

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, June 16, 2021 • 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 26, 2020, and extended by Executive Order 202.108 through June 16, 2021.

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 Zoom telephone/video conference format for those not wishing to attend in person. During the meeting, the agenda, the available drawings and each draft resolution were posted upon the video screen for the public and the applicants who were participating in the meeting via telephone/video format.

Planning Board member Timothy DeLucia participated via videoconferencing from 5556 Rumson Place, Queens, N.Y., in accordance with the Town's adopted Remote Member Policy and Procedures, Town Board Resolution #326 of 2020, adopted September 8, 2020.

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 June 14, 2021.

This meeting was conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021, 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 on non-agenda Action items 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
at the Town Hall:**

Edward Hemminger, *Chairperson*
Adrian Bellis
Douglas Viets

**Board Member Attending
via Videoconference:**

Timothy DeLucia (at address listed above)

Board Member Excused:

Shauncy Maloy

Staff Present at the Town Hall:

Ronald L. Brand, Town of Farmington Director of Development and Planning
Dan Delpriore, Town of Farmington Code Enforcement Officer
Don Giroux, Town of Farmington Highway and Parks Superintendent
Collin Sowinski, Town Engineer, MRB Group D.P.C.

Applicants Present at the Town Hall:

Alexander H. Amering, P.E., Costich Engineering D.P.C., 217 Lake Avenue,
Rochester, N.Y. 14608
Jeff Berends, Construction Manager, Meyer’s RV Superstore of Farmington,
c/o 100 Sanford Road North, Churchville, N.Y. 14428

Daniel Compitello, Solar Project Developer, Delaware River Solar, 130 North Winton Road,
#415, Rochester, N.Y. 14610
Gardner Soule, 415 Cline Road, Victor, N.Y. 14564

Applicant Present via Telephone/Video Conference:

Robert Marchenese, Auto Wash, P.O. Box 451, Canandaigua, N.Y. 14424

Others Present at the Town Hall:

William L. Allen, 5988 County Road 41, Farmington, N.Y. 14425

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 20, 2021.

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 those who were not fully vaccinated used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. Hand sanitizers were available throughout the building. Public notices were posted on all entrances to the Town Hall informing the public that face masks were required for anyone not fully vaccinated.

2. APPROVAL OF MINUTES OF JUNE 2, 2021

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the minutes of the June 2, 2021, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on June 9, 2021:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Planning Board of the Town of Farmington, 1000 County Road 8, Farmington, New York 14425 will hold Public Hearings on the 19th day of June 2021 commencing at 7:00 p.m. for the purpose of considering the applications of:

PB #0601-21: GARDNER N. SOULE JR., 415 CLINE ROAD, VICTOR, NEW YORK 14564: Preliminary Two Lot Re-Subdivision Plat approval of Land, identified as 415 and 417 Cline Road Lot 109, containing a total of 4.974 acres of land; and as further to be identified as Lands Owned by Gardner N. Soule Jr. and Sally E. Soule. The proposed Action involves creating Lot #R109-A consisting of 2.940 acres and Lot #R109-B consisting of 2.034 acres. The property is zoned A-80 Agricultural.

PB #0603-21: AUTO WASH 6 LLC, ROBERT MARCHENESE, P.O. BOX 451, CANANDAIGUA, NEW YORK 14424: Requesting a Special Use Permit to continue to operate an Auto Wash car wash facility according to Chapter 165-28 D. (10) of the Town of Farmington Codes. The property is located 6214 New York State Route 96 and zoned GB General Business, MTOD Major Thoroughfare Overlay District and MSOD Main Street Overlay District.

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

Ed Hemminger, Chairperson, Planning Board

4. NEW PUBLIC HEARING: PRELIMINARY RE-SUBDIVISION PLAT

PB #0601-21 New Preliminary Re-Subdivision Plat Application

Name: Gardner N. Soule, Jr., 415 Cline Road, Victor, N.Y. 14564

Location: 415 and 417 Cline Road

Zoning District: A-80 Agricultural

Request: Preliminary Two-Lot Re-Subdivision approval of land identified as 415 and 417 Cline Road Lot #109 containing a total of 4.974 acres of land, and as further to be identified as Lands Owned by Gardner N. Soule Jr. and Sally E. Soule. The proposed Action involves creating Lot #R109-A consisting of 2.940 acres and Lot #R109-B consisting of 2.034 acres.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Soule presented this application.

He said that they would like to combine the pond on the east side of their lot (415 Cline Road) with the lot at 417 Cline Road upon which is located a small cottage of approximately 1,000 square feet which overlooks the pond. He said that this would place the pond and the cottage on the same lot.

Mr. Soule said that the cottage is now located on a land-locked lot with access from a driveway easement from 415 Cline Road. He said that combining these two lots has been more complicated than he would have guessed.

Mr. Soule said that no construction [on the lot at 417 Cline Road] is anticipated initially and that a turnaround area would have to be provided for the cottage. He said that changes in the lot lines are required.

Mr. Brand said that the Town staff met with Mr. Bender (Paul F. Bender, Esq., Mr. Soule's attorney) to discuss the issues of concern and that a resolution to approve the Preliminary Re-Subdivision Plat with conditions has been drafted for the board's consideration this evening. Mr. Brand said that an MRB Group comment letter dated June 14, 2021, was received following the distribution of the draft resolution.

Mr. Brand said that the Town Engineer has requested clarification on the septic system. Mr. Brand asked if there is one septic system [serving both properties]. Mr. Soule said that there are two septic systems, i.e., one on each lot. Mr. Brand said that both septic systems must be depicted upon the subdivision plat.

Mr. Brand said that the Town Engineer requested clarification on the water service. Mr. Soule said that each property has a separate water meter. Mr. Brand said that water service for both lots must be depicted upon the subdivision plat.

Mr. Soule said that the cottage was initially built for his wife's mother.

Mr. Brand said that the cottage was built without access to the public road and that a strip of land which is depicted on the drawing on the south side of the lot [to provide access to the house] lacks driveway design details. He said that because of the topography of the site it made sense to relocate the driveway to the north side which is what is being discussed this evening about modifying the driveway.

Mr. Brand said that it is very unrealistic to consider the potential for a garage for the second house due to the topography of the land and the proximity of constructing a garage on the hill.

Mr. Soule said that the idea was to have a two-story [garage] and a drive-in with a basement. He said that this has not been planned out in detail and that nothing will be done right away. He said that his son is interested in owning the property in the future and has asked about a garage. Mr. Soule told him that they will see.

Mr. Brand said that construction of a garage [on the lot] will be a challenge.

Mr. Soule said that no garage is planned in the immediate future.

Mr. Brand said that the Town staff has reviewed the property and determined that an area on the lot (i.e., the driveway circle near the house at 415 Cline Road) is wide enough to

serve as a pull-off area for emergency vehicles. There is a need for a pull-off area for emergency vehicles due to the length of the existing driveway to both dwellings. He said that this has been confirmed by [Zoning Officer John] Weidenborner and that the applicant will not have to construct a separate pull-off area.

Mr. Soule said that the distance from his garage to the cottage is approximately 90 feet. Mr. Brand said that the distance from Mr. Soule's garage to the road where the fire hydrant is located is more than 400 feet. Mr. Brand said that the fire department can run a maximum of 500 feet of hose and that a pull-off area would be required to provide access to two or more fire trucks [on long driveways].

Mr. Delpriore said that this application was initially submitted by the applicant as a lot line adjustment but that the application became more involved following review by the Town staff. He said that the application is before the Planning Board this evening because it is now a re-subdivision application.

Mr. Delpriore said that the Town staff has conducted a site visit to the property and has submitted several photographs to the Planning Board. He said that the draft approval resolution resolves a number of issues and that the MRB Group engineering comment letter addresses the remaining outstanding issues which are not covered in the draft resolution.

Mr. Sowinski said that the MRB Group engineering letter includes comments on the location of the existing water service and the existing septic fields. He said that additional comments concern the legal access to the in-law house from the public road.

Mr. Brand said that the Planning Board may wish to add MRB Group's engineering comment contained in their letter on the draft Preliminary Re-Subdivision resolution which has been prepared for the board's consideration this evening.

Mr. Hemminger then asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the telephone/video conference call wished to speak for or against this application, or to ask questions. There were no requests from those on the telephone/video conference call. Mr. Delpriore confirmed that there were no requests to speak on the telephone/video conference "chat" feature.

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

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the Public Hearing on PB #0601-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0601-21 was closed.

Board deliberations:

Mr. Bellis, Mr. Viets and Mr. DeLucia said that they were okay with the application and had no comments. Mr. Hemminger said that the Town staff did a good job working with the applicant and his attorney in the preparation of the draft approval resolution with conditions.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY PLAT—SEQR RESOLUTION**

PB #0601-21

APPLICANTS: Gardner and Sally Soule, 415 Cline Road, Victor, N.Y. 14564

ACTION: Determination of Non-Significance, Gardner and Sally Soule Preliminary Two-Lot Subdivision Plat Application, 415 and 417 Cline Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) is established as the designated responsible agency, in accordance with the procedures and provisions contained within Part 617 of Article 8 of the New York State Environmental Conservation Law (the State's SEQR Regulations) for the above described Action, to make a determination of significance thereon; and

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

WHEREAS, the Planning Board has reviewed and does hereby accept Part 1 of the Short Environmental Assessment Form that was prepared by the Applicant; and

WHEREAS, the Planning Board has completed and does hereby accept Parts 2 and 3 of the Short Environmental Assessment Forms that were prepared upon the above referenced Action; 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept Parts 1, 2 and 3 of the Short Environmental Assessment Form, that has been prepared upon the above referend Action, as being complete along with supporting documentation and maps submitted with this application.

BE IT FURTHER RESOLVED that the Planning Board has reasonably concluded the following impacts may be reasonably 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 that cannot be mitigated; 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; and
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed Action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will not be a change in the use of current active agricultural land; and
- (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; and
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

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

BE IT FURTHER RESOLVED 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 Part 3 of the Short Environmental Assessment Form and check the Negative Declaration Box on said Form.

BE IT FURTHER RESOLVED that a copy of this resolution and the Negative Declaration Form be provided to the Applicant.

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, and this Determination on Non-Significance Resolution with the Applicant and the Project File in the Town Development Office.

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

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

Motion carried.

Mr. Hemminger then asked if Mr. Soule understood the draft Preliminary Re-Subdivision approval resolution and agreed with the conditions.

Mr. Soule asked about draft Condition #2 (i) regarding the paving of at least 10 feet of the driveway serving Lots #1 and #2 from the edge of the northbound travel lane of Cline Road. He asked why this is a requirement and that they have had a stone driveway for 50 years. Mr. Delpriore and Mr. Hemminger said that this requirement was added to the Town Code a number of years ago and that it is a requirement of all applicants. Mr. Giroux said that the purpose of the paving [of the first 10 feet of a driveway] to to avoid having the road travel lanes broken up where the vehicles enter the road. He said that paving this area of a driveway protects the road edges. Mr. Soule said that he has seen driveways where this has not been done. Mr. Hemminger said that existing properties are grandfathered in but must comply with the updated Town Code when property owners submit new applications. Mr. Delpriore said that this requirement is only for properties along Town roads.

Mr. Soule asked about draft Condition #2 (j) regarding the installation of a public safety sign at the driveway entrance. He said that they already have a sign which lists #415 and #417 with a picture. Mr. Delpriore said that the Town requires installation of a reflective

green public safety sign with white numbers. He said that the citation in this condition refers to the appendix of the adopted Town Site Design and Development Criteria regarding the specifications for the sign. Mr. Giroux said that the sign is 12 inches high. Mr. Brand said that the sign is necessary because the two structures are set so far back from the road and are not visible from the road most of the year. He said that the public safety sign will help emergency vehicles (fire, ambulance and police) to identify the location and avoid having them driving by and wasting response times. Mr. Hemminger said that the Town staff can advise the names of vendors who can produce the sign to the Town’s specifications.

Mr. Soule asked about vehicle parking for the lot at 417 Cline Road. He asked if a turn-around area has to be designed by a civil engineer. Mr. Brand said that the Town does not want a motorist backing up all the way out to Cline Road. He said that there is room for a hammerhead turnaround which can be placed on the drawing by the land surveyor.

Mr. Hemminger said that an additional condition of Preliminary Re-Subdivision Plat approval will be added to the draft resolution that the MRB Group engineering comments must be addressed to the satisfaction of the Town Engineer. He said that the Town staff can provide a copy of the engineer’s letter to Mr. Soule’s attorney if he does not have it.

Mr. Soule said that he is okay with the conditions as far as he understands them.

Mr. Hemminger then proposed the following amendment to the draft resolution:

New Condition #3: The comments in the MRB Group engineering comment letter of June 14, 2021, are to be addressed to the satisfaction of the Town Engineer.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SUBDIVISION PLAT**

PB #0601-21

APPLICANTS: Gardner and Sally Soule, 415 Cline Road, Victor, N.Y. 14564

**ACTION: Preliminary Two-Lot Subdivision Plat Approval with
Conditions of land located along the east side of Cline Road,
north of Gillis Road**

WHEREAS, the Town of Farmington Planning Board, under separate resolution made a determination of non-significance upon the above referenced Action in accordance with the provisions of § 617 of NYCRR, Article 8, New York State Environmental Conservation Law; and,

WHEREAS, the Planning Board has tonight conducted a Public Hearing upon this proposed Action; and

WHEREAS, the Planning Board has given consideration to the public hearing record and to the Ontario County Planning Board referral #120-2021, dated June 9, 2021.

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

1. Preliminary Subdivision Plat Approval is based upon the drawing prepared by R Morris Surveying, PLS, PLLC dated 5/4/21, Project No. 03454, entitled “Map of A Survey of Lands Owned By Gardner N., Jr. & Sally E. Soule,” as is hereby amended by these conditions of approval contained below herein.
2. The following amendments are to be made to the preliminary plat map prior to Town Officials and the Town Planning Board Chairperson signing the drawing:
 - a. The title of the drawing is to read as follows . . . “Preliminary Plat, Lots #1 and #2, Gardner N., Jr. & Sally E. Soule Subdivision, 415 & 417 Cline Road, Farmington, New York;” and
 - b. Lot #1 is to be added to the drawing to identify the structure and land at #415 Cline Road and Lot #2 is to be added to the drawing to identify the structures and land at #417 Cline Road; and
 - c. Signature lines are to be added to the drawing for the Town Highway Superintendent; the Town Water and Sewer Superintendent; the Town Engineer; and the Planning Board Chairperson; and
 - d. The design of the two lots is to be amended in accordance with the agreement made with Paul F. Bender, Attorney for the Applicants, on Wednesday, June 9, 2021. Said amendment eliminates the 150-foot frontage along the south side of the property and the fifteen-foot-wide strip of land that was drawn along the south side to satisfy the requirements of New York State Town Law, Section 280-a (proposed lot for #417) by flipping this 150-foot-wide frontage to the north side of the property. Then, at this northern location, the new property boundary line is to extend east from Cline Road to where there is to be a thirty- (30-) foot-wide strip of land connecting to the proposed lot identified as #417 where there is an existing one story frame house. In addition, there is to be a cross access easement filed for this entire strip providing ingress/egress to both structures (#415 and #417). Then, at the east end of this strip of land, where it connects to the current proposed bump-out area, there is to be a driveway designed to provide a turnaround area for vehicle parking for (#417) the one-story frame house, which is to be located on this portion of the proposed lot.

- e. The drawing is to be amended to show a 151-foot strip of land along the east side of Cline Road extending north from the south property line. This is to become the lot width for the future lot at #415 Cline Road; and
 - f. The filing of this access easement for these two lots, including the filed liber and page, is to be shown on the final subdivision plat map; and
 - g. There is to be a note added to the map that reads . . . “The existing gravel driveway shown for the 1½-story frame and masonry house (#415) is to remain an open area and shall serve in perpetuity as the pull-off area for emergency vehicles serving both lots.”
 - h. There is to be a note added to the drawing identifying the Community Number, the Federal Emergency Management Agency (FEMA) Map Panel Number, the effective date and notation that both sites lie within the mapped Flood Hazard Zone C, Area of Minimal Flooding; and
 - i. There is to be a note added to the drawing that reads . . . “The driveway serving Lots #1 and #2 is to be paved at least ten (10) feet in length from the edge of the north bound travel lane for Cline Road.” This paving is to be installed before the blacktop plants close this fall; and
 - j. There is to be a public safety sign installed at the driveway entrance to the site which identifies the street addresses for proposed Lots #1 (415) and #2 (417) and in accordance with the specifications shown on Appendix G-9.0 of the adopted Town of Farmington Site Design and Development Criteria; and
 - k. The location of the public water line along Cline Road is to be shown on the drawing along with the owner of said water line and the locations of the closest fire hydrant to the site with distances shown; and
 - l. The locations and size of the water service lines to the two structures are to be shown on the drawing; and
 - m. The locations for the on-site sanitary sewer systems serving each of the two structures shown on the drawing; and
 - n. The drawing’s Revision Box is to be amended to reflect these conditions of preliminary plat approval.
3. The comments contained within the MRB Group engineering comment letter of June 14, 2021, are to be addressed to the satisfaction of the Town Engineer before his signing the Preliminary Subdivision Plat drawing.

- 4. Once all of the above conditions of Preliminary Subdivision Plat Approval have been made on the drawings one (1) copy of the drawing is to be submitted to the Town Code Enforcement Officer for his review and acceptance. Once accepted, then a total of four (4) additional copies of the revised preliminary plat drawings are to be submitted to the Town for signing. One copy of the signed Preliminary Subdivision Plat drawing is to be provided to: the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Engineer; and the Town Development Office. One (1) copy of the signed drawing is to be returned to the Applicants Land Surveyor. If additional copies of the signed Preliminary Plat drawings are deemed necessary, then those copies are to be provided at the time of signing. Once all signatures have been affixed to the Preliminary Subdivision Plat Drawings and the Applicants have provided the liber and page for the filing of the access easement for the two proposed lots then the Town Code Enforcement Officer will entertain an application for Final Subdivision Plat Approval and schedule the action for a future planning board meeting.
- 5. Preliminary Subdivision Plat Approval is valid for a period of 180 days and shall expire unless renewed, or the required town signatures have been placed on the revised drawings.

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

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

Motion carried.

5. NEW PUBLIC HEARING: SPECIAL USE PERMIT

PB #0603-21 New Special Use Permit Application

Name: Auto Wash 6 LLC, c/o Robert Marchenese, P.O. Box 451, Canandaigua, N.Y. 14424

Location: 6214 State Route 96

Zoning District: GB General Business, MTOD Major Thoroughfare Overlay District, and MSOD Main Street Overlay District

Request: Requesting a Special Use Permit to continue to operate an auto wash car wash facility according to Chapter 165-28 D (10) of the Farmington Codes.

The associated site plan application for this project was reviewed by the Project Review Committee (PRC) on January 8, 2021; and May 7, 2021.

The State Environmental Quality Review (SEQR) classification for the site plan (Type II Action) and the Preliminary Site Plan with conditions were approved by the Planning Board on May 19, 2021 (PB #0505-21).

The PRC reviewed the current application (Special Use Permit) on June 4, 2021.

Mr. Hemminger opened the Public Hearing on this application.

Mr. Amering (Costich Engineering) presented this application in the Town Hall. Mr. Marchenese (the applicant) attended via telephone/video conference.

Mr. Amering said that the plans which have been submitted for this evening's meeting should closely reflect the required changes which were made to the previous drawings which the Planning Board approved for the Preliminary Site Plan on May 19, 2021.

He said that a substantial item which has been added is the construction of a sidewalk along the east property line to Mertensia Road and extending south from the north property line to the State Route 96 right-of-way.

He said that he understands that the Special Use Permit involves a car wash/vacuuming business operation which will function similar to the previous Country Club Car Wash. Mr. Amering said that two to four employees will be working, on average, and that the hours of operation will be from 7:00 a.m. to 8:00 p.m. Monday–Saturday and from 8:00 a.m. to 6:00 p.m. on Sunday.

Mr. Amering said that site, architectural and streetscape improvements were reviewed at the Preliminary Site Plan stage and that the entrance driveway has been relocated [from the original plan] to align with the entrance to Meyer's RV on Mertensia Road.

Mr. Brand said that a draft Special Use Permit resolution has been provided for the board's consideration this evening for approval of the Special Use Permit findings which are required by the Town Code (§ 165-28 D (10)). He said that the Ontario County Planning Board reviewed the application and identified it as a Class 1 local matter. Mr. Brand said that this identification does not occur often. He said that he is ready to move forward with the approval of the Special Use Permit with conditions.

Mr. Brand said that comments regarding the draft Special Use Permit resolution were received from Mr. Maloy regarding the width of the driveway on the west side of the building. He said that Mr. Maloy realized that this is a site plan consideration but that he wanted to point it out now. Mr. Brand said that he notified Mr. Amering and Matthew Bragg (of Chrisantha Construction, the applicant's contractor) about Mr. Maloy's concern.

Mr. Amering said that this driveway width is approximately 10 feet and that the addition of a light pole base may restrain movement between the base and the building. He said that the west driveway could be called a bypass lane but in reality any vehicles would be routed through a coned-off center area. He said that reclaimed tanks will be located near the west driveway and that this lane around the back [of the building] is more for the owner's access and maintenance. He said that emergency vehicles will have access to three sides of the building and to the fourth [west] side from the adjacent motorcycle shop.

Mr. Delpriore said that the application complies with the fire code for access to the building. He said that there is more than enough room for fire equipment and that access from the neighboring property [to the west] is also available.

Mr. Delpriore said that the draft resolution clearly states that the use of the building is for a car wash, which is an existing use. He said that the Special Use Permit resolution is cleaning up the paperwork side of things and will provide documentation [regarding the car wash operations]. Mr. Delpriore said that this is a very clear application which was presented correctly. He said that the sidewalk [along the west side of Mertensia Road] will be great to see and that he has no issues [with the application].

Mr. Sowinski said that MRB Group reviewed the west driveway [as noted by Mr. Maloy prior to the meeting]. Mr. Sowinski said that that MRB Group would like to see and understand what maintenance requirements would be located in this area and if vehicles could back up or make it around the tight area. He said that they assurance that vehicles can access this area. Mr. Sowinski had no specific comments on the Special Use Permit and that the applicant's engineer is working to address the comments on the MRB Group engineering letter of May 14, 2021.

Mr. Hemminger then asked if anyone in the meeting room wished to speak for or against this application, or to ask questions. There were no requests from those in the meeting room.

Mr. Hemminger then asked if anyone on the telephone/video conference call wished to speak for or against this application, or to ask questions. There were no requests from those on the telephone/video conference call. Mr. Delpriore confirmed that there were no requests to speak on the telephone/video conference "chat" feature.

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

■ A motion was made by MR. VIETS, seconded by MR. BELLIS, that the Public Hearing on PB #0603-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0603-21 was closed.

Board deliberations:

Mr. Bellis asked about parking references on a drawing which was submitted with the application. Mr. Amering said that this particular drawing [of the previous Country Club Car Wash operation] was submitted to demonstrate the use of the property. Mr. Delpriore said that this particular plan was from October 1987. Mr. Amering said that it was submitted more to establish the precedent for the existing use.

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

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—TYPE II ACTION**

PB #0603-21

APPLICANT: Matthew Bragg, Chrisantha Construction, on behalf of Robert Marchese, P.O. Box 451, Canandaigua, N.Y, 14424

ACTION: Special Use Permit Approval to operate an Auto Wash car washing and vacuuming service on property located at 6214 State Route 96, the northwest corner of said State highway and Mertensia Road

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

WHEREAS, the Board finds that the proposed Action is classified as a Type II Action under Part 617.5 (c) (1), (2) and (18) of Article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby classify the proposed Action as Type II Action under Section 617.5 (c) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT a Type II Action is not subject to further review under Part 617.

BE IT FINALLY 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.

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

Adrian Bellis Aye
Timothy DeLucia Aye

Edward Hemminger	Aye
Shauncy Maloy	Excused
Douglas Viets	Aye

Motion carried.

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

**FARMINGTON PLANNING BOARD RESOLUTION
SPECIAL USE PERMIT ACTION—FINDINGS AND CONDITIONS**

PB #0603-21

APPLICANT: Matthew Bragg, Chrisantha Construction, on behalf of Robert Marchese, P.O. Box 451, Canandaigua, N.Y. 14424

ACTION: Special Use Permit Approval to operate an Auto Wash car washing and vacuuming service on property located at 6214 State Route 96, the northwest corner of said State highway and Mertensia Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has under separate resolution determined that the above referenced proposed Action is a Type II Action, thereby satisfying the procedural requirements in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and,

WHEREAS, the Board finds has conducted a Public Hearing upon the above referenced Action at tonight’s meeting; and

WHEREAS, the Board has given consideration to the public testimony presented at tonight’s Public Hearing; and

WHEREAS, the Board has reviewed and given consideration to the Ontario County Planning Board’s referral #121-2021, dated June 9, 2021.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby make the following findings upon the above referenced Action:

1. The Board finds the Special Use Permit is required in accordance with §165-28. D. (10) of the Farmington Town Code.
2. The Board finds that a total of 19 vehicle stacking spaces are proposed between the driveway entrance/exit and the pay stations, and a total of 6 vehicle stacking spaces are proposed between the pay stations and the building entrance to the car

wash. Based upon these findings the number of stacking places complies with the requirements of §165-28.D. (10) of the Farmington Town Code.

3. The Board finds this special use permit application is being made as part of an application for site plan approval for the proposed use [§165-99.C. (1)] of the Farmington Town Code.
4. The Board finds there is justification for and does hereby waive a requirement for the applicant to prepare a transportation impact study [§165-99.C. (2)] based upon the finding that the existing driveway entrance/exit to the site is being relocated north along the west side of Mertensia Road to align with the driveway entrance/exit for the Meyer's Finger Lakes RV Site on the opposite side of the road, and based upon a finding that the new driveway location is in compliance with the Town's Driveway Spacing Criteria contained in § 165-34. J. of the Farmington Town Code.
5. The Board finds relocating the driveway entrance/exit to be a mitigation measure that further reduces the existing icing condition on Mertensia Road at the nearby intersection with State Route 96.
6. The Board finds that the applicant will be providing a five-foot wide concrete sidewalk across the Mertensia Road frontage of the site thereby separating vehicular/pedestrian movements [§165-99.C. (2)] of the Farmington Town Code.
7. The Board finds that Special Use Permit approval shall be contingent upon a finding that the proposed special use permit will:
 - a. Require adequate and safe site access for vehicles as well as pedestrians; and
 - b. Provide adequate utility services, including water supply, sewage and refuse disposal.
8. The Board finds that the proposed preliminary site plan as amended is compatible with both the MSOD Main Street Overlay District and the MTOD Major Thoroughfare Overlay District regulations contained in Chapter 165 of the Farmington Town Code.
9. The Board finds that the proposed Special Use Permit will be compatible with and will enhance, to the greatest extent possible, the existing natural features of the site and surrounding area.
10. The Board finds that the proposed Special Use Permit will be adequate and appropriate to the manner and existing land use and zoning patterns in the immediate area.

11. The Board finds that in granting the Special Use Permit with the conditions listed below herein are applicable to the Town's site design criteria and other zoning districts requirements imposed upon this site, and, to the greatest extent practical comply with the provisions contained in Article VI of Chapter 165 of the Farmington Town Code.
12. The Board finds that the site plan associated with this Special Use Permit identified adequate year-round site access for fire and emergency services.
13. The Board finds that in granting the proposed Special Use Permit, in accordance with the conditions impose below herein and within the preliminary and final site plan approvals, will not adversely effect, be a nuisance to, create hazards or danger to, cause undue harm or destroy existing sensitive features on the site or in the surrounding area, cause adverse impacts, be incompatible with the type, extent and direction of building development, destroy or adversely impact significant historic and/or cultural resources, create disjointed vehicular circulation paths or create vehicular/pedestrian conflicts, and will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed special use.

BE IT FURTHER RESOLVED that based upon the above findings the Planning Board does hereby grant the requested Special Use Permit to operate a car wash and vehicle vacuuming service upon the above referenced property with the following conditions:

1. Sidewalks are to be installed to Town Standards along the Mertensia Road frontage of the site prior to the issuance of a Certificate of Compliance for the Auto Wash car wash facility and related vacuuming service.
2. There is to be an additional streetlight installed near the driveway entrance/exit along Mertensia Road that will illuminate this driveway's location during dark hours.
3. All site landscaping along the State Route 96 frontage shall be installed, along with the five-foot wide concrete sidewalk, prior to the issuance of a Certificate of Compliance for the Auto Wash car wash facility and vacuuming service.
4. Within three (3) years of the issuance of the Certificate of Compliance the Applicant is to install an additional six (6) deciduous trees within the island portion of the site.
5. Public Safety Signage is to be installed next to the driveway entrance/exit within three (3) months of the issuance of the Certificate of Compliance.
6. All site lighting is to be compliant with the lighting regulations contained in Chapter 165 of the Farmington Town Code.

- 7. The site shall be kept clean, to the greatest extent practical, including all trash receptacles associated with the vacuuming stations.
- 8. No vehicles shall be left overnight on the premises.

BE IT FINALLY RESOLVED that any other use of the property beyond car washing and vacuuming services shall be subject to the issuance of a separate Special Use Permit.

Mr. Hemminger asked Mr. Amering if he understood the resolution and agreed with the conditions. Mr. Amering said that he had not received the resolution in advance of the meeting.

Mr. Hemminger then requested that the clerk read aloud the conditions of approval. The conditions of approval were read aloud.

Mr. Amering asked about Condition #2 regarding the installation of an additional streetlight near the driveway entrance/exit along Mertensia Road. He asked if this will increase the number of proposed streetlights from three to four. Mr. Brand said that this will not increase the number of streetlights. He said that the applicant’s illumination pattern has a dark area near the entrance/exit and that the Town would like the location of one of the streetlights shifted to better illuminate this area.

Mr. Amering asked about Condition #4 regarding the planting of six additional deciduous trees. Mr. Brand said that these are proposed in the loop area. He said that he discussed with Mr. Bragg about staging the three-year period for additional landscaping and that Mr. Bragg felt that this was acceptable. Mr. Amering said that Mr. Marchenese and his family do the landscaping and that in the coming years the Town will see quite a bit more landscaping as the business grows into the space.

In response to Condition #8 regarding no overnight parking, Mr. Marchenese asked if there would be a problem to leave a maintenance vehicle on the property overnight from time to time. Mr. Brand said that there would be no problem as long as the vehicle was marked as being part of the Auto Wash Car Wash facility.

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

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

Motion carried.

6. PLANNING BOARD ACTION ITEMS

A. Meyer's RV Construction Schedule Update:

Mr. Berends (Meyer's RV Construction Manager) provided the following construction update:

- One additional DI for stormwater will be installed following the installation of the dump station flow meter delivery of which is expected next week.
- The concrete sidewalk along Mertensia Road will be formed next week. The Development Office will be contacted to schedule an inspection for this.
- The contractor will schedule a meeting with the New York State Department of Transportation (DOT) and the vendor to coordinate the installation of the remaining pedestrian traffic control devices at the intersection of State Route 96 and Mertensia Road. There will be additional work required for the installation of the control boards. A completion date for these panels is not yet available. Mr. Berends will follow up with an update email to the Development Office next week with the completion date.
- A new floor plan for the new building is being designed and will be submitted to the Development Office for approval.

Mr. Brand said that the updated construction schedule will be discussed at the Project Review Committee meeting on July 2, 2021, and that a resolution with the amended construction schedule will be on the Planning Board agenda on July 7, 2021. Mr. Brand said that the project is moving in the right direction and that he spoke with DOT Assistant Resident Engineer Greg Trost who reported that he [Mr. Trost] is aware of no outstanding DOT issues. Mr. Berends said that he will contact Mr. Trost to schedule an inspection of the pedestrian crossing signals following the completion of the installation.

Mr. Delpriore said that he and Mr. Berends are in regular communication and that Phase 1 of the project should be wrapped up by the end of July. He said that the site contractor has good safety controls for the existing and the new customers and that he [Mr. Delpriore] appreciates that. He said that the project is moving in the right direction.

Mr. Delpriore acknowledged that the applicant will submit a revised floor plan for the new building. He said that the application for the foundation permit [for the new building] is now under review by the Town staff. This permit will be followed by the building permit for the new structure. Mr. Delpriore said that Mr. Berends attends all meetings of the Project Review Committee (PRC).

Mr. Giroux said that the project is moving along well on a daily basis.

Mr. Hemminger said that having an update at the PRC meeting on July 2nd is a good solution prior to receiving the formal Planning Board resolution on the revised schedule at the July 7th Planning Board meeting.

Mr. Bellis asked about the removal of excessive material from the site. Mr. Berends said that the contractor is close to having all excessive material removed.

Mr. Bellis asked about several dates of completion of the pedestrian crossing signals [at the intersection of State Route 96 and Mertensia Road]. Mr. Berends said that the contractor is awaiting the remaining components. Following installation, an inspection will be scheduled with the State DOT.

Mr. Berends said that the parking lot subbase will be installed following placement of an electrical transformer by Rochester Gas & Electric Corporation. He said that the transformer will be relocated from behind the building and that this change has been submitted to, and approved by, the Development Office. He said that the contractor was awaiting Development Office approval of the relocation and that the schedule for this installation, and the parking lot subbase, will be adjusted now that Development Office has been received.

Mr. Hemminger said that he appreciates the regular communication by Mr. Berends to the Town staff and to the Planning Board regarding the progress of the construction.

B. Delaware River Solar Project Decommissioning Plan:

Mr. Compitello (Solar Project Manager, Delaware River Solar) attended the meeting in the Town Hall.

Mr. Brand said that a draft Decommissioning Plan has been revised by the Planning Board's Special Legal Counsel on this project and was distributed to the Planning Board, Town staff and the application prior to the meeting this evening. He also said that the draft Decommissioning Plan has been posted upon the Town website for public review.

Mr. Brand said that the Planning Board's responsibility this evening is to ask any questions, to acknowledge receipt of the Decommissioning Plan, and to refer the Plan to the Town Board for their consideration and adoption.

Mr. Delpriore said that the Development Office staff participated in multiple meetings with the Town Engineer and the Planning Board's Special Legal Counsel on the Plan. He said that the Plan is ready for referral and review by the Town Board.

Mr. Compitello said that Delaware River Solar has no objections of the referral of the Plan to the Town Board by the Planning Board.

Mr. Hemminger said that the Plan does not include the dollar amount of the required surety. He said that this will be computed by MRB Group following adoption of the Plan by the Town Board.

Mr. Bellis, Mr. Viets and Mr. DeLucia said that they are ready to refer the Plan to the Town Board.

There were no additional comments or questions on the Decommissioning Plan this evening.

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

**TOWN OF FARMINGTON PLANNING BOARD
DELAWARE RIVER SOLAR
DECOMMISSIONING PLAN APPROVAL**

PB #1006-18

APPLICANT: Delaware River Solar, LLC, on behalf of the property owners Roger and Carol Smith, 466 Yellow Mills Road, Palmyra, N.Y 14522

ACTION: Acceptance of Draft Decommissioning Plan for Smiths, their property and Delaware River Solar LLC and Affiliates and Successors

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), by resolution (File # PB 1006-18) adopted on September 16, 2020, required the preparation of a Draft Decommissioning Plan for Smiths, their property and Delaware River Solar LLC and Affiliates and Successors (hereinafter referred to as Decommissioning Plan); and

WHEREAS, the Conditional Approval of the Special Use Permit for any of Lots #1, #2, or #3 of the Roger and Carol Smith Subdivision located at 466 Yellow Mills Road, Palmyra, New York, shall not take effect unless and until an approved Decommissioning Plan is agreed to and executed by each Applicant, System Operator and the Town for such lot and filed with the Town Clerk; and

WHEREAS, the Special Use Permit also required approved surety for such lots under this authorization and the Decommissioning Plan and Agreement that is to

be in effect with evidence of such surety's existence and validity on file with the Town Clerk; and

WHEREAS, as a condition of the Special Use Permit approval granted on September 16, 2020 (File #PB1006-18), and prior to the commencement of any construction or operation of a proposed solar farm on lots #1, #2, or #3 of the Roger and Carol Smith Subdivision, Applicants and/or System Operators shall provide to the Town a financial plan in an approved Decommissioning Plan containing an irrevocable surety in sufficient amount and acceptable form by a reliable source entity on which the Town alone may draw to cover Town expenses incurred in decommissioning the solar farm and restore the property in the event that the Applicants and/or System Operators are unable or unwilling to do so within the time required. Applicants and/or System Operators shall remain responsible to reimburse the Town for expenses incurred in connection with their lots and solar farms in this Action in the event actual decommissioning and restoration costs and related expenses including Town engineering and legal fees exceed the surety available; and

WHEREAS, as a condition of the Special Use Permit approval, and prior to the commencement of any construction or operation of a solar farm, and before the Special Use Permit is valid, the surety approved in the financial plan and Decommissioning Plan shall be provided in fact for each proposed solar farm and a record evidencing such fact shall be filed with the Town Clerk. Such surety shall be maintained by Applicants and/or System Operators and shall continue to be kept valid for the entire existence and duration of the solar farm operation, expected to last for thirty years, together with the time involved in any extensions, decommissioning the solar farm, restoration work to reclaim the underlying land for agricultural use again, and post-decommission monitoring, unless the property owners obtain appropriate approval from the Planning Board to use their property for a different permitted use (and then to restore the property to condition for that next approved use); and

WHEREAS, as a condition of the Special Use Permit approval, Applicants and/or System Operators shall direct the surety source to provide the Town with all the same notices regarding the surety for its benefit that the surety source provides to Applicants and/or System Operators, and at the same time; and

WHEREAS, the Planning Board has received on June 11, 2021 a Draft Decommissioning Plan and Financial Plan for the above referenced Action, prepared by Town Special Legal Counsel and Town Staff (Director of Planning and Development, Town Code Enforcement Officer and Town Engineer); and

WHEREAS, the Planning Board has reviewed said Document and received public comment thereon at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the Draft Decommissioning Plan dated 6/11/21 as satisfying the conditions of Special Use Permit Approval contained in the above referenced File.

BE IT FURTHER RESOLVED, that the Planning Board does hereby direct the Clerk of the Board to submit the Draft Decommissioning Plan, having a revised date of 6/16/21 (the date of this resolution) to the Town Board for its review and consideration.

BE IT FINALLY RESOLVED, that prior to Town Board acting upon said Draft Decommissioning Plan, that surety amounts have been provided and filed with the Town Clerk for the construction of the three (3) solar sites identified in said Plan and that prior to the issuance of a Certificate of Compliance a Maintenance Bond is established for the removal and restoration of all three (3) in accordance with the conditions of approval in the Planning Board’s Special Use Permit identified above herein.

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

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

Motion carried.

C. Letters of Credit:

- Auburn Meadows Subdivision, Section 7S, Partial Release #2**
- Auburn Meadows Subdivision, Section 7N, Partial Release #1**
- Auburn Meadows Subdivision, Section 8N, Partial Release #1**

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

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #2
AUBURN MEADOWS SUBDIVISION, SECTION 7S

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 June 11, 2021, to recommend approval of

a partial release (Release #2) from the above referenced Letter of Credit for site improvements within the Auburn Meadows Subdivision Tract, Section 7S; and

WHEREAS, the Planning Board has received and reviewed the Letter of Credit Release Form G-1.1, Letter of Credit/Surety—Partial or Final Release Form, dated June 10, 2021, 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 also received and reviewed the signed Letter of Credit Release Form G-2.0, dated June 11, 2021; 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 \$58,899.52 (Release #2) from this Letter of Credit. The total amount in the Letter of Credit is \$647,740.86 with a balance of \$116,384.46 remaining after this second partial release of funds.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #1
AUBURN MEADOWS SUBDIVISION, SECTION 7N**

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 June 11, 2021, to recommend approval of a partial release (Release #1) from the above referenced Letter of Credit for site improvements within the Auburn Meadows Subdivision Tract, Section 7N; and

WHEREAS, the Planning Board has received and reviewed the Letter of Credit Release Form G-1.1, Letter of Credit/Surety—Partial or Final Release Form, dated June 10, 2021, 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 also received and reviewed the signed Letter of Credit Release Form G-2.0, dated June 11, 2021; 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 \$340,734.30 (Release #1) from this Letter of Credit. The total amount in the Letter of Credit is \$719,426.93 with a balance of \$378,692.63 remaining after this first partial release of funds.

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

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 June 11, 2021, to recommend approval of a partial release (Release #2) from the above referenced Letter of Credit for site improvements within the Auburn Meadows Subdivision Tract, Section 8N; and

WHEREAS, the Planning Board has received and reviewed the Letter of Credit Release Form G-1.1, Letter of Credit/Surety—Partial or Final Release Form, dated June 10, 2021, 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 also received and reviewed the signed Letter of Credit Release Form G-2.0, dated June 11, 2021; 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 \$428,081.39 (Release #1) from this Letter of Credit. The total amount in the Letter of Credit is \$806,890.06 with a balance of \$378,808.67 remaining after this first partial release of funds.

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

Adrian Bellis	Aye
Timothy DeLucia	Aye
Edward Hemminger	Aye
Shauncy Maloy	Excused

Douglas Viets Aye

Motion carried.

7. OPEN DISCUSSION

Director of Development and Planning Report:

Mr. Brand discussed the following topics:

- The Public Hearing on the Comprehensive Plan Update which had been scheduled in June will be rescheduled for a date in July. The June Public Hearing was not held to avoid what would have been a conflict with a public information meeting on the State Route 332/State Route 96 Corridor Study by the study consultant.
- Twenty (20) townhome lots on Redfern Drive, Dalton Drive and Running Brook Road in the Farmbook Subdivision will be sold to a new developer who is expected to submit applications to build upon the lots in accordance with the previously approved plans. In response to a question by Mr. Bellis, Mr. Brand said that the new developer will be constructing the townhomes to the existing design specifications.
- Mr. Brand is working with MRB Group on a sidewalk/trail/bike lane master plan map which will depict the locations of existing sidewalks, proposed sidewalks as part of approved projects, and locations of voids in the sidewalk system. The master plan map also will depict the sidewalk connections to existing trails and bike lanes. Mr. Brand said that this master plan may provide the Town with better success in receiving a New York State Transportation Alternatives Program (TAP) grant for construction of additional sidewalks in the Town.
- A new Town zoning district map has been completed by MRB Group (a hard copy was available at the meeting for review by the Planning Board) which complies with Town Local Law #6 of 2021 and which depicts the new Main Street Overlay District (MSOD). The new zoning map provides detail on the MSOD and the existing Major Thoroughfare Overlay District (MTOD) as well as improved detail on the development community center in the southwest quadrant of the Town. Mr. Brand said that the new zoning map will be introduced at the Town Board meeting on June 23, 2021, for adoption by the Town Board and signing by the Town Clerk.

Code Enforcement Officer Report:

Mr. Delpriore said that the Development Office has been having issues with some applications and that these applications will not be advanced to the Planning Board stage until they are complete. He said that the Development Office staff appreciates the support of the Planning Board to assure that only complete applications are advanced to the board. Mr. Hemminger said that the board is always willing to receive concept or sketch plan presentations but that the board does not wish to receive formal incomplete applications or applications which are not in official form.

Mr. Delpriore said that more than 100 building permits for new homes have been issued by the Development Office since January 1st. He said that 139 building permits for new homes were issued in all of 2020 and that single-family residential homes are developing quickly in Farmington. Mr. Delpriore said that three townhome buildings in the Hathaway's Corners subdivision will have new residents living in them by the middle of July.

Mr. Delpriore asked board members to provide feedback on the new shared file system. He said that hard copies of the Planning Board packets will still be provided. Mr. Hemminger said that he hopes that the board will reach the point for the elimination of most of the hard-copy materials.

Mr. Bellis asked if emails can be posted to the shared drive. Mr. Delpriore said he could print out a hard copy of an email, scan it, and post the scan to the shared drive but that an email cannot be sent directly to the drive.

Mr. Delpriore confirmed that the Town Independence Day fireworks event will be held on Saturday, July 3, 2021.

Highway and Parks Superintendent:

Mr. Giroux said that the Highway Department is busy with road maintenance projects. He said that the Collett Road project has been completed and that various oil-and-stone projects are coming up. The installation of the pavement base on the south side of Canandaigua-Farmington Town Line Road will begin tomorrow (June 17, 2021) and will proceed east to State Route 332.

Mr. Giroux said that 4x4 posts have been installed at several Town parks for display of panels of storybook walks for children produced by the Victor-Farmington Library. Mr. Giroux said that youngsters will be able to walk from panel to panel in the park to read a complete story. He said that the stories (and panels) will be changed every few weeks by the library staff.

Mr. Giroux said that issues regarding broken conduit, camera cable installation, a water leak in a fire hydrant and improperly poured concrete are being addressed at the Beaver Creek park construction site.

8. PUBLIC COMMENTS

Mr. Allen (5988 County Road 41) asked about a sidewalk connection to a stormwater road gutter in the vicinity of County Road 41 and Hathaway Drive near the Lyons National Bank. He said that his wife questioned if this connection complies with the Town Code because the step is too high for a bicycle or a wheelchair to traverse it. Mr. Giroux said that this may be in compliance with the Town Code. Mr. Delpriore said that he will have a Town staff member make an inspection and report back.

Mr. Allen asked if Lyons National Bank has submitted plans for the development of a park on the vacant lot on the northwest corner of County Road 41 and Hathaway Drive. Mr. Delpriore said that to date no plans have been submitted by the bank.

9. TRAINING OPPORTUNITIES

■ New York Planning Federation 2021 Clean Energy Information Summit

Online sessions during June.

Wednesdays; sessions begin at 12:00 noon.

Session dates and topics:

Wednesday, June 23, 2021

Planning for Clean Energy in New York State

Email invites will be distributed prior to each event and will require registration. If you are not currently on the New York Planning Federation email list and would like to be, send an email to:

nypf@nypf.org

New York Planning Federation telephone: (585) 512-5270.

■ 2021 Municipal Bootcamp:

A free annual program to provide certification credits to newly elected officials, planning and zoning boards and town officials sponsored by Hancock Estabrook and MRB Group. The program includes 10 hours of remote training designed to provide a comprehensive education that encompasses all aspects of municipal governance. Each program will be provided remotely on the fourth Thursday of the month with subject matter experts and attorneys from Hancock Estabrook and MRB Group.

Remaining sessions in 2021:

Thursday, June 24, 2021, 6:00 p.m. to 7:00 p.m.

Session 6: Planning From (At Least) Six Feet Away

Thursday, July 22, 2021, 6:00 p.m. to 7:00 p.m.

Session 7: Ask Me Anything

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.

Session 9: Well, Aren't You Special?

Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.

Session 10: All the Right Forms in All the Right Places

Questions to:

Wendy A. Marsh, Partner, Hancock Estabrook
wmarsh@hancocklaw.com
(315) 565-4536

Matt Horn, Director, Local Government Services, MRB Group
matt.horn@mrbgroup.com
(315) 220-0740

Registration link:

<https://register.gotowebinar.com/rt/4608077833213548299>

■ **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>

10. 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 8:10 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, July 7, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

Following the meeting, the clerk locked the front doors of the Town Hall.

Respectfully submitted,

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