to the Town for signing. The signed mylar and one signed paper copy of the Preliminary Site Plans and Building Elevation drawings are to be returned to the applicant’s engineer. The applicant’s engineer is to make additional signed paper copies that are to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Assistant Resident Engineer, New York State Department of Transportation, Ontario County Office; Timothy McElligott, P.E., Ontario County Department of Public Works; and the Town Engineer. Once all signed sets of the Preliminary Site Plans and Building Elevation Drawings have been distributed then the Town Code Enforcement Officer will entertain an application for Final Site Plan Approval and schedule the action for a future planning board meeting.
- 11. Preliminary Site Plan Approval is valid for a period of 180 days and shall expire unless renewed, or signatures have been made to the revised drawings.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

4a. NEW PRELIMINARY SITE PLAN

PB #0802-19 New Preliminary Site Plan Application

Name: Matthew Guche, Ontario Mall Antiques, 1740 State Route 332, Farmington, N.Y. 14425

Location: 1740 State Route 332

Zoning District: GB General Business

Request: Preliminary Site Plan approval to operate a farm stand on Saturdays and Sundays in the spring, summer and fall months on a portion of the Ontario Mall Antiques parking lot, 1740 State Route 332.

4b. NEW FINAL SITE PLAN

PB #0803-19 New Final Site Plan Application

Name: Matthew Guche, Ontario Mall Antiques, 1740 State Route 332, Farmington, N.Y. 14425

Location: 1740 State Route 332

Zoning District: GB General Business

Request: Final Site Plan approval to operate a farm stand on Saturdays and Sundays in the spring, summer and fall months on a portion of the Ontario Mall Antiques parking lot, 1740 State Route 332.

Mr. Hemminger concurrently opened the discussion on PB #0802-19 and PB #0803-19, Preliminary and Final Site Plans, respectively, for Matthew Guche of Ontario Mall Antiques.

The Zoning Board of Appeals approved Mr. Guche's Temporary Use Permit for the farm stand operation on July 22, 2019, for a two-year term to expire on December 21, 2021.

Mr. Guche presented these applications.

He said that he would like to have a farm stand operate in a portion of the Ontario Mall Antiques parking lot on Saturdays and Sundays during the spring, summer and fall of the year to attract additional customers to the mall and to provide an additional opportunity and location for local farmers to sell their products. Mr. Guche said that the farm stand would operate between the hours of 10:00 a.m. and 6:00 p.m., which are the same hours during which the mall is open.

Mr. Brand said that he and Mr. Delpriore met with Mr. Guche on the site and suggested that the existing food-cart operation and the farm stand be relocated to a portion of the parking lot closer to State Route 332, to provide better visibility of these services to passing motorists. He said that this portion of the parking lot is less used by customers for mall parking, and was suggested to Mr. Guche for safety concerns and for a reduction in possible pedestrian/vehicle conflicts.

Mr. Brand said that draft resolutions have been provided for board consideration this evening for the approval of the Preliminary and Final site plans with conditions. These include the removal and clean up of the farm stand each evening, the return of the spaces for vehicle parking during weekdays, and the removal of the farm stand operation at the end of the season.

Mr. Brand said that Mr. Guche’s Temporary Use Permit is for a two-year period. He wished Mr. Guche well on this endeavor and said that the Ontario County Planning Board supported the application.

Mr. Delpriore said that the selected location in the Ontario Mall Antiques parking lot will provide a great deal of visibility of the farm stand for motorists traveling on State Route 332.

Mr. Bellis asked about the farmer who will be operating the stand. Mr. Guche said that Mr. Genecco will operate the stand. Mr. Bellis said that the farm stand would have no competition with other farm markets on Sundays. He said that a farm market operates on Saturdays in Canandaigua.

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

Mr. Hemminger asked Mr. Guche if he received the draft resolutions prior to this evening’s meeting, if he understood the resolutions and if he agreed with the conditions. Mr. Guche said that he received the resolutions prior to this evening, that he understood the resolutions and that he agreed with the conditions.

■ 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
SEQR RESOLUTION—TYPE II ACTION**

PB #0802-19

**APPLICANT: Matthew Guche, on behalf of the Ontario Mall Antiques
1740 New York State Route 332, Farmington, N.Y. 14425**

ACTION: Preliminary Site Plan Approval, SEQR Classification, for a seasonal farm stand to operate two days a week, Saturday and Sunday, commencing in the Spring and continuing through the Summer and Fall Calendar months each year, on a portion of the on-site parking lot located on the property at the above referenced address.

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

NOW, THEREFORE, BE IT RESOLVED THAT the Board finds that the Action is classified a Type II Action under Section 617.5 (c) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

NOW, THEREFORE, 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.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

■ 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:

**FARMINGTON ZONING BOARD OF APPEALS RESOLUTION
RESOLUTION— PRELIMINARY SITE PLAN ACTION**

PB #0802-19

**APPLICANT: Matthew Guche, on behalf of the Ontario Mall Antiques
1740 New York State Route 332, Farmington, N.Y. 14425**

ACTION: Preliminary Site Plan Approval for a seasonal farm stand to operate two days a week, Saturday and Sunday, commencing in the Spring and continuing through the Summer and Fall Calendar months each year, on a portion of the on-site parking lot located on the property at the above referenced address.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has received an application for Preliminary Site Plan approval for the above referenced Action; and

WHEREAS, the Board has classified, under a separate resolution, the proposed Action as being a Type II Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board understands that the Town of Farmington Zoning Board of Appeals did act on July 22, 2019, to grant approval for a Temporary Use Permit (File ZB #0701-19) subject to conditions; and

WHEREAS, Condition #1 of said resolution requires the Board to review and consider acting upon an application for Preliminary and then Final Site Plan Approval; and

WHEREAS, the applicant has submitted a Concept Plan entitled “Ontario Mall Antiques Corporation Parking Lot,” identified as “E:\OMAC\Antique2019.08.15\Farmers Market\ Parking Lot. Updated 2019.08.16xlsx.xlsx Parking Lot;” and

WHEREAS, the Board has opened a public meeting tonight upon this Action; and

WHEREAS, the Town Director of Planning and Development and the Town Code Enforcement Officer have visited the site and had discussion with the applicant about relocating the location for the food cart and the proposed farm stand operation to the location now shown on the above referenced Parking Lot drawing; and

WHEREAS, the has reviewed the application, received information from the Applicant and the Ontario County Planning Referral #134-2019, at tonight’s public meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby take the following action to approve the Preliminary Site Plan with the following conditions:

1. The Parking Lot drawing referenced above herein is to be entitled “Preliminary Site Plan, Farm Stand Temporary Use and Food Cart Temporary Use, 1740 State Route 332.”
2. The following notation is to be added to the drawing “File PB #0802-19, August 21, 2019.”
3. The following notation is to be added to the drawing “File ZB #0701-19, July 22, 2019.”
4. There is to be a signature line added for the Planning Board Chairperson.
5. The conditions of approval for both the temporary use permit for the food cart and farm stand, granted by the Town Zoning Board of Appeals shall remain in effect.
6. Site Plan Approval by the Planning Board shall automatically expire on the date provided by the Zoning Board of Appeals when granting the Temporary Use Permit and must be renewed once said Board of Appeals has taken action to continue the permit.

- 7. There shall be no more than four (4) temporary tents erected at any one time to serve as farm stand operation which are to be located in the area shown in green on the Preliminary Site Plan drawing. Each tent shall be open on all four sides with display tables.
- 8. There shall be a trash receptacle provided for the exclusive use of the farm stand operation, which shall be removed from the area when the farm stand is not operating. It shall be the responsibility of the property owner to keep this area of the on-site parking lot clean and available for on-site parking during the days of the week when the food cart and farm stand are not operating.
- 9. Traffic cones are to be provided around both the food cart operation and the farm stand operation to separate pedestrian and vehicular movements on this portion of the site.
- 10. There shall be no more than one sandwich board sign placed along the site’s frontage and outside the right-of-way of State Route 332 identifying the farm stand operation. This sign is to be removed at the end of each day’s operation.
- 11. Public restroom facilities are to be provided by the land owner with signage identifying the location of said facilities inside the Ontario Mall Antique Building.
- 12. At the end of each year’s operation, all tents shall be removed from the site and the area returned to on-site parking.
- 13. Preliminary Site Plan Approval is valid for a period of 180 days and shall expire unless a Final Site Plan Approval has been granted by the Planning Board.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

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

**FARMINGTON ZONING BOARD OF APPEALS RESOLUTION
RESOLUTION— FINAL SITE PLAN ACTION**

PB #0803-19

APPLICANT: Matthew Guche, on behalf of the Ontario Mall Antiques

1740 New York State Route 332, Farmington, N.Y. 14425

ACTION: **Final Site Plan Approval for a seasonal farm stand to operate two days a week, Saturday and Sunday, commencing in the Spring and continuing through the Summer and Fall Calendar months each year, on a portion of the on-site parking lot located on the property at the above referenced address.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has received an application for final site plan approval for the above referenced Action; and

WHEREAS, the Board has at tonight's meeting granted Preliminary Site Plan approval (File PB #0802-19) with conditions.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby take the following action to approve the Final Site Plan with the following conditions:

1. The Parking Lot drawing referenced above herein is to be entitled "Final Site Plan, Farm Stand Temporary Use and Food Cart Temporary Use, 1740 State Route 332."
2. The following notation is to be added to the drawing "File PB #0802-19, August 21, 2019."
3. The following notation is to be added to the drawing "File ZB #0701-19, July 22, 2019."
4. There is to be a signature line added for the Planning Board Chairperson.
5. The conditions of approval for both the temporary use permit for the food cart and farm stand, granted by the Town Zoning Board of Appeals shall remain in effect.
6. Site Plan Approval by the Planning Board shall automatically expire on the date provided by the Zoning Board of Appeals when granting the Temporary Use Permit and must be renewed once said Board of Appeals has taken action to continue the permit.
7. There shall be no more than four (4) temporary tents erected at any one time to serve as farm stand operation which are to be located in the area shown in green on the Preliminary Site Plan drawing. Each tent shall be open on all four sides with display tables.
8. There shall be a trash receptacle provided for the exclusive use of the farm stand operation, which shall be removed from the area when the farm stand is not operating. It shall be the responsibility of the property owner to keep this area of the

on-site parking lot clean and available for on-site parking during the days of the week when the food cart and farm stand are not operating.

- 9. Traffic cones are to be provided around both the food cart operation and the farm stand operation to separate pedestrian and vehicular movements on this portion of the site.
- 10. There shall be no more than one sandwich board sign placed along the site’s frontage and outside the right-of-way of State Route 332 identifying the farm stand operation. This sign is to be removed at the end of each day’s operation.
- 11. Public restroom facilities are to be provided by the land owner with signage identifying the location of said facilities inside the Ontario Mall Antique Building.
- 12. At the end of each year’s operation, all tents shall be removed from the site and the area returned to on-site parking.
- 13. Final Site Plan Approval is valid for a period of 180 days and shall expire unless a Final Site Plan Approval has been granted by the Planning Board.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion carried.

5. PLANNING BOARD ACTION ITEMS

■ A motion was made MR. VIETS, seconded by MR. BELLIS, that the following five resolutions be blocked for concurrent action, that the readings be waived and that the following five resolutions be approved as submitted by Town staff:

A. Auburn Meadows Subdivision, Section 6N and 6S—Letter of Credit Release #4

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #4
AUBURN MEADOWS SUBDIVISION, SECTIONS 6N AND 6S**

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 1, 2019, to approve a partial release (Release #4) from the above referenced letter of credit for site improvements within Sections 6N and 6S of the Auburn Meadows Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant's Engineer Estimates of Value attachment thereto; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the letter of credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$90,234.44 (Release #4) from this letter of credit. The total amount in the letter of credit is \$1,890,720.52, with a balance of \$301,502.62 remaining after this fourth partial release of funds.

B. Auburn Meadows Subdivision, Section 9—Letter of Credit Release #2

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #2
AUBURN MEADOWS SUBDIVISION, SECTION 9**

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 15, 2019, to approve a partial release (Release #2) from the above referenced letter of credit for site improvements within Section 9 of the Auburn Meadows Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant's Engineer Estimates of Value attachment thereto; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the letter of credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$241,741.00 (Release #2) from this Letter of Credit. The total amount in the Letter of Credit is \$1,149,224.13, with a balance of \$200,776.95 remaining after this second partial release of funds.

C. Byrne Dairy—Letter of Credit Estimate Approval
TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT ESTABLISHMENT—SITE IMPROVEMENTS
BYRNE DAIRY PROJECT, 6215 STATE ROUTE 96

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 15, 2019, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve the establishment of a Letter of Credit for site improvements approved by the Planning Board as part of Final Site Plan Approval for the above referenced project; 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 the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish a letter of credit in the total amount of \$242,622.00.

D. Hathaway’s Corners—Partial Letter of Credit Release #1 (Earthwork)

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT PARTIAL RELEASE #1—EARTHWORK
HATHAWAY’S CORNERS PROJECT

PB #0202-19
PB #0204-19

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 15, 2019, from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, to approve a partial release of funds from the established Letter of Credit for earthwork site improvements to be completed as part of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit release letter along with the completed Town Surety Release Forms G-1.0 and G-2.0; 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 the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town

Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for a partial release of funds from the established letter of credit in the total amount of \$787,080.53. The total Letter of Credit amount is \$1,397,830.23 with \$610,749.70 remaining.

E. Redfield Grove Incentive Zoning Project, Phase 1—Partial Letter of Credit Release #10

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT RELEASE #10—PARTIAL
REDFIELD GROVE SUBDIVISION, PHASE 1—SITE IMPROVEMENTS**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated August 19, 2019, from Lance S. Brabant, CPESC, MRB Group, P.C., the Town Engineers, to approve a partial release (Release # 10) from the above referenced Letter of Credit for site improvements within Section 1 of the Redfield Grove Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant’s Engineer Estimates of Value attachment thereto; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the letter of credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$32,563.02 (Release #10) from this Letter of Credit. The total amount in the letter of credit is \$870,840.15, with a balance remaining of \$46,394.66 after the tenth partial release of funds from the Letter of Credit.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Excused
Douglas Viets	Aye

Motion to approve the above five resolutions carried.

6. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand reported that he and Mr Giroux made a recent site visit to the Empire Pipeline Inc. Farmington Compressor Station construction site on Hook Road. Mr. Brand described the equipment that is in use and the strong foundation under construction for the concrete pads for the natural gas compressor.

Mr. Brand also said that he will be resuming work in September with the committee on updates to the Town Code and that he also will convene a committee to begin the update of the Town's Comprehensive Plan.

Code Enforcement Officer:

Mr. Delpriore reviewed the tentative agenda for the Planning Board meeting on September 4, 2019, that may include the Public Hearings on the Delaware River Solar project Four-Lot Subdivision, Preliminary Site Plan and Special Use Permit; Final Site Plan of Lyons National Bank; the Preliminary and Final Site Plan for the Finger Lakes Wildlife Center; and the Preliminary Site Plan for the Pond's Edge Venue.

Highway and Parks Superintendent:

Mr. Giroux said that top-coat paving is underway in several subdivisions and that the base paving is scheduled for next week on Canandaigua–Farmington Town Line Road. This road will then be turned over to the C. P. Ward Company for installation of the box culvert.

Mr. Giroux also said that that the Town has received approximately 400 yards of topsoil from a construction site and may receive a quantity of #3 stone from another site.

Water and Sewer Superintendent:

Mr. Degear reported that this morning's rainstorm (August 21, 2019) also included a lightning strike that damaged Pump Station #1 near Finger Lakes Gaming and Racetrack on State Route 96. He also said that the Water and Sewer Department has been making land restorations at the sites of the various water-main breaks that have occurred in the past few weeks. He said that the water pressure valves have been inspected and that the pressure in the water lines has returned to normal levels.

Mr. Degear said that the boil-water advisory that went into effect yesterday (August 20, 2019) is for the Town of Victor and the Village of Victor. He said that it does not affect the Canandaigua–Farmington Water District.

7. PUBLIC COMMENTS

None.

8. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:50 p.m.

The next regular meeting of the Planning Board will be held at Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, September 4, 2019, at 7:00 p.m.

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

Respectfully submitted,

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