

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, June 6, 2018, 7:00 p.m.

MINUTES—APPROVED

The following minutes are written as a summary of the main points that were made and are the official and permanent record of the actions taken by the Town of Farmington Planning Board. Remarks delivered during discussions are summarized and are not intended to be verbatim transcriptions. An audio recording of the meeting is made in accordance with the Planning Board adopted Rules of Procedure. The audio recording is retained for 12 months.

Board Members Present: Edward Hemminger, *Chairperson*
Adrian Bellis
Shauncy Maloy
Mary Neale
Douglas Viets

Staff Present:

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group, D.P.C.
Ronald L. Brand, Town of Farmington Director of Development and Planning
David Degear, Town of Farmington Water and Sewer Superintendent
James Morse, Town of Farmington Code Enforcement Officer

Applicants Present:

James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522
Frank DiFelice, DiFelice Development Corporation, 91 Victor Heights Parkway,
Victor, N.Y. 14564
Kip Finley, P.E., Director of Development, Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625
Max Heagney, LeFrois Builders LLC, 1020 Lehigh Station Road, Henrietta, N.Y. 14467
Kent Johnson, Leonard's Express Inc., 6070 Collett Road, Farmington, N.Y. 14425
Kyle Johnson, Leonard's Express Inc., 6070 Collett Road, Farmington, N.Y. 14425
Robert E. Johnston, B&B Builders, 2913 County Road 47, Canandaigua, N.Y. 14424
Tim Lawless, American Properties of WNY, LLC (American Equipment, LLC), 6112 Collett
Road, Farmington, N.Y. 14425
Brent Long, McFarland Johnson Inc., Box 6, Suite 101, 2525 State Route 332,
Canandaigua, N.Y. 14424
Wayne McClure, 5106 Rushmore Road, Palmyra, N.Y. 14522
Edward Parrone, P.E., Parrone Engineering, 349 West Commercial Street, Suite 3200,
East Rochester, N.Y. 14445

J. Lincoln (Linc) Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East,
Fairport, N.Y. 14450

Matt Tomlinson, CPESC, Marathon Engineering, 39 Cascade Drive, Rochester, N.Y. 14614

Residents Present:

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425

James Dykes, 6137 Hanover Road, Farmington, N.Y. 14425

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited. Mr. Hemminger introduced the Planning Board members and staff, explained the emergency evacuation procedures and noted that copies of the evening’s agenda were available on the table at the door. He also asked everyone to set his or her cell phone on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 7, 2018.

2. APPROVAL OF MINUTES OF MAY 16, 2018

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the minutes of the May 16, 2018, meeting be approved.

Motion carried by voice vote.

3. CONTINUED PUBLIC HEARING: PRELIMINARY TWO-LOT SUBDIVISION

**PB #0501-18 Continued Public Hearing:
Preliminary Two-Lot Subdivision Application**

Name: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

Location: 5106 Rushmore Road, Palmyra, N.Y. 14522

Zoning District: A-80 Agricultural

Request: Two-Lot subdivision creating Lot #2 consisting of 2.645 acres and the remaining lands of Lot #1 will consist of 19.668 acres with an existing dwelling

Mr. Hemminger reconvened the Public Hearing on this application which was opened on May 2, 2018.

The State Environmental Quality Review (SEQR) determination on this application was approved by the Planning Board on May 2, 2018 (Unlisted Action, SEQR determination of non-significance).

On May 21, 2018, the Zoning Board of Appeals granted the applicant's request for an Area Variance to Town Code Chapter 165, Article V, Section 58A to keep an Accessory Structure—a partially enclosed sawmill structure—in the front-yard portion of the proposed Lot #2. The Town Code requires Accessory Structures to be located in the rear yard of a lot.

Mr. Long presented this application. Mr. Brenchley and Mr. McClure also attended.

Mr. Long explained that the applicant seeks to subdivide 2.645 acres of land from the parent parcel to create Lot #2. He said that Lot #2 will have the minimum required frontage of 150 feet on Rushmore Road.

He also said that the applicant has decided to make no changes in the north property line of Lot #2. The possibility of shifting the north property line had been discussed at the Planning Board meeting on May 2, 2018. Mr. Long said that there is adequate room on Lot #2 to accommodate the septic system for the new home.

Mr. Brand said that the Area Variance from the Zoning Board of Appeals was required because the applicant is proposing to subdivide a lot with a nonconforming structure (the partially enclosed sawmill). He said that the SEQR determination was addressed at the meeting on May 2, 2018, and that he prepared a draft resolution of approval of the application with conditions.

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

■ A motion was made by MS. NEALE, seconded by MR. BELLIS, that the Public Hearing on PB #0501-18 be closed.

Motion carried by voice vote. The Public Hearing was closed.

Board deliberations:

There were no further comments on the application from Town staff or Planning Board members.

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
JAMES BRENCHLEY, 5106 RUSHMORE ROAD
PRELIMINARY TWO-LOT SUBDIVISION PLAT**

PB #0501-18

APPLICANT: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

ACTION: Preliminary 2 Lot Subdivision Plat: Lot #1 consisting of 20.258 acres of land and Lot #2 consisting of 2.732 acres of land, located on the north side of Rushmore Road, between Sheldon Road and Alderman Road (County Road 28)

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has re-opened the Public Hearing at tonight’s meeting upon the proposed two-lot Preliminary Subdivision Plat application; and

WHEREAS, the Planning Board has received public testimony at tonight’s meeting upon the proposed Preliminary Subdivision Plat (hereinafter referred to as Action); and

WHEREAS, the Planning Board, at the May 2, 2018, meeting, completed its review in accordance with the provisions contained in Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review (SEQR) Regulations); and

WHEREAS, the Planning Board has determined the proposed Action will not create a potentially significant adverse impact upon the environment, thereby satisfying the requirements in Part 617 of Article 8 of the New York State Environmental Conservation Law, the State’s Environmental Quality Review (SEQR) Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby grant Preliminary Subdivision Plat Approval upon this Action with the following conditions:

1. Preliminary Subdivision Plat Approval is based upon the drawing prepared by Venezia Land Surveyors and Civil Engineers, identified as Job # 16031, entitled “Preliminary Subdivision Prepared For: Patricia L. McClure,” dated 3/30/2018 and is subject further to the following conditions contained in this resolution.
2. The title of the drawing is to be amended to read. . . “Preliminary Plat, Lots #1 and #2 Wayne A. & Patricia L. McClure Subdivision.”
3. The Preliminary Plat Map is to contain note that identifies the area variance granted for Lot #2, with conditions, File #ZB 0501-18, dated May 21, 2018.
4. The Preliminary Plat Map is to have a revised date of June 6, 2018.

5. Signature lines are to be added to the revised Preliminary Plat Map for the Town Highway Superintendent and the Town Planning Board Chairperson.
6. Once these changes have been to the revised Preliminary Plat Map, then four (4) paper prints are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Upon his acceptance of the revised Preliminary Plat Map, signatures will be affixed to the four (4) paper prints.
7. The signed Preliminary Plat Maps are to be provided to: the Town Highway Superintendent; the Town Development Office; the Town Engineers; and the applicant. If additional signed copies are required by the applicant, then they are to be provided at the time of signing.
8. Once the Preliminary Plat Maps have been signed, then the applicant may make application to the Planning Board for Final Plat Approval. The applicant is advised to coordinate the Final Plat Application with the Town Development Office.
9. Preliminary Plat Approval is valid for a period of 180 days and shall expire unless drawings have been signed by the Planning Board Chairperson.

Mr. Hemminger asked Mr. Long if he agreed with the conditions of approval. Mr. Long said that he agreed with the conditions of approval. Mr. Long also asked about the procedure for receiving final approval of the subdivision. Mr. Hemminger explained that an application for final approval may be submitted after the Preliminary Subdivision Plat has been reviewed and accepted by the Code Enforcement Office and has been signed.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

4. CONTINUED PRELIMINARY SITE PLAN

PB #0502-18 Continued Preliminary Site Plan Application

Name: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

Location: 5106 Rushmore Road, Palmyra, N.Y. 14522

Zoning District: A-80 Agricultural

Request: Creating Lot #2 consisting of 2.645 acres for a building lot

Mr. Hemminger resumed consideration of this application which began on May 2, 2018.

Mr. Long presented this application. Mr. Brenchley and Mr. McClure also attended.

Mr. Long said that the Preliminary Site Plan has been revised to show a minimum of 30 feet of paved asphalt at the driveway entrance from Rushmore Road. He said that the plan also has been revised to show the separation distance between the proposed septic field and the adjacent septic field to the east, and to show additional details of the drilling site for the new well.

In response to a question from Mr. Brabant at the previous presentation, Mr. Long said that he reviewed maps for the location of wetlands. He said that there are wetlands to the north of the property but that there are no wetlands on the property.

Mr. Brand said that the SEQR determination for this application was addressed on May 2, 2018, and that he has prepared a draft resolution for board consideration this evening for the approval of the application with conditions.

Mr. Brabant confirmed that there are no wetlands on the property and that all MRB Group engineering issues have been addressed by the applicant's engineer.

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

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
JAMES BRENCHLEY, 5106 RUSHMORE ROAD
PRELIMINARY SITE PLAN APPROVAL—LOT #2
WAYNE A. & PATRICIA L. MCCLURE SUBDIVISION**

PB #0502-18

APPLICANT: James Brenchley, 5106 Rushmore Road, Palmyra, N.Y. 14522

ACTIONS: Preliminary Site Plan Approval, Lot #2, consisting of 2.732 acres of land, located on the north side of Rushmore Road, between Sheldon Road and Alderman Road (County Road 28)

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has reopened the public meeting at tonight's meeting upon the proposed Preliminary Site Plan application for the development of Lot #2 of the Wayne A. & Patricia L. McClure Subdivision; and

WHEREAS, the Planning Board has received public testimony at tonight’s meeting upon the proposed Preliminary Site Plan (hereinafter referred to as Action); and

WHEREAS, the Planning Board, at the May 2, 2018, meeting, completed its review in accordance with the provisions contained in Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review (SEQR) Regulations); and

WHEREAS, the Planning Board has determined the proposed Action will not create a potentially significant adverse impact upon the environment, thereby satisfying the requirements in Part 617 of Article 8 of the New York State Environmental Conservation Law, the State’s Environmental Quality Review (SEQR) Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby grant Preliminary Site Plan Approval upon this Action with the following conditions:

1. Preliminary Site Plan Approval is based upon the drawing prepared by McFarland Johnson, identified as Project #18364.00, entitled “Preliminary Application 5106 Rushmore Road, Single Family Residence, Site Layout and Grading Plan,” having a revised date of 5/8/2018 and is subject further to the following conditions contained in this resolution.
2. The title of the drawing is to be amended to read . . . “Preliminary Site Plan & Grading Plan, Lot #2, Wayne A. & Patricia L. McClure Subdivision.”
3. The Preliminary Site Plan & Grading Plan Map is to contain note that identifies the area variance granted for Lot #2, with conditions, File # ZB 0501-18, dated May 21, 2018.
4. The Preliminary Site Plan & Grading Plan Map is to have a revised date of June 6, 2018.
5. Signature lines are to be added to the revised Preliminary Plat Map for the Town Highway Superintendent and the Town Planning Board Chairperson.
6. All comments contained in the Town Engineers letter to the Town Director of Planning and Development, dated May 21, 2018, are to be responded to in writing and revisions made to the Preliminary Site Plan & Grading Plan Drawing as deemed necessary.
7. Once these changes have been to the revised Preliminary Site Plan & Grading Plan Map, then four (4) paper prints are to be submitted to the Town Code Enforcement Officer for his review and acceptance. Upon his acceptance of the revised Preliminary Site Plan & Grading Plan Map, signatures will be affixed to the four (4) paper prints.

- 8. The signed Preliminary Site Plan & Grading Plan Maps are to be provided to: the Town Highway Superintendent; the Town Development Office; the Town Engineers; and the applicant. If additional signed copies are required by the applicant, then they are to be provided at the time of signing.
- 9. Once the Preliminary Site Plan & Grading Plan Maps have been signed, then the applicant may make application to the Planning Board for Final Site Plan Approval. The applicant is advised to coordinate the Final Site Plan Application with the Town Development Office.
- 10. No Building Permits shall be issued until signed Final Site Plan drawings have been filed with the Town.
- 11. Preliminary Plat Approval is valid for a period of 180 days and shall expire unless drawings have been re-approved by the Planning Board.

Mr. Hemminger asked Mr. Long if he agreed with the conditions of approval. Mr. Long said that he agreed with the conditions of approval.

■ A motion was made by MR. MALOY, seconded by MR. VIETS, that the preceding resolution be approved.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

5. CONTINUED FINAL SITE PLAN AMENDMENT

PB #0506-18 Continued Final Site Plan Amendment Application

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

Location: 5966 Collett Road

Zoning District: GI General Industrial

Request: Approval to amend a previously approved Final Site Plan for the construction of a 6,400-square-foot one-story building for truck maintenance and related site improvements

The Preliminary Site Plan with conditions for this project was approved by the Planning Board on December 20, 2017.

The Final Site Plan with conditions for this project was approved by the Planning Board on February 14, 2018.

The application for an Amended Final Site was discussed by the Planning Board at the meeting on May 16, 2018, and was continued to the meeting this evening (June 6, 2018).

Mr. Johnston (of B&B Builders) and Mr. Johnson (of Leonard's Express) presented this application.

Mr. Johnston explained that the vehicle paint booth within the new structure was larger than originally planned. To accommodate the larger paint booth, an overhead door and an entrance driveway were added to the south façade of the structure.

Mr. Brand said that he has prepared a draft resolution for board consideration this evening for the approval of the application with conditions.

Mr. Morse said that concerns about compliance with the Americans with Disabilities Act (ADA) of the sidewalk extending from the structure out to the future sidewalk along Collett Road have been addressed.

Mr. Brabant said that all MRB Group engineering comments have been addressed.

Mr. Viets asked about outdoor lighting on the structure. Mr. Johnston said that the outdoor lighting fixtures would be pointed downward and would be dark-sky compliant.

Mr. Hemminger expressed appreciation for the color elevation rendering of the structure which had been distributed by Mr. Johnston to the board.

Mr. Bellis asked about the size of the paint booth. Mr. Johnson said that the paint booth was originally 20 feet x 40 feet but that the area of the paint booth was enlarged 30 feet x 40 feet to accommodate a separate area for mixing paints and solvents. He said that the additional 10 feet of space required a shift in the orientation of the paint booth to avoid having the booth located between two overhead doors and to avoid having vehicles making a jog when they entered the structure.

Mr. Bellis asked about the width of the new overhead door. Mr. Johnston said that the new overhead door will be 14 feet x 14 feet. He said that the structure will now have two 14-foot x 14-foot overhead doors and two 12-foot x 12-foot overhead doors.

Mr. Viets asked about the entrance doors. Mr. Johnston said that one entrance door would be located on the south side of the structure and one would be located on the west side.

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

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
AMENDED FINAL SITE PLAN**

PB #0506-18

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

**ACTION: Final Site Plan Amendment Application for the construction of
a 6,400-square-foot building and related site improvements at
5966 Collett Road**

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

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

WHEREAS, the Board has previously (File #PB 0201-18) satisfied the procedural requirements set forth under the State Environmental Quality Review (SEQR) Regulations.

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

1. Final Site Plan Approval is based upon the drawing prepared by Marks Engineering, entitled “Final Site Plan, K&P Associates, Showing Land in: 5966 Collett Road, Town of Farmington,” having revised date of 04/30/18, drawing number C100, subject to these conditions of approval:
 - a. The title of the drawing is to be amended to read *AMENDED FINAL SITE PLAN*.
 - b. The concrete sidewalk extending from the entrance to the building out to the future sidewalk along Collett Road, is to be a continuous surface that is compliant with the Americans with Disabilities Act. The Amended Site Plan drawing is to be revised to reflect this condition.
 - c. There is to be signature lines added for the Town Highway Superintendent, the Town Water and Sewer Superintendent, and the Town Engineer.
 - d. The note on the site plan that reads . . . “Conc. sidewalk to easement” is to be amended to read . . . “Conc. Sidewalk to connect to future sidewalk across the frontage of the property that is to be installed by others.”

2. A new Building Elevation Drawing, is required to replace the existing Building Elevation Drawings dated 12/10/2017, prepared by Mike Gullace, identified as Drawings R-1 of 2 and R-2 of 2, having a title “5966 Collett Rd Garage.” This new Building Elevation Drawing is to provide the exterior elevation which shows the 14' by 14' overhead door that is to be placed on the south elevation of the structure. The new Building Elevation Drawing is to be reviewed by and accepted by the Town Planning Board Chairperson.
3. Prior to the issuance of the Certificate of Occupancy for the building, the liber and page numbers for the filing of the sidewalk easement to the town of Farmington is to be provided to the Town Code Enforcement Officer.
4. The applicant is to submit four (4) sets of paper prints of the above referenced drawings for signing by those listed on the final Site Plan Drawings and the final Building Elevation drawings. If additional copies of these drawings are needed by the Applicant, then the additional number is to be provided at the time of signing.
5. Once the amended Final Site Plan drawings and the amended Final Building Elevation drawings have been signed, then the applicant may submit a separate application for a new Building Permit for the proposed paint booth to the Town Code Enforcement Officer.
6. This resolution granting Final Site Plan approval and Final Building Elevation drawings approval shall expire within 180 days from today, unless renewed by the Planning Board under separate resolution prior to the date of expiration.

Following the reading of the resolution, Mr. Johnson asked about Condition #5 concerning an application for a new Building Permit for the proposed paint booth. Mr. Brand said that this condition provides clarification of the Final Site Plan amendment. He said that the original Final Site Plan did not provide for an additional driveway across the front of the building and a new overhead entrance door into the building where the relocated paint booth is now proposed. This has resulted in a change to the Building Elevation drawing previously approved. Thus the original Building Permit application, which was dependent upon the original site plan approval, has changed.

Mr. Hemminger asked about the ADA compliance of the sidewalk extending from the structure to the future sidewalk along Collett Road. Mr. Morse said that the concrete sidewalk is permitted to cross the asphalt pavement of the driveway on the condition that the height differences are within ADA parameters.

Mr. Hemminger asked Mr. Johnston and Mr. Johnson if they agreed with the conditions. Mr. Johnston and Mr. Johnson said that they agreed with the conditions.

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

Adrian Bellis

Aye

Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

6. NEW PRELIMINARY SITE PLAN

PB #0601-18 New Preliminary Site Plan Application

Name: American Properties of WNY, LLC, 6112 Collett Road, Farmington, N.Y. 14425

Location: Northeast corner of the State Route 332/Collett Road Intersection (American Equipment LLC, 6112 Collett Road)

Zoning District: GB General Business

Request: Construction of a one-story 18,500-square-foot maintenance building and associated site improvements on approximately 8.4 acres of land

Mr. Swedrock of BME Associates presented this application. Mr. Lawless of American Equipment LLC and Mr. Heagney of LeFrois Builders also attended.

Mr. Swedrock said that the comments received from the Planning Board at the informal sketch plan presentation on April 18, 2018, and the comments received from the Project Review Committee on June 1, 2018, have been incorporated into the Preliminary Site Plan.

The proposal is to construct an 18,150±-square-foot one-story maintenance building and a possible 2,000-square-foot building addition. The proposal also includes nine truck bays and 34 parking spaces for employees, customers and guests. Access is proposed from the existing private drive serving American Equipment. A common access and utility easement is proposed for both parcels.

The property is zoned GB (General Business) and MTOD (Major Thoroughfare Overlay District). The proposed development will meet all the setback and bulk standards for lot coverage, access, landscaping and parking requirements.

A proposed sanitary sewer lateral will be extended from the existing sanitary sewer on the northeast portio of the property with an oil/water separator proposed for the maintenance building. A new combined domestic and fire water service will connect to the exist-

ing water main located along the private drive to serve the proposed building and fire suppression system building.

The overall Preliminary and Final site plans will include a comprehensive stormwater management plan to meet the current NYSDEC regulations for water quantity and quality; as well as landscaping and lighting improvements proposed with the site development.

Mr. Swedrock said that a significant berm and landscaping would be installed along the western property boundary to screen the structure from the view from State Route 332. He also said that two overhead garage doors have been eliminated from the design of the structure and that additional landscaping will be added to the frontage of the structure to further break up the view.

Mr. Swedrock distributed samples of the building material and a color elevation rendering of the structure.

Following discussion at the Project Review Committee meeting on June 1, 2018, Mr. Swedrock explained that an existing fire hydrant and an eight-inch water main will be dedicated to the Town. He also said that the sanitary sewer on the property will be dedicated to the Town and that an easement to the Town will be filed.

Mr. Swedrock said that a lighting plan has been provided and that the application will be presented to the Ontario County Planning Board (OCPB) on June 13, 2018. It is expected that the application will be on the Town Planning Board agenda on June 20, 2018, for Preliminary Site Plan consideration.

Mr. Swedrock said that the two advertising billboards on the property will be removed. He said that a note about the removal will be added to the plans and that the applicant is working to determine the timing of the removal.

Mr. Brand said that the Planning Board cannot act upon the application this evening because the application is pending before the OCPB.

Mr. Brand said that the Town Code indicates that building permits may not be issued if there are nonconforming uses on a site. He said that the existing advertising billboards are nonconforming uses and that the applicant may wish to advance the date of removal to allow for the issuance of Building Permits.

Mr. Degear said that he was pleased that the issues with the private fire hydrant, the dedication of the water and sewer lines, and the associated easements will be resolved with this application.

Mr. Brabant said that he is working with Mr. Swedrock on the easements. He said that that the stormwater management facilities must be designed to handle the full build-out of the project and that he will issue an MRB Group engineering comment letter shortly.

Mr. Brabant also noted that the plans do a good job at addressing some of the board's concerns regarding landscaping and the visual aspect of the structure from State Route 332.

Mr. Maloy asked about the earthwork balance. He said that it appears that a large amount of fill is to be brought onto the site. Mr. Swedrock said that the earthwork is in balance with the stormwater retention pond. He said that some fill may come from the pond area and that the applicant will have additional fill available from this site or from another site.

Mr. Maloy requested that Mr. Swedrock review new regulations from the New York State Department of Environmental Conservation regarding fill brought in from another site.

Mr. Maloy asked if there are plans to include a sidewalk connection from the new structure to the existing sidewalk along Collett Road. Mr. Swedrock said that there are no plans for a connecting sidewalk. He said that the new structure will be used for equipment maintenance by employees would not be used by retail customers.

Mr. Hemminger said that the Planning Board will require the installation of a sidewalk from the new structure to the existing sidewalk on Collett Road. He said that similar sidewalk connections from new structures to existing sidewalks have been required of other applicants.

Mr. Maloy asked about the side slopes of the pond. Mr. Swedrock said that the slopes are 4:1.

Mr. Maloy asked about the drainage swale along the east and north sides of the property. Mr. Swedrock said that this would be a flat grass swale and would allow for some infiltration.

Mr. Maloy asked about the spacing of check dams and about the total acreage of disturbance. He said that the applicant's State Environmental Quality Review (SEQR) indicates that more than eight acres will be disturbed. Mr. Swedrock reviewed the plans and noted that 8.4 acres of disturbance are shown. He said that he will apply for a five-acre permit.

Mr. Maloy noted that there are discrepancies in the figures shown for acreage on the application and the SEQR. He requested that the calculations be reviewed and clarified.

Mr. Bellis asked about the height of the berm to be installed parallel to State Route 332. Mr. Swedrock said that the berm would be about 10 feet high. Mr. Bellis said that he did not believe that the berm would be high enough to screen the structure from the view of motorists using State Route 332. Mr. Swedrock said that plantings would be installed atop the berm to further screen the structure from view.

Mr. Bellis asked about the storage containers in front of the existing building. Mr. Lawless said that the new structure would be located in this area.

Ms. Neale said that the structure as depicted in the elevation rendering is bland and blank. She said that architectural features should be added to break up the front façade of the structure and that additional landscaping is needed. Ms. Neale also said that she agrees that a sidewalk extending from the new structure to the existing sidewalk on Collett Road should be installed.

Mr. Bellis said that the structure as depicted on the elevation rendering has the appearance of a pole barn. He said that he is not pleased with the look of the structure and that he does not believe that removal of two overhead doors and the berm along State Route 332 are enough to improve the visual impression of the structure.

Ms. Neale said that she is also having a problem with the visual impression of the structure. She said that she definitely supports the installation of the sidewalk.

Mr. Viets asked how the use of the property complies with the provisions of the General Business (GB) zoning district. He said that the use appears to be a contractor's storage yard which should be in the General Industrial (GI) district. He said that he does not see anything in the GB district regulations which matches the uses which the applicant proposes. Mr. Viets also said that he is concerned about outdoor storage of equipment on a stone surface. He said that he does not see how the proposed structure complies with the provisions of this zoning district.

Mr. Viets also said that he does not believe that the berm along State Route 332 provides adequate screening of the structure.

Mr. Morse said that he discussed the zoning district with Mr. Swedrock and that he will provide the Planning Board with his determination. He said that American Equipment has had outdoor storage of vehicles and equipment for many years, that the new structure would be a complement to the business operation, and that the new structure would address the company's needs due to the growth of the business.

Mr. Viets said that the new structure is proposed for construction on a different parcel of land than the existing business operation.

Mr. Lawless said that the company's existing buildings do not have the space for larger equipment. He said that that the new structure will provide a safer environment for employees and more room for fabrication and equipment maintenance.

Mr. Viets requested that the applicant consider relocating the new structure farther from State Route 332 and closer to the GI zoning district.

Mr. Bellis said that he would like to have more information at the next meeting regarding the rationale for placement of the new structure so close to State Route 332 and why it cannot be relocated elsewhere on the site. He again said that he did not believe that the berm will be high enough to screen the view of the structure from the road.

Mr. Heagney said that the location of the structure on the site was determined following a review of truck access. He said that an alternate location on the site was considered but that the location as proposed was the most economical way to provide adequate turning radii for large equipment. He said that the new structure would be a drive-through facility for large vehicles and equipment.

Mr. Hemminger discussed the concept of the Town and State Route 332 as the “Gateway to the Finger Lakes.” He said that a pole-barn-like structure is not the image which the Town wishes to convey. He requested that consideration be given to breaking up the flat contour of the structure perhaps by the addition of faux windows or other architectural treatments to make the structure more aesthetically pleasing. Mr. Heagney asked which are the more important sides to consider these treatments. Mr. Hemminger said that the south side of the structure which will face Collett Road and the west side of the structure which will face State Route 332 are the most important sides.

Mr. Bellis asked about the surface of the outdoor equipment storage area and about the flow of oils and other liquids which may drain from the equipment. Mr. Swedrock said that the drainage would flow to a swale and then to a bioretention area for filtering prior to entering the stormwater retention pond.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN CONTINUATION**

PB #0601-18

APPLICANT: American Properties of WNY, LLC (American Equipment),
6112 Collett Road, Farmington, N.Y. 14425

ACTION: Preliminary Site Plan Application to construct an 18,500-square-foot maintenance building and associated site improvements on approximately 8.4 acres of land located north of Collett Road and east of State Route 332

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has, at tonight’s meeting, opened this application for public comment; and

WHEREAS, the Board has been made aware that this application is currently being reviewed by the Ontario County Planning Board, which will be making a recommendation thereon, under the provisions of Sections 239-l and -m of the New York State General Municipal Law, at its June 13, 2018, meeting; and

WHEREAS, the Board may not take action upon this application until after the County Planning Board’s recommendation has been made.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to table any further consideration of this application for Preliminary Site Plan Approval and to continue its deliberations at the June 20, 2018, meeting.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

7. FINAL SITE PLAN AMENDMENT

PB #0602-18 Final Site Plan Amendment Application

Name: DiFelice Development Corporation, 91 Victor Heights Parkway, Victor, N.Y. 14564

Location: Redfield Grove Incentive Zoning Project, Section 1: Redfield Grove Subdivision, west of Hook Road and opposite King Hill Rive

Zoning District: IZ Incentive Zoning

Request: Approval to amend a previously approved Final Site Plan for lots in Section 1 of the Redfield Grove Incentive Zoning Project

The Preliminary Overall Subdivision Plat approval for this project was approved by the Planning Board on September 16, 2015.

The Final Subdivision Plat and the Final Site Plan for Section 1 for this project were approved by the Planning Board on May 4, 2016.

Mr. Parrone (of Parrone Engineering(and Mr. DiFelice (of DiFelice Development Corporation) presented this application.

Mr. Parrone reviewed the proposed amendments to the Final Site Plan for Section 1 of the Redfield Grove Subdivision as listed in a letter from Parrone Engineering to the Town on May 21, 2018, i.e.:

- 1. Site Plan**

The building lots on the south side of Redfield Drive has been changed for Type B to Type A in order to locate the utility laterals at the center of lots.
- 2. Utility Plan**

Infiltration tests were performed on the site, and based on the results, the developer requested a change in the Green Infrastructure Practices. Due to poor infiltration rates at the south lots, the rain gardens were eliminated and a 12-inch storm sewer and field inlets were added along the rear of the south lots (24–35) to pick up the drainage from the lots (24–35) and the rear of the adjoining properties to the south and direct it to the stormwater management facility. The north lots (37–54) of Redfield Grove have good infiltration rates. Therefore, the rain gardens were replaced with dry wells along the rear of the north lots. The 18 dry wells were designed to achieve the minimum NYSDEC required RR (Runoff Reduction Volume) for Phase 1.
- 3. Grading Plan**

In order to achieve drainage to the storm sewer at the rear of the south lots (24–35), the building pads for lots 30–35 were raised to an elevation of 619.0. The grading plan was also changed at all lots to reflect the 1.7-foot drop from the front of the building to the back of the building. The grading along the rear lot line of the north properties was pushed back to achieve a more even slope through the backyard in order to accommodate the dry wells. Lots 37, 38 (the model) have been raised to a 13-course basement in order to model a finished basement, which raised the rear elevation of 0.9-foot. Lots 39 40 were raised to 1.1-foot to adjust the grade change of Lots 37 and 38. Future lots with finished basements will not be raised, but will be achieved through deeper foundations. However, the field change for the model was made after the foundations were in place.
- 4. Landscape Plan**

Typical lot plantings for the south lots (24–35) were revised to match the Type A landscaping layout. Lot 36 was revised to add 8 additional trees. Two trees were added to each lot at the rear of Lots 25–35. Two additional trees were added to the rear of each lot of Lots 49–54. We have added 6-foot-high cedar fence on the top of slope of Lots 49–54.
- 5. Lighting Plan**

Lighting on the north side of Redfield Drive was moved to the south side to allow for consistent lighting along the sidewalk and to avoid storm and water utilities located along the north side of the road. This will allow for easier access for utility maintenance and also provides better lighting along the inside curve of the street.
- 6. Detail Plans—C8.2 and C8.5**

The dry well detail was added to C8.2. The Typical Lateral Placement details for Lots 46–54 and Lots 37–45 were added to C8.5.

Mr. Brand asked about the builder's intention for Lot #36 at the corner of Hook Road and Redfield Drive where no landscaping is shown. Mr. DiFelice said that the driveway configuration of this lot is being changed at this time. Mr. Brand referred to Condition #4 in the draft resolution for this application which indicates that the existing driveway for Lot #36 to Hook Road is to be closed off at the time of dedication of Redfield Drive and the area is to become lawn.

Mr. Hemminger asked about Condition #6 in the draft resolution regarding amendments which may affect the homeowners' association agreement. Mr. Brabant said that references to the maintenance of the originally-proposed rain gardens may be the only affected item in the homeowners' association agreement.

Mr. Hemminger expressed concern that one or more residents may mow the drainage swale or otherwise impede its function as a drainage channel. Mr. Parrone said that he did not believe that homeowners would do this.

Mr. Morse said that his concerns have been addressed by Mr. Brabant and by the presentation of this amendment at the Project Review Committee meeting on June 1, 2018.

Mr. Brabant said that all of the MRB Group engineering comments have been addressed. He said that the dry wells and other drainage amendments are good options.

Ms. Neale said that she wished that the home on Lot #37 was not built so close to the road. She also requested that Mr. DiFelice carefully monitor the planting of the trees and other landscaping to assure that they remain healthy and do well.

Mr. Parrone noted that Hook Road has been posted to restrict large truck traffic.

Mr. Hemminger requested that measures be taken to assure that the drainage swale remains functional and does not become impeded by the actions of residents.

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

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN AMENDMENT APPROVAL**

PB #0602-18

**APPLICANT: DiFelice Development Corporation, 91 Victor Heights
Parkway, Victor, N.Y. 14564**

**ACTION: Application for Final Site Plan Amendment for Lots Contained
in Section 1 of the Redfield Grove Incentive Zoning Project**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has, at tonight's meeting, opened this application for public comment; and **WHEREAS**, the Board has given consideration to the comments provided at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to approve the amended site plan drawing for Section 1 with the following conditions of approval:

1. This approval is based upon the set of revised Final Site Plan drawings prepared by Parrone Engineering, entitled "Final Site Plan for Redfield Grove Phase 1," Project Number 6931, Drawings Number C1.0, C3.0, C4.0, C6.0, C7.0, C8.2 and C8.5, having a revision date of 3/29/18 as further amended by this resolution.
2. On each of the above referenced drawings the revision boxes are to have an additional entry that reads . . . "Amended Site Plan Approval by Planning Board, dated 6/6/2018, PB #0602-18."
3. Lot #36 is to be further amended to provide additional landscape that duplicates the landscaping shown for Lot #37. In addition, Lot #37 landscaping plan is to show all existing trees and shrubs that are to remain.
4. The existing driveway for Lot #36 to Hook Road is to be closed off at the time of dedication of Redfield Drive and the area is to become lawn.
5. The details for the six-foot-high Cedar Fence shown on Drawing C6.0 are to be provided on a Detail Sheet.
6. All changes approved by the Planning Board to the final site plan drawings are to be reflected in changes to the Home Owner's Agreement.
7. All comments made in the Town Engineer's May 30, 2018, report to the Town Director of Planning and Development are to be reflected upon revised drawings where requested in said report and the additional maps and legal descriptions are to be provided as well. Finally, the most current NOI is to be provided.
8. Signature blocks for the Town Highway Superintendent, the Town Water and Sewer Superintendent, and the Town Engineer are to be added to each of the drawings identified in Condition #2 above.
9. One (1) revised set of all final site plan drawings referenced above in Conditions #1 and #2 herein, including C1.0, is to be provided to the Town Code Enforcement Officer for his review and acceptance. Once accepted as being correct, then a total of five (5) sets of the revised drawings are to be submitted for signing. If additional signed copies are required by the applicant, then they are to be provided at the time of signing.

Mr. Hemminger asked Mr. DiFelice and Mr. Parrone if they agreed with the conditions. Mr. DiFelice and Mr. Parrone said that they agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Following the vote, Mr. Bellis asked about the design of Section 2 of the Subdivision. Mr. Parrone said that the driveways, sidewalks and other features of Section 2 would be similar to the approved amendments in Section 1. He said that the Preliminary Overall Subdivision Plat for this project was approved on September 16, 2015, and that a final site plan application for Section 2 would be submitted for board consideration.

Mr. Viets asked if the maintenance of the cedar fence would be a responsibility of the homeowners’ association. Mr. DiFelice said that all maintenance will be the responsibility of the homeowners’ association.

8. NEW FINAL 3-LOT RESUBDIVISION

PB #0603-18 New Final 3-Lot Resubdivision Application

Name: Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625

Location: East and north of the KFC Restaurant at 1301 State Route 332

Zoning District: GB General Business

Request: Final Three-Lot Resubdivision Plat approval for the creation of
three (3) new parcels of land (Lot #R-1, Lot #R-2 and Lot #R-3)
located east of State Route 332 and south of State Route 96

The State Environmental Quality Review (SEQR) determination for this project (Unlisted Action, negative declaration) was approved by the Planning Board on March 7, 2018.

The Zoning Board of Appeals approved eight (8) Area Variances for this project on March 19, 2018.

The Planning Board approved the Preliminary Three-Lot Resubdivision Plat on April 18, 2018.

Mr. Tomlinson and Mr. Finley presented this application.

Mr. Tomlinson said that the applicant has addressed the final MRB Group comments and that the Stormwater Pollution Prevention Plan (SWPPP) has been submitted to the Town. He said that he and Mr. Finley received the draft resolutions for approval of the Final 3-Lot Subdivision Plat and the accompanying Final Site Plan and have no issues with the conditions of approval.

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

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
FINAL THREE LOT RE-SUBDIVISION APPROVAL**

PB #0603-18

**APPLICANT: Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625**

**ACTION: Final Re-Subdivision Plat Application for the creation of three
(3) new parcels of land located east of State Route 332 and
south of State Route 96**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has, at tonight’s meeting, opened this application for public comment; and

WHEREAS, the Board has given consideration to the comments provided at tonight’s meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to approve the proposed Three Lot Re-Subdivision cited above herein, with the following conditions of approval:

1. This final re-subdivision plat approval is based upon the drawing prepared by Madge Land Surveying, P.C., entitled “Final Re-Subdivision Plat Map,” Lots R-1, R-2 and R-3 Indus Real Estate II, LLC, last revised 5/24/2018 as is hereby further amended by this resolution.
2. A signature line is to be added to the Re-subdivision Plat Map for the Town Water & Sewer Superintendent.

3. The Surveyor’s Seal and signature is to be added to the Final Re-Subdivision Plat Map before signing by the Planning Board Chairperson.
4. The Plat Map is to show a revised date of 6/06/2018, the date of Planning Board Approval, which reflects these conditions of Final Plat Approval.
5. One paper print of the Final Re-Subdivision Plat Map is to be submitted for review by the Town Code Enforcement Officer. Upon his review and acceptance, then the mylar and seven (7) paper prints are to be submitting for signing.
6. A signed mylar and two (2) signed paper prints are to be filed in the Ontario County Clerk’s Office within 62 days of the date of signing by the Planning Board Chairperson.
7. The remaining five (5) signed paper prints are to be filed as follows: one copy with the Town Water and Sewer Superintendent; one copy with the Town Engineers Office; one copy with the New York State Department of Transportation, Ontario County Office; one copy with the Town Development Office; and one copy with the applicant. Should the applicant desire additional copies then they are to be provided at the time of signing.
8. No Building Permits shall be issued until an acceptable form of surety has been filed with the Town Clerk.
9. No Pre-Construction Meeting shall be scheduled until all easement documents have been submitted to the Town Construction Inspector, accepted by him and forwarded to the Attorney for the Town.
10. A copy of this resolution is to be filed with Greg Trost, Assistant Resident Engineer, NYSDOT Ontario County Office, 125 Parrish Street, Canandaigua, New York 14424.

Mr. Hemminger asked Mr. Tomlinson and Mr. Finley if they agreed with the conditions. Mr. Tomlinson and Mr. Finley said that they agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

9. NEW FINAL SITE PLAN**PB #0604-18 New Final Site Plan Application**

Name: Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625

Location: East and north of the KFC Restaurant at 1301 State Route 332

Zoning District: GB General Business

Request: Final Site Plan approval to construct a three-story Microtel Hotel with 60 rooms and a 2,100-square-foot Taco Bell Restaurant with drive-through

The State Environmental Quality Review (SEQR) determination for this project (Unlisted Action, negative declaration) was approved by the Planning Board on March 7, 2018.

The Zoning Board of Appeals approved eight (8) Area Variances for this project on March 19, 2018.

The Planning Board approved a Special Use Permit for a 60-room hotel, a Special Use Permit for a fast-food restaurant and the Preliminary Site Plan on April 18, 2018.

Mr. Tomlinson and Mr. Finley presented this application.

Mr. Tomlinson discussed the changes which have been made to the plans since the Preliminary Site Plan was approved in April. These include ramps for ADA accessibility, a gate for the fenced eating area at the Taco Bell Restaurant, and an 18-foot shift in the demarcation line between Phase 1 and Phase 2 to provide for nine additional parking spaces to be constructed during Phase 1.

Mr. Tomlinson noted that Mr. Finley discussed the architectural features of the structures with the Planning Board at a previous meeting.

Mr. Tomlinson said that Mr. Finley will apply for an Area Variance from the Zoning Board of Appeals to allow both the Taco Bell and Microtel Hotels to be listed on one commercial speech sign and to relocate the existing KFC Restaurant sign. The Town Code currently allows only one business name on a sign.

Mr. Finley said that the removal of the topsoil pile over an existing Town utility will be completed during Phase 1 of the project. He said that site lighting will be installed in phases and that construction on the Microtel Hotel may begin this fall. He said that footers for the hotel may be installed by Christmas.

Mr. Brand asked about the standard building elevations which were provided for the Taco Bell Restaurant. Mr. Finley said that these were prototype elevations and have now been revised to reflect the design of the actual Taco Bell Restaurant which will be constructed on the site.

Mr. Brabant said that all MRB Group engineering comments have been addressed, that the SWPPP has been received and that the Town's new stormwater management agreement will be used for this application. He said that the applicant will be submitting the stormwater management agreement in the package of materials which are required prior to the scheduling of a Pre-Construction Meeting. He also noted that the easement documents are in process for submittal to the Town Construction Inspector.

Mr. Morse requested that Mr. Tomlinson review the signature blocks on the Preliminary Plans to assure that these will be correct on the final plans.

Mr. Viets asked about the measures which will be taken to prevent customers from entering the Microtel Hotel construction site. Mr. Finley said that fencing will be installed along the Dunkin' Donuts property. He reviewed the materials staging area on the plans.

Mr. Viets asked about the striping of the Taco Bell parking area. Mr. Finley said that the binder layer of pavement will be striped and that a more dense binder may be used for a year prior to the installation of the top pavement layer.

Ms. Neale expressed appreciation to Mr. Finley for his efforts in providing the board with information, drawings and elevations throughout the planning process.

Mr. Bellis asked about the location of land-banked parking spaces on the plans. Mr. Finley reviewed these locations on the plans.

Mr. Hemminger thanked Mr. Finley and Mr. Tomlinson for accepting the constructive feedback from the Planning Board and from the Town staff during the application process. He said that it is good to work with a developer who is willing to work with the Town and the Planning Board to further improve a project. Mr. Hemminger said that he is still concerned about traffic flow in the area and that he hopes that a road connection to a traffic signal may be possible in the future.

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

Mr. Hemminger then asked the clerk to read aloud the conditions of approval of the following complete resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN APPROVAL**

PB #0604-18

APPLICANT: **Indus Hospitality Group, 950 Panorama Trail S.,
Rochester, N.Y. 14625**

ACTION: **Application for Final Site Plan Approval to construct a Taco
Bell Restaurant with drive-through service; a three-story 60-
room, Microtel Hotel, and related site improvements upon the
Three-Lot Re-Subdivision of lands located along State Route
332**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has, at tonight's meeting, opened this application for public comment; and

WHEREAS, the Board has given consideration to the comments provided at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby move to approve the proposed final site plan cited above herein, with the following conditions of approval:

1. This final site plan approval is based upon the drawing prepared by Marathon Engineering, Job No. 0823-17, Drawing Numbers V1.0, C1.0 through C5.0, C5.1 and C5.2, last revised 5/24/18 as is hereby further amended by this resolution.
2. All comments contained in the MRB Group's report to the Town Director of Planning and Development, dated June 4, 2018, are to be replied to in writing and, where appropriate, changes made to the corresponding drawings prior to signing by the Town Engineer.
3. The site plan (Drawing C1.0) for the proposed Taco Bell restaurant is showing a total of 22 parking spaces, two of which are designated handicapped parking. Therefore, the Planning Board requires the phasing line for this Taco Bell restaurant site to be moved to the east to allow for 9 additional parking spaces to be constructed at the time of site development for this facility. In addition, the Final Site Plan drawing is to be amended to reflect this change.
4. The site plan (Drawing C1.0) for the relocated access to the KFC restaurant is showing a light pole located within the driveway entrance. This light pole is to be relocated and the site lighting illumination pattern shown on the Landscaping and Lighting Plan (Drawing C4.0) is to be changed accordingly.
5. The signature blocks shown on the following drawings will need to be changed to remove the Code Enforcement Officer's name and title and replace with the Town Water and Sewer Superintendent's information. Drawings numbered C1.0, Layout Plan; C3.0, Grading and Erosion Control Plan; and drawing numbers C4.0, Landscaping and Lighting Plan, remove the Town Code Enforcement Officer Signature Block.

- 6. The five (5) new parking spaces shown for the KFC Restaurant (Drawing C1.0, Layout Plan) also needs to be shown on drawing C4.0, Site Lighting and Landscaping.
- 7. The site illumination pattern shown on drawing C4.0, Landscaping and Lighting Plan, reflects both Phase 1 and Phase 2 for this site’s development. The Planning Board directs that the Phase 1 illumination pattern for the Taco Bell parking will be adjusted to reflect the revised lighting required by condition number 2 above.
- 8. The proposed fence enclosure for the outdoor eating area shown on drawing C1.0, Layout Plan, is to be redesigned to added a gated entrance from the parking lot.
- 9. One paper print of the revised Final Site Plan Maps is to be submitted for review by the Town Code Enforcement Officer. Upon his review and acceptance, then five (5) paper sets are to be submitting for signing.
- 10. The five (5) signed paper sets are to be filed as follows: one copy with the Town Water and Sewer Superintendent; one copy with the Town Engineers Office; one copy with the New York State Department of Transportation, Ontario County Office; one copy with the Town Development Office; and one copy with the applicant. Should the applicant desire additional copies then they are to be provided at the time of signing.
- 11. No Building Permits shall be issued until an acceptable form of surety has been filed with the Town Clerk.
- 12. No Pre-Construction Meeting shall be scheduled until all easement documents have been submitted to the Town Construction Inspector, accepted by him and forwarded to the Attorney for the Town.
- 13. A copy of this resolution is to be filed with Greg Trost, Assistant Resident Engineer, NYSDOT Ontario County Office, 125 Parrish Street, Canandaigua, New York 14424.

Mr. Hemminger asked Mr. Tomlinson and Mr. Finley if they agreed with the conditions. Mr. Tomlinson and Mr. Finley said that they agreed with the conditions.

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

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

10. PLANNING BOARD ACTION ITEMS

MIII Incentive Zoning Project, Letter of Credit Release, Earthwork, Final Release Redfield Grove Incentive Zoning Project, Partial Letter of Credit Release No. 4 Redfield Grove Incentive Zoning Project, Partial Letter of Credit Release No. 5

Mr. Brand said that resolutions have been prepared for board consideration this evening for:

- Letter of Credit Final Release, MIII Incentive Zoning Project, Earthwork
- Partial Letter of Credit Release No. 4, Redfield Grove Incentive Zoning Project
- Partial Letter of Credit Release No. 5, Redfield Grove Incentive Zoning Project

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the above-listed Letters of Credit Releases for the MIII Incentive Zoning Project and the Redfield Grove Incentive Zoning Project be blocked for concurrent Planning Board action, that the readings of the following resolutions be waived, and that the following resolutions be approved as submitted by Town staff:

TOWN OF FARMINGTON PLANNING BOARD RESOLUTION REQUEST FOR SURETY RELEASE CERONE INCENTIVE ZONING PROJECT (MIII ENTERPRISES), SECTION 1

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 Engineer, to approve the release of surety for site improvements (earth work, site stabilization, and the installation of erosion and sediment controls) located within Section 1 of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the Engineer's Estimates of Financial Guarantee, and the signed Appendix Form, G1.0, dated May 29, 2018, which accepts the site improvements identified; and

WHEREAS, the applicant has filed a Letter of Credit for the entire site improvements to be made within Section 1 of this Project, which includes amounts addressing earthwork, site stabilization and installation of erosion and sediment controls; and

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested establishment of the Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector and the Town Engineers, does hereby recommend that the Town Board take

formal action to approve the request to release the surety for earthwork, site stabilization and installation of erosion and sediment controls for Section 1 site improvements in the total amount of \$30,353.00.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT RELEASE #4—PARTIAL
REDFIELD GROVE SUBDIVISION, SECTION 1 SITE IMPROVEMENTS**

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 May 29, 2018, to approve a partial release (Release #4) from the above referenced letter of credit for site improvements within Section 1 of the Redfield Grove Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant's Engineer Estimates of Value attachment thereto; and

WHEREAS, 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 \$47,576.48 (Release #4) from this Letter of Credit. The total amount in the Letter of Credit is \$870,840.15, with a balance remaining of \$423,253.98 after the fourth partial release of funds from the letter of credit.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT RELEASE #5—PARTIAL
REDFIELD GROVE SUBDIVISION, SECTION 1 SITE IMPROVEMENTS**

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 May 29, 2018, to approve a partial release (Release #5) from the above referenced letter of credit for site improvements within Section 1 of the Redfield Grove Subdivision; and

WHEREAS, the Planning Board has also received and reviewed the Letter of Credit Release Forms, signed by all Department Heads and the Town Engineers, along with the applicant's Engineer Estimates of Value attachment thereto; and

WHEREAS, 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 \$70,577.70 (Release #5) from this Letter of Credit. The total amount in the Letter of Credit is \$870,840.15, with a balance remaining of \$352,676.28 after the fifth partial release of funds from the letter of credit.

Adrian Bellis	Aye
Edward Hemminger	Aye
Shauncy Maloy	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

11. OPEN DISCUSSION

Director of Development and Planning:

Mr. Brand discussed the following topics:

- The Town Board will conduct a Public Hearing on June 26, 2018, on an amendment to create new Chapter 138 of the Town Code regarding stormwater, erosion and sediment control. The amendment is now under review by the Ontario County Planning Department.
- The preliminary application for the Hathaway’s Corners residential/commercial development which has been proposed for the southwest corner of State Route 332 and County Road 41 will be presented to the Planning Board on June 20, 2018. At this meeting, the Planning Board is expected to declare its intent to be designated as the Lead Agency for making the State Environmental Quality Review (SEQR) determination and to begin the 30-day coordinated review period. Mr. Brand said that no action is expected to be taken upon the application until the first meeting in August.
- The application for the Transportation Alternatives Program (TAP) grant for installation of sidewalks is being refined. A revised drawing is available for review in Mr. Brand’s office. Sidewalk priority areas include the residential townhouse development on State Route 96 opposite Finger Lakes Gaming and Racetrack, the State Route 96/Mertensia Road intersection, and a section along County Road 41 west of the State Route 332/County Road 41 intersection.

- Work continues on construction of the Auburn Trail Connector Project. This section of the Auburn Trail will extend from County Road 41 to State Route 332 and terminate on Canandaigua–Farmington Town Line Road. The project is in Week 12 of the 36-week schedule with completion in November.
- The developer of the Farmington Market Center is planning to meet with representatives of the New York State Department of Transportation to review revised State Route 96 road improvements. The first phase of this project will be the Tops Supermarket Fuel Station and the freestanding Canandaigua National Bank building. Mr. Brand said that the Phase 2 commercial component will be proposed later based upon an increase in the population density of the Town and upon business interest in the location. He noted that security lighting at the bank branch may become a concern with the proximity of the structure near the State Route 96 vehicle traveling lane.
- An amendment to the Auburn Meadows Subdivision approval is under consideration to permit landscaping fencing in the subdivision. Proposed dimensions are now under review. The proposal will be presented to the Town Board.
- A letter from Mr. Brand to 104 Contractors Inc. (the contractor for Auburn Meadows Subdivision) was distributed to the board. The letter is in regard to hydro-seeding and the replacement of a street tree on the property of Joseph and Maherly Schaeffer, 1785 Opal Drive. The landscaping work is to repair damage to the property which was caused by the installation of sewers. Mr. Brand said that the contractor will make the landscaping repairs tomorrow (June 7, 2018).

Code Enforcement Officer:

Mr. Morse said that a Town staff meeting will be held tomorrow (June 7, 2018) to review internal procedures to deal with the increasing workload in the Building Department due to the continued residential and commercial growth of the Town. He reported that the number of Building Permits issued by the Town had reached 300 about two weeks ago, that the number increased in one week to 350, and that 14 of these permits are for new single-family homes.

Mr. Morse said that board members should advise him if a different time schedule would be preferred for the distribution of Planning Board packets prior to a meeting. He noted that the Building Department staff of three code officials has not increased in the past 10 years and that the existing staff is working diligently to meet the increasing workload.

Mr. Morse also noted that code inspections are conducted upon receipt of notice of violations. He reported that there have been more than 100 violations at a manufactured home park and three homes in the park were found to have no Certificates of Occupancy.

Water and Sewer Superintendent:

Mr. Degear reported that a water main break at a home on Coral Drive in Section 1 of Auburn Meadows Subdivision is creating difficulty because the water main is located under the homeowner's driveway. He said that the break was caused by acids in the soil which deteriorated the copper pipe. Mr. Degear requested that the Planning Board assure that water, sewer and electrical utility installations be kept clear.

Town Engineer:

Mr. Brabant reported that the Site Design Criteria document has been adopted by the Town Board and is posted on the Town website. He will meet next week with Supervisor Ingalsbe to review a possible separate web portal for the posting of this and other files which may make it easier for viewers to locate the files online.

He also reported that a Pre-Construction Meeting checklist has been developed to assist the Building Department staff in receiving the materials which are needed from applicants in advance of Pre-Construction Meetings. He said that the applicants would be responsible to assure that each of the items on the checklist are provided to the Building Department.

Mr. Brabant said that MRB Group has been working with the Town on the TAP sidewalk grant application. He also reported that MRB Group is working on the design of Ivory Drive at its connection with the MIII mini-storage project and the Auburn Trail Connector. He noted that some modifications to Ivory Drive in the Auburn Meadows Subdivision may be required.

Mr. Brabant said that a sewer capacity study is now underway in anticipation of the Beaver Creek Incentive Zoning Project and the Farmington Pointe (1600 Rochester Road/Laviano) Incentive Zoning Project. He said that flow meters will be installed to several pipe alignments and that the installation of additional flow meters may be considered. Mr. Brabant said that an update will be presented to the Town Board Public Works Committee next week. He said that there is adequate capacity in the sewer trunk line now but that the capacity of the system must be evaluated in anticipation of future projects. He also noted that the rock formations under State Route 332 and in other areas of the Town create additional concerns for the installation of new utility lines.

Mr. Brabant said that a Public Information Meeting has been scheduled for Monday, June 11, 2018, at 6:30 p.m. at the Town Hall to provide updates on Phase 1 of the development of Beaver Creek Park, on the pedestrian bridge crossings of Beaver Creek connecting the Lillybrook Court and the Monarch Manor neighborhoods to the Beaver Creek Park site, and on the Auburn Trail Connector project.

Mr. Brabant discussed the submission to the Town of the Hathaway's Corners project on June 11th and its presentation to the Planning Board on June 20th. He expressed concern

about a five-day turnaround on such a large project. Mr. Brand discussed the Planning Board's SEQR timeline and noted that it would be between 45 days and 60 days from the time of the initial presentation to the Planning Board before the first Public Hearing would be held.

Board Members' Comments:

Mr. Hemminger discussed the monthly Project Review Committee meetings at which a number of technical details regarding the applications are discussed by Town staff, applicants and representatives from the New York State Department of Transportation, Ontario County Planning Board and other agencies. He encouraged Planning Board members to attend as their schedules will permit.

12. PUBLIC COMMENTS

Mr. Dykes (6137 Hanover Road) asked about the issue with the New York State Department of Health (DOH) at the Farmington Gardens II project site, as reported in recent Planning Board minutes. Mr. Degear explained that the DOH ordered the Town not to accept dedication of the utilities because the contractor began work prior to receipt of DOH approval. Mr. Degear said that he and Supervisor Ingalsbe met with DOH representatives and agreed that no projects will begin without DOH approval. Mr. Degear said that the Farmington Gardens II engineer has now addressed all DOH concerns and that he will communicate this in a letter to the DOH tomorrow (June 7, 2018).

Mr. Dykes also asked about issues with Town inspections which were discussed in the minutes of a previous meeting. Mr. Morse said that the issues do not involve structural problems. He said that the issues involve communication between the contractors and the Building Department in scheduling and performing inspections. He said inspections must be scheduled 48 hours in advance and can involve up to 10 footer inspections alone for one structure. Mr. Morse said that weather and contractor schedules often create inspection conflicts. He said that the Building Department staff is continuing to work through the rapid growth of commercial and residential building in the Town with the existing number of staff members.

Mr. Degear said that some projects have very aggressive contractors who sometimes go ahead and perform work without an inspection. In those cases, the Town requires that pipes and utilities may have to be dug up for verification. He said that the Town currently has four staff members to make construction-site inspections.

Mr. Hemminger said that the Town staff is doing well in holding the contractors accountable. Mr. Morse said the staff assures that the construction work is completed properly. He said that the inspectors are careful and go by the book.

Mr. Bellis expressed concern that moving up the day for distribution of Planning Board packets could create additional time constraints for the staff. Mr. Viets suggested that some materials could be provided in electronic PDF format.

13. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 9:25 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, June 20, 2018, at 7:00 p.m.

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

Respectfully submitted,

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