

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, January 18, 2023 • 7:00 p.m.

MINUTES—APPROVED

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

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

R = Attended via remote video conference.

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

Board Members Excused: Adrian Bellis
Aaron Sweeney

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

Attending:
Robert Brenner, Canandaigua Development Corporation, LLC, 83 S. Main Street,
Canandaigua, N.Y. 14424
Ryan T. Destro, P.E., BME Associates, 10 Liftbridge Lane East, Fairport, N.Y. 14450
Don Giroux, Farmington Volunteer Fire Association

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger. Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 4, 2023.

2. APPROVAL OF MINUTES—JANUARY 4, 2023

Due to the absence of Mr. Viets from the Planning Board meeting on January 4, 2023, the minutes of that meeting could not be approved this evening for lack of a quorum of those who were present on January 4th. The approval was held over until the next meeting of the Planning Board on February 1, 2023.

3. LEGAL NOTICE

None.

4. BOARD ACTIONS

A. Power Property Incentive Zoning Project:

- Name:** Canandaigua Development Company LLC
c/o Brian Mahoney, Robert Brenner,
28 South Main Street, Canandaigua, N.Y. 14424
- Location:** North side of State Route 96, east of the Fairdale Glen
Townhomes, west of County Road 8
- Zoning Districts:** Limited Industrial (LI), Residential–Suburban (RS-25)
- Request:** Rezoning of the property to Incentive Zoning (IZ) to
construct a 216-lot single-family for-sale residential
subdivision on ±145.8 acres and General Business and
Limited Industrial uses on ±29.1 acres located along State
Route 96

This application was reviewed by the Project Review Committee on June 2, 2022; November 10, 2022; December 1, 2022; and January 5, 2023.

On October 11, 2022, this application was presented to the Town Board which requested a Report and Recommendation from the Planning Board (Town Board Resolution #401-2022).

On November 2, 2022, the Planning Board received the concept plan and approved (with amendment) a Report and Recommendation to the Town Board (*see* Planning Board minutes, November 2, 2022, pp. 2–24).

Prior to the meeting this evening, Ryan T. Destro, P.E. (BME Associates) provided a concept plan drawing (*see* project file) and the following Incentive Zoning site notes:

1. Parcel Areas:

T.A. #29.00-2-13.1	52.5 acres
T.A. #29.00-2-14.0	<u>93.3 acres</u>
Total area:	145.8 acres

2. Existing Zoning:

- RS-25 Residential Suburban (±44.4 acres)
- LI Limited Industrial (±101.4 acres)
- MTOD Major Thoroughfare Overlay District

3. Proposed Use:

- IZ Incentive Zoning
- 216 single-family residential lots (±116.7 acres)
- LI Limited Industrial/GB General Business (± 29.1 acres)

4. Bulk Lot Requirements Proposed:

	Single-Family Use	LI/GB Uses
Minimum lot size	11,900 square feet	25,000 square feet
Minimum lot width	70 feet (at setback)	100 feet
Minimum lot depth	170 feet	250 feet
Setbacks:		
Front	35 feet	50 feet (access road)
	n/a	70 feet (Route 96)
Rear	10 feet	30 feet
Side	10 feet	30 feet
Max. build. coverage	30%	35%
Max. build. height	35 feet	50 feet
Max # of stories	2½ stories	3 stories

5. Requested Incentives:

- A. Single-family residential development on ±116.7 acres. Total number of lots = 216.

- B. Minimum lot size of 70 feet x 170 feet (11,900 square feet) with 35 feet front setbacks, 10 feet side setbacks and 10 feet rear setbacks. Maximum building coverage of 30%.
- C. All other single-family residential lot and use standards to be per RS-25 Zoning District requirements.
- D. Route 96 frontage (±29.1 acres) to include LI/GB uses.
- E. Minimum lot size in LI/GB Zoning District is 25,000 square feet with 50 feet front setback and minimum lot width of 100 feet.

6. Proposed Amenities:

- A. One-time developer contribution for the Beaver Creek Sewer Project.
- B. One-time developer contribution for the Town Sewer and Forcemain Study.
- C. Developer contribution to the Town of Farmington Sidewalk Capital Project Account.
- D. Design and mapping of approximately 1,500 feet of sidewalk along the north side of State Route 96, west of the Power property, to connect to the sidewalk at Fairdale Glen townhomes.

7. Utility Services Provided:

- Sanitary: Town of Farmington
- Water: Town of Farmington
- Storm: Onsite stormwater management facility
- Gas: RG&E
- Electric: RG&E

8. New York State Department of Environmental Conservation limits were delineated by BME Associates in October 2021.

9. Open Space/Conservation Easement Area Provided:

- A = 0.99 acres
- B = 7.39 acres
- C = 1.68 acres
- D = 6.01 acres
- E = 20.17 acres
- F = 3.94 acres
- G = 5.25 acres
- H = 8.93 acres

I = 3.01 acres
Total: 57.37 acres

This application was presented by Mr. Destro (BME Associates). Mr. Brenner (Candaigua Development Company LLC) also attended.

Mr. Destro said that the revised concept plan presented this evening depicts the buildable footprints of the prospective Limited Industrial uses along the State Route 96 corridor, as requested by the Planning Board during the initial concept presentation on November 2, 2022.

These are shown on the revised concept plan as:

- Limited Industrial Parcel A ±30,000-square-foot building.
- Limited Industrial Parcel B ±10,000-square-foot building.
- Limited Industrial Parcel C ±7,000-square-foot building and ±3,000-square-foot building.

Mr. Destro said that a Utility Concept Plan also has been submitted which depicts the locations of the water mains, two proposed dedicated road connections off from State Route 96 (Proposed Dedicated Road A and Proposed Dedicated Road B), a proposed pedestrian walking trail connection to Collett Road West, the location of the sanitary sewer pump station, and the route of the sanitary sewer force main which has been based upon input from the Town staff.

He said that the revised concept drawing also depicts the general locations of the stormwater management facilities.

Mr. Destro said that the applicant was encouraged by the Planning Board's recommendation to the Town Board that the formal Incentive Zoning application process should continue.

Mr. Brand confirmed that the Town Board needed to have some concept of the feasibility of the development of the four Limited Industrial lots along the State Route 96 corridor. He said that a Town Board-proposed list of suggested Limited Industrial uses was provided to, and has been accepted by, the applicant. Mr. Brand said that the Town Board is also pleased that the applicant has designed the site layout to avoid having the three Limited Industrial parcels with direct access onto State Route 96. [The revised concept plan depicts the ingress and egress to the three Limited Industrial parcels off from Proposed Dedicated Road A and off from Proposed Dedicated Road B.]

Mr. Brand said that the Planning Board is not "getting into the weeds" with this presentation of the revised concept plan. He said that the purpose of the presentation this

evening is to comply with the Town request for additional information about the locations and footprints of the four proposed parcels located within the Limited Industrial portion of the overall site. Mr. Brand said that the Town Board desires to fill in this void area [from the initial concept plan presentation].

Mr. Hemminger asked if the proposed subdivision is within the Major Thoroughfare Overlay District (MTOD). Mr. Brand said yes.

Mr. Brand also confirmed that the proposed subdivision is not within the Main Street Overlay District (MSOD). He said that this district stops at the intersection of State Route 96 and Fairdale Glen [to the west of the applicant's property].

Mr. Hemminger said that although the Planning Board will not hold the applicant to compliance with the MSOD requirements, he suggested that the applicant review these requirements to provide an idea of what the Town has envisioned along the State Route 96 corridor, e.g., landscaping, sidewalks, streetlights, benches and trash receptacles.

Mr. Destro said that the specific locations of the two access roads into the subdivision will be reviewed and will ultimately need to be approved by the New York State Department of Transportation (DOT) based upon sight distances and DOT requirements.

Mr. Delpriore said that the applicant will be required to receive subdivision and site plan approvals from the Planning Board if the Town Board approves the Incentive Zoning application. Mr. Destro said that the applicant understands this.

Mr. Ford and Mr. Giroux had no comments on the application at this time.

Mr. Hemminger discussed vehicle ingress and egress to the Limited Industrial parcels off from Proposed Dedicated Road A and off from Proposed Dedicated Road B. He suggested that Mr. Destro consider moving these vehicle access points farther to the north to accommodate an increased area for vehicle stacking [as vehicles wait to turn east or west onto State Route 96 from the development].

Mr. Viets also shared concern for increasing the area for vehicle stacking which he said may vary depending upon the types of land use for the Limited Industrial parcels.

Mr. DeLucia also said that the locations of the access roads are his observations of the concept plan at this point in the process.

Mr. Hemminger said again that vehicle stacking may become a huge issue depending on the uses of the Limited Industrial parcels.

Mr. Hemminger asked if anyone in the meeting room wished to comment or ask questions on this application. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the remote video conference wished to comment or ask questions on this application. There were no attendees on the remote video conference this evening.

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

■ A motion was made by MR. VIETS, seconded by MR. DELUCIA, that the discussion on the revised Power Property Incentive Zoning concept plan be continued to the Planning Board meeting on Wednesday, February 1, 2023, to provide time for Mr. Bellis and Mr. Sweeney to submit questions or comments; and that the Town staff be directed to prepare a Supplemental Narrative to the Planning Board Report and Recommendation to the Town Board which was originally approved on November 2, 2022.

The following vote on the above motion was recorded in the meeting minutes:

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

Motion carried.

B. Letter of Credit Release: Auburn Meadows Subdivision, Section 8S:

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT—PARTIAL RELEASE #1
AUBURN MEADOWS SUBDIVISION, SECTION 8S**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, dated January 9, 2023, to recommend a partial release of funds from the Letter of Credit for the above referenced project, in the total amount of \$221,760.03; and

WHEREAS, the Town Engineer’s recommendation has been coordinated with Matthew Heilmann, Town Construction Inspector, and is based upon the Applicant’s Engineer’s Estimate of Values dated June 28, 2022, for approved site improvements to be dedicated to the Town; 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 to honor the requested partial release of funds (Release #1) from the established Letter of Credit for approved site improvements.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineer, does hereby recommend that the Town Board take formal action to authorize the requested partial release (Release #1) from the Letter of Credit in the total amount of \$221,760.03, and to directs the filing thereof with the Town Clerk’s Office.

BE IT FURTHER RESOLVED that the Planning Board Chairperson is hereby directed to provide notice of this recommended action to the Town Board and the Town Clerk.

BE IT FURTHER RESOLVED that copies of this resolution are to be provided to: Peter Ingalsbe, Town Supervisor; Marcy Daniels, Confidential Secretary to the Town Supervisor; Michelle Finley, Town Clerk; the Applicant, Anthony DiPrima, A&D Real Estate Development Corporation, LLC; the Applicant’s Engineer, Walter Baker, DSB Engineers; Frank Affronti, 104 Contractors; Tim Ford, Town Highway and Parks Superintendent; David Conti, Town Water and Sewer Superintendent; Matthew Heilmann, Town Construction Inspector; Dan Delpriore, Town Code Enforcement Officer; Ronald Brand, Town Director of Planning and Development; and Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers.

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

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

Motion carried.

5. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand reported on the following topics:

- A draft Town Board resolution for approval with conditions of the Farmington Market Center (Tops Supermarket Plaza) Incentive Zoning application is being prepared for the Town Board meeting to be held on February 14, 2023. Mr. Brand said

that in the interim period Town staff will meet with the Farmington Market Center owner; with the owner of the Farmington Commons Plaza which located at the southwest corner of State Route 96 and State Route 332; and with the owner of the adjacent Farmington Realty GLN property to discuss the shared costs of the proposed signalized intersection at the corner of State Route 332 and Mercier Boulevard.

Mr. Hemminger said that based upon the three updated traffic studies, the New York State Department of Transportation (DOT) has now determined that the signalized intersection at State Route 332 and Mercier Boulevard must be installed as part of Phase 1 of the development of these parcels.

Mr. Brand that the signalized intersection as part of Phase 1 is being driven by the desire to change the design of the current access into the Farmington Market Center off from State Route 96 to a right-in and right-out vehicle access only.

Timeline of the Farmington Market Center Incentive Zoning application:

September 1, 2017

The initial concept plan for the Farmington Market Center Incentive Zoning application was presented to the Project Review Committee

February 20, 2019

The Planning Board's Report and Recommendation to the Town Board on the Incentive Zoning application was approved

January 25, 2022

A revised Incentive Zoning application was submitted by the applicant to the Town Board.

March 16, 2022

The Planning Board's Report and Recommendation to the Town Board on the revised Incentive Zoning application was approved.

July 25, 2022

A revised Farmington Market Center Traffic Impact Study was received from SRF Associates.

- All of the easements have been filed for the Transportation Alternatives Program (TAP) and Congestion Mitigation and Air Quality (CMAQ) Improvement Program. The Town's grant for this program was approved in 2022. The TAP-CMAQ Program is a Federal Highway Administration Program which provides reimbursement of up to 75 percent of project-related costs for non-motorized transportation improvements, with the remaining 25 percent to be provided by the Town. The grant will fund the construction of approximately 17,000 lineal feet of sidewalks and the construction of a pedestrian bridge across Beaver Creek along the south

side of County Road 41. The total grant estimate is \$2,214,000. The TAP-CMAQ is a matching grant. The Federal share will be 75 percent (\$1,771,200). The Town share will be 25 percent (\$553,500). Mr. Brand said that the easement documents will be approved by the Town Board and will be submitted to the Town Attorney for review and filing in the Ontario County Clerk's Office.

- Mr. Brand and Mr. Delpriore recently discovered that an existing section of Town Code Chapter 165 regarding stormwater, also appears in Chapter 137 of the Town Code. He said that General Code has been notified of this issue and that the Town staff has learned that General Code will be deleting the duplicate section. Board members will soon receive corrected pages for their code books.
- The New York Planning Federation 82nd Conference will be held from April 16–18, 2023, at the Saratoga Hilton, Saratoga Springs, N.Y. For information, visit www.nypf.org.

Code Enforcement Officer:

Mr. Delpriore said that the Final Site Plan application for Electric Car Corner (6162 State Route 96) will be on the Planning Board agenda on February 1, 2023. The State Environmental Quality Review (SEQR) classification for this project was approved by the Planning Board on September 21, 2022. The applications for the Preliminary Site Plan (PB #0901-22), the Special Use Permit for Sales of New and Used Vehicles (PB #0902-22) and the Special Use Permit for a Vehicle Maintenance Shop (PB #0903-22) were approved by the Planning Board on October 5, 2022.

Mr. Delpriore said that the Power Incentive Zoning Project draft Supplemental Report and Recommendation to the Town Board will also be on the Planning Board agenda on February 1, 2022.

The Ontario Properties/Hunt's Park Flex Space Storage project on State Route 332 at Loomis Road will be on the Planning Board agenda on February 15, 2023. This application was originally presented to the Project Review Committee on May 6, 2022. By a 3 to 2 vote on August 3, 2022, the Planning Board authorized the Planning Board Chairperson to sign the draft Report and Recommendation to the Town Board on the rezoning of the property. Mr. Delpriore said that this application will be referred to the Ontario County Planning Board prior to consideration by the Planning Board.

He also said that the Town is seeking candidates for a vacant Code Officer position in the Development Office.

Board Members' Comments:

Mr. Hemminger discussed the proposed landscaping around the electric transformers which will be installed at Electric Car Corner, 6162 State Route 96. He requested that the Town staff inform the applicant that the Planning Board will be interested in the progression of the growth of the plantings around the transformers, or the planting of larger trees during the initial plantings. Mr. Hemminger also requested that a landscaping maintenance agreement be included in the draft Final Site Plan resolution to provide the Town staff with the ability to enforce the Planning Board's expected conditions of approval regarding landscaping.

6. PUBLIC COMMENTS

None.

7. TRAINING OPPORTUNITIES**■ New York Planning Federation Recorded Webinars:**

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

■ 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>

**■ 4th Thursday 2023 Monthly Municipal Boot Camp Program
Presented by MRB Group, and Hancock and Estabrook**

<https://register.gotowebinar.com/register/5013248983683015766>

Thursday, January 26, 2023, 6 p.m. to 7 p.m.: The Basics of Running a Meeting,

Thursday, February 23, 2023, 6 p.m. to 7 p.m.:

The Roles of Planning and Zoning Board in Development Process

Thursday, March 23, 2023, 6 p.m. to 7 p.m.: Managing Development of Solar Projects

Thursday, April 27, 2023, 6 p.m. to 7 p.m.: State Environmental Quality Review—SEQR

Thursday, May 25, 2023, 6 p.m. to 7 p.m.: Financing Your Future

Thursday, June 22, 2023, 6 p.m. to 7 p.m.: Specialized Zoning Tools

Thursday, July 27, 2023, 6 p.m. to 7 p.m.: Local Regulation of Cannabis

Thursday, September 28, 2023, 6 p.m. to 7 p.m.: Transforming Former Industrial Properties

Thursday, October 26, 2023, 6 p.m. to 7 p.m.: Preventing Sexual Harassment

Thursday, December 14, 2023, 6 p.m. to 7 p.m.: Case Studies: Good and Bad of 2022

8. ADJOURNMENT

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the meeting be adjourned.

Motion carried by voice vote.

The meeting was adjourned at 7:20 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, February 1, 2023, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, and also via remote video conference.

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

Respectfully submitted,

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