

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD **Wednesday, December 20, 2017, 7:00 p.m.**

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the 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, *Acting Chairperson*
Adrian Bellis
Mary Neale

Board Member Excused: Douglas Viets

Vacancy: One Vacant Planning Board Position

Staff Present:

Ronald L. Brand, Town of Farmington Director of Development and Planning
Don Giroux, Town of Farmington Highway Superintendent
Shaun R. Logue, MRB Group, D.P.C.

Applicants Present:

Kyle Johnson, Leonard’s Express Inc., 6070 Collett Road, Farmington, N.Y. 14425
Robert E. Johnston, B&B Builders, 2913 County Road 47, Canandaigua, N.Y. 14424
Michael Montalto, Costich Engineering, 217 Lake Avenue, Rochester, N.Y. 14608
J. Lincoln (Link) Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East,
Fairport, N.Y. 14450

Residents Present:

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425
George F. Cretkos, 186 Hawthorne Circle, 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 introduced the Planning Board members and staff, explained the emergency evacuation procedures and noted that copies of the evening’s agenda were avail-

able on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

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

Mr. Hemminger informed the Planning Board, Town staff and those present that Scott Makin has resigned from the Planning Board.

2. **APPROVAL OF MINUTES OF DECEMBER 6, 2017**

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the December 6, 2017, meeting be approved.

Motion carried by voice vote.

3. **CONTINUED PUBLIC HEARING: THREE-LOT PRELIMINARY RESUBDIVISION**

PB #1206-17 Three-Lot Preliminary Resubdivision Application

Name: Cynthia Chierichella, 1468 Fraser Way, Farmington, N.Y. 14425

Location: 1468 Fraser Way, Lot #230, Phillips Landing

Zoning District: TL 278 Cluster Development

Request: Three-Lot Preliminary Resubdivision approval to create Lot #1 consisting of 13.427 acres as a non-approved building lot; Lot #2 consisting of 6.208 acres with an existing dwelling; and the remaining lands of the parcel, Lot #3, consisting of 12.548 acres as a non-approved building lot.

Mr. Hemminger resumed the Public Hearing on this application which was opened on December 6, 2017.

Mr. Swedrock continued the presentation of this application.

He explained that the applicant seeks to subdivide a 32.2-acre parcel to create Lot #1 of 13.427 acres and Lot #3 of 12.548 acres as non-buildable lots. An existing two-story home is located on what will become Lot #2 of 6.208 acres. Mr. Swedrock said that separate site plan applications would be submitted to the Planning Board if and when construction of single-family homes is proposed on Lot #1 and/or Lot #3.

Mr. Swedrock reported that the Zoning Board of Appeals (ZBA), on December 18, 2017, granted the applicant's request for an Area Variance.

He said that comments from MRB Group and from the Town staff have been addressed. These included depicting the wetlands on the re-subdivision plat and renumbering the lots.

Mr. Brand reviewed the applicant's Area Variance. He explained that one of the ZBA's conditions of approval was that Lot #2 and Lot #3 would share the existing driveway where it intersects with Fraser Way and that this condition would remain in effect if and when a site plan for the development of Lot #3 is submitted.

Mr. Brand also noted that a proposed condition of Planning Board approval of the preliminary re-subdivision plat would be that the applicant must obtain an Ontario County Highway Work Permit for a proposed driveway from County Road 41 to Lot #1 prior to the issuance of a building permit for Lot #1.

Mr. Logue confirmed that the applicant has addressed all MRB Group comments in the engineering letter dated November 30, 2017.

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

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

Motion carried by voice vote. The Public Hearing on this application was closed.

■ A motion was made by MR. BELLIS, seconded by MS. NEALE, that the reading of the following State Environmental Quality Review (SEQR) 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 #1206-17**

**APPLICANT: Cynthia Chierichella, 1468 Fraser Way,
Farmington, N.Y. 14425**

**ACTION: Preliminary Re-Subdivision Plat Application for the creation
of three (3) new parcels of land from Lot #230, Phillips
Landing Subdivision Tract**

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 Type II Classification associated with the above referenced Action; and,

WHEREAS, the Board finds the Action is identified in Section 617.5 (c) (17) involving mapping of ownership patterns and Section 617.5 (c) (18) information gathering that does not commit the Board to undertake, fund or approve any Type I or Unlisted Action that would be associated with any subsequent application(s) for site plan approval for development of either Lots #1 or #3.

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
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

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

Following the reading of the resolution, Mr. Swedrock requested that the word “either” be deleted from Condition #7. There were no objections to this request from members of the Planning Board or the Town staff. The resolution which appears below reflects this deletion:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY RE-SUBDIVISION PLAT APPROVAL,
LOT #230, PHILLIPS LANDING SUBDIVISION TRACT**

PB #1206-17

**APPLICANT: Cynthia Chierichella, 1468 Fraser Way,
Farmington, N.Y. 14425**

**ACTION: Preliminary Re-Subdivision Plat Application for the creation
of three (3) new parcels of land from Lot #230, Phillips
Landing Subdivision Tract**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has re-opened the continued public hearing upon this application from the December 6, 2017, meeting; and

WHEREAS, the Board has reviewed and given consideration to the Town of Farmington Zoning Board of Appeals resolution, dated December 18, 2017, File #ZB 1201-17; and

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, determining the proposed Action to be a Type II Classification; and,

WHEREAS, the Board has reviewed the Ontario County Planning Board Referral Number 228-2017, dated November 8, 2017, which makes no specific recommendation only comments; and

WHEREAS, the Board has given consideration to the public comment entered into the public hearing record.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant Preliminary Re-Subdivision Plat Approval upon the above referenced Action, with the following conditions:

1. Preliminary Re-Subdivision Plat Approval is based upon the drawing prepared by Clifford James Rigerman, Licensed Land Surveyor, for Cynthia Cherichella, 1468 Fraser Way, Farmington, New York 14425, entitled “Subdivision Plat of #230 Section II, Phillips Landing,” dated 09/29/2017, Sheet Number: PL-1,” as is further amended in compliance with these conditions of approval.
2. All comments contained in the November 30, 2017 letter from Lance S. Brabant, CPESC, Director of Planning Services, MRB Group, D.P.C., are to be addressed in writing. Any comments requiring changes to the submitted drawing are to be addressed before the Town Engineer’s signing the Preliminary Re-Subdivision Plat Map.
3. The Title of the drawing is to be amended to read: “Preliminary Re-Subdivision Plat Map of Lot #230 Section II, Phillips Landing Subdivision Tract.”
4. Lots #1, #2 and #3 are to be renumbered Lots #R230-1, #R230-2 and #R230-3.
5. Signature lines are to be added for the following: Town Water and Sewer Superintendent; Town Highway Superintendent; Town Engineer; and Town Planning Board Chairperson.

- 6. There is to be a note added to the drawing that reads . . . “Prior to the issuance of Building Permits for either Lot #R230-1, or #R230-3, site plan applications are to be submitted to the Planning Board for review and approval.”
- 7. There is to be a note added to the drawing that reads . . . “Prior to the issuance of Building Permit for Lot #R230-1, a copy of the Ontario County Highway Work Permit for a proposed driveway from County Road 41 is to be provided for the Town’s files.
- 8. Once these conditions of Preliminary Re-Subdivision Plat Approval have been made and the drawing’s Revision Box amended, then one copy of the amended map is to be submitted to the Town’s Code Enforcement Officer for his review and acceptance of these conditions being shown. Upon his acceptance, the applicant is to submit four (4) additional paper prints for signing by those listed above herein. If additional copies of the Preliminary Re-Subdivision Plat Map are needed by the Applicant, then the additional number is to be provided at the time of signing.
- 9. Once the Preliminary Re-Subdivision Plat Maps have been signed, then the applicant may submit application for Final Re-Subdivision Plat Approval. At that time, such application will be placed upon the next available planning board agenda.

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

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

4. NEW PRELIMINARY SITE PLAN

PB #1210-17 New Preliminary Site Plan Application

Name: B & B Builders, 2913 County Road 47, Canandaigua, N.Y. 14424

Location: 5966 Collett Road

Zoning District: GI General Industrial

Request: Approval to construct a 6,400-square-foot one-story structure for truck maintenance, and related site improvements

Mr. Johnston of B&B Builders and Mr. Johnson of Johnson Equipment Sales and Service presented this application.

Mr. Johnson explained that the purpose of the new structure is to provide additional space for collision and paint work on vehicles which are serviced by his company.

Mr. Brand said that the application was presented and discussed at the Project Review Committee meeting on December 1, 2017. He said that Mr. Johnston has amended the Site Plan based upon the comments at the meeting and that the conditions of approval in the draft Preliminary Site Plan resolution have been refined to address the amendments.

Mr. Giroux asked if there would be a large number of vehicles awaiting collision work to be stored on the property and which would be visible from Collett Road and the nearby residential subdivisions. Mr. Johnson said that he does not foresee more vehicles on the property than are currently stored there. He also noted that he has received no complaints about vehicles on the property. Mr. Giroux suggested that perhaps a one-sided fence to screen the vehicles should be considered if a larger number of vehicles are to be stored on the site while awaiting collision work.

Mr. Logue requested that the existing water main lateral and its proposed connection to the new structure be shown on the Site Plan. He also requested that the closest fire hydrant also be shown on the Site Plan.

Mr. Johnston discussed the water service to the new structure. He said that the existing water main lateral would be connected to the structure. Mr. Brand said that Mr. Degear (the Town's Water and Sewer Superintendent) has also requested that this lateral be shown on the Site Plan.

Mr. Hemminger explained that this property is located within the Town's Major Thoroughfare Overlay District (MTOD). He requested that the applicant review the MTOD guidelines regarding design and landscaping. He noted that members of the Planning Board would be carefully reviewing the applicant's compliance with these guidelines.

Mr. Bellis asked about the color of the new structure. Mr. Johnson said that it is his intent that the new structure match the company's existing building. Mr. Bellis suggested that a neutral color be selected, as the structure will be visible from nearby residential subdivisions.

Ms. Neale asked about vehicle painting in the new structure, the disposition of left-over paint, and drainage of paints and fluids within the structure. Mr. Johnson said that the New York State Department of Environmental Conservation has strict guidelines on the

storage and use of paints, that left-over paints would be re-used and/or recycled, and that the paint booth would be a self-contained area.

Mr. Bellis asked if the paint booth would be large enough for the painting of trucks. Mr. Johnston said that it would be large enough for trucks.

Mr. Hemminger requested that the vehicle storage area and parking lot be designed to accommodate screening if the number of vehicles awaiting collision work increases in the future and if the storage area should become visible from Collett Road.

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

■ A motion was made by MR. BELLIS, seconded by MS. NEALE, that the reading of the following State Environmental Quality Review (SEQR) resolution be waived and that the resolution be approved as submitted by the Town staff:

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

PB #1210-17

APPLICANT: B&B Builders (Robert E. Johnston Inc.), 2913 County Road 47, Canandaigua, N.Y. 14424

ACTION: Preliminary Site Plan Approval, 6,400-square-foot building and site improvements at 5966 Collett Road

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 FINALLY RESOLVED that the Board directs the Town Director of Planning and Development to prepare Parts 2 and 3 of the Short Environmental Assessment Form for the Board’s review and acceptance.

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

■ A motion was made by MR. BELLIS, seconded by MS. NEALE, that the reading of the following State Environmental Quality Review (SEQR) resolution be waived and that the resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN
ACCEPTING PARTS 2 AND 3 OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM**

PB #1210-17

APPLICANT: B&B Builders (Robert E. Johnston Inc.), 2913 County Road 47, Canandaigua, N.Y. 14424

ACTION: Preliminary Site Plan Approval, 6,400-square-foot building and site improvements at 5966 Collett Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has opened the Public Meeting upon this application; and

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria, under Part 617.4 (b) and Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, determining the proposed Action to be an Unlisted Action Classification; and,

WHEREAS, the Board has reviewed the Parts 1, 2 and 3 of the Short Environmental Assessment Form for the proposed Action.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby accept Parts 2 and 3 of the Short Environmental Assessment Form, dated December 18, 2017, prepared by the Town’s Director of Planning and Development, as being a complete and reasoned elaboration of the proposed Action.

BE IT FINALLY RESOLVED THAT the Board has satisfied the procedural requirements set forth under the State Environmental Quality Review (SEQR) Regulations.

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

■ A motion was made by MR. BELLIS, seconded by MS. NEALE, that the reading of the following State Environmental Quality Review (SEQR) resolution be waived and that the resolution be approved as submitted by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—DETERMINATION OF NON-SIGNIFICANCE**

PB #1210-17

APPLICANT: B&B Builders (Robert E. Johnston Inc.), 2913 County Road 47, Canandaigua, N.Y. 14424

ACTION: Preliminary Site Plan Approval, 6,400-square-foot building and site improvements at 5966 Collett Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has determined the proposed Action referenced above to be an Unlisted Action (hereinafter referred to as Action) under Part 617 of the State Environmental Quality Review Act (SEQR) Regulations; and

WHEREAS, the Planning Board has conducted a public meeting upon said Action giving consideration to the comments provided; and

WHEREAS, the Planning Board has been established as the designated lead agency in accordance with the procedures established under Part 617 described above herein; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Short Environmental Assessment Form, along with supporting documentation and maps submitted with this application.

NOW, THEREFORE, BE IT 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; and
- (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; and

- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action; and
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site according to the State Office of Parks, Recreation and Historic Preservation (SHPO) Letter dated June 8, 20117 (File 17PR03555), 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 change in the use of current active agricultural land;
- (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
- (xi) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED THAT based upon the information and analysis above and the supporting documentation referenced above, the proposed Action WILL NOT result in any significant adverse environmental impacts.

BE IT FURTHER RESOLVED THAT that the Planning Board does hereby make a Determination of Non-Significance upon said Action and directs the Planning Board Chairperson to sign and date the Full Environmental Assessment Form and the Negative Declaration Form.

BE IT FINALLY RESOLVED THAT the Clerk of the Board is to file copies of the environmental record, Parts 1, 2 and 3 of the Short Environmental Assessment Form, the Determination on Non-Significance with B&B Builders, 2913 County Road 47, Canan-

daigua, N.Y. 14424; and Kyle Johnson, Leonard’s Express, 5966 Collett Road, Farmington, N.Y. 14425.

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

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

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN**

PB #1210-17

APPLICANT: B&B Builders (Robert E. Johnston Inc.), 2913 County Road 47, Canandaigua, N.Y. 14424

ACTION: Preliminary Site Plan Approval, 6,400-square-foot building and site improvements at 5966 Collett Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has opened the public meeting upon this application; and

WHEREAS, the Board has given consideration to the public comment entered into the public record upon said project.

NOW, THEREFORE, BE IT RESOLVED THAT the Board has satisfied the procedural requirements set forth under the State Environmental Quality Review (SEQR) Regulations.

BE IT FURTHER RESOLVED THAT the Board does hereby grant Preliminary Site Plan Approval upon the above referenced Action, with the following conditions:

1. Preliminary Site Plan Approval is based upon the drawing prepared by Marks Engineering, entitled “Preliminary Site Plan, K&P Associates, Showing Land in: 5966 Collett Road, Town of Farmington,” having revised date of 12/07/17, drawings number C100, C500, C501, C502 and C503; and the Building Elevation Drawing, dated 12/10/2017, prepared by Mike Gullace, identified as Drawing REN-1 of 1, having a title “5966 Collett Rd Garage,” with the following conditions of approval.
2. Drawing C100 is to be amended to show:

- a. The public water line connection for the proposed structure;
 - b. The location of the closest fire hydrant within the limits of property is to be added to the drawing;
 - c. The area located in the south west corner of the lot where additional fill material will be needed to permit the construction of the public sidewalk, by others, across the frontage of the site and within the highway right-of-way for Collett Road. A proposed grading easement is to be identified on the drawing and the easement filed with the Ontario County Clerk's Office prior to the issuance of any Building Permit for the proposed building or site improvements; and
 - d. The location of a proposed 5-foot-wide concrete sidewalk connecting the sidewalk along the north side of Collett Road, which runs across the frontage of the site, with the entrance to the proposed 6400 square foot building; and
 - e. A signature line for the Town Water and Sewer Superintendent to sign and date the site plan; and
 - f. A new LED light fixture to be installed near the driveway entrance to illuminate the entrance from along Collett Road.
3. The 8½ by 11 color rendering of the Building Elevation from along Collett Road is to be amended to add a signature line for the Planning Board Chairperson and a date line for the signing of the rendering.
 4. The Building Elevation drawing is to be amended providing a signature line for the Planning Board Chairperson and the date of signing.
 5. The Building Elevation drawing is to have the title . . . "Final Building Elevation, 5966 Collett Road Garage."
 6. Once these conditions of Preliminary Site Plan Approval have been made and the drawing's Revision Box amended, then one copy of the amended map is to be submitted to the Town's Code Enforcement Officer for his review and acceptance of these conditions being shown. Upon his acceptance, the applicant is to submit four (4) additional paper prints for signing by those listed on the Site Plan Drawing. If additional copies of the Preliminary Site Plan Drawings are needed by the Applicant, then the additional number is to be provided at the time of signing.
 7. Once the Preliminary Site Plan drawings and the Building Elevation drawing has been signed, then the applicant may submit application for Final Site Plan Approval. At that time, such application will be placed upon the next available Planning Board agenda.

- 8. This resolution granting Preliminary Site Plan Approval with Conditions and Building Elevation drawing with Conditions shall expire within 180 days from today, unless renewed by the Planning Board under separate resolution prior to the date of expiration.

Mr. Hemminger asked Mr. Johnson if he understood the resolution and agreed with the conditions.

Mr. Johnson asked about Condition 2 (c) regarding the requirement that an easement across the frontage of the site and within the highway right-of-way for the proposed grading of the sidewalk be filed in the Ontario County Clerk’s Office prior to the issuance of a building permit. Mr. Brand said that this easement was discussed at the Project Review Committee meeting and is required to provide the contractor with access to the property when excavation, fill and other construction work on the sidewalk begins.

Mr. Brand explained that the sidewalk will extend along the north side of Collett Road from the end of the existing sidewalk at the Federal Express Distribution Center property, across the applicant’s property, and to the intersection of Collett Road and Hook Road. He noted that the contractor cannot encroach upon the property of others without an easement.

Mr. Johnson said that the engineering work for this easement has not been done. Mr. Brand said that the Town Highway Superintendent, the Town Water and Sewer Superintendent and the Town Engineer would be available to work with Mr. Johnson regarding the preparation of the easement. Mr. Giroux noted that the easement is necessary because of water valves within the sidewalk path east of the Federal Express Distribution Facility and because of the contours of the land which will require that some fill must be brought in. Mr. Brand noted that the easement is a standard procedure for the Town.

Mr. Johnson said that he understood the resolution and agreed with the conditions subject to the caveat that the Town staff will assist him in the preparation of the easement.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

5. CONTINUED FINAL SITE PLAN

PB #1209-17 Continued Final Site Plan Application

Name: Michael Cerone, Route 332 MIII Enterprises, P.O. Box 509,
Webster, N.Y. 14580

Location: West side of State Route 332 opposite Farmbrook Drive and north
of the Cobblestone Performing Arts Center

Zoning District: IZ Incentive Zoning District

Request: Final Site Plan approval for Phase 1 to construct self-storage buildings consisting of six single-story buildings with each building having a total of 00 units and each building having a total footprint of 24,100 square feet; and one two-story climate controlled self-storage building having a total of 24,750 square feet.

The Planning Board's report and recommendation on this project was approved and transmitted to the Town Board on November 16, 2016. The Town Board rezoned the property to IZ Incentive Zoning on February 14, 2017 (Town Board Resolution #102-2017).

On May 17, 2017, the Planning Board classified this application as a Type 1 under the State Environmental Quality Review (SEQR) Regulations, declared its intent to be designated the Lead Agency for making the required determination of significance upon this Type 1 Action, and established a 30-day public review and comment period which began on May 18, 2017, and which ended on June 16, 2017.

The Planning Board determined that the following agencies are Involved Agencies for this Action:

- U.S. Army Corps of Engineers, Buffalo Regional Office
- New York State Department of Environmental Conservation, Region 8 Office
- New York State Department of Health, Geneva Regional Office
- New York State Department of Transportation, Region 4 Office
- Town of Farmington Highway Superintendent
- Town of Farmington Water and Sewer Superintendent

The Planning Board determined that the following agency is an Interested Agency for this Action:

- Ontario County Planning Board

On June 21, 2017, the Planning Board declared itself as the Lead Agency for making the SEQR determination of significance, determined that the proposed Action will not result in any significant adverse environmental impacts, issued a Determination of Non-Significance and directed the Planning Board Chairperson to sign the Full Environmental Assessment Form and the Negative Declaration Form.

The Planning Board approved the Preliminary Site Plan with conditions on July 5, 2017.

Mr. Hemminger resumed consideration of the Final Site Plan application which had been continued from the meeting on December 6, 2017.

Mr. Montalto of Costich Engineering represented Mr. Cerone and Mr. Colucci of the DiMarco Group this evening.

Mr. Montalto summarized the Final Site Plan application for Phase 1 of this project. He said that six cold-storage structures, one climate-controlled structure, the dedicated Town road, the parking areas, and all stormwater management facilities for the full build-out of the project are included in Phase 1.

He reviewed the water and sewer plans and explained that a 12-inch dedicated water main would be installed along Carmen's Way (which will be the new road to be dedicated to the Town); that a 12-inch stub would provide a future connection at Ivory Drive; and that the sanitary sewer infrastructure, stormwater management facilities and the landscaping along Carmen's Way are included in Phase 1.

Mr. Montalto said that the property owners to the south (the owners of the Cobblestone Arts Center) informed the applicant today that they do not wish to share in the cost of installing a public water main into their property. Mr. Montalto said that Mr. Cerone would install a public water main to the southern portion of his property and would not encroach upon the Cobblestone Arts Center property. He noted that the water line would stop one foot short of the Cobblestone Arts Center boundary.

Mr. Montalto said that the comments in the MRB Group engineering letter of November 30, 2017, are being addressed, and that the comments in the Town Water and Sewer Superintendent's letter of November 11, 2017, also are being addressed.

Mr. Montalto reported that the preliminary easement package has been submitted to the Town Construction Inspector.

He also noted that no structure placements or roadways have been changed.

Mr. Brand discussed plans of a future dumpster location shown between the two mini-storage units on the drawing. He said that Mr. Colucci informed him that this dumpster would not be installed until the commercial portion of the project is underway and that it would be screened from along State Route 332 by the future plaza-type building. Mr.

Montalto said that the dumpster would be for the use of the commercial tenants and would not be for the use of the customers using the storage units.

Mr. Brand discussed the stockpile of topsoil on the southern portion of the property. He noted that some of it has spilled over onto the Town-owned property which will be the site of a section of the future Auburn Trail. He said that he discussed this with Mr. Colucci who assured him that any topsoil spillage would be removed from the Town property by the applicant and that its removal would not be an encumbrance upon the Auburn Trail contractor. Mr. Brand explained that bids for the Auburn Trail would be requested soon and that the portion between the main Trail corridor and the traffic signal on State Route 332 would be of a blacktop surface. He said that there would be a 10-foot-wide concrete sidewalk/trail constructed within the State Route 332 right-of-way to accommodate both pedestrians and bicyclists. Mr. Montalto said that the applicant would work with the Town to coordinate the removal of the topsoil when construction of the Auburn Trail begins.

Mr. Brand said that the Town Engineer is now reviewing the applicant's letter of credit for Phase 1. He said that this would be on the Planning Board's agenda for the meeting on January 3, 2018, and on the Town Board's agenda on January 9, 2018. Mr. Brand said that the pre-construction meeting could then be scheduled at a date following the Town Board's acceptance of the letter of credit. Mr. Brand urged the applicant to pursue getting all of the easements recorded for this project.

Mr. Giroux discussed the proposed 10-foot-wide sidewalk along the west side of State Route 332 between the Cobblestone Performing Arts Center and the intersection with Farmbrook Drive. He expressed concern about construction vehicles passing over the new sidewalk. Mr. Hemminger said that the applicant would be responsible for any damage to the new sidewalk. Mr. Montalto said that the present construction entrance is temporary and that the applicant is working with the New York State Department of Transportation on the location of the permanent construction entrance which will be established following approval of the Final Site Plan for Phase 1. He said that the applicant would coordinate the construction schedules of the project and of the sidewalk with the Town.

Mr. Logue discussed the MRB Group comment letter of November 30, 2017. He noted that fire hydrants must be located within 400 feet of a structure if sprinklers are not installed. Mr. Montalto said that the climate-controlled structure would have sprinklers and that the applicant would meet the distance requirements for the hydrants.

Ms. Neale asked if air conditioner units or other utility appliances would be installed on the roofs of the structures. Mr. Montalto said that no roof-top units are planned on any of the Phase 1 structures.

Mr. Bellis asked about the revision of the climate-controlled structure from three stories to two stories. Mr. Montalto explained the applicant's rationale for this revision. He said that the market viability of the project was carefully reviewed and that the first self-

storage building was reduced from three to two stories for the economic viability of the project. He said that the applicant and his investors gave a thoughtful review to this revision.

Mr. Bellis asked about the outdoor concrete pad to be used as a winterization and cleaning area for boat trailers and recreational vehicles. Mr. Montalto said that water and sewer utilities would be extended to the pad for the use of their customers cleaning and pumping out their campers and recreational vehicles prior to winter storage. Mr. Bellis noted that a stormwater management facility is adjacent to the concrete pad. He asked about the applicant's procedure to deal with sewage spills in this area which is near the stormwater facility. Mr. Montalto said that this point has not been discussed at any level thus far. He suggested several initiatives to deal with a sewage spill, such as curved edges on the concrete pad. He said that he has every confidence that the applicant would work with MRB Group to develop a spill-response design and procedure.

Mr. Bellis asked about the effect of the additional sewage on the capacity of the Town's sewer system. Mr. Brand said that the applicant would incur a connection fee for this type of use and that Mr. Degear (the Town Water and Sewer Superintendent) would have further details on the capacity of the system and the costs.

Mr. Bellis asked about the color renderings of the structures which were received today. Mr. Montalto displayed the renderings on the projection screen. The renderings simulated the structures in daylight and evening hours.

Mr. Hemminger requested that the applicant give attention to the Town's sign requirements. Mr. Montalto said that the applicant is aware that a separate application would be required for signage.

Following up on an e-mail which he had received today from Board Member Douglas Viets, Mr. Brand noted that Mr. Viets's e-mail discussed the north elevation of the climate-controlled structure which would be viewed from Carmen's Way. Mr. Brand asked about the installation of glass or faux windows to provide more of an appearance of an office building instead of the appearance of a warehouse. Mr. Montalto said that some faux windows could be added to the north elevation to provide the appearance of ground-level offices.

Mr. Brand also noted that landscaping and trees are not shown on the new color renderings. The previous north elevation submission showed trees across the length of the building. It was noted that the north elevation photo simulation did not show the landscaping features which are shown on the final site plan drawings. He said that the landscaping on the photo simulation must be shown to provide the Planning Board with a better interpretation of the final design of the structure. He also noted that revised color renderings with landscaping would provide assurance for the Planning Board members that their concerns have been addressed. Mr. Brand said that some of the trees should be larger than the 2-inch caliper to facilitate more quickly mature trees and to better screen the back side of the large structure from the road.

Mr. Montalto said that he would request that the renderings be amended to coincide with the landscaping which is shown on the site plan. He explained that the applicant has proposed significant landscaping.

Mr. Brand said that the Planning Board could consider the Final Site Plan for Phase 1 application at the January 3, 2018, meeting if the revised renderings and the details on the sewer spillage procedure could be submitted in time. Mr. Hemminger said that the board would be willing to waive its requirement that no new material be accepted at a meeting if it would be possible for the applicant to provide the material in electronic form by January 2, 2018, or in hard-copy form on January 3, 2018. Mr. Montalto said that he would meet with the project team tomorrow and would work toward the January 3, 2018, meeting date.

Mr. Brand said that MRB Group and the Town would continue to process the letter of credit for the January 3, 2018, Planning Board agenda. He said that the sewage discharge procedure and the revisions to the north elevation of the climate-controlled structure are the remaining issues with the application.

Mr. Hemminger then reviewed the comments submitted via e-mail by Mr. Viets, as follows:

1. If they are only going to build a two-story climate-controlled building up front, I would like a condition of approval to be that all other buildings on the site shall not exceed two stories. It would just look out of place to have a three-story building right behind a two-story building.
2. I would like to see a more neutral color than the blue, just like what we required of the DeFelice project.
3. What is the full square footage of the building sign? Does this meet code?
4. The entire building, but especially the northern side of the building, needs more architectural detail. It currently looks like a pole barn and is quite a bit different than what was presented and approved at Preliminary. They need to review Number 5 of the Architectural Design Characteristics, and Sections a–d of the MTOD Design and Landscaping Guidelines, because in my opinion these current elevations do not meet the guidelines spelled out in these sections. More specifically, in Section d, it states, “The use of reflective glass, split-face concrete masonry units or metal siding is discouraged.” These current elevations are mainly comprised of two out of the three items which are specifically discouraged in these guidelines.

5. Will there be any rooftop units on the climate-controlled building?
If so, will a parapet wall fully screen these?

It was the consensus of the board and the Town staff to continue this application to January 3, 2018, to provide the applicant with time to submit amended color renderings showing a revised north elevation of the climate-controlled structure and to define a sewage discharge procedure in the area of the concrete pad.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
CERONE INCENTIVE ZONING PROJECT—FINAL SITE PLAN, PHASE 1
CONTINUATION**

PB #1209-17

**APPLICANT: Michael Cerone, MIII Enterprises, P.O. Box 509,
Webster, New York 14580**

**ACTION: Cerone Incentive Zoning Project—Final Site Plan, Phase 1
Continuation**

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

WHEREAS, the Planning Board has given consideration to the Ontario County Planning Board Referral #106-2017; and

WHEREAS, the Planning Board has made a Determination of Non-Significance upon said Action as provided for under Part 617 of the State Environmental Quality Review Regulations; and

WHEREAS, the Planning Board has requested revised color renderings of the elevations of the “Always Locked” cold storage and climate-controlled storage structures to depict faux window treatments and landscaping, as discussed; and

WHEREAS, the Planning Board has requested details of the applicant’s design and procedures to deal with potential water and sewage spillage which may occur at the outdoor concrete pad (which concrete pad is located near a stormwater management facility).

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to table further consideration upon this Action to the January 3, 2018, meeting.

BE IT FINALLY RESOLVED that copies of this resolution are to be provided to Paul Colucci, The DiMarco Group; and to Michael Cerone, applicant.

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

6. OPEN DISCUSSION

Director of Development and Planning:

**Auburn Meadows Subdivision, Sections 6N and 6S,
Partial Letter of Credit Release #1:**

Mr. Brand said that a draft resolution has been prepared for board consideration for Partial Letter of Credit Release #1 for Sections 6N and 6S of the Auburn Meadows Subdivision, as follows:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #1
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 December 20, 2017, to approve a partial release (Release #1) 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, the Planning Board has further been informed by the Town Director of Planning and Development, that the Town Construction Inspector has informed the Project's Contractor, 104 Contracting, that next spring hydro-seeding of the disturbed portion of Lot 231, Section 2, Auburn Meadow Subdivision, owned by Joseph and Maherly Schaeffer, will be required. In addition, a new tree comparable in species and size to the existing tree that has been relocated will be replaced by the Contractor; 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 \$835,626.64 (Release #1) from this letter of credit with the conditions that the above described repairs to the property at 1785 Opal Drive be completed prior to the Town Board taking action upon any final release of funds in the letter of credit. The total amount in the letter of credit is \$1,890,720.52, with a balance remaining of \$1,055,093.88 after this first partial release of funds.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Excused
One vacant position	—

Motion carried.

Indus Hospitality Group Applications:

Mr. Brand discussed the Indus Hospitality Group applications:

- PB #1202-17 Two-Lot Preliminary Subdivision Application
- PB #1203-17 Special Use Permit—Motel
- PB #1204-17 Special Use Permit—Fast-Food Restaurant with Drive-Through
- PB #1205-17 Preliminary Site Plan Application

These applications, which were presented on December 6, 2017, have been continued to the Planning Board meeting on January 3, 2018.

The applicant also has eight applications pending before the Zoning Board of Appeals (ZBA):

- ZB #0701-17: Area Variance for 140 parking spaces (191 are required by the Town Code)
- ZB #0702-17: Area Variance for side setback of 22 feet (minimum of 30 feet is required by Town Code)

- ZB #0703-17: Area Variance for lot width of 15 feet (minimum of 150 feet is required)
- ZB #0704-17: Area Variance for front setback of 20 feet (minimum of 50 feet is required by Town Code)
- ZB #0705-17: Area Variance to create a parcel without direct access to a mapped street
- ZB #0706-17: Area Variance for lot width of 15 feet (a minimum of 150 feet is required)
- ZB #0707-17: Area Variance for front setback of 30 feet (a minimum of 50 feet is required)
- ZB #0708-17: Area Variance to create a parcel without direct access to a mapped street

The ZBA established the 30-day State Environmental Quality Review (SEQR) public review and comment period from November 28, 2017, to December 29, 2017. On December 18, 2017, the ZBA voted that it has no objection to the Planning Board designating itself as the Lead Agency to make the SEQR determination of significance on these applications.

Mr. Brand said that he spoke to the owner of the property to the south of the existing KFC Restaurant on State Route 332 who asked the Town to consider a driveway connection onto State Route 332 from this property through the existing KFC Restaurant/Dunkin' Donuts driveway. Mr. Brand said that he strongly discouraged the property owner from considering this.

Mr. Brand said that this location has not been designed to accept more traffic entering and leaving the existing businesses on State Route 332 just south of the State Route 332/Route 96 intersection. He said that additional traffic safety mitigation is required more than just a left-turn lane from the KFC Restaurant driveway onto State Route 332.

Mr. Brand said that the ZBA and the Planning Board must consider the safety, health and welfare of this area. He noted that an automobile accident which resulted in a fatality was not included in the applicant's traffic study, that another accident occurred there last week, that the road is not well lit, and that additional information is needed before the Planning Board can make a SEQR determination on the applications.

Mr. Hemminger said that the Town should consider commissioning an independent traffic study prior to a SEQR determination.

Mr. Giroux reiterated Mr. Brand's concerns about traffic safety in this area. He noted that motorists are still driving at approximately 50 miles per hour as they approach the State Route 332/Route 96 intersection from the south.

Mr. Logue said that traffic safety is the major concern, especially with the potential full build-out of the project and the proximity to the State Route 332/Route 96 intersection. He said that an independent traffic study would be a recommendation of MRB Group, as well.

Town Hall Award:

Mr. Brand announced that the Genesee Valley Chapter of the American Public Works Association has recognized the Farmington Town Hall expansion and renovation project with an award in the municipal building category. The award will be presented on Thursday, January 25, 2018.

7. PUBLIC COMMENTS

Mr. Bloss noted that with the additional development in portions of the Town, there are now fewer wooded lots for deer. He said that this is causing an increase in the number of deer/vehicle accidents.

8. BOARD MEMBERS' COMMENTS

Mr. Bellis asked about several upcoming training opportunities for planning, zoning and legislative boards and staff:

Thursday, January 18, 2018

Bob Somers of the New York State Department of Agriculture and Markets will speak on changes to agricultural district regulations; protected agricultural practices and farm-related business endeavors not protected by state regulations; and planning and zoning for preservation of farmland and farm viability.

February 2018

The Ontario County Planning Department will present a training session for planning, zoning, and legislative board members. The Department anticipates a panel format with opportunities for participants to ask questions. Developers also may be invited.

Wednesday March 28, 2018

Megan Webster of the Ontario County Soil and Water Conservation District and Al Krause of the Watershed Alliance will speak about what

elected officials and planning board members need to know about stormwater, including why on-site stormwater management is necessary, resources available to support local stormwater management efforts, and adoption of local laws to require stormwater management best practices.

For registration information and details, contact Linda Phillips, Planner, Ontario County Planning Department, 20 Ontario Street, Canandaigua, N.Y. 14424; (585) 396-4050; linda.phillips@co.ontario.ny.us.

Mr. Hemminger discussed the vacancy on the Planning Board which was created by Mr. Makin's resignation. He said that one resident has already applied for the position, and that other residents may also apply.

Mr. Hemminger discussed the Planning Board's annual Organizational Meeting which traditionally has been held on a Saturday with attendance by Town Board members. Mr. Hemminger said that perhaps this meeting could be held on a Monday or Wednesday evening. He suggested Wednesday, January 10th; Monday, January 22nd; or Wednesday, January 24th. Mr. Hemminger will send an e-mail to board members to determine which date might work best. Mr. Brand said that it would be preferred if a new board member were to be appointed by the Town Board prior to the Planning Board's Organizational Meeting to enable him or her to participate in this meeting.

9. **ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:30 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, January 3, 2018, at 7:00 p.m.

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

Respectfully submitted,

John M. Robortella
Clerk of the Farmington Planning Board

L.S.