

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, December 2, 2020 • 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.

In response to the conditions in New York State that were created by the Coronavirus (COVID-19) pandemic and the directives issued by the New York State Governor, the Ontario County Administrator and the Town of Farmington Supervisor, the Planning Board meeting this evening was held in accordance with New York State Governor Andrew M. Cuomo's Executive Order No. 202: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency, dated March 7, 2020, and extended by Executive Order 202.72 through December 3, 2020:

Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit an public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

The meeting was conducted at the Farmington Town Hall and via telephone/video conference format for those not wishing to attend in person. During the meeting, the agenda and each draft resolution was posted upon the video screen for the public, the applicants and the board members who were participating in the meeting via telephone/video format.

The Public Notice of the format of the meeting, the agenda, the draft resolutions, the dial-in telephone number and the conference call identification number were posted upon the Town website and upon the Town Hall entrance doors on November 30, 2020.

This meeting was conducted according to the Rules of Procedure approved by the Planning Board on January 15, 2020, with the following revisions per the above reference to the Governor's Executive Order:

- All applications will be introduced by the Planning Board Chairperson.
- The Planning Board Chairperson will ask for comments from the Town staff.
- The Planning Board Chairperson will ask for comments from the Planning Board.
- The applicant(s) will provide responses where needed at the direction of the Planning Board Chairperson.
- The Planning Board members will vote upon the application(s).
- Public comments will be received by the Planning Board Chairperson only during the Public Comment agenda item.
- The meeting will be recorded and later fully transcribed by the Clerk of the Board.

Board Members Present: Douglas Viets, *Acting Chairperson*
 Adrian Bellis
 Timothy DeLucia
 Shauncy Maloy

**Board Member Present
 via Remote Participation:** Edward Hemminger

Staff Present at the Town Hall:

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.
 Ronald L. Brand, Town of Farmington Director of Development and Planning
 Don Giroux, Town of Farmington Highway and Parks Superintendent
 John Weidenborner, Town of Farmington Zoning Officer

Staff Present via Remote Participation:

Dan Delpriore, Town of Farmington Code Enforcement Officer
 John Robortella, Town of Farmington Planning Board Clerk

Applicants Present at the Town Hall:

Gregory W. McMahon, P.E., McMahon LaRue Associates P.C., 822 Holt Road,
 Webster, N.Y. 14580
 Robert Miglioratti, RAMSS LLC, 728 East Avenue, Brockport, N.Y. 14420

Others Present at the Town Hall:

Charlene Henecke, 6018 Loomis Road, Farmington, N.Y. 14425

Jennifer and Samuel Toth, 3686 Nibawauka Beach, Canandaigua, N.Y. 14424
(On behalf of LeadersInspire LLC, 6012 Loomis Road, Farmington, N.Y. 14424)

Other(s) Present via Telephone/Video Conference:

[Unidentified]

1. MEETING OPENING

The meeting was called to order at 7:00 by Acting Chairperson Douglas Viets.

Mr. Viets said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 15, 2020.

Mr. Hemminger's attendance via remote video conference from 335 Hersden Lane, Arnold, Maryland 21012, was noted as being in compliance with the "Town Boards and Committees Remote Participation in Public Meetings Policy and Procedures" adopted by the Farmington Town Board on September 8, 2020 (Town Board Resolution #326 of 2020).

For those attending in person at the Farmington Town Hall, safety measures were implemented in accordance with the Governor's relevant Executive Orders regarding the COVID-19 pandemic. Board members, Town staff and residents who were in attendance at the Town Hall remained at separated distances of at least six feet and used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. Temperature checks were conducted by Town staff at the entrance to the Town Hall. Hand sanitizers were available throughout the building. Guidelines and safety measures were posted on the meeting room door and in the lobby of the Town Hall. Separate entrance and exit locations were used. Public access was restricted to the lobby, the main meeting room and the public restrooms.

2. APPROVAL OF MINUTES OF NOVEMBER 18, 2020

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the minutes of the November 18, 2020, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on November 25, 2020:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington will conduct a Public Hearing on the 2nd day of December 2020 commencing at 7:00 p.. in the Farmington Town Hall Main Meeting Room, 1000 County Road 8, Farmington, New York 14425 for the purpose of considering the application of:

PB #1201-20: RAMSS LLC, 728 EAST AVENUE, BROCKPORT, NEW YORK 14420: Preliminary Site Plan approval to erect three single-story self-storage buildings totaling approximately 12,900 square feet on the parcel identified as Tax Map 17.00-1-28.000. The property is located on Loomis Road and is zoned GI General Industrial.

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

Ed Hemminger, Chairperson
Planning Board

4. NEW PUBLIC HEARING: PRELIMINARY SITE PLAN

PB #1201-20 Preliminary Site Plan Application

Name: RAMSS LLC, c/o Robert Miglioratti, 728 East Avenue, Brockport, N.Y. 14420

Location: North side of Loomis Road, south of the New York State Thruway
Zoning District: GI General Industrial

Request: Preliminary Site Plan approval to erect three single-story self-storage buildings totaling approximately 12,900 square feet on the parcel identified as Tax Map 17.00-1-28.000. The property is located on Loomis Road and is zoned GI General Industrial.

This application was reviewed by the Project Review Committee on November 1, 2019; December 5, 2019; January 3, 2020; and November 6, 2020.

The Planning Board received a Concept Plan presentation on November 6, 2019.

On December 23, 2019, the Zoning Board of Appeals (ZBA) approved an Area Variance in accordance with Chapter 165A, Schedule 1, Attachment 1, of the Farmington Town Code, for two of the buildings to have a proposed rear setback of 10 feet (when a minimum rear setback of 30 feet is required) (ZB #1201-19).

On February 5, 2020, the Planning Board approved the State Environmental Quality Review (SEQR) classification (Unlisted Action), the SEQR Determination of Significance (Negative Declaration) and the Special Use Permit with conditions (PB #0201-19).

Mr. Viets opened the Public Hearing on this application.

Mr. McMahon (McMahon LaRue Associates) and Mr. Migloratti (RAMSS LLC) presented this application.

Mr. McMahon provided the following information:

- The Preliminary Site Plan depicts the same plan received by the ZBA and the Planning Board for approval of the Area Variance on December 23, 2019; and for approval of the Special Use Permit on February 5, 2020.
- Electricity will be the only utility connected for the buildings. No other utilities are proposed.
- Stormwater infiltration test holes were made at several locations on the property last fall. At approximately a foot to a foot-and-a-half below the surface, there is gravelly soil located throughout the site. Mr. McMahon said that water in the deep hole tests which were conducted disappeared as fast as it was poured into the test holes.
- Because of the site's good drainage, a series of interconnected infiltration ponds, calculated to handle up to a 100-year storm, are proposed for stormwater maintenance on the site. There will be no discharge of stormwater from the site. The ponds will be interconnected by pipes. Water that will be directed into each pond will infiltrate into the ground.
- Solid vinyl fencing will be installed along the south property line and will be carried all the way up and over to the security gate. The remainder of the fencing along the west side of the property, that does not face the rear yards of nearby residential homes, will be normal chain-link fence.
- Wall-pack lighting units will be mounted on the buildings at a height of approximately nine feet. Lights will be dark-sky compliant and will be directed downward. No light will penetrate off the site. A lighting plan was provided.

Mr. Brand asked Mr. McMahon to provide more details on the stormwater ponds. Mr. McMahon said that one pond will be four feet deep with a 1:4 slope. The ponds will be grass, for the most part, with open bottoms in the gravel areas of the property. Stormwater will be directed into the ponds by site grading and roof leaders. Water will infiltrate into the gravel layer. Another pond will be three feet deep with a maximum slope of 1:4. A third pond will be four feet deep with a gentle slope on one side. Mr. McMahon said

that there will not be a significant build-up of water on the site. He said that the ponds are not expected to fill to the top and that infiltration of water will be rapid.

Mr. McMahon submitted color artist renderings of the proposed structures. These were displayed on the video screens in the meeting room and for those participating on the video conference call.

Stone siding and false metal shutters will be installed to break up the façade of the two metal-sided buildings whose rear elevations will face the New York State Thruway. The façades of the buildings that will face the residential homes on Loomis Road will be designed with stone siding between the overhead doors.

Mr. Brand asked Mr. McMahon to provide additional details on the site landscaping.

Mr. McMahon referred to Condition #3 in the ZBA Area Variance approval resolution of December 23, 2019 (ZB #1201-19), i.e.:

3. *The exterior walls of these two (2) self-storage structures are to be screened from the adjacent New York State Thruway by arborvitae plantings which are to be included in a site landscaping plan to be approved by the Town Planning Board.*

He said that these arborvitaes are not currently shown on the Preliminary Site Plan but that they will be depicted upon the revised landscape plan. He said that these arborvitaes, which are required by the ZBA, will screen the façades of the buildings from the New York State Thruway.

Mr. McMahon said that plantings will be added along the side of the property that will not be fenced. This area will be open property leading to one of the stormwater ponds.

For other areas, a solid vinyl fence with dense landscaping inside the fence will be installed adjacent to the residential homes along Loomis Road (*see* ZBA Condition #7, December 23, 2019). Mr. McMahon said that this landscaping may not benefit anyone [since it will be inside the solid vinyl fence] but that the applicant is prepared to install the landscaping as required by the ZBA approval resolution. He also said that the applicant will be happy to discuss additional landscaping in locations on the site where the Planning Board would like to see more.

Mr. Brand asked about commercial speech signage. Mr. Miglioratti said that there are no plans for signage other than a 2 x 2 street number sign with the business name. Mr. Brand requested that this sign be depicted upon the Final Site Plan drawing.

Mr. Brand said that he has prepared a draft resolution for the board's consideration this evening for the approval of the Preliminary Site Plan with conditions. He said that the SEQR classification (Unlisted Action) and the SEQR Determination of Significance (Negative Declaration) were approved by the Planning Board on February 5, 2020.

Mr. Delpriore requested that the applicant review the conditions of approval of the Special Use Permit (approved by the Planning Board on February 5, 2020) regarding landscaping, signage and other conditions to be sure that they are all being addressed in this application. He referred to Special Use Permit Condition #23, i.e.:

23. *All mini-warehouse site non-commercial speech signage may identify the owner and their telephone number and e-mail address. The applicant acknowledges that as part of the future site plan application, there will be a sign site plan identifying this required information [§165-84.1. CC.]; and*

Mr. Giroux discussed landscaping on the side of the solid vinyl fence that will face the residential homes, the possible installation of a safety bump guard or curbing to prevent motor vehicles from going off the driveways and into the stormwater ponds, and the Town Code requirement that the first 30 feet of the driveway from Loomis Road within the Town right of way must be paved.

Mr. Brabant discussed the MRB Group engineering comment letter of November 24, 2020. Regarding the coordination of this application with the conditions of approval of the Special Use Permit, he said that he understands and agrees with the applicant's approach with the stormwater facilities, and that the applicant is obligated to obtain a permit and to have stormwater inspections associated with that coverage. He requested that the stormwater calculations be provided to demonstrate what has been proposed. Mr. Brabant said that he would like to make sure that no stormwater discharge will be permitted to leave the site and that, based upon the design, the applicant should be able to capture drainage from the intensity of a 100-year storm.

Mr. Brabant also requested that the applicant provide details on a "what-if" scenario if stormwater were to flow from pond to pond, and how this water would be accommodated.

He agreed with Mr. Giroux that there may be a need to provide some protection for motor vehicles from slipping into the infiltration areas. He said that a buffer of some kind, such as a guard rail or a fence, would prevent something like this from occurring. Mr. McMahon said that he will discuss this with Mr. Miglioratti.

Mr. McMahon acknowledged receipt of the MRB Group engineering comments. He said that all comments will be addressed. He also said that he will again review the conditions of approval of the Area Variance and the Special Use Permit [to be sure that the site plan addresses each of these conditions].

Mr. Viets then asked if anyone in attendance or on the audio/video conference call wished to speak for or against this application, or to ask questions.

Ms. Henecke (6018 Loomis Road) asked about the size of the second building. Mr. McMahon said that the sizes of the buildings will be 4,000 square feet, 5,200 square feet

and 3,700 square feet, respectively. Ms. Henecke asked if the size of one of the buildings was changed to accommodate a 100-foot-required setback from the road. Mr. McMahon said yes.

Ms. Henecke asked about compliance with ZBA Condition #7 regarding the location of the dense landscaping, i.e.:

7. *There shall also be an area of dense landscaping located on the site between the three (3) proposed self-storage buildings and related site improvements and the adjacent single-family residential sites fronting along Loomis Road.*

Mr. Brabant said that the applicant has proposed a six-foot solid vinyl fence along the single-family residential sites fronting along Loomis Road. Mr. McMahon described the fence. Mr. Brabant said that the landscaping will be installed inside the fence.

Mr. Viets said that he had expected to have seen these kinds of details depicted upon the Preliminary Site Plan drawings this evening.

Ms. Henecke read aloud from Special Use Permit Condition #13 regarding the six-foot-high security fence, i.e.:

13. *All mini-warehouse sites are to be fully secured by a six-foot high security fence along the rear or side lot lines. The applicant states that there will be a six-foot-high security fence along the rear and side lot lines. In addition, the exterior wall of a mini-warehouse structure shall not have any openings for mini-warehouse units to be accessed from. The applicant states that there will not be any openings along the exterior wall of any mini-warehouse structure that will be facing the rear or side yard lot lines. Finally, all access to the mini-warehouse structures shall be by gated entry point(s). The applicant states that there will be a gated entry point to this mini-warehouse project [§165-84.1. R.].*

She said that she could not see where you [the applicant] could put that fence.

Ms. Henecke asked about snow removal and snow storage. Mr. Viets said that the applicant must address this.

She also asked if there was enough turning radii for emergency vehicles. Mr. Brabant said that the radii shown on the plans comply with the Town's criteria. Mr. McMahon said that he will provide the turning radii on a drawing overlay to MRB Group for confirmation. Mr. Viets said that the fire department will also want to review this.

Ms. Henecke said that she has invested a great deal of money in her property and that she would like to bring this to the board's attention. She said that she cannot see how the

value of her property is going to be maintained with this business in her backyard. She said that she was on her way to Walmart and saw a beautiful storage building with no houses nearby. Ms. Henecke asked why she has to be victimized by this application. She said that her quality of life is going to be greatly diminished, that she does not see where she is going to be protected by a solid white vinyl fence and that they [the applicant] is not complying with with the landscaping for a barrier between them [the applicant] and her.

Ms. Toth (3686 Nibawauka Beach, Canandaigua, N.Y., on behalf of LeadersInspire LLC, 6012 Loomis Road), said that she owns the property directly to the left of [the applicant's] site. She said that she does not live there but that she owns the property and rents out five apartment units in what was the original Loomis farmhouse. She said that her concern is about her residents who live there and the possibility that she may incur a financial hardship if the apartments become more difficult to rent if there is something going on next door and behind it [the farmhouse].

Ms. Toth asked if the six-foot fence will extend all around the site, or just in front. Mr. Viets said that there will be a combination of solid vinyl and chain-link fencing. Mr. McMahon described the fencing on the site plan drawing. He explained how the fencing ties in with the buildings. He said that the fencing will totally enclose the storage area and that some areas outside the fence will remain natural and landscaped. Mr. McMahon said that the only access into the storage area will be through the security gate.

Ms. Toth asked about the height of the buildings. Mr. McMahon said that the buildings will be approximately 10 feet in height from ground to eaves. He said that they will be steel structures with very flat roofs of minimal pitch (not like a typical residential roof). He said that the total height of the buildings will be approximately 11 feet.

Ms. Toth said that a six-foot fence would not shield the view and that a six-foot fence is easy to jump, from a security purpose. She said that this side of Loomis Road is all residential homes all the way down to the hotel and that the “feel” of the street is residential as one drives along there. Ms. Toth said that this [application] really changes it for them. She said that she talked to her residents and that they expressed concern about safety. She said that a place like this [storage units] can attract robbers and that this area is isolated. She said that it is not like people driving on the Thruway and that the residents have a concern about safety and about people who may try to rob there. She said that it would be an easy catch for them to hop in there [over the fence] and onto her property.

Ms. Toth said that this application will make it more difficult for her to rent the apartments because it changes the “feel” from an old farmhouse to something that is in the middle of a more commercial area. She said again that this [application] would cause a financial hardship to them.

Mr. Toth asked about the zoning on Loomis Road. He asked where will the commercial end and what will keep it from going down the entire line?

Mr. Brand reported that the Town received an application today (December 2, 2020) for the development of a 12-lot industrial park on 35 acres of land on Loomis Road on the site of a former gravel pit. He said that the developer proposes a looped road to serve the industrial structures. Mr. Brand said that the concept plan will be discussed at the Town's Project Review Committee meeting on Friday, December 4, 2020, and that subdivision and site plan applications are expected to be submitted to the Planning Board shortly thereafter. Mr. Toth asked if the developer is interested in purchasing property. Mr. Brand said that at this point there is no indication that the developer needs additional land.

Mr. Viets discussed the industrial zoning of the land along Loomis Road and the residential properties that are also along the road.

Mr. Delpriore said that he understands the concerns of residents but that some of the properties on Loomis Road are actually zoned General Industrial and General Business down farther. He said that the development [on Loomis Road] will be based upon the zoning.

Ms. Toth said that the vision of Farmington is that it becomes an industrial area and that these houses [on Loomis Road] are collateral damage. Mr. Brand said that this is not what the Town is saying at all. He said that previous Town Boards rezoned the land [on Loomis Road] for these industrial uses and that this is the way that it has been for at least 20 years. He discussed the past and current uses of properties on Loomis Road which have included the former gravel pit, the current Ewing Graphics, and the current United Rental. Mr. Brand said that the growth which is occurring in Farmington expands the tax base and that industrial/commercial users pay more than their fair share of taxes which helps to keep the residential taxes low. Mr. Brand said that he wanted to inform the residents of the proposed industrial park tonight [to avoid having them say later that he knew about it and did not report it to the residents at the meeting this evening].

Mr. Viets said that other businesses may be considering how their operations could fit into the existing zoning districts [on Loomis Road].

Ms. Toth said that at this point her request is that the board give consideration to a fence higher than six feet for more security and less potential for thieves [to scale the fence and enter her property]. She said that the landscaping is even more important between the storage buildings and her property than it is between the storage buildings and the Thruway.

Mr. Toth asked about lighting. Mr. McMahon reviewed the lighting contours and the wall-mounted wall pack fixtures. He said that the lights will be focused downward and would be installed at just about the height of the garage doors. He discussed the plotting of the foot-candle contours and that the illumination will barely make it to the other side of the driveway. Mr. McMahon said that the intent is to have no lighting spill off the site. He said that there will be no spotlights (as on a car dealership lot) and that the lights will comply with the Town Code dark-sky requirement. Mr. Brabant said that the Town

Code requires that all light remain on the property. He said that the Town Code does not permit light to spill past a property line and that these light levels will be calculated.

Ms. Henecke read from the Town Code regarding the General Industrial Zoning District. She said that the purpose of this district is to provide employment opportunities and to expand the local tax base. Ms. Henecke said that this [application] provides zero jobs and that you [the Town] is totally off base.

Regarding security on the site, Mr. Brand said that there are several other self-storage sites in the Town and that each one of them is monitored by the owners remotely with cameras. He said that he is not aware of any break-ins at these facilities, primarily because of the security measures that are in place. Mr. Brand said that a security camera that may be mounted on a nine- or a 10-foot building will provide a view over a six-foot-high fence. He said that if a break-in occurs at one of the adjacent residential homes, a security camera may pick it up and law enforcement would see it. Mr. Brand said that a security camera would not be high enough to see over a 12-foot-high fence. He said that the cameras on the site may provide security benefits for the residents, as well as for the applicant.

Mr. McMahon said that a full security system will be installed. He said that every renter will have a passcode and that each entry into the site will be recorded. Mr. McMahon also said that a six-foot-high fence is the maximum height permitted by the Town Code. Mr. Delpriore confirmed this. He said that the applicant is at the six-foot-high fence maximum height.

Mr. Miglioratti said that no auto repair or equipment use will be permitted in the storage areas. He said that these units are purely for storage and that there will be no noise from operations. He said that he will be able to monitor the units and that he has discussed the hours of operation at previous meetings. He said that he tries not to have any use after dark and that the noise will be nominal [and much less than from the adjacent New York State Thruway].

Ms. Toth asked about the number of storage units. Mr. McMahon said that there will be 74 storage units. The largest units will be 10 feet x 20 feet in size.

Ms. Toth asked on which side of the fence the arborvitae would be planted. She said that when arborvitae grows, a camera is of no use. Mr. Viets discussed the height of the plants at the time of installation. Mr. Brand said that there would be plenty of open space between the arborvitae and that there will not be solid wall of them.

Mr. McMahon said that the only place that arborvitae are specified is between the backs of the structures and the New York State Thruway. He said that he will work with the Town staff to select species such as flowering trees or evergreens for other areas of the property.

Mr. Viets said that the Town staff and the board must continue to work on the placement of the landscape plantings. Mr. McMahon said that the applicant wants to work with the Town and that one of the big items to be resolved is the landscaping.

Mr. Viets then asked if there were any other comments or questions from those in attendance or from those on the audio/video conference call. There were no further comments or questions this evening.

Mr. Maloy asked about what appears to be an old driveway on the landscape plan. He asked if this is to be removed. Mr. Brabant said that it must be removed if it is an existing driveway. Mr. Giroux said that it appears to be an old field entrance.

Mr. Maloy asked about the pretreatment of stormwater prior to flowing into the infiltration basins. Mr. McMahon said that the intent of the stormwater ponds is to provide pretreatment and infiltration. He said that the water will be infiltrated in the ponds. Mr. Maloy also said that the infiltration ponds could be use for snow storage.

Mr. Bellis asked about the colors of the buildings that are depicted upon the artist renderings. Mr. Miglioratti said that he thought that these colors would fit in with the site. Mr. McMahon said that a previous storage project on Phillips Road in Webster, N.Y., across from Xerox, is of the same design and colors as proposed here. He said that the color is provided by the manufacturer of the buildings. Mr. McMahon said that he will provide photographs of the Webster project for the board's review.

Mr. Bellis asked about the maintenance of the infiltration ponds and if they will be mowed all summer long. Mr. McMahon said that the ponds would be mowable.

Mr. Bellis asked about the trees to be planted between the rear the buildings and the New York State Thruway. He said that screening is a big issue for the residents and for him. Mr. Bellis said that he would rather see the trees on the outside of the fence instead of on the inside of the fence. Mr. McMahon said that this was also a question that he had. He said that the applicant cannot plant trees on other people's property and that the preference would be to install a fence within a foot of the property line. But he said that the conditions of approval [regarding the planting of trees] are already there.

Mr. Bellis asked for consideration of more landscaping in the upper corner on the other side of the driveway.

Mr. DeLucia said that most of his questions regarding landscaping have been discussed. He asked if the applicant would consider another color for the solid vinyl fence instead of white. Mr. McMahon said that the options are a solid vinyl fence or a board-on-board cedar-type fence. He said that a board-on-board fence would provide a more rustic look if the board has a preference. Mr. DeLucia said that he is not opposed to a vinyl fence but that white could create glare and a reflection [from vehicle headlights].

Mr. Hemminger requested that the Town staff meet with Mr. McMahon to review all the conditions of approval of the Area Variance by the ZBA and the Special Use Permit by the Planning Board, along with comments and notes on the Preliminary Site Plan application. He said that he would like to have all these issues addressed prior to the submission of the Final Site Plan application for consideration by the board. He said that he would like to have a “clean” Final Site Plan application.

Mr. Hemminger said that he agrees with Mr. DeLucia and that possibly a brown vinyl fence would be better than white. He said that he did not know about having arborvitae planted between the rear of the structures and the Thruway. Mr. Hemminger also said that this use of the property [in the General Industrial Zoning District] may be one of the better uses for the property with minimal impact to residents by the movement of people, traffic and noise. He said that he is ready to move forward with approval of the Preliminary Site Plan with conditions.

Mr. Viets said that a number of conditions of approval [in the Preliminary Site Plan draft approval resolution] were also part of the Special Use Permit. He said that a number of issues must be addressed before the board can consider the Final Site Plan application, especially regarding the landscaping.

Mr. Viets said that a planting schedule and species must be provided. Mr. Brand said that the landscaping along the residential properties—with species and calipers—could be discussed at the Final Site Plan stage. He said that he tends to agree that the ZBA may have been overzealous on the requirement of arborvitae along the Thruway, but he said that this would be the Planning Board’s decision. Mr. Viets said that the applicant is already enhancing the architectural look of the buildings that will face the Thruway. Mr. Brand said that—when this application was first presented—the Town was concerned with large signs and tacky-tack that are often seen at other locations.

Mr. Bellis asked if the board had to approve the Preliminary Site Plan this evening. He said that he would prefer to see many of the issues resolved prior to the Final Site Plan. Mr. Brand said that the board does not need to do anything tonight. He said that it is clear that the Town staff has to go back through all the conditions [of the Area Variance and Special Use Permit resolutions] to be sure that they have been addressed.

Mr. Hemminger said that he does not want to see the Final Site Plan application until the staff has assured the board that all the previous conditions have been met.

Mr. Bellis said that he agrees with this.

Mr. Brabant said that the applicant must address all the conditions of the Preliminary Site Plan prior to submitting a Final Site Plan application.

Mr. Delpriore said that he has made notes during the discussion this evening and that the staff will go through the application with a fine tooth comb. He said that the staff will go

back to the ZBA and Planning Board minutes and will work with the applicant on the Final Site Plan application.

He also said that the staff will take the public comments into consideration and that the staff needs to deal with this before we move on.

Mr. Brand said that the Planning Board must make a decision on the Preliminary Site Plan application within 62 days of closing the Public Hearing.

Mr. Maloy suggested that the Public Hearing be kept open to provide time for the applicant to address the questions on landscaping and the other conditions. Mr. Bellis agreed.

Mr. Viets said that the applicant must choose one or more of the landscape options in draft Condition #5 of the Preliminary Site Plan draft approval resolution, i.e.:

5. *The Applicant's Engineer is to amend the Landscape Drawing, Sheet 4 of 5, by [Planning Board is to choose one (or more) of the following alternatives]:*

- a. *Re-distributing the landscaping shown inside the enclosed portion of the site from where there is proposed the six (6) foot tall solid vinyl fence to the portion of the site where there is shown no landscaping (i.e. along the west portion of the site adjacent to the proposed six (6) foot tall chain link fence); or*
- b. *Re-distribute the landscaping shown inside the enclosed portion of the site to the open areas along the Loomis Road frontage at the eastern portion of the site; or*
- c. *Additional landscaping is to be provided along the western portion of the site in the area of the chain link fence and along the Loomis Road frontage at the eastern portion of the site.*

[Note: §165-84.1.Y. requires landscaping at least six (6) feet in width be provided around the mini-warehouse site, adjacent to the security fence and within the rear, side and front yard setbacks.]

Mr. Maloy said that it will be good to provide the applicant with direction prior to closing the Public Hearing, in order to receive the applicant's comments on the selected option. He said that usually he does not wish to make applicants come back to the board more than they need to, but this time the applicant may need to return to the board [at this stage].

Mr. DeLucia said that he is okay with holding the Public Hearing open if the board so chooses.

Mr. Hemminger said that the board seems to be discussing the landscaping inside the fence. He said that the Town staff is capable of making sure that the previous ZBA and Planning Board conditions of Area Variance and Special Use Permit approval are addressed. He recommended that the board close the Public Hearing and have the staff perform their due diligence [on this application].

Mr. Brand said that if the Public Hearing is kept open, the board must ask the applicant to provide additional information. He said that the board has an obligation to tell the applicant exactly what information is to be provided on the revised Preliminary Site Plan drawing. Mr. Brand said that he has not heard that tonight.

Mr. Viets said that a great deal needs to be done before [the application] gets to Final.

Mr. Delpriore said that if the application is continued, the agenda for the next board meeting is completely full, so the board would be looking at the first meeting in January.

Mr. DeLucia said that the board should provide the Town staff with the opportunity to work through this. He said that he agrees with Mr. Hemminger to move forward this evening.

Mr. Brabant said that a number of issues discussed this evening concern the conditions of the Area Variance and Special Use Permit conditions of approval. He said that these seem more cosmetic and minor in the sense that the building sizes, orientation, and stormwater management will not change.

Mr. Maloy said that the locations of the stormwater ponds may have to change slightly based upon the revised landscaping. He said that he is concerned with issues like this and that keeping the Public Hearing open will provide time for the applicant to address these issues. He said that he did not see a great deal of time between the Preliminary Site Plan and the Final Site Plan applications. Mr. Maloy also said that the resolution of some of these issues may affect the neighbors, and that keeping the Public Hearing open would provide them with an opportunity to see what the applicant has proposed and to receive the neighbors' input.

Mr. Viets also said that the the point of keeping the Public Hearing open would be to provide more time for public input. Mr. Delpriore said that he would prefer to provide the time for the Town staff do their job. He said that he is hearing loud and clear what the board needs and that he would like to have the staff meet with the applicant.

Mr. Brand said that there is nothing to prohibit the board from requiring a Public Hearing at the Final Site Plan stage. He said that this would provide the public with an opportunity to compare this evening's plan with the Final Site Plan application. Mr. Brand said that the board will have the details on the landscaping at the Final Site Plan stage. He also

said that he does not see a lot of benefit of having landscaping around the stormwater ponds. He asked who is going to see it. Mr. Brand said that there are better ways to use the landscaping for screening around the adjacent neighbors than for hiding it behind a fence.

Mr. Maloy asked about setback requirements. Mr. Brabant said that he would double check these.

Mr. Viets said that the board could move ahead with the Preliminary Site Plan this evening and schedule another Public Hearing at the Final Site Plan stage.

Mr. Brand suggested that an additional condition of approval be added to the draft Preliminary Site Plan approval resolution this evening to provide for a Public Hearing at the Final Site Plan stage.

Mr. Hemminger requested that the Town staff reach out to the public prior to the next meeting to enable them to have the opportunity to review the Final Site Plan drawings in advance of the meeting.

Mr. Brand expressed concern about having a great deal of landscaping around the stormwater ponds. He asked Mr. McMahon to consider having additional landscaping along the chain-link fence on the west side of the property. Mr. McMahon said that he would like the opportunity to make all the landscaping revisions and discuss them with the Town staff prior to submitting any further applications.

Mr. Brand asked about a barrier or a guard between the driving aisles and the stormwater ponds. Mr. Giroux suggested something just enough for a car to avoid slipping into the pond, such a bumper guard or a curb. Mr. Brabant said that vehicles within the enclosure would be traveling at very slow speeds. He suggested that this be left up to Mr. McMahon. Mr. McMahon said that he and Mr. Miglioratti will provide a method and a detail on the next set of plans.

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

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the Public Hearing on the Preliminary Site Plan application be closed.

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

Motion carried.

The Public Hearing on PB #1201-20 was closed.

Board deliberations:

Based upon the discussion this evening, the following amendments were offered to the Preliminary Site Plan draft approval resolution:

Revised Condition #3:

3. *Preliminary Site Plan Approval is further based upon the Applicant meeting all of the above cited conditions of approval contained in Files ZB #1201-19 and PB #0201-20 with the following exceptions:*
 - a. *Condition #3 of ZB #1201-19. The Planning Board does not, at this time, find a need for arborvitae plantings to be installed along the adjacent New York State Thruway property to screen the northern elevation of the two mini-warehouse buildings in light of the Building Elevation drawings that have now been submitted and accepted with this application; and*
 - b. *Condition #7 of ZB #1201-19. The Planning Board accepts the installation of a solid vinyl fence along those portions of the site, which are shown on the above referenced Preliminary Site Plan drawings and are adjacent to the residential properties, along with some additional landscaping being provided inside this solid fence area.*

Revised Condition #5:

5. *The Applicant's Engineer is to amend the Landscape Drawing, Sheet 4 of 5, by showing the following additional landscape areas that are to be designed in accordance with Section 165-8.1.Y. of the Town Code (i.e., six [6] feet in width):*
 - a. *Additional landscaping is to be added along the west portion of the site where there is proposed a six (6) foot tall chain link fence; and*
 - b. *Additional landscaping is to be added to the eastern portion of the site in the areas along the Loomis Road frontage, that are adjacent to the property line with the adjacent residential site and along the Loomis Road frontage; and*
 - c. *There is to be additional landscaping added to the eastern portion of the site, between the site's driveway and the eastern property line.*

New Condition #14:

14. *A Public Hearing is to be conducted by the Planning Board prior to taking action upon the Final Site Plan application for this project.*

New Condition #15:

15. *A safety bump guard or other method (to be determined by the applicant and approved by the Town staff) will be added to the Site Plan to serve as a barrier between the site's drive aisles and the stormwater facilities shown on the drawings.*

■ A motion was made by MR. MALOY, seconded by MR. DELUCIA, that the reading of the following resolution be waived and that the resolution be approved as amended this evening:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN APPROVAL, MINI-WAREHOUSE PROJECT
RAMSS LLC, LOOMIS ROAD**

PB #1201-20

**APPLICANT: RAMSS LLC, c/o Robert Miglioratti, 728 East Avenue,
Brockport, N.Y. 14420**

ACTION: Preliminary Site Plan Application to construct three (3) mini-warehouse single-story self-storage buildings, totaling approximately 12,900 square feet in area and related site improvements on land fronting along the north side of Loomis Road and the south side of the New York State Thruway

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has opened a Public Hearing upon this application at tonight's meeting; and

WHEREAS, the Board has reviewed and given consideration to the Town of Farmington Zoning Board of Appeals resolution ZB #1201-19, dated December 23, 2019; and

WHEREAS, the Board has also reviewed and given consideration to the conditions contained in File PB #0201-20, Conditional Special Use Permit Approval, February 5, 2020; and

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed, as part of the File PB #0201-20, the criteria under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, making a determination of non-significance upon the proposed Action classified as an Unlisted Action; and,

WHEREAS, the Board has reviewed the Ontario County Planning Board Referrals Number CP 14-2020, dated January 8, 2020; and CP 206-2020, dated November 12, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby Approve with conditions the above referenced Action as follows:

1. Preliminary Site Plan Approval is based upon the drawings prepared by McMahon LaRue Associates, P.C., identified as drawings 1 of 5 through 5 of 5, Project No. 1185.05, dated June 2020, and entitled Preliminary Site Plan, Loomis Storage, 6006 Loomis Road;” as may be further amended herein; and
2. Preliminary Site Plan Approval is further based upon the Board’s acceptance of the fence detail photo and sketch entitled “Privacy Fence; and the Building Elevation Drawing, prepared by David A. Waldarek, R.A., AIA, entitled Loomis Storage, RAMSS LLC;” as may be further amended herein; and
3. Preliminary Site Plan Approval is further based upon the Applicant meeting all of the above cited conditions of approval contained in Files ZB #1201-19 and PB #0201-20 with the following exceptions:
 - a. Condition #3 of ZB #1201-19. The Planning Board does not, at this time, find a need for arborvitae plantings to be installed along the adjacent New York State Thruway property to screen the northern elevation of the two mini-warehouse buildings in light of the Building Elevation drawings that have now been submitted and accepted with this application; and
 - b. Condition #7 of ZB #1201-19. The Planning Board accepts the installation of a solid vinyl fence along those portions of the site, which are shown on the above referenced Preliminary Site Plan drawings and are adjacent to the residential properties, along with some additional landscaping being provided inside this solid fence area.
4. Preliminary Site Plan Approval is further based upon the Applicant providing written responses to the Town Engineer’s November 24, 2020, letter and making all necessary revisions to the amended Preliminary Site Plan drawing prior to acceptance by the Town Code Enforcement Officer for review and signatures.
5. The Applicant’s Engineer is to amend the Landscape Drawing, Sheet 4 of 5, by showing the following additional landscape areas that are to be designed in accordance with Section 165-8.1.Y. of the Town Code (i.e. six (6) feet in width):
 - a. Additional landscaping is to be added along the west portion of the site where there is proposed a six (6) foot tall chain link fence; and
 - b. Additional landscaping is to be added to the eastern portion of the site in the areas along the Loomis Road frontage, that are adjacent to the property

line with the adjacent residential site and along the Loomis Road frontage;
and

- c. There is to be additional landscaping added to the eastern portion of the site, between the site's driveway and the eastern property line.
6. The Applicant's Engineer is to provide evidence, at the time of Final Site Plan Approval, that the final landscaping plan provides funds that are close to, but do not exceed five percent (5%) of the total project cost. In this instance, the Applicant has estimated the value of site work, including buildings, to be \$650,000.00. Therefore, an itemized list of the costs of the final approved landscaping plan, that is near but does not exceed \$32,500.00, will be required to be submitted.
7. The Planning Board, as a condition of the Special Use Permit granted for this project, has eliminated the need for sidewalks across the frontage of this site noting that there are no other sidewalks in the vicinity along Loomis Road. A note to this effect is to be placed on the Final Site Plan drawings which cites the above referenced File Number.
8. The Preliminary Site Plan drawing, Sheet 1 of 5, is to designate area(s) for snow storage in accordance with §165-84.1.EE. of the Town Code.
9. The Preliminary Site Plan drawing, Sheet 1 of 5, is to show the turning radii necessary to accommodate emergency vehicles on the site in accordance with §165-84.1.FF. of the Town Code.
10. Preliminary Site Plan Approval does not include approval(s) of any commercial speech signage. If the Applicant intends to have commercial speech signage then such signage is to be shown, in detail, on the Final Site Plan drawings; or a separate application for Final Sign Site Plan Approval shall be required before permits may be issued for such signage.
11. Preliminary Site Plan Approval is valid for a period of 180 days from today and shall expire unless amended drawings have been signed by all Town officials.
12. Once amended drawings have been prepared that address these conditions of approval then the applicant is to submit one mylar and one paper copy to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then Town Officials shall sign both the mylar and the paper copy. The mylar is to be returned to the applicant's engineer for making three (3) copies and returning them to the Town Code Enforcement Officer for distribution. One copy each is to be distributed to the Town Highway and Parks Superintendent; the Acting Town Water and Sewer Superintendent; and the Town Engineer.

- 13. Once all signed copies have been distributed, then the applicant may make application to the Town for Final Site Plan Approval and will be placed upon a future Planning Board Meeting Agenda.
- 14. A Public Hearing will be conducted by the Planning Board prior to taking action upon the Final Site Plan application for this project.
- 15. A safety bump guard or other method (to be determined by the applicant and approved by the Town staff) will be added to the Site Plan to serve as a buffer between the internal motor vehicle drive aisles and the stormwater retention ponds on the site.

Mr. Viets asked Mr. McMahon if he understood the resolution and if he agreed with the conditions. Mr. McMahon said that he received the draft resolution prior to the meeting, that he forwarded a copy to Mr. Miglioratti, and that he understood the resolution and agreed with the conditions.

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

Motion carried.

Following the vote, Mr. McMahon said that it may be February 2021 until a Final Site Plan application is submitted for the board’s consideration.

Mr. Delpriore said that the names and addresses of the citizens who were in attendance this evening will be obtained from the clerk. He said that the residents will be notified by the Development Office when a Final Site Plan application has been submitted and is ready for their review.

5. PLANNING BOARD ACTION ITEM

**PB #0701-19 Monarch Manor Subdivision Plat, Section 2:
Third 90-Day Extension**

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

Request: Third 90-Day Extension of Monarch Manor Subdivision Plat, Section 2

The Planning Board approved the first 90-day extension for the Monarch Manor Subdivision Plat on June 3, 2020, to extend from June 4, 2020, to September 2, 2020.

The Planning Board approved the second 90-day extension for the Monarch Manor Subdivision Plat on September 2, 2020, to extend from September 3, 2020, to December 2, 2020.

Mr. Brand said that the developer is having difficulty obtaining a commitment from the homebuilder to move into Section 2 of the Monarch Manor Subdivision. Mr. Brand said that there are still some outstanding lots in Section 1 that have yet to be developed.

Prior to the meeting, Mr. Brand submitted a letter to the board from Water and Sewer Superintendent Robin MacDonald regarding the identification of dead-end sections of water main located within and adjacent to Section 1 of the Monarch Manor Subdivision. In the letter, Mr. MacDonald wrote that these sections were shown on the Overall Plan of the subdivision to be looped to the water main shown in Sections 2 and 3. His letter continues:

Development in Section 1 commenced in 2016/2017 and continues today with one (1) two-unit building under construction and three (3) two-unit building sites awaiting to be sold. This year, the Town installed a new section of water line extending from Estate Drive west to the location of the approved entrance to Section 2 of Monarch Manor. The installation of this water line was part of the agreement between the Town and the developer; and is currently another dead-end section.

With no current timeframe for development of the subsequent sections and in order to avoid issues associated with dead-end water mains, such as stagnation, pipe corrosion and water quality degradation, the Town Water and Sewer Department requests the Developer coordinate installation of water main in order to create a looped system. This could be accomplished via installation of pipe through future Section 2 of the Monarch Manor subdivision, or by installing a short section of main along the east side of New Michigan road adjacent to the subdivision.

Mr. Viets and Mr. Bellis suggested that the third 90-day extension be approved this evening and that the applicant be requested to provide a commitment to the Town regarding the resolution of the dead-end water main issues raised by the Water and Sewer Superintendent in today's letter.

Mr. Brand said that the applicant does not wish to install a water main now because a Letter of Credit in the amount of approximately \$800,000 would have to be filed with the Town. He said that the applicant does not wish to do this now because the homebuilder has no intention to build in Section 2 at this time. Mr. Brand said that the applicant has commitments to the Town that must be met.

Mr. Brand then suggested that the board add a condition of approval regarding this issue to the draft resolution that he had provided to the board for consideration this evening.

■ A motion was made by MR. BELLIS, seconded by MR. MALOY, that the reading of the following resolution be waived and that the resolution be approved as amended this evening:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SUBDIVISION PLAT, SECTION 2**

PB #0701-19

APPLICANT: A&D Real Estate Development Corporation, c/o Anthony DiPrima, 7 Beauclaire Lane, Fairport, N.Y. 14450
ACTION: Final Subdivision Plat Approval: Third 90-Day Extension Section 2, Monarch Manor Incentive Zoning Project

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received a written request dated November 25, 2020 from Walter F. Baker, Engineering Manager, D.S.B. Engineers & Architects, P.C., for an extension of time to the conditions of approval for the above referenced Action; and

WHEREAS, the Planning Board did on September 2, 2020, grant the second 90-day extension for Final Subdivision Plat Approval which is to expire on Wednesday, December 2, 2020; and

WHEREAS, the Planning Board understands from the above referenced request that Mr. Baker is working to obtain signatures from both the New York State Department of Health and the New York State Department of Environmental Conservation and that this requested extension is also being requested, in part, by the uncertainty associated with the current COVID-19 Pandemic and its' effect upon construction and sales.

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

BE IT FURTHER RESOLVED that said 90-day period is to commence on December 2, 2020 and shall end on Wednesday, March 3, 2021; and

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

letter from the Town Water and Sewer Superintendent to the Town Director of Development.

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

Motion carried.

6. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand discussed the following topics:

- As discussed earlier in the meeting, an application was received today for the Loomis Road Industrial Park, which is proposed for approximately 35 acres of land on Loomis Road. The concept plan will be presented to the Project Review Committee on Friday, December 4, 2020.
- The car wash that had originally been proposed for the eastern portion of the GLN Farmington Realty property (south side of State Route 96, east of the Farmington Market Center and west of the Farmington Commons Plaza) was withdrawn from the plan because the car-wash developer has instead purchased the existing Country Club Car Wash (6214 State Route 96) on the northwest corner of State Route 96 and Mertensia Road. Mr. Brand said a site plan may be submitted to the Planning Board for a new facility on this site. He said that he would like to see the car-wash driveway moved farther from the intersection and that an existing spotlight be removed.

Code Enforcement Officer:

Mr. Delpriore said that the Planning Board agenda on December 16, 2020, will include the Delaware River Solar Final Subdivision and Final Site Plan applications, and an application for the Union Crossing warehouse development project which has been proposed for the Blackwood Industrial Park on the northwest corner of County Road 8 and County Road 41.

Mr. Delpriore also said that COVID-19 numbers have been increasing throughout Ontario County and that plans are in place to return to all-virtual Town meetings if so ordered by the Town Supervisor. Mr. Delpriore said that he will keep the board informed.

He also said that the Town staff is working on the preparation of 2021 submittal dates and that these will be forthcoming.

Highway and Parks Superintendent:

Mr. Giroux said that work is continuing at Beaver Creek Park with stone having been installed in the parking lots and on the basketball court. He said that the berms have been seeded and that the project is moving along.

Mr. Giroux also said that the Town Highway Department is working on winter maintenance and related seasonal work, and that he is awaiting a schedule from the contractor for the removal of trees on Mertensia Road and the delivery of pipes on Collett Road.

7. PUBLIC COMMENTS

None.

8. TRAINING OPPORTUNITIES

■ **NYS Department of State Local Government Training Calendar posted here:**
<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

December 8, 2020

Subdivision Review

5:00 p.m.–7:00 p.m.

<http://www.dos.ny.gov/lg/lut/index.html>

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

December 15, 2020

Floodplain Regulation

5:00 p.m.–7:00 p.m.

<http://www.dos.ny.gov/lg/lut/index.html>

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

December 22, 2020

Skills That Make Great Board Members

5:00 p.m.–7:00 p.m.

<http://www.dos.ny.gov/lg/lut/index.html>

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

January 5, 2021

Planning Board Overview

5:00 p.m.–7:00 p.m.

<http://www.dos.ny.gov/lg/lut/index.html>
<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

January 12, 2021

Zoning Board of Appeals Overview

5:00 p.m.–7:00 p.m.

<http://www.dos.ny.gov/lg/lut/index.html>

<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

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

Motion carried by voice vote.

The meeting was adjourned at 8:56 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, December 16, 2020, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

Respectfully submitted,

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

Appendix 1

Delaware River Solar Applications

PB #1003-18	Preliminary Four-Lot Subdivision Plat
PB #1004-18	Preliminary Site Plan
PB #1006-18	Special Use Permit
ZB #0902-18	Area Variance Application
ZB #0903-18	Area Variance Application
ZB #0904-18	Area Variance Application
ZB #0905-18	Area Variance Application

These applications were reviewed by the Project Review Committee on:

August 3, 2018
 September 7, 2018
 September 6, 2019
 November 1, 2019
 February 7, 2020
 March 6, 2020
 July 2, 2020
 August 7, 2020
 September 4, 2020
 October 2, 2020

The Zoning Board of Appeals (ZBA) classified this project as a Type I Action under the State Environmental Quality Review (SEQR) Regulations and established the 30-day SEQR public review and comment period from September 28, 2018, to October 29, 2018.

September 24, 2018:

The ZBA opened Public Hearings on four Area Variance applications.

The ZBA Public Hearings were reconvened on:

November 26, 2018
 December 17, 2018
 January 28, 2019
 April 22, 2019
 May 20, 2019
 June 24, 2019
 July 22, 2019
 August 26, 2019, at which meeting the four Area Variance applications were denied.

October 3, 2018:

The Planning Board declared its intent to be designated Lead Agency under SEQR for making the determination of significance upon these applications.

The SEQR Involved and Interested Agencies that were identified by the Planning Board and that participated in the 30-day public review and comment period are:

- Involved Agency: New York State Energy Research and Development Authority
- Involved Agency: New York State Department of Environmental Conservation
- Involved Agency: U.S. Army Corps of Engineers
- Involved Agency: New York State Office of Parks, Recreation and Historic Preservation
- Involved Agency: Town of Farmington Planning Board
- Involved Agency: Town of Farmington Zoning Board of Appeals
- Involved Agency: Town of Farmington Highway and Parks Department
- Interested Agency: Ontario County Agricultural Enhancement Board
- Interested Agency: New York State Department of Agriculture and Markets
- Interested Agency: Town of Farmington Agricultural Advisory Committee
- Interested Agency: Town of Farmington Conservation Advisory Board
- Interested Agency: Town of Farmington Town Clerk
- Interested Agency: Town of Farmington Historian

November 7, 2018:

The Planning Board opened Public Hearings on:

- PB #1003-18 Preliminary Four-Lot Subdivision
- PB #1006-18 Special Use Permit
- PB #1004-18 Preliminary Site Plan

The Public Hearings were reconvened on:

- December 5, 2018
- January 16, 2019
- April 17, 2019
- May 15, 2019
- June 5, 2019
- July 17, 2019
- August 7, 2019
- September 4, 2019
- October 16, 2019
- November 20, 2019
- December 4, 2019
- December 18, 2019
- January 15, 2020
- February 19, 2020
- March 4, 2020 (Public Hearing on Preliminary Subdivision Plat closed)
- March 18, 2020 (meeting cancelled due to Covid-19 pandemic)
- April 15, 2020 (administrative action to continue the Public Hearings to an unspecified date)
- June 3, 2020 (administrative action to continue the Public Hearings to July 1, 2020)
- June 17, 2020 (administrative action to continue the Public Hearings to August 5, 2020)

August 5, 2020

- Preliminary Site Plan continued to September 16, 2020
- Special Use Permit Public Hearing closed

September 2, 2020 (Special Use Permit and Preliminary Site Plan)

September 16, 2020 (Special Use Permit and Preliminary Site Plan)

August 7, 2019:

The Planning Board accepted the Complete Part 2 of the Full Environmental Assessment Form and the Complete Part 3 of the Full Environmental Assessment Form.

August 7, 2019:

The Planning Board approved the State Environmental Quality Review (SEQR) Determination of Significance (Negative Declaration).

September 6, 2019:

An Article 78 Proceeding was filed in Supreme Court (State of New York, Ontario County) by petitioners/plaintiffs Concerned Citizens of Farmington (James and Nancy Falanga, James Dennie, James Redmond, James and Ann Foley, Eric and Edith Chapman, Petrina Case and Daniel Geer vs. Town of Farmington (New York State Unified Court System Index #126079-2019).

October 31, 2019:

Delaware River Solar provided site plan revisions that were made because of the denial of the Area Variances by the Zoning Board of Appeals (*see* Farmington Planning Board minutes, November 20, 2019).

November 1, 2019:

Delaware River Solar provided second revised subdivision and site plan drawings, and the draft Stormwater Pollution Prevention Plan (SWPPP).

November 6, 2019:

The Planning Board accepted the revised State Environmental Quality Review (SEQR) Full Environmental Assessment Form Part 1 (as corrected at the meeting) and referred the second revised materials to the SEQR Involved Agencies and to the Ontario County Planning Board.

November 12, 2019:

The Ontario County Planning Board reviewed the second revised materials (Referral #226-2019) and retained referral #226-2019 as Class 1 (*see* Farmington Planning Board minutes, November 20, 2019).

December 18, 2019:

The Planning Board accepted the Complete Part 2 of the Full Environmental Assessment Form and the Complete Part 3 of the Full Environmental Assessment for the revised applications. The Planning Board approved the State Environmental Quality Review (SEQR) Determination of Significance (Negative Declaration) for the revised applications on December 18, 2019.

March 4, 2020:

The Planning Board closed the Public Hearing on the Subdivision Plat application and approved the Preliminary Subdivision Plat (PB #1003-18).

March 18, 2020:

The Planning Board meeting was cancelled in compliance with the New York State Governor's Executive Order on public gatherings during the Covid-19 pandemic.

April 3, 2020:

The Town staff submitted a Special Use Permit draft approval resolution to the Planning Board for consideration.

June 16, 2020:

The Article 78 Proceeding in Supreme Court (State of New York, Ontario County) was dismissed without prejudice (New York State Unified Court System Index #126079-2019).

July 15, 2020:

The Planning Board acknowledged receipt of the applicant's responses to the Special Use Permit draft approval resolution of May 6, 2020.

September 2, 2020:

The Planning Board acknowledged receipt of the revised draft approval Special Use Permit approval resolution submitted by the Town's Special Legal Counsel.

September 2, 2020:

The Planning Board approved the first 90-day extension of Preliminary Four-Lot Subdivision Plat approval (PB #1003-18) to expire on Monday, November 30, 2020.

September 16, 2020:

The Site Plan and the Special Use Permit applications were continued to October 7, 2020.

October 7, 2020:

The Preliminary Site Plan (PB #1004-18) application was continued to November 4, 2020. The Special Use Permit (PB #1006-18) was approved.

November 4, 2020

The Preliminary Site Plan Public Hearing (PB #1004-18) was closed. The Preliminary Site Plan (PB #1004-18) was approved with conditions.