Town of Farmington

1000 County Road 8 Farmington, New York 14425

PLANNING BOARD Wednesday, August 3, 2022 • 7:00 p.m.

MINUTES—APPROVED

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

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

 $\mathbf{R} = Attended$ via remote video conference.

Clerk's Note: Prior to the previously scheduled meeting of the Planning Board on July 20, 2022, the chairperson determined that a quorum would not be present in the meeting room. Therefore, the Planning Board meeting of July 20, 2022, was cancelled.

Board Members Present

Edward Hemminger, *Chairperson* Adrian Bellis Timothy DeLucia Aaron Sweeney Douglas Viets

Staff Present:

Ronald L. Brand, Town of Farmington Director of Development and Planning Dan Delpriore, Town of Farmington Code Enforcement Officer Tim Ford, Town of Farmington Highway and Parks Superintendent

Attending:

Robert Bowe, 195 Hook Road, Farmington, N.Y. 14425
Tim Hannan, 676-B Crowley Road, Farmington, N.Y. 14425
Edward G. Samoel, President, WNY Auto Sales Inc., 321 Pittsford Palmyra Road, Macedon, N.Y. 14502

1. MEETING OPENING

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

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on February 2, 2022.

2. APPROVAL OF MINUTES OF JULY 6, 2022

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the minutes of the July 6, 2022, meeting be approved.

Motion carried by voice vote. Mr. Bellis abstained due to his absence from the meeting on July 6, 2022.

3. LEGAL NOTICE

None.

4. PLANNING BOARD ACTION ITEMS

- A. PB #0703-21 Preliminary Site Plan PB #0804-21 Special Use Permit
 - APPICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14625
 - ACTION: Scheduling two Public Hearings and continuing the board's deliberations upon the two applications identified above, for Lot #4, Loomis Road Industrial Park: A Special Use Permit to operate a motor vehicle service facility in accordance with the provisions in Chapter 165, Article VI, Section 77 of the Farmington Town Code; and Preliminary Site Plan approval in accordance with the provisions in Chapter 165, Article VIII, Section 100 of the Farmington Town Code, to Wednesday, August 17, 2022.

On July 7, 2021, the Planning Board approved the Final Re-Subdivision Plat with conditions for this project (PB #0702-21).

The Public Hearings on the Preliminary Site Plan (PB #0703-21) and the Special Use Permit (PB #0804-21) had been continued to July 20, 2022. However, they

could not be reconvened due to the cancellation of the Planning Board meeting on July 20, 2022.

Mr. Hemminger said that the applicant has filed the Final Re-Subdivision Plat with the Ontario County Clerk's Office.

Mr. Delpriore said that he is working with the Town Assessor who will issue a new tax account number for the four-acre Lot #4 parcel of the proposed Loomis Road Industrial Park. He said that currently the entire parcel is included in one tax account number and that a Special Use Permit should not be issued for the entire acreage.

Mr. Brand said that the Ontario County Office of Real Property must confirm the new tax account number [for Lot #4] prior to Planning Board action upon the Special Use Permit application.

Mr. Hemminger asked if the proposed continuation date of August 17, 2022, will still be okay if the County has not yet confirmed the new tax account number. Mr. Brand said that the Public Hearing on the Special Use Permit can be held on August 17, 2022, but that the hearing would have to be continued to a subsequent date if the County confirmation has not yet been received by that date.

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

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

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION SPECIAL USE PERMIT AND PRELIMINARY SITE PLAN APPLICATIONS SCHEDULING PUBLIC HEARINGS AND CONTINUATION OF DELIBERATIONS

PB #0703-21 PB #0804-21	Preliminary Site Plan Special Use Permit
APPLICANT:	Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14625
ACTIONS:	Scheduling two (2) Public Hearings and continuing the Board's deliberations upon the two (2) Applications identified above, for Lot #4, Loomis Road Industrial Park: Special Use Permit to operate a motor vehicle service facility in accordance with the provisions in Chapter 165, Article VI, Section 77 of the Farmington Town Code; and Preliminary Site Plan approval in accordance with the provisions in Chapter 165, Article

VIII, Section 100 of the Farmington Town Code; to Wednesday, August 17, 2022.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has tonight given consideration to scheduling the two (2) Public Hearings upon the above referenced applications for Lot #4, Loomis Road Industrial Park, hereinafter referred to as Actions; and

WHEREAS, the Board has tonight received testimony from the Applicant's Engineers, which verifies: (1) the filing of the Final Re-Subdivision Plat (File #PB 0702-21), for the ten- (10-) lot re-subdivision project, in the Ontario County Clerk's Office within the time periods provided for in New York State Town Law and the Farmington Town Code; and (2) that a Tax Map Account Number has been assigned by the County's Office of Real Property Tax Services for Lot #4; and (3) the submission of the Applicant's responses to the Special Use Permit Criteria contained in Chapter 165, Article VI, Section 77 of the Farmington Town Code have been received at this time; and (4) a complete Preliminary Site Plan Application has been prepared and received in accordance with the provisions contained in Chapter 165, Article VIII, Section 100 of the Farmington Town Code.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to schedule the above referenced Public Hearings for their meeting on Wednesday, August 17, 2022, starting at 7:00 p.m., Eastern Standard Time, in the Main Meeting Room, at the Farmington Town Hall, 1,000 County Road 8, Farmington, New York 14425.

BE IT FURTHER RESOLVED that the Development Office Administrator (hereinafter referred to as Administrator) is hereby instructed to provide a legal notice of said Public Hearings to the Town's Official Newspaper for publishing in accordance with the provisions contained in both New York State Town Law, the New York State Open Meetings Law, and the Farmington Town Code; be it further instructed that the Administrator cause to be posted on the Town Hall Bulletin Board, a copy of said legal notice; and be it instructed that the Administrator post a copy of said legal notice along with the Board's Meeting Agenda for the August 17, 2022, meeting, and that copies of said legal notice have been sent to all property owners of record within 500 feet of the subject property.

BE IT FINALLY RESOLVED that a certified copy of this resolution be provided by the Clerk of the Board to: the Development Office Administrator; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Director of Planning and Development; and the Town Engineers.

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

Adrian Bellis Aye

Timothy DeLucia	Aye
Edward Hemminger	Aye
Aaron Sweeney	Aye
Douglas Viets	Aye

Motion carried.

B. PB #0103-22

APPLICANT:	Michael Cerone, MIII Enterprises LLC, 6061 Carmen's Way, Farmington, N.Y. 14425
ACTION:	Cerone Incentive Zoning Project (MIII Enterprises LLC) Final Site Plan Amendment Phase 3A: Overall Site Plan Amendment, Phase 3A

On February 16, 2022, the Planning Board approved the Final Site Plan Amendment for Phase 3A of the MIII Enterprises project (PB #0103-22).

Mr. Brand said that a condition of that approval requires the applicant to submit an Overall Site Plan Amendment to include Phases 1, 2, 3A and 3B of the project. He said that the applicant must submit site plan applications for the remaining two outparcels on the property.

Mr. Viets asked if the future climate controlled building, which is noted on the plans, is defined in the current application. Mr. Brand said no. He said that the future climate controlled building was part of Phase 1 and that a site plan approval from the Planning Board would be required prior to the issuing of building permits for this structure.

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

■ A motion was made by MR. DELUCIA, 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 CERONE INCENTIVE ZONING PROJECT (MIII ENTERPRISES LLC) OVERALL SITE PLAN AMENDMENT, PHASE 3A

PB #0103-22

APPLICANT: Michael Cerone, MIII Enterprises LLC, 6061 Carmen's Way, Farmington, N.Y. 14425

ACTION: Cerone Incentive Zoning Project (MIII Enterprises LLC), Overall Site Plan Amendment, Phase 3A

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) on February 16, 2022, granted Final Site Plan Approval for Phase 3A of the above referenced Project with Condition #8 of PB #0103-22 stating that an amended Overall Preliminary Site Plan was to be prepared and submitted to include Phases 1, 2, 3A and 3B, in accordance with Town Board Resolution #60 of 2022, dated January 11, 2022: and

WHEREAS, the Planning Board has received and reviewed the drawing prepared by BME Associates, identified as Project No. 2818, Drawing No. 12, dated July, 2022 and entitled "Route 332 MIII Enterprises at Auburn Junction, Updated Overall Preliminary Site Plan; and

WHEREAS, Town Staff and the Town Engineer have completed their reviews of said drawing finding it adequately reflects the existing conditions of approval by the Town Board for this Incentive Zoning Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from Town Staff and the Town Engineers, does hereby approve of the above referenced amended Overall Preliminary Site Plan drawing for the Route 332 MIII Enterprises at Auburn Junction Project.

BE IT FURTHER RESOLVED that this amended Overall Preliminary Site Plan drawing replaces the Board's previous Preliminary Overall Site Plan Approval drawing for Phase 2, File #PB 1004-19, dated 11/18/20.

BE IT FURTHER RESOLVED that the above referenced amend drawing's Revisions Box is to be amended to cite the Planning Board's File #0103-22, with description to read . . . "Updated Overall Preliminary Site Plan," dated 08/03/22 and initialed.

BE IT FINALLY RESOLVED that this Overall Preliminary Site Plan drawing is to be signed by those listed on the amended drawing and then copies made for all listed, the Applicant, the Applicant's Engineers, and including a copy of the signed drawing to be filed with the Farmington Town Clerk's Office.

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

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

Motion carried.

C. Hunt's Park Warehouse Project: Report and Recommendation

REQUEST: Planning Board Report and Recommendation to the Town Board upon the requested rezoning of Tax Map Parcel #29.00-01-86.2, located on the south side of Loomis Road between State Route 332 and Plastermill Road, from GB General Business to GI General Industrial.

Mr. Hemminger said that the Town staff has prepared a draft Report and Recommendation for the board's consideration this evening for the rezoning of this parcel from General Business to General Industrial.

Mr. Brand said that the Town Board has requested the Planning Board's input on this rezoning application, as the Town Board does with any rezoning application. He said that the Planning Board's consideration of this Report and Recommendation was originally scheduled for July 20, 2022, but had to be rescheduled to the meeting this evening because of the cancellation of the meeting on July 20th. He said that the Town Board will consider the Planning Report's Report and Recommendation at its meeting on Tuesday, August 9, 2022.

Mr. Brand said that the minutes of the Project Review Committee meeting of May 6, 2022, at which this application was discussed, have been included as an addendum to the Report and Recommendation.

He said that the Town Board may hold a Public Hearing on the rezoning application at its meeting on Tuesday, August 23, 2022. Mr. Brand also said the accompanying draft local law and the amendment to the Town's Official Zoning Map must be referred to the Ontario County Planning Board which is expected to consider it at its meeting in September.

If the rezoning is subsequently approved by the Town Board, Mr. Brand said that the applicant would then submit site plans and building elevation renderings to the Planning Board during the site plan approval process. He said that several required variances have already been granted by the Zoning Board of Appeals.

Mr. Delpriore reminded the Plannign Board members that this evening's discussion is not on the site plan, *per se*. He said that it concerns only the rezoning of the parcel and that the Planning Board will have additional input during the consideration of the Preliminary and Final Site Plan applications if the Town Board approves the rezoning.

Mr. Sweeney said that the *Town of Farmington Comprehensive Plan* Future Land Use Map calls for this parcel to remain in the General Business Zoning District in

hopes of a motorist rest area which would be located right off the New York State Thruway. He said that he is still for this and that he has a problem with changing the zoning to General Industrial. Mr. Sweeney said that the zoning change could make it tougher for restaurants to come in and that a Special Use Permit would be required. He said that he is hesitant [to recommend a change in the zoning] for that reason.

Mr. Bellis discussed the current zoning of parcels along Loomis Road. Mr. Brand and Mr. Delpriore said that the only General Business Zoning District on Loomis Road is the former Finger Lakes Hotel which is located on the north side of the road. Mr. Bellis said that he, too, is not sure if he can support the change in the zoning of this parcel at this time.

Mr. Viets said that he does not see opportunities for any type of retail shop to thrive on this parcel, given its location and difficulty of accessibility. He said that to him there is still opportunity to make it [a business] work with the General Industrial Zoning District. He said that he did not see much of an issue changing the zoning due to the similarity of uses in the surrounding area.

Mr. DeLucia also said that he did not have an issue with draft Planning Board Report and Recommendation as submitted by the Town staff.

Mr. Hemminger said that knowing the parcel and the access to it, he finds that the proposed use is probably one of the few uses that will "go" at this location. He said that he prefers a use with limited traffic and would not want a restaurant there because of the design of State Route 332 and the difficulty of access. Mr. Hemminger said that he would agree with the draft Report and Recommendation, and with the comments in the accompanying minutes of the Project Review Committee discussion. He said that he is willing to vote "yes" on the findings of the draft Report and Recommendation.

Mr. Hemminger then asked for the board's consensus regarding the draft Report and Recommendation.

■ **CONSENSUS:** To authorize the Planning Board Chairperson to sign the draft Report and Recommendation and transmit the report to the Town Board.

Consensus reached 3 to 2.

Mr. DeLucia, Mr. Hemminger and Mr. Viets agreed.

Mr. Bellis and Mr. Sweeney disagreed.

Mr. Bellis said that if the Town Board approves the rezoning of the property he will need to see elevation renderings of the proposed structures with the first submittal of the Preliminary Site Plan application. Mr. Hemminger said that the view of the structures from State Route 332 will be an important consideration of the Planning Board. Mr. Bellis said that the elevation renderings are to be submitted in the first Preliminary Site Plan presentation [to the Planning Board].

The following is the approved text of the Planning Board Report and Recommendation to the Town Board:

Memorandum

To:	Farmington Town Board
From:	Edward Hemminger, Chairperson Farmington Planning Board
Date:	August 3, 2022
Re:	Report and recommendation upon the requested rezoning of Tax Map Parcel No.29.00-01-86.2, located on the south side of Loomis Road between State Route 332 and Plastermill Road, from GB General Business to GI General Industrial.

The Town Planning Board, at their meeting tonight, discussed the above referenced rezoning application and provide this report and recommendation to the Town Board in response to Town Board Resolution No. 270 of 2022.

<u>Report</u>

The subject property results from the reconstruction of State Route 332, the construction of the highway bridge over Plastermill Road, the elimination of the former intersection location of Loomis Road and Plastermill Road (that was located just south of the Exit 44 Toll Booths for the New York State Thruway, I-90), and the realignment of the intersection of Loomis and Plastermill Roads. The property's site elevation, for the most part, lies below State Route 332 on the east.

As part of the Route 332 construction project and the realignment of Plastermill Road, a Park and Ride Lot was created which is adjacent to the south of the proposed subject property. Also, as part of the land swaps that occurred back then, the previous owner of the subject property was granted an access easement from Plastermill Road across the Park and Ride Lot. This access easement eliminates the need for any other access from either State Route 332, Loomis Road, or Plastermill Road. It is felt that because of this access restriction there has not been much interest in developing this approximately 2.5-acre site until recently.

It is noted that all the other land along the south side of Loomis Road in this area is zoned GI General Industrial. It is also noted that there is one other parcel of land

located along the north side of Loomis Road, opposite the subject site, that is zoned GI General Industrial.

When the 2011 Edition of the *Town of Farmington Comprehensive Plan* was adopted, the Future Land Use Plan Map recommended this site remain for commercial development as envisioned by the permitted and special permitted land uses in the GB General Business District. At the time of adoption of the 2021 Edition of the *Town of Farmington Comprehensive Plan*, the Future Land Use Plan Map continued to recommend this parcel be used for some type of GB General Business use.

Now, however, with the introduction of a recent proposal to construct two flex space type of warehouse/office buildings on the subject site, the Planning Board feels that it could provide a solution for developing this site in an attractive manner to complement the appearance of the Route 332 Corridor, our gateway into the Town of Farmington and Ontario County.

The site is, for the most part, hidden from view by north bound traffic along State Route 332. There are mature trees located within the State right-of-way along the east side of Route 332 and at the intersection of Route 332 and Loomis Road, as well as along the site's Loomis Road and Plastermill Road frontages. This project contains several infected Ash Trees which would need to be removed as part of this site's proposed development. The concept for developing this site has been discussed at the May 6th Town Project Review Committee (PRC) Meeting. The excerpt from this PRC meeting is attached to this report and recommendation.

Recommendation

The Planning Board, based upon its review of this referral finds:

- 1. That rezoning this parcel of land, as proposed, is for the most part, consistent with the majority of adjacent land use in the area; and
- 2. That the concept plan under consideration does not introduce additional curb cuts to/from State Route 332, Loomis Road, or Plastermill Road and, therefore, is consistent with the driveway spacing standards in Chapter 165 of the Farmington Town Code; and
- 3. That the proposed flex warehouse/office building use would likely generate less traffic turning movements than many of the otherwise permitted and special permitted uses in the GB General Business District; and
- 4. That the applicant is sensitive to the Town Staffs expressed desires for developing this site as an asset to and not a liability to the existing gateway entrance.

Based upon these findings, the Planning Board has directed me to sign this report and, thereby, make this recommendation to consider the formal rezoning process for this proposed rezoning of land. Should the Town Board have any questions please do not hesitate to contact me directly.

[Signed] Edward Hemminger, Planning Board Chairperson

EH:RLB:btb

Attachment

c: Farmington Town Clerk
 Farmington Planning Board
 Farmington Highway and Parks Superintendent
 Farmington Water and Sewer Superintendent
 Farmington CEO
 Farmington Director of Planning and Development
 Lance S. Brabant, CPESC, MRB Group, P.C., Town Engineer
 John Robortella, Clerk of the Planning Board
 John Hotto, Land Tech Surveying & Planning
 Edward Samoel, Applicant

Attachment:

Extract from the Farmington Project Review Committee Meeting May 6, 2022

HUNT'S PARK FLEX SPACE STORAGE Loomis Road

- *Review of concept plan*
- *Timeline of project*
- Review of submittal dates for Zoning Board of Appeals and Planning Board

Owner: Ontario Properties Inc. 40 Marine Drive Rochester, N.Y. 14617

Engineers: John W. Hotto (hotto@landtechny.com) John Sciarabba (john@landtechny.com) Land Tech Surveying & Planning P.L.L.C. 1105 Ridgeway Avenue Rochester, N.Y. 14615

Attending at the Town Hall:

John Hotto (Land Tech) Edward Samoel (wnyautowholesalers@gmail.com)

Mr. Hotto: Said that the applicant proposes the construction of two one-story 50foot x 200-foot flex-space buildings with doors which will face inward and away from the adjacent roads. Each building will be approximately 8,000 square feet; each building will have 10 units. The property is $2.502\pm$ acres and is located on the east side of State Route 332, south of Loomis Road, and west of Plastermill Road.

Mr. Hotto: Said that the Town was thinking of 40-foot x 200-foot buildings but that the applicant is determined to have buildings which are 50 feet deep to serve a variety of uses such as trucks, trailers, tradespeople, plumbers, etc. Mr. Hotto said that a 50-foot depth is ideal for the marketability of the units.

Mr. Hotto: Said that the site has a number of ash trees which have died due to the ash borer infestation. He said that they plan to apply for an Area Variance for the one building's setback from along State Route 332 and to provide enough room for customers to navigate on the site.

Mr. Samoel: Presented a hard copy architectural elevation of the buildings. He said that each leased unit will be an open bay with a restroom. Prospective tenants could include woodworkers, a small landscaping company, those who wish to store collector or other vehicles, and others. Mr. Samoel currently operates flex-space buildings in Webster, N.Y., and in Avon, N.Y.

Mr. Delpriore: Asked if clients would come to the facility on a regular basis or if they would use the units more for storage. Mr. Samoel said that the units are more for storage and are for those who do not have the space at their homes for storage and small business uses.

Mr. Hemminger: Said that this would be a type of transition space between a home occupation and a full building. He said that he expects that some home occupations may transfer to flex space of this type.

Mr. Hemminger: Said that in general the Planning Board is expected to be interested in the screening of the site with trees and landscaping. He asked if the buildings will be visible from State Route 332. Mr. Hotto said yes, and that State Route 332 is at a higher elevation than the applicant's site and that motorists on the road would be looking down at the roofs of the buildings.

Mr. Hemminger: Said that the Planning Board will want something [a building design] that looks decent. He also said that faux windows and other architectural refinements probably would not be required on the back side of the building [which would not be visible from the roads]. Mr. Hemminger said that the Planning Board will not want to see just a box-type building.

Mr. Hemminger: Asked if the Zoning Board of Appeals (ZBA) could address setbacks from State Route 332. Mr. Brand said yes. Mr. Hemminger said that the Planning Board would not be able to consider this application until the plan complies with the current zoning or the ZBA grants the requested Area Variance(s).

Mr. Delpriore: Said that the applicant will require a setback Area Variance from State Route 332. He said that the ZBA application will be one small piece of the application process and that the Planning Board will consider the entire project, i.e., how it fits into the area, parking, outside storage, building design, etc.

Mr. Hemminger: Said that the Planning Board is not crazy about outdoor storage and would prefer no outside storage. Mr. Delpriore said—that if proposed—an outside storage area must be designated and screened. Mr. Hemminger said that the Town has had real issues at other locations with outside storage.

Mr. Delpriore: Said that he did not think that a building depth of 50 feet would be an issue. Mr. Hemminger said that the flex building with restrooms is the key and that perhaps specific hours of operation would be required.

Mr. Delpriore: Said that the Town staff must determine where this application fits within the current Town Code. He said that the maximum building depth in the code for mini storage units is 40 feet.

Mr. Brabant: Said that the applicant's location in Avon, N.Y., is in a different zoning district [than the property in Farmington]. He said that the Town may request that the applicant provide a list of all the potential uses, hours of operation and other details. Mr. Brabant said that the Town must get specific as to what uses would be allowed in this flex space development.

Mr. Delpriore: Said that this is a viable project and that the Town must review the mechanism as to how it would be approved. He said that there are some hurdles and that the Town staff will begin a review of the code once the list of proposed uses is provided.

Mr. Hotto: Asked if there are similar projects in the Town. Mr. Brand said that there are flex buildings in both the General Business and the Limited Industrial zoning districts.

Mr. Delpriore: Said that there is research to do [by the Town staff].

Mr. Brand: Said that the research begins with knowing the kinds of uses that the applicant proposes and the types of materials which would be stored outdoors.

Mr. Brand: Also said that the applicant will have to address stormwater issues. He said that from the State Route 332 topography that this is a wet site. He said that he has not seen stormwater plans on the drawing which was discussed today. Mr. Hotto

said that they have enough grade to provide some sort of stormwater management facility.

Mr. Brand: Said that access to this site is via an easement from the adjacent Park and Ride parking lot. The easement is granted to the current owner of the property (Ontario Properties Inc.). Mr. Brand said that it is good that the applicant is not trying to put in additional driveway cuts to the three adjacent roadways.

Mr. Brand: Requested that Mr. Hotto be conscious of the Town's lighting standards. He said that the buildings will be visible from State Route 332. Mr. Brand said that lighting will be a challenge but that he is confident that Mr. Hotto will be able to deal with this.

Mr. Brand: Said that the Town staff will be able to review this application in relation to the current Town Code following the receipt of additional information from Mr. Hotto and Mr. Samoel regarding the proposed uses and operations. He said that the Town has amended the code in the past as new innovative uses come along, and that the Town needs to have the regulations to accommodate the uses for this applicant's site and for sites of other applicants.

Mr. Weidenborner: Said that the current Town Code does not have anything similar to what is being proposed [in this application]. He said that an initial review indicates that this application fits into the Town Code as written as a warehouse. He said that the project looks good and that the Town staff must clarify how it will fit [into the code].

Mr. Hemminger: Asked if the application would fit into the Town Code as a warehouse. Mr. Weidenborner said that he will look into this.

Mr. Gordner: Said that both buildings will require sprinklers, fire alarm systems and a driveway entrance of approximately 30 feet to 35 feet for fire apparatus access. Mr. Hemminger said that the possible storage of hazardous material would be an issue. Mr. Hotto said that the storage of hazardous materials would not be permitted. Mr. Gordner said that a fire inspection would be conducted every two years.

Mr. Brabant: Said that fire suppression, the location of fire hydrants, water utility and stormwater issues also will have to be discussed.

Mr. Ford: Discussed snowplowing maneuvers. He said that currently the Town snowplows are pushing snow, from the park and ride lot, toward the applicant's site. Mr. Samoel said that this does not appear to be a problem and will be addressed.

Mr. MacDonald: Asked if restrooms would be provided in each unit. Mr. Samoel said yes. Mr. MacDonald asked if every unit would have a separate water meter.

He also asked how Mr. Samoel will bill the tenants for their water usage. Mr. Samoel said that it has not yet been decided if the water usage will be included in the rents or if the water will be billed separately. Mr. MacDonald said that it would be easier for the Town if only one meter is needed. He said that a water meter in each unit also would take up space in the units.

Mr. Brabant: Asked if water separators will be required in each unit. Mr. MacDonald said that a water separator in each unit will be required if there are to be storm drains. He also said that backflow preventers and fire meters may be required and that he can provide these specifications to Mr. Hotto. Mr. MacDonald also said that the installation of water meters may depend upon the size of the water main and the sanitary sewer connections.

Mr. Hemminger: Requested that Mr. Hotto and Mr. Samoel keep an eye on the proposed outside storage area. He said that this will be hot button issue for the Planning Board. Mr. Hemminger said that he is not saying that the applicant cannot have an outdoor storage area, but that an outdoor storage area must be clearly delineated, buffered and that the Planning Board must have some kind of idea as to what can and what cannot be stored there. Mr. Samwell said that he is thinking of the outdoor storage of recreational vehicles or automobiles, for example.

Mr. Hotto: Asked about visual fencing. Mr. Brabant suggested that he generate a list of all the possible types of items which would be stored outdoors. Mr. Hemminger said that the outdoor storage area would probably be paved and that this will be a matter of dealing with an Area Variance from the ZBA or an Incentive Zoning application. He then said that the applicant and the Town staff can determine the classification of this application, i.e., warehouse or storage.

Ms. Phillips: Said that this would be an interesting transition space between a home occupation [and a larger building]. She said that this will have to be done carefully and that Ontario County will be concerned about the visual character of the State Route 332 corridor and the preservation of as much of the setback area in an undisturbed condition. Ms. Phillips also said that the applicant will have frontage on three roads (State Route 332, Loomis Road and Plastermill Road) and may require sign variances from the ZBA, as well. She said that the Ontario County Planning Department will have more conversations about this application after the Town sorts out how this fits in the Town Code and after the applicant submits more details about the indoor and outdoor uses.

D. Letter of Credit Establishment: Loomis Hidden Treasures LLC:

■ 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 LOOMIS HIDDEN TREASURES LLC (LOOMIS ROAD STORAGE PROJECT) LETTER OF CREDIT ESTABLISHMENT

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated July 21, 2022, from Ronald Brand, Director of Planning and Development, to recommend to the Town Board acceptance of a Letter of Credit for approved site improvements located on property at 6006 Loomis Road; and

WHEREAS, the recommendation is based upon a letter, dated July 20, 2022, from Lance S. Brabant, CPESC, Director of Planning and Environmental Services, MRB Group, D.P.C., the Town Engineer, to approve a Letter of Credit for site improvements for the above referenced project; and

WHEREAS, said request has also been reviewed and accepted by the Town Construction Inspector; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit along with the Applicant's Engineer's Estimate 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 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 Director of Planning and Development, the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish of Letter of Credit in the total amount of \$67,779.60.

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

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Motion carried.

E. Letter of Credit Establishment: A Safe Place Storage:

■ 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 A SAFE PLACE STORAGE PROJECT LETTER OF CREDIT ESTABLISHMENT

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request dated July 27, 2022, from Ronald Brand, Director of Planning and Development, to recommend to the Town Board acceptance of a Letter of Credit for approved site improvements located on property at 6025 Denny Drive; and

WHEREAS, the recommendation is based upon a letter, dated July 26, 2022, from Lance S. Brabant, CPESC, Director of Planning and Environmental Services, MRB Group, D.P.C., the Town Engineer, to approve a Letter of Credit for site improvements for the above referenced project; and

WHEREAS, said request has also been reviewed and accepted by the Town Construction Inspector; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit along with the Applicant's Engineer's Estimate 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 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 Director of Planning and Development, the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to establish of Letter of Credit in the total amount of \$305,294.91.

BE IT FINALLY RESOLVED that a certified copy of this resolution be provided to: Farmington Town Clerk; Farmington Town Supervisor; Farmington Town Highway and Parks Superintendent; Farmington Water and Sewer Superintendent; Farmington Town Construction Inspector; Farmington Town Code Enforcement Officer; Farmington Town Director of Planning and Development; the Applicant's Engineer; and the Applicant.

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

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

Motion carried.

5. NEW PRELIMINARY SITE PLAN

PB #0802-22	New Preliminary Site Plan Application	
Name:	Applicant: Louis Sirianni, 926 Klem Road, Webster, N.Y. 14580	
	<i>Owner:</i> Andrii Yanov, 68 Whitney Ridge Road, Fairport, N.Y. 14450	
Location:	West side of Hook Road, south of Allen Padgham Road	
Zoning District:	RS-25 Residential Suburban	
Request:	Preliminary Site Plan approval to erect at 1,650-square-foot single-family two-story residence including site improvements to grading, drainage and utilities.	

Clerk's Note: This was the first application on the agenda this evening. Neither the applicant nor his engineer attended in the meeting room and were not available on the remote video conference when the meeting opened.

The other applications were then considered prior to this application to provide additional time for the applicant or his engineer to log onto the remote video conference. It was not possible for them to join the meeting via the remote video conference.

Following the meeting, an email from Jonathan Jones of Marks Engineering, which was sent at 7:12 p.m., was forwarded to the clerk in which Mr. Jones reported that he could not log on to the remote video conference due to "geographical restrictions."

Mr. Delpriore said that Mr. Sirianni sent an email prior to the meeting in which he [Mr. Sirianni] said that he received the draft Preliminary Site Plan approval resolution and that he had no issues [with the conditions of approval].

Mr. Brand said that this application concerns Lot #1 of a subdivision on Hook Road which was previously owned by William Wright, Ontario County Commissioner of Public Works.

Mr. Brand said that draft resolution has been prepared for the board's consideration this evening for approval of the State Environmental Quality Review (SEQR) Classification

(Type II Action) and for approval of the Preliminary Site Plan with conditions. He discussed draft Condition #3 regarding the requested amendment of Drawing #C100 to include information on the flood insurance rate map.

Mr. Brand also said that the draft conditions of approval include information on compliance with the Town Site Design and Development Criteria regarding the paving of the driveway a minimum distance of 10 feet from the edge of the travel lane of Hook Road.

Mr. Hemminger said that the board also received engineering comments on this application from MRB Group [the Town engineers].

Mr. Delpriore said that the conditions of approval on the draft Preliminary Site Plan resolution are important and that the application will be in a good spot when the Final Site Plan is submitted.

Mr. Ford said that the draft conditions of approval address the driveway paving and that the culvert pipe must be sized correctly to 12 inches.

Mr. Brand said that Lance Brabant reported that MRB Group has completed the review of the plans, that MRB Group issued an engineering comment letter on July 25, 2022, and that all the engineering comments have been addressed.

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

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

TOWN OF FARMINGTON Louis Sirianni Preliminary Site Plan—SEQR Classification

PB #0802-22

APPLICANT:	Louis Sirianni, 926 Klem Road, Webster, N.Y. 14580
ACTION:	SEQR Classification for Preliminary Site Plan to construct a single-family dwelling and related site improvements on land located along the west side of Hook Road, south of Allen Padgham Road and north of Green Road.

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

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

WHEREAS the Planning Board has must classify the proposed Action under consideration.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby determine the proposed Action identified above herein involves the construction of a single-family residence on an approved lot including the provision of necessary utility connections and the installation of drinking water and a septic system [§ 617.5 (c) (11) and (13)].

BE IT FURTHER RESOLVED that said Action is classified under the State's SEQR Regulations as being a Type II Action.

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's Environmental Conservation Law, Article 8.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this classification with the project file and requests copies be provided to the Applicant and the Applicant's Surveyor.

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

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

Motion carried.

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

TOWN OF FARMINGTON

LOUIS SIRIANNI PRELIMINARY SITE PLAN—APPROVED WITH CONDITIONS

PB #0802-22

APPLICANT:	Louis Sirianni, 926 Klem Road, Webster, N.Y. 14580
ACTION:	Preliminary Site Plan approval to construct a single-family dwelling and related site improvements on land located along the west side of Hook Road, south of Allen Padgham Road and north of Green Road.

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reviewed the above referenced Action at tonight's public meeting; and

WHEREAS, the Planning Board has by separate resolution classified the proposed Action as being a Type II Action not subject to further review under the provisions of the State's Environmental Conservation Law, article 8; and

WHEREAS, the Planning Board has considered the public comments made at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to grant Preliminary Site Plan Approval with the following conditions:

- 1. Drawing number EX 100, titled "New Residence Site Plan, Louis Sirianni, Showing Land in: Hook Road Town of Farmington," is to be removed from this application as it has been determined to be not applicable to any drawing required for this proposed Action. If the intent of this drawing is to identify this Tax Map Parcel Number 8.00-1-28.11 as part of this Action, then its title should be changed to read . . . "Preliminary Site Plan Louis Sirianni, Lot No. 1, Joseph C. Konwinski & Rokhsanna Sadeghi Subdivision." Furthermore, if this drawing is to remain as part of this application, then the details of Lot 1 shown on the final subdivision plat for this Lot No. 1 are to be shown on the drawing, including all information from said final subdivision plat (e.g., dimensions, angles, bearings, etc.).
- 2. Drawing number C 100, titled "New Residence Site Plan, Louis Sirianni, Showing Land in: Hook Road Town of Farmington," is to be amended to read . . . "Preliminary Site Plan, Louis Sirianni, Lot No.1, Joseph C. Konwinski & Rokhsanna Sadeghi Subdivision Plat."
- **3. Drawing number C 100,** is to be further amended as follows:
 - Note 7) is to be amended to read . . . "The Site lies within a mapped Zone C, Area of Minimal Flooding, Flood Insurance Rate Map 10 of 20, Community Number 361299, Panel Number 0010B, Effective Date: September 30, 1983."
 - b. Note 8) is to be amended to read . . . "The Site is provided public water and is located within the Canandaigua/Farmington Water District."
 - c. The driveway apron design is to be amended to show compliance with the provisions within Appendix H-4.0 of the Town Site Design and Development Criteria (e.g., the driveway is to be paved a minimum distance of ten (10) feet from the edge of the travel lane for Hook Road). A note to this effect is also to be added to this drawing.
 - d. Note 7, Specification Legend, is to remove the reference to one-inch (1") type K copper.

- e. There is a note referencing Stabilized Construction Entrance (see detail), however, there is no detail shown on Drawing number C 200.
- f. The location for the Public Safety Street Number Identification Sign is to be shown on the drawing near the driveway entrance.
- 4. **Drawing number C 200** is to be further amended as follows:
 - a. The Typical Driveway Apron Detail, Appendix H-4.0 of the Town Site Design and Development Criteria is to be added to this drawing.
 - b. The Town of Farmington Water Service Detail, Appendix W-4.0 of the Town Site Design and Development Criteria is to be added to this drawing.

c. The Town of Farmington Public Safety Sign Detail, Appendix G-9.0 of the Town Site Design and Development Criteria is to be added to this drawing.

- 5. Signature blocks are to be added to drawings C 100 and C 200, in one of the two locations shown on Appendix G-13.0 of the Town Site Design and Development Criteria.
- 6. The Town Engineer's comments, contained in their July 25, 2022, letter to the Director of Planning and Development are to be addressed in a written response by the applicant's engineer and all required amendments are to be made to these drawings.
- 7. Once all of the above Conditions of Approval have been addressed and amendments made to the drawings, then one (1) paper print of the revised drawings, containing amendments to each drawings revision box, is to be submitted to the Town Code Enforcement Officer for his review and acceptance.
- 8. Once all drawings have been signed, then the applicant's engineer shall make and distribute copies to those signing.
- 9, Once the signed preliminary site plan drawings have been distributed, then the applicant may prepare Final Site Plan drawings and submit an application for a future planning board meeting.
- 10. Preliminary Site Plan Approval is valid for a period of 180 days from today and shall automatically expire if signatures have not been placed on the amended drawings.

BE IT FURTHER RESOLVED that certified copies of this resolution are to be provided to town staff, the Town Engineer, the Applicant and the Applicant's Engineer.

BE IT FINALLY RESOLVED that the Planning Board directs the filing of this classification with the project file and requests copies be provided to the Applicant and the Applicant's Surveyor.

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

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

Motion carried.

6. **OPEN DISCUSSION**

Director of Development and Planning:

Mr. Brand reported on the following topics:

• The Town staff is preparing a response to the applicant's counter offer on the Powers Project Incentive Zoning proposal for the development of a single-family subdivision on 150 acres of land which are zoned RS-25 on the northern third of the property along Collett Road and zoned LI for the portion of the property along State Route 96. Mr. Brand said that the counter offer has been referred to Supervisor Ingalsbe and the Town staff for review and comments. A response is expected to be provided to the applicant this week.

Mr. Hemminger asked how much parkland has been offered by the applicant as an Incentive Zoning amenity to the Town. Mr. Brand said that no parkland is being offered. Instead, he said that the applicant proposes the payment of a fee in lieu of parkland.

- Mr. Brand continues to have discussions with the applicants of the Farmington Market Center and the GLN Farmington Realty projects [on the south side of State Route 96]. He said that he learned today that one of the applicants has determined that the traffic trip generation data was not accurate and has retained the Rochester, N.Y., firm of SRF Associates to provide an additional trip generation report.
- Mr. Brand said that representatives from New York State and from the Genesee Transportation Council have given the go-ahead for the Town to submit a draft letter of interest to solicit firms who may wish to prepare a proposal for the engineering work for the sidewalk system for the recently approved 2021–2022 Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality Improvement (CMAQ) Improvement Program grant.

Mr. Brand said that the letter of interest will go out next week. He said that the Town staff expects to evaluate the responses based upon the credentials of the

firms. Mr. Brand also said that the Town application included what was thought to be a high cost estimate of \$55 per foot of concrete. He said that a recent bid opening for concrete sidewalks included the price of \$65 per foot. Mr. Brand said that the costs will also include engineering and construction, and will be based upon prevailing wages.

Code Enforcement Officer:

Mr. Delpriore said that the agenda for the Planning Board meeting on August 17, 2022, will include the application of Christine Bellomo for a Special Use Permit to operate a chiropractic office at 86 Hook Road (PB #0801-22) in the RS-25 Residential Suburban Zoning District, and the Loomis Road Industrial Park Public Hearings on the Preliminary Site Plan and the Special Use Permit which were scheduled by board action earlier this evening.

Mr. Delpriore said that he will follow up with the Town Assessor regarding acquisition of the tax parcel number for Lot #4 of the Loomis Road Industrial Park.

He also said that Farmington Family Dentistry on State Route 332 is expected to submit a Preliminary Sign Site Plan for placement of a monument sign on their property.

Town Highway and Parks Superintendent:

Mr. Ford said that highway staff are between several major road projects at this time and are addressing other projects including clearing out Fraser Way, repairing catch basins and mowing. He said that milling and paving operations will begin next week on several of the older roads in the Auburn Meadows Subdivision, following which the improvement project on Shortsville Road will begin.

Board Members' Comments:

Mr. DeLucia asked about the vacant area adjacent to the Farmington Family Dentistry building on State Route 332. He said that this area has become overgrown. Mr. Delpriore said that this area is supposed to be an MS4 water retention area but that it is not being maintained properly.

7. PUBLIC COMMENTS

Mr. Samoel [the applicant for the Hunt's Park Flex Space Storage Project] said that the property would be a very tough spot for a restaurant due to the difficulty for motorists to access the site. Mr. Hemminger agreed that this is a difficult parcel and that the flex storage space fits this location. He also reminded Mr. Samoel of the board's request that elevation

renderings of the structures must be submitted with the first Preliminary Site Plan materials, if the Town Board were to approved the rezoning of the property.

8. TRAINING OPPORTUNITIES

■ 2022 Municipal Bootcamp:

Hancock Estabrook and MRB Group are offering a free annual training program to assist local governments, municipal officials, and planning and zoning boards. The program will include 10 hours of remorte training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program in the series will be provided remotely on the fourth Thursday of each month with subject matter experts from MRB Group and knowledgeable attorneys from Hancock Estabrook LLP. Topics will be ively, useful and—potentially as important—qualify for the education requirements for members of planning boards and zoning boards of appeal.

Remaining sessions in 2022:

Thursday, September 22, 2022, 6:00 p.m. to 7:00 p.m. What Not to Say and What Really Not to Do: Avoiding Sexual Harassment

Thursday, October 27, 2022, 6:00 p.m. to 7:00 p.m. A History Lesson: Managing Projects with Historic Significance

Thursday, December 22, 2022, 6:00 p.m. to 7:00 p.m. Santa's Nice and Naughty List: The Best and Worst of 2022

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

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

■ New York Planning Federation and Association of Towns 2022 Fall Planning and Zoning Schools (In Person Sessions)

Tuesday, September 13, 2022

Wallace Center @ FDR Library and Museum 4079 Albany Post Road Hyde Park, N.Y. 12538 For information: (518) 512-5270 or nypf@nypf.org; or Patty Kebea at the Association of Towns, (518) 465-7933.

Wednesday, September 28, 2022

New York Kitchen 800 S. Main Street Canandaigua, N.Y. 14424 For information: (518) 512-5270 or nypf@nypf.org; or Patty Kebea at the Association of Towns, (518) 465-7933.

Thursday, October 6, 2022

Conference Center at Lake Placid 2608 Main Street Lake Placid, N.Y. 12946 For information: (518) 512-5270 or nypf@nypf.org; or Patty Kebea at the Association of Towns, (518) 465-7933.

■ New York Planning Federation Recorded Webinars:

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

The Essentials of Planning and Zoning:

Introduction to Planning, Zoning and Land Use Everything You've Ever Wanted to Know About Preparing a Comprehensive Plan Understanding and Applying SEQRA (NY State Environmental Quality Review Act) The What, Why, and How of Site Plan Review Common Mistakes and Mishaps in Site Plan Review

Meeting Process and Communication:

Enhancing Transparency Effectiveness in Planning Proceedings Innovations and Best Practices for Planning/Zoning Boards Engaging Diverse Communities and Dealing with Difficult People Working with Elected Officials and Understanding Everyone's Role in Planning The Open Meetings Law for Zoning and Planning Boards, Part 2 Working with Developers to Foster Investment in the Community Communication, the Media and Social Media Open Government and Planning and Zoning Decision Making

■ General Code e-Code

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories. Information: https://www.generalcode.com/training/

■ Future Training Opportunities Online:

Ontario County Planning Department website now lists upcoming training: https://www.co.ontario.ny.us/192/Training

9. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:30 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, August 17, 2022, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and via remote video conference.

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

Respectfully submitted,

_____L.S.

John M. Robortella, Clerk of the Board