

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, March 1, 2017, 7:00 p.m.

APPROVED MINUTES

The following minutes are written as a summary of the main points that were made and the actions taken at the Town of Farmington Planning Board meeting.

Board Members Present: Adrian Bellis
Edward Hemminger
Scott Makin
Mary Neale
Douglas Viets

Staff Present:
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group P.C.
Don Giroux, Town of Farmington Highway Superintendent
James Morse, Town of Farmington Code Enforcement Officer

Applicants Present:
None

Residents Present:
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425
Tim DeLucia, 1452 Mertensia Road, Farmington, N.Y. 14425
Melissa and Brian Sandore, 6143 Hanover Road, Farmington, N.Y. 14425

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited. Since everyone in attendance was familiar with the Planning Board members, Town staff and emergency procedures and exits, Mr. Makin omitted introductions and the review of these items this evening.

Mr. Makin said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on March 2, 2016.

2. APPROVAL OF MINUTES OF FEBRUARY 15, 2017

■ A motion was made by MS. NEALE, seconded by MR. HEMMINGER, that the minutes of the February 15, 2017, meeting be approved.

Motion carried by voice vote.

3. PRELIMINARY SITE PLAN

Name: Jaswin Gandhi, 6460 Cedar Creek Way, Farmington, N.Y. 14425

Location: 6037 NYS Route 96, Farmington, N.Y. 14425

Zoning District: GB General Business

Request: To rebuild a one-story 18-unit motel (with a second-story apartment) that was recently destroyed by fire (America’s Best Value Inn)

Mr. Makin resumed the discussion of this application that began with informal presentations at the Project Review Committee meeting held on February 3, 2017, and the Planning Board meeting held on February 15, 2017.

Mr. Brabant reported that an e-mail dated February 22 2017, was received from John F. Shields III, P.E., the applicant’s design engineer, in which Mr. Shields requested that the Planning Board continue the application to March 15, 2017. Mr. Shields indicated in this correspondence that the applicant is working toward the resolution of the concerns raised by the Project Review Committee and the Planning Board at the previous meetings.

Mr. Brabant said that the major issues, among others, being addressed are fire apparatus access to the easternmost structure on the property and the connection to the sanitary sewer.

■ A motion was made by MR. HEMMINGER, seconded by MS. NEALE, that the Preliminary Site Plan application of Jaswin Gandhi to rebuild a one-story 18-unit motel (with a second-story apartment) that was recently destroyed by fire (America’s Best Value Inn) be continued to March 15, 2017.

Motion carried by voice vote.

4. OPEN DISCUSSION

**Redfield Grove Final Subdivision Plat and Final Site Plan (Section 1) Approvals—
Second 90-Day Extension:**

The First 90-day extension of the Final Subdivision Plat and Site Plan Approval (Section 1) of the Redfield Grove Incentive Zoning Project was approved on December 21, 2016, for a period of time from December 22, 2016, to March 21, 2017.

Mr. Brand prepared a resolution for board consideration this evening for the Second 90-day extension of the Final Subdivision Plat and Site Plan Approval (Section 1) of the Redfield Grove Incentive Zoning Project for a period of time from March 21, 2017, to June 19, 2017.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the reading of the resolution be waived.

Motion carried by voice vote. The reading of the resolution was waived.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SUBDIVISION PLAT APPROVAL AND FINAL SITE PLAN APPROVAL OF SECTION 1
REDFIELD GROVE INCENTIVE ZONING PROJECT—SECOND 90-DAY EXTENSION**

PB #0505.1-16

**APPLICANT: Carlton S. Hewings (Parrone Engineering), on behalf of
DiFelice Development Inc., 91 Victor Heights Parkway,
Victor, New York 14564**

**ACTION: Second 90-Day Extension—Final Subdivision Plat Approval
and Final Site Plan Approval of Section 1: Redfield Grove
Incentive Zoning Project**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has on December 21, 2016, granted a 90-day extension to the Final Subdivision Plat and Final Site Plan approvals for Section 1 of the Redfield Grove Incentive Zoning Project, which will end on Wednesday, March 15, 2017; and

WHEREAS, the Planning Board has reviewed and given consideration to the Ontario County Planning Board Referral #6-2017, dated January 11, 2017; and

WHEREAS, the Applicant's Engineer, Carlton S. Hewings, Parrone Engineering, in a letter to the Director of Planning and Development, dated February 17, 2017, requests an extension of time cited in the resolution acted upon by Planning Board on December 21, 2016; and

WHEREAS, New York State Town Law, Section 276. 7. (c) authorizes the Planning Board to approve an extension of time in which conditionally approved final plat

drawings must be submitted to the Planning Board Chairperson for signature if, in the Planning Board’s opinion, such extension is warranted by the particular circumstances.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has determined that the proposed Action involves only a local administrative decision to extend by 90 days the period of time associated with the original conditions of approval; and that such Action does not entitle or permit the applicant to commence the Action until all requirements of approvals have been fulfilled.

BE IT FURTHER RESOLVED that the Planning Board does hereby find that an extension is warranted and moves to grant a 90-day extension to the Final Subdivision Plat Approval that was last extended on December 21, 2016.

BE IT FURTHER RESOLVED that said 90-day extension is to continue starting on Tuesday, March 21, 2017, and will end on Monday, June 19, 2017.

BE IT FURTHER RESOLVED that all other conditions of original final subdivision plat approval contained in Planning Board Resolution #PB 0505-16 shall continue to remain in effect.

BE IT FINALLY RESOLVED that a copy of this resolution is to be provided to Carlton S. Hewings, Parrone Engineering, The Piano Works, 349 W. Commercial Street, Suite 3200, East Rochester, New York 14445; Frank DiFelice, DiFelice Development, Inc., 91 Victor Heights Parkway, Victor, New York 14564; Judy A. Robinson, United States Army Corps of Engineers, Buffalo Regional Office, 1776 Niagara Street, Buffalo, New York 14207; and to the project file in the Town Development Office.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Larsen–Hook Road Subdivision Project: Second 90-Day Extension

Final Site Plan approval of the Larsen–Hook Road Final Site Plan Amendment (4 Lots) was granted by the Planning Board on June 15, 2016.

The first 90-day extension of the Final Site Plan Amendment was approved by the Planning Board on December 7, 2016, to expire on March 16, 2017.

Mr. Brabant explained that Scott A. Harter, P.E., the applicant’s engineer, has requested a second 90-day extension to enable the New York State Department of Health to complete its review and approval of the public water service that is proposed for the lots.

Mr. Brabant prepared a resolution for board consideration this evening for the Second 90-Day Extension.

■ A motion was made by MR. BELLIS, seconded by MR. VIETS, that the reading of the resolution be waived.

Motion carried by voice vote. The reading of the resolution was waived.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
90-DAY EXTENSION: FINAL SITE PLAN AMENDMENT, 4 LOTS
LARSEN-HOOK ROAD SUBDIVISION PROJECT**

PB #0606.1-16

**APPLICANT: Scott A. Harter, P.E., Professional Engineering Group,
7171 Victor–Pittsford Road, Victor, N.Y. 14564,
on behalf of William Larsen, 18 Steeplechase Drive,
Southington, Connecticut 06489**

**ACTION: 90-Day Extension: Final Site Plan Amendment Approval,
Lots 1–4**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has granted Final Site Plan Approval with conditions for the above referenced Action; and

WHEREAS, the Applicant’s Engineer, Scott A. Harter, P.E., in an e-mail to the Town Director of Planning and Development, dated February 26, 2017, stated that the additional time is needed to receive approvals and therefore requests an extension of time cited in the original resolution adopted June 15, 2016; and

WHEREAS, the reason for said requested extension of time is to enable the New York State Department of Health to complete its review and approval of the public water service that is proposed for these lots; and

WHEREAS, New York State Town Law, Section 276. 7. (c) authorizes the Planning Board to approve an extension of time in which a conditionally approved final site plan must be submitted for signature if, in the Planning Board’s opinion, such extension is warranted by the particular circumstances.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board has determined that the proposed Action involves only a local legislative decision to extend by 90 days the period of time associated with the original conditions of approval and that such Action does not entitle or permit the applicant to commence the Action until all requirements of approvals have been fulfilled.

BE IT FURTHER RESOLVED, that the Planning Board does hereby find that an extension is warranted and moves to grant a 90-day extension to the Final Site Plan Approval that was originally granted on June 15, 2016, and extended by 90 days to March 16, 2017, at the December 7, 2016, Planning Board meeting.

BE IT FURTHER RESOLVED, that said 90-day extension is to commence on Thursday, March 16, 2017, and will end on Wednesday, June 14, 2017.

BE IT FURTHER RESOLVED, that all other conditions of original approval contained in Planning Board Resolution #PB 0606-16 shall continue to remain in effect.

BE IT FINALLY RESOLVED that a copy of this resolution is to be provided to: Scott A. Harter, P.E., Professional Engineering Group; Sheryl Robbins, Geneva Office, New York State Department of Health; David Degear, Town Water and Sewer Superintendent; and to the project file in the Town Development Office.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Federal Express Distribution Center Final Letter of Credit Release:

Mr. Brand prepared a resolution for board consideration this evening for the Federal Express Distribution Center Final Letter of Credit Release.

Mr. Brabant explained that the record drawings of the facility have been completed by the applicant’s engineer. He said that the drawings have been submitted to the Town and that each of the department heads have signed off on the drawings.

■ A motion was made by MR. HEMMINGER, seconded by MR. VIETS, that the reading of the resolution be waived.

Motion carried by voice vote. The reading of the resolution was waived.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL LETTER OF CREDIT RELEASE
FEDERAL EXPRESS DISTRIBUTION CENTER**

PB #0603-15

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received from Ronald L. Brand, Director of Planning and Development, a cover memo and draft resolution to recommend a final release of funds from the letter of credit being held by the Town for site improvements to be made as part of the above referenced Project; and

WHEREAS, the Planning Board has also received and reviewed the Town Engineer’s report and recommendation dated February 23, 2017 recommending the final release of surety in a total amount of \$37,222.20; and

WHEREAS, the Planning Board has also received and reviewed the signed Forms A-1, dated February 21, 2017; and Form B, dated February 23, 2017; 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 partial surety release.

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, Town Highway Superintendent, Town Water and Sewer Superintendent, Town Engineer, Town Code Enforcement Officer and the Town Supervisor, does hereby recommend that the Town Board take formal action to authorize the final release of surety in the total amount of \$37,222.20.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Town Engineer:

Mr. Brabant discussed the Home Leasing Farmington Gardens Phase 2 project proposed for the west side of New York State Route 332, south of Mercier Boulevard.

He reported that MRB Group has recommended that the Town consider having a pre- and post-development analysis conducted of Beaver Creek and its anticipated flood levels in response to residents' concerns that the development may exacerbate the flooding of Beaver Creek.

In a letter to Mr. Brand and Town officials dated February 28, 2017, Mr. Brabant wrote that:

“ . . . The study shall use the U.S. Army Corps of Engineers' HEC-RAS* software to model Beaver Creek within the project areas during the 50-, 100- and 500-year storm events. Pre-development model results should be correlated using the anecdotal evidence presented by the area residents. The post-development model should be based on the applicant's proposal, including the proposed culvert. The study area should be of sufficient scope to fully evaluate the impact of the development. The HAC-RAS analysis would verify whether the proposed development would worsen the flooding experienced by the area residents.”

**Note: HEC-RAS is a computer program that models the hydraulics of water flow through natural rivers and other channels.*

Mr. Brabant recommended that this study should be conducted by a third-party engineering firm and provided to the Town, to MRB Group and to Gregory W. McMahan, P.E., of McMahan LaRue Associates P.C., the design engineer for Home Leasing. He said that the Town Board is now considering this recommendation and may act upon it at its meeting on March 14, 2017. He said that Mr. McMahan has been notified of this recommendation and that MRB Group would contact third-party engineering firms to identify the scope of the study and evaluate their proposals and bids.

Mr. Brabant said that the study would involve developing a model of both existing and proposed conditions to provide a better understanding of where the flooding now occurs, where it may occur following development, the impact of the flooding and the potential modifications of the Site Plan to mitigate the flooding.

Mr. Brabant explained that the Planning Board has a deadline from the date that the board declared itself as Lead Agency to make the State Environmental Quality Review (SEQR) Determination of Significance on this project. He said that the deadline may be extended upon the mutual agreement of the Planning Board and the applicant, that he plans to discuss this with Mr. McMahan at the Project Review Committee meeting to be held on March 3, 2017, and that the goal is to have the applicant be willing to extend the deadline to a future meeting to provide the third-party engineering firm with time to complete the study and submit it to the Town.

Mr. Brabant also explained that MRB Group would request that the U.S. Army Corps of Engineers comment on the Site Plan because of the flooding of Beaver Creek that has been identified by the nearby residents as a major issue with this application.

He indicated that the Town Board has not yet officially approved the study and is expected to discuss it at the Town Board meeting on March 14, 2017.

Mr. Brabant also noted that this is the last meeting of the Planning Board in the “old” Town Hall meeting room. The Planning Board will meet in the Town Court, 1023 Hook Road, until the completion of the Town Hall addition and renovation project.

Code Enforcement Officer:

Mr. Morse reported that Michael Best of 6165 Brownsville Road, who recently had withdrawn his application for Preliminary Site Plan and a Special Use Permit for a Major Home Occupation (Pond’s Edge Venue, an outdoor commercial recreation area) may apply for a Special Use Permit for a Major Home Occupation to take photographs on his property. He said that the Building Department staff has informed Mr. Best of the information that would be required for this application. Mr. Makin asked if Mr. Best would be taking the photographs. Mr. Morse said that this is one of the points that Mr. Best must clarify if he wishes to submit another application.

Mr. Morse reported that the move of several Town offices into the new addition has begun. He said that his office and Mr. Kincaid’s office will remain on the lower level of the Town Hall until Phase 2 of the project is completed. He noted that Ms. Feistel’s office would be located in the new addition to serve residents and contactors coming in for building permits and other Building Department business.

Mr. Morse said that he and Mr. Kincaid would be attending State-mandated training from March 13–16, 2017, and would be available by telephone and e-mail during this period.

Mr. Morse also noted that a solar energy training session would be held on March 28, 2017, from 6 p.m. to 8:30 p.m. at the Ontario County Training Facility.

Highway Superintendent:

Mr. Giroux reported that the New York State Department of Environmental Conservation has granted permission for Town highway staff to remove the beaver dams from along the banks of Beaver Creek to mitigate flooding. He noted that the adjacent property owners (Home Leasing and the Mercier Estate) have given permission for the Town to enter their properties to perform this work. Mr. Giroux said that a memo to area property owners would be sent and that the work would be done on March 6, 2017.

Mr. Giroux also discussed the installation of six-foot-wide stone-dust trails in several sections of Mertensia Park and Town Park. He said that these trails have been constructed to Americans With Disabilities Act requirements and provide additional points of access to athletic fields and tennis courts from the parking areas of the parks. He noted that the trails at Town Park would eventually be paved and that the trails at Mertensia Park would remain stone dust.

Public Comments:

Ms. Sandore reported that she attended the recent meeting at Farmington Gardens with representatives of Home Leasing and with Mr. McMahon, the Home Leasing design engineer. She said that Mr. McMahon reported that he spoke with a representative of the U.S. Army Corps of Engineers who indicated that the Army Corps would not become involved in the SEQR process for the Farmington Gardens Phase 2 project.

Mr. Brabant clarified that the Army Corps has no objections to the Planning Board's declaration of its intent to be Lead Agency to make the SEQR determination and explained that the Town desires to receive a communication from the Army Corps regarding the Site Plan and the proposed development of the Home Leasing property. He said that the Town seeks a determination from the Army Corps regarding the project. Mr. Brabant also acknowledged that it is not standard procedure for the Army Corps to respond to such a request, but that he does not want the project to move forward now only to receive Army Corps objections later in the process.

Mr. Makin thanked Ms. Sandore for her report on the Home Leasing meeting with the area residents.

Planning Board Chairperson:

Mr. Makin and the board then reviewed the final drafts of the Major Thoroughfare Overlay District (MTOD) Site Design Guidelines and the Planning Board 2017 Rules of Procedure.

Major Thoroughfare Overlay District (MTOD) Site Design Guidelines:

Mr. Viets discussed Incentive Zoning applications and whether green infrastructure and/or green space provisions should be specifically included in the Site Design Guidelines.

Mr. Brabant explained that the Planning Board has the latitude to require landscaping on a project as the board may determine, and that the board can make landscaping a condition of Site Plan approval over and above the Incentive Zoning conditions that may be established by the Town Board. He noted that some municipalities have overly strict

guidelines and that the Farmington Site Design Guidelines provide the Planning Board with the flexibility to achieve the landscaping goals that the board requires.

There were no further comments or questions on the Site Design Guidelines.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
MAJOR THOROUGHFARE OVERLAY DISTRICT (MTOD) SITE DESIGN GUIDELINES 2017**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board), in accordance with the provisions of Chapter 165, Section 100. D. (3) of the Town Code, has reviewed the above reference Action; and

WHEREAS, the Board has previously made a determination of significance under Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review [SEQR] Regulations) upon this Action.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept with revisions the Site Design Guidelines for the calendar year 2017 as provided for in Local Law #6 of 2009, as revised per the document appended to these minutes.

BE IT FINALLY RESOLVED that a certified copy of these Guidelines is to be filed with the Town Clerk's Office, posted on the Town's website and distributed to members of the Planning Board, Town Development Staff, Town Engineer and made available to the general public upon request.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

Rules of Procedure:

In addition to the various amendments offered by Planning Board members during the past few weeks that were reflected on the final draft of the Rules of Procedure, the following sections were discussed, as follows:

Section 9. State Environmental Quality Review (SEQR): Mr. Makin noted that Supervisor Ingalsbe had questioned this clarity of this section. It was the consensus of the board to accept Mr. Makin's suggestion that the section be simplified to reflect the Planning

Board’s review and approval of all applications subject to the requirements of the New York State SEQR regulations.

Section 2 (g). Public Hearings/Public Meeting Procedures: It was the consensus of the board to accept Mr. Makin’s suggestion that special and/or lengthy presentations shall be approved by the Planning Board Chairperson prior to the start of a meeting.

Section 20. Layover. It was the consensus of the board to remove the word “Table” from this section. Mr. Hemminger noted that “Layover” is a separate action from the tabling of an application.

It was noted that the Rules of Procedure may be amended at a later date if necessary.

There were no further comments or questions on the 2017 Rules of Procedure.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
RULES OF PROCEDURE 2017**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has given consideration to the need to adopt Rules of Procedure for conducting the business of the Board during the calendar year 2017; and

WHEREAS, the Board has determined that such Rules of Procedure are in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the Rules of Procedure for the calendar year 2017, as revised per the document appended to these minutes.

BE IT FURTHER RESOLVED that a copy of the adopted Rules of Procedure 2017 is to be filed with the Farmington Town Clerk.

Adrian Bellis	Aye
Edward Hemminger	Aye
Scott Makin	Aye
Mary Neale	Aye
Douglas Viets	Aye

Motion carried.

5. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 7:40 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Court, 1023 Hook Road, Farmington, N.Y. 14425, on Wednesday, March 15, 2017, at 7:00 p.m.

Following the meeting, the clerk secured the building.

Respectfully submitted,

L.S.

John M. Robortella,
Clerk of the Town of Farmington Planning Board

Attachments:

- Planning Board 2017 Rules of Procedure
- Major Thoroughfare Overlay District (MTOD) Site Design Guidelines 2017

Training Opportunity:

Spring 2017 Regional Local Government Workshop
Genesee/Finger Lakes Regional Planning Council
Friday, May 19, 2017
Burgundy Basin Inn, Pittsford, N.Y.
For information: www.gflrpc.org/spring-workshop.html

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
RULES OF PROCEDURE 2017**

ADOPTED MARCH 1, 2017

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has given consideration to the need to adopt Rules of Procedure for conducting the business of the Board during the calendar year 2017; and

WHEREAS, the Board has determined that such Rules of Procedure are in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the Rules of Procedure for the calendar year 2017, as revised per this document appended to the minutes of the Board meeting of March 1, 2017.

BE IT FURTHER RESOLVED that a copy of the adopted Rules of Procedure 2017 is to be filed with the Farmington Town Clerk.

1. Order of Business

At each Board Meeting, the order of business shall be:

- a. Call to Order
- b. Pledge of Allegiance
- c. Information about emergency exits.
- d. Reference to sign-in sheet and request that all in attendance to please sign in.
- e. Introductions of Board Members and Town Staff.
- f. Notice given that the Board will be following these Rules of Procedure as adopted by the Board on March 1, 2017.
- g. Approval of previous Board Meeting Minutes.
- h. Approval of Workshop Minutes.
- i. Announce that the Legal Notices have been published in the Canandaigua *Daily Messenger* newspaper (the Town's Official Newspaper) and posted on the Town Hall Bulletin Board and the Town website, www.townoffarmingtonny.com.

- j. Announce that draft resolutions have been previously posted on the Town Website for tonight's meeting.
- k. Order of Board Business:
 - (1) Public hearings (for Preliminary Subdivision Plats, Special Use Permits and certain Preliminary Site Plans when deemed necessary by the Board).
 - (2) Site Plan Approval and Other Board Business: Agenda Items for Final Subdivision Plat Approval, Preliminary Site Plan Approval, Sketch Plan Review, Response to Town Board Requests and Actions on Letters of Credit Releases and Maintenance Bonds.
 - (3) Director of Development Report
 - (4) Code Enforcement Officer Report
 - (5) County Planning Report
 - (6) Highway/Parks Superintendent Report
 - (7) Water and Sewer Superintendent Report
 - (8) Town Engineer Report
 - (9) Fire Chief Report
 - (10) Chairperson Report
 - (11) Board Member Comments
 - (12) Public Comments
- l. Next Board Meeting Date.
- m. Adjournment: The Chairperson shall entertain a motion with a second from any Board member to adjourn the meeting and call for a voice vote.

2. Public Hearing/Public Meeting Procedures

At each public hearing or public meeting, the following procedures shall govern:

- a. The Chairperson shall open each public hearing and ask the applicant (or his/her representative) to make a presentation to the Board and the public.

- b. The applicant shall display on the wall behind the Board, or on easels, any drawings that are part of the public hearing.
- c. The Chairperson shall ask the applicant if he/she has completed their presentation before turning to town staff for their reports. Town staff shall address the Chairperson with their report comments. All responses will be to the Chairperson. Only the Chairperson shall entertain dialogue between Town staff and the applicant.
- d. Once all Town staff have completed their reports, the Chairperson shall then open the floor for comments by persons in attendance, or if there are any written comments to be received at the public hearing/meeting.
- e. All persons desiring to speak at a public hearing shall be recognized by the Chairperson.
- f. Before speaking, all persons shall give their name and address for the record.
- g. Persons speaking shall address their comments, questions, or concerns to the Chairperson. There shall be no direct dialogue between a public speaker, the applicant, his or her agent, or Town staff. The Chairperson shall determine when a speaker has completed his/her comments. The Chairperson shall have the right to limit the time allotted to public speakers.

Special and/or lengthy presentations shall be approved by the Chairperson prior to the start of the meeting.

- h. The Chairperson shall determine whom (either the applicant, his/her agent, or Town staff) is to reply to the public concern(s). All responses shall be to the Chairperson.
- i. Once the Chairperson has determined that there are no additional public comments, he/she shall then ask the Board for a voice resolution whether to either close or to continue the public hearing. (Public hearings normally remain open until the application can be acted on). If a public hearing is to be continued, then it shall be part of a resolution to continue it to a specific date. If the public hearing is to be closed then a voice resolution to close the public hearing shall be offered and seconded by Board members followed by a voice roll call vote.

Once closed, a public hearing may not be reopened. Once a public hearing is closed, the Board may not consider any additional information received that pertains to the subject of the public hearing. If additional information is provided to the Board following the close of the public hearing, the Board may choose to advertise a second public hearing to be held in accordance with the provisions of New York State Open Meetings Law. After the Board closes a public hearing, the Board may (or may not) take action on the subject matter at that meeting. For

details concerning draft resolutions please see item #5 below in these Rules of Procedure.

- j. The Chairperson shall then ask each Board member for his/her comments.
- k. Should a public hearing be continued to a specific date, said public hearing shall be heard first on the Board agenda of the subsequent date.
- l. Should an applicant (or a designated agent) not appear before the Board on the night of the public hearing meeting, then the Board shall table the application and continue the public hearing to a specific date. In addition, the Chairperson shall direct the Clerk of the Board to provide written notification to the applicant of the date and time for the continued public hearing and request his/her attendance.
- m. Failure by the applicant (or his/her agent) to appear before the Board at the date of the continued public hearing may result in the Board taking action to deny without prejudice the requested application. In such an event, it will be necessary for the applicant to make a new application and pay a new fee for said application before being heard by the Board. Note: Only the Town Board may waive an application fee.
- n. A Board workshop, although a public meeting, should not be used for the purpose of receiving such additional information otherwise received under these Rules of Procedure. This practice will enable Board members, staff, and the general public an equal opportunity to review the newly submitted material. All written comments received at a Board workshop shall be copied and distributed by the Clerk of Board to all members of the Board and Town staff prior to the continued public hearing date.
- o. In no instance, shall a revised drawing or additional documentation be accepted by the Board at either a public hearing or a public meeting and discussed. Any revised drawings or additional information submitted by an applicant shall be grounds for continuing the public hearing or the public meeting to a specified date and time. The Board does not want to receive material the night of the meeting and be expected to act on it.
- p. Any Board member who did not attend a public hearing may still vote on the application at a subsequent meeting provided that no decision has been made by the Board following the close of the public hearing. However, said Board member must enter into the public record that he/she has reviewed the public hearing record and is prepared to make an informed decision on the application.
- q. The Board may not reopen a public hearing on any application once a decision has been made to close the public hearing.

3. Agendas and Legal Notices

Copies of the Meeting Agenda and Legal Notices shall be available in the Town Development Office no later than 3:00 p.m. on the Monday prior to the scheduled meeting. Draft agendas will be made available to each Board Member along with the packets of information on or before the Saturday prior to the Board meeting. Any change to the draft agenda shall be approved by the Chairperson, communicated via e-mail to the Development Department Administrator and the Director of Planning and Development, who in turn will e-mail an updated agenda to each Board member, any involved applicant, involved Town staff (including the Town webmaster) and the Clerk of the Board no later than 3:00 p.m. on the Tuesday prior to the scheduled meeting. Adequate copies of this updated agenda will also be placed in the meeting room for the public and for any staff or Board members not able to access their electronic copy by 6:45 p.m. on the night of the meeting.

Paper copies of the agenda and legal notices shall be supplied by the Development Department Administrator to the Town Clerk's office for posting on the Town Hall Bulletin Board. In addition, the Development Department Administrator shall provide electronic copies of the agenda to the Town's webmaster for posting on the Town website in accordance with the legally required timelines established by the Town Board pursuant to Article Six, Section 103 of the Public Officers Law.

Legal notices shall be sent (either by fax or electronically) by the Development Department Administrator to the Town's Official Newspaper, within thirteen (13) days of a public hearing, with publication to be not less than seven (7) days prior to the public hearing being held by the Board.

4. Planning Board Meeting Agendas

The agendas for each meeting of the Board shall be as follows:

1. Open Meeting
2. Approval of Meeting Minutes (including Workshop Minutes)
3. Legal Notices: Attest to publishing in the Town's Official Newspaper
4. Order of Business:
 - a. Public Hearings: Those continued from a previous meeting will be addressed first on the agenda. Then any new public hearing will be held. Public hearings are required for all applications for Special Use Permit and Preliminary Subdivision Plat Approval.
 - b. Other agenda items: Those applications not requiring a public hearing are then conducted. These agenda items involve Site Plan Approval, Sign Site

Plan Approval, and Final Subdivision Plat Approval. Also included are any applications for Sketch Plan Review.

- c. Following the close of a public hearing, or the closing of the record on the agenda item not requiring a public hearing, the Planning Board will take the matter under consideration.
 - d. Discussion: This portion of the agenda is reserved for matters involving the Establishment of a Letter of Credit Estimates, Release of Letter of Credits, Establishment of a Maintenance Bond, and the Termination of a Maintenance Bond. In addition, any matter referred to the Board by the Town Board shall be discussed during this portion of the agenda. Also, included here are standing reports from Board members serving on committees.
5. Open Discussion: This portion of the agenda is reserved for reports from Town Staff and the Planning Board Chairperson on any matter of concern, or the identification of projects that may be coming before the board in the future. These reports will be asked of all Town Staff in attendance at the meeting. Following Town Staff presentations members of the Planning Board, including the Clerk of the Board, shall enter into the record any matters of concern.
 6. Public Comments: This portion of the agenda provides opportunities for anyone in attendance at the meeting to speak to the Board on any matter of concern, except for a matter that is still subject to a public hearing which may have been continued.
 7. Adjournment: Upon a voice motion to adjourn from any member of the Planning Board and seconded, the Planning Board Chairperson shall cease any further discussion and poll the board members for a voice vote on the question to adjourn the meeting. Once adjourned there shall be no further discussion entered into the public record on the meeting.

5. Public Hearings—Public Notice, County Planning Compliance, and SEQR Compliance

Where there has been a referral to the County Planning Board, then the referral number and recommendation shall be entered into the public hearing or public meeting record. There shall be no action taken on an application that is first subject to a referral and recommendation from the County unless there is a County referral number and recommendation entered into the public record on the application.

The Board shall identify the Type of Action under review as defined by the State Environmental Quality Review (SEQR) Regulations, Article 8, of the New York State Environmental Conservation Law.

In no instance shall the Board vote on a Preliminary Subdivision Plan until SEQR has been satisfied and the public hearing has been closed.

In no instance shall the Board vote on a Preliminary or Final Site Plan or Special Use Permit until SEQR has been satisfied.

The Board may waive the requirement to read into the public hearing record the standard resolutions for all Type 2 Actions made under the SEQR Regulations. When so waived, the Board must still take action to accept a Type 2 Determination of Significance and record the vote taken thereon.

The Board may also waive the requirement to read into the public hearing/meeting record the standard resolutions for determination of significance to be made on all Unlisted Actions under the SEQR Regulations. When so waived, the Board must still take action to accept the Unlisted Action Determination of Significance. In addition, when a determination of non-significance is made, the Chairperson of said Board shall sign and date Part 2 of the Short Environmental Assessment Form.

The Board may not waive the requirement to read into the public hearing/meeting record a resolution for the determination of significance on a Type 1 Action that is to be made under the SEQR Regulations. In addition, when a determination of non-significance is made on a Type 1 Action, the Chairperson of said Board shall sign and date the SEQR Negative Declaration Form. For all Unlisted Actions and Type 1 Actions, the Board shall comply with the procedural requirements set forth in Section 617 of Article 8 of the New York State Environmental Conservation Law, prior to making any decision on a pending application.

6. Motions

When a question is under debate/discussion, no motion shall be received except a motion to: 1) amend the question; 2) call the question; 3) adjourn it to a specific date; 4) table the question; 5) refer the question to Town staff and/or legal counsel; or 6) adjourn the Board meeting. Tabled motions shall be subject to the provisions in Section 11 of these Rules of Procedure set forth below.

7. Resolutions and Documents

When draft resolutions have been prepared by Town staff for the Board's review and consideration, said copies shall be sent electronically to the Board members on or before 3:00 p.m. on the Monday preceding the Board's meeting. Draft resolutions shall first be sent to the Board members and to Town staff. Draft resolutions shall also be sent to the applicant and/or his/her agent by noon on the Tuesday prior to the Board's meeting. Town staff shall not discuss, or change any draft resolution submitted to the Board. Any such change or amendment thereto shall be made at the Board's direction at the Board meeting.

In accordance with Article Six, Section 103 of the Public Officers Law, to the extent determined practicable by Town Board Resolution, copies of all documents, including draft resolutions, to be discussed at the Board meeting shall be made accessible to the public. In addition, every effort shall be made for the Town's webmaster to post such documents on the Town website www.townoffarmingtonny.com. All draft resolutions shall be shadow marked with the word "DRAFT" across each page. All such draft resolutions and documents shall be removed from the Town's website within 24 hours of the Board making a decision on the application.

No draft resolution that has been provided to the Board and posted on the Town's website, in accordance with the State's Open Meetings Law requirements and established Town Board policy, shall be negotiated, renegotiated or otherwise materially amended by the Board based on information presented to the Board during the public meeting. Such new information shall be treated the same as any other new information being submitted without advance public notice and the resolution shall be held over to the next Board Meeting to allow for any changes to the resolution to be posted and to allow for the public review of said changes prior to the meeting where action is to be taken.

8. Voting

The members of the Board shall be eligible to vote on the Board Meeting Minutes only when they were present for the meeting. As appropriate, Board members shall, at the outset of any application, give public notice of their financial or other private interests in any project that is pending before the Board. Where such disclosure is made, the Board Member shall be deemed to be in compliance with the provisions of Article 18 of the New York State General Municipal Law or any amendments thereto, relating to Conflicts of Interest, as well as compliance with the Code of Ethics contained in Chapter 17 of the Town of Farmington Code.

In all matters voted on by the Board, except for a vote to override a County Planning Board recommendation, there must be a majority of the entire membership (i.e., 4 of the 5 Board Members) voting the same way in order for an action to be approved, denied, or modified.

In the instance of a resolution to over-ride a County Planning Board recommendation, there must be a majority plus one vote of all members. Otherwise, the vote fails to override and the Planning Board must comply with the recommendation contained in the County referral. On other matters, a 2 to 2 vote taken by the Board on an application results in a no action being taken and will need to be reconsidered by the Board at a future meeting. All Board members shall record their vote by roll call taken by the Clerk of the Board and duly recorded in the minutes.

In no instance shall the Board vote to approve, modify, or deny a Sketch Plan. The Board shall only make comments or suggestions to the applicant.

Prior to taking a roll call vote on an application, the Chairperson shall ask the applicant if he or she understands the resolution that is about to be acted on, and if the applicant has any questions, concerns, or objections to any part thereof.

A copy of all resolutions (decisions made) by the Board shall be filed with and date-stamped by the Town Clerk's Office prior to being mailed by the Clerk of the Board, within five (5) business days, to the applicant and the original resolution filed with the Town Clerk's Office, date stamped and a copy then made and filed with the Town Development Office. Any additional copies noted in the resolution shall be provided by the Clerk of the Board.

9. State Environmental Quality Review (SEQR)

The Board's review and approval of all applications shall be subject to the requirements set forth in the New York State SEQR Regulations.

10. County Planning Recommendations and Board Voting Requirements

In the instance where the Ontario County Planning Board has rendered an advisory report, under the provisions of Sections 239-l, -m, and -n of the New York State General Municipal Law and the County Planning Board recommends modification or denial of an application, the Board, in order to override the County's recommendation must first have a majority plus one vote (4 of the 5 Board Members) recorded on a separate resolution that sets forth the reasons for overriding the County's recommendation.

Failure by the Board to override the County's recommendation by a majority plus one vote of the entire Board results in a denial or modification of the application. In the event the Board does override the County's recommendation, the Board shall by separate resolution set forth its reasons for overriding the County and must file a copy of said resolution with the County within the time frame prescribed in the above referenced sections of the New York State General Municipal Law.

For any application referred to the Ontario County Planning Board, a certified copy of the final action taken on the subject referral shall be filed by the Clerk of the Board with the county within thirty (30) days after final action is taken.

11. Votes, When Recorded

Board members shall record their vote by stating either an "aye" or "nay" on a question. Votes shall be entered in the Minutes. All votes shall be taken in public, either by voice or by roll call by the Clerk of the Board for each Board member present. A member who is absent from the vote shall be noted as being either absent or excused in the roll call voting. A Board member may abstain from voting. When a Board member exercises this right, it is not necessary for the Board member to state his or her reason(s) for abstaining unless there is disclosure of a conflict of interest associated with an application.

12. Privilege of the Floor

During Public Comment Time, any person, on request granted by the Chairperson, may address the Board on a matter of public concern. The time allotted for addressing the Board shall be limited by the Chairperson depending on specific circumstances. In no instance shall the Privilege of the Floor be used to make additional comments on an application pending before the Board when the Public Hearing has been closed or continued.

13. Public Notification

Public meeting notice shall be given in the manner prescribed by New York State Town Law and the posting of property requirements set forth in the Farmington Town Code. In addition, public meeting notice shall be given by posting the notice on the Town's website www.townof-farmingtonny.com at least five (5) business days prior to said meeting.

When an application has been continued by the Board, the posting of the Public Notification Sign shall continue to be displayed on the subject site.

Any property not properly posted shall not be heard by the Board and the matter shall be continued to the next Board Meeting. All signs shall remain on the property until the Board has taken final action on the application. All signs, once final action has been taken, are to be returned to the Development Office by the Code Enforcement Office.

14. Duties and Responsibilities

The duties and responsibilities of the Board are set forth in the various sections of the Farmington Town Code and the New York State Town Law, New York State Public Officers Law, the State Environmental Quality Review (SEQR) Regulations and the provisions contained in Sections 239-1, -m and -n of the New York State General Municipal Law.

15. Decisions

Within five (5) business days of the Board's decision having been made on an application, the Clerk of the Board shall file a certified copy of said decision with the Town Clerk and mail a signed copy thereof to the applicant, and provide a signed copy to the Town Development Office.

16. Draft Meeting Minutes

The Board members shall be mailed (either electronically or by U.S. Mail) draft meeting minutes within ten (10) business days of the date of the subject meeting. Draft meeting minutes shall be identified as being a draft.

17. Corrections to the Draft Meeting Minutes

The Board members shall, whenever possible, notify the Clerk of the Board by e-mail of all corrections to the previous meeting minutes prior to the date of the next meeting. This e-mail shall be copied to members of the Board. Staff members shall provide any recommended changes to the Clerk of the Board and to all members of the Board for their approval. If subsequent draft copies are prepared, corrections shall be indicated in red.

18. Approved Meeting Minutes

At the Board meeting, the Board, having reviewed the Draft Meeting Minutes, will (as part of the public meeting record), take action to accept the Minutes either with or without corrections. Once the Minutes have been approved by a voice vote of at least three Board members present at the meeting, the vote shall be recorded in the meeting minutes. The Clerk of the Board shall then, within five (5) business days, file a certified copy with the Town Clerk's Office to be date stamped and filed, as well as providing electronic copies to the Town Board members, the Board Chairperson and the Town Clerk, and to the Administrator in the Town Development Office for posting on the Town's Website. A second date stamped certified copy of the approved minutes shall also be filed with the Town Development Office.

19. Audio Recordings of Board Meetings

Audio recordings of the proceedings of the Board meetings shall be maintained by the Clerk of the Board for a period of twelve (12) months after the date the transcription (meeting minutes) has been approved by the Board. When requested by the Chairperson, said audio recordings shall be maintained by the Clerk of the Board for an additional period of time as specified by said Chairperson.

20. Layover

A resolution, application or action before the Board may be laid over until the next regular session of the Board if so requested by any member of the Board, unless by doing so the application would otherwise be approved by default of the Board. No further action may be taken on the resolution or its amendments, but limited discussion may occur at the discretion of the Chairperson. However whenever possible, Board members should first attempt to resolve the issue(s) leading to a layover at the Board Workshop session prior to the regular meeting. If a layover is imminent, the Chairperson should be notified of such action prior to the start of the regular Board meeting. In the event there is no workshop prior to the meeting and it becomes apparent to a member of the Board that a layover is being contemplated, said member shall bring this matter to the Chairperson's attention as soon as possible.

Any action on a laid over resolution must take place at the next scheduled meeting. No resolution shall be laid over a second time. No resolution shall be laid over if it is determined that such

action would violate the time limits contained in various sections of the New York State Town Law.

No layover can occur at the last meeting of the year because the next meeting in the following year may not have the same members on the Board who originally laid the matter over. The Board may vote to table the matter in this case and the new Board, when constituted, can offer a resolution to bring up the tabled resolution off the table with a motion and a second followed by a voice vote of the entire Board.

21. Amendment of Procedures

The Board, on a resolution to amend, may amend these Rules of Procedures from time to time. Once amended, copies of the amended Rules of Procedure shall be distributed to all having received the original adopted Rules of Procedure for the given year and posted on the town's website.

22. Board Discussion

The Chairperson, at his/her discretion, may limit the discussion between any Board member and the applicant, staff and/or the general public.

23. Board Resolutions

All resolutions for the Board, except for those identified elsewhere in these Rules of Procedures, or those to close a public hearing, are to be in writing and drafted by the Town's Director of Planning and Development. The resolutions are to be read by the Clerk of the Board unless the Board members agree by a motion, second and voice vote that the reading in this case is not necessary. The contents of the resolutions are to be clear and understandable to the Board members as well as to the applicant.

The Board resolutions are to contain a clear and understandable listing of all Conditions of Approval that are to be incorporated within the "Approval of the Resolution" as read by the Clerk of the Board, prior to voting on by the Board. Before voting on said resolution, the Chairperson shall ask the applicant if he/she understands the action and any conditions contained therein. The Clerk shall note this question and the applicant's response in the Minutes.

24. County Referrals

Both the Director of Planning and Development and the Code Enforcement Officer will review all Board referrals for completeness before they may be transmitted to the Ontario County Planning Board. The Chairperson will sign the referral form, or in the Chairperson's absence, the Chairperson may direct Town Staff to do so. Town staff shall provide a copy of the referred application packet to the Town's representative on the Ontario County Planning Board. All re-

ferrals submitted to the County shall comply with the monthly deadline published by the County Planning Board for their monthly reviews and recommendations.

25. Acting Chairperson

With the adoption of this resolution, the Board determines that the Acting Chairperson for 2017 will be board member Edward Hemminger. In the event Mr. Hemminger is not available, then Douglas Viets shall serve as the Acting Chairperson. In the absence of the Chairperson, the Acting Chairperson shall perform all of the functions, which are normally the responsibility of the Chairperson.

26. Training Requirements and Training Update Classes

All Board members and the Town's representative on the Ontario County Board, shall be required to complete at least:

- a. Twelve (12) hours of suitable training during the first full calendar year of their first term in office; or
- b. Nine (9) hours of suitable training during the remaining nine months, of the first full calendar year, of their first term in office; or
- c. Six (6) hours of suitable training during the remaining six months, of the first full calendar year, of their first term in office; or
- d. Four (4) hours of suitable training during the remaining three months, of the first full calendar year, of their first term in office; and then
- e. Eight (8) hours of suitable training, each year for the remaining term in office.

This requirement may be satisfied by training sessions that are offered throughout the year by attending state conferences and seminars and/or at county or regional training classes for the purpose of receiving updates to the state's requirements pertaining to Board members. Also included are presentations by the Town Engineer or other individual or group, as approved by the Town Board.

In addition to the above training classes and seminars, a Board member may, with the Chairperson's approval, substitute up to two (2) hours of such training with one-on-one training with the Town's Director of Planning and Development. In such instance, the Director of Planning and Development shall certify to the Chairperson, the Town Supervisor and the Town Clerk that such training has been received.

Requests to receive training by members of the Board are to be coordinated with, and approved by, the Chairperson and then the completed training registration form must be submitted by each

Board Member directly to the Confidential Secretary to the Town Supervisor. The Confidential Secretary will prepare a voucher, if there is a fee for the training, and submit it for approval by the Town Board. If the training exceeds \$100.00 it must be approved via resolution; training under \$100.00 requires approval of the voucher only.

As soon as possible following the Board member's attendance at a training session, it shall be the responsibility of the Board member to submit documentation received at the training session to the Chairperson, who, according to a Town Board resolution adopted October 23, 2007, is required to maintain copies of all certificates of attendance. The Board Member shall also provide certificates of attendance to the Confidential Secretary to the Town Supervisor and the Town Clerk, as outlined in the October 23, 2007, resolution. The Confidential Secretary to the Town Supervisor shall maintain her or his own annual training log for each Board and shall coordinate, in the fall of each year, with the Chairperson to identify the status for each Board Member. In the event the Town Board amends the Town's Training Requirements, this Section of the 2017 Rules of Procedure shall also be amended as necessary.

27. Attendance at Work Shops, Public Meetings, and Committee Meetings

When necessary, the Chairperson may schedule a workshop on items on the pending meeting agenda or concerning administrative matters. Said meetings are to be held on the Monday evening prior to the public hearing or meeting, commencing at 7:00 p.m., in the Farmington Town Hall. Minutes of these workshop meetings will be taken by the Clerk of the Board and electronically distributed to Board members prior to the following public meeting. Once approved, a signed copy will be filed with the Town Clerk within five business days. If the Clerk of the Board is not available the Chairperson, or in his/her absence the Acting Chairperson, will ask for a volunteer to create a summary of the discussion along with questions for the applicant by the close of business on the following day.

Board members should attend the Monday night workshops (if possible) and are encouraged to openly express their thoughts, views, concerns and/or ideas pertaining to the pending applications that are being reviewed by the Board. In no event shall a decision be made on an application at the workshop meeting.

Board members are encouraged to attend other public meetings regarding issues pertinent to planning in order to obtain the thoughts and ideas of others pertaining to any and all important Town issues.

Board members are also encouraged to attend any of the Town's standing committee meetings regarding issues pertinent to the Town's planning, (i.e., Agricultural Advisory Committee, Historical Preservation, Conservation Board, etc.) that are held monthly at the Farmington Town Hall.

Board Members at such meetings are also encouraged to speak on behalf of the Board providing only the general overview of the current applications that maybe pending before the Board. However, in no event shall Board members express their own personal thoughts on a matter that

is currently pending before the Board. Also, no Board member shall speak in such a manner as to imply that what is being said is the official position of the Board. Only the Chairperson may speak on behalf of the Board when authorized to do so by a Board vote. Also, when speaking at such meetings, Board members shall identify themselves as residents of the Town and members of the Board.

The Chairperson shall attend Town Board meetings, which are normally held on the second and fourth Tuesday of each month, to report on any important pending applications or matters pertaining to the growth and/or development of the Town of Farmington.

In the event a Board member determines that he or she will not be able to attend a public meeting of the Board, said member shall notify the Chairperson as soon as possible.

Should it become necessary to cancel a scheduled Board meeting, as much public notice as possible shall be given by the Town Development Office staff. Such public notice shall include the posting on the Town Hall Bulletin Board, posting on the entrance doors to the Town Hall and posting on the Town's Official Website. In addition, notification is to be made to the Town's Official Newspaper, of the meeting cancelation. In the event a public hearing has been scheduled for a meeting that is to be canceled, then the date of said rescheduled public hearing shall be included in the public notices listed above herein.

28. Duties and Responsibilities

The duties and responsibilities of the Board are set forth in both the New York State Town Law and the Farmington Town Code. In addition to these duties and responsibilities, all Board members shall attempt to visit each site under consideration prior to the scheduled meeting.

All Board members are expected to be familiar with the contents of the adopted *Town of Farmington Comprehensive Plan*, the adopted *Town of Farmington Site Design and Development Criteria Manual*, the adopted *Town of Farmington Site Design Guidelines (Reference: Local Law #7 of 2009)*, the adopted *Town of Farmington Agricultural and Farmland Protection Plan*, and the Farmington Town Code.

29. Support Personnel and Town Staff Attendance

The Chairperson may request the presence of Town staff and/or members of Town boards and or committees to attend Board meetings, workshops or the annual organizational meeting if pertinent information is needed by the Board that may be beyond the comments presented in the Board packets. Notice of such requests will be made following receipt of the Board packets and the meeting agenda, and will be subject to the availability of the Town Staff or the requested support personnel for the Town.

30. Site Design Guidelines

The Town Planning Board, as part of its annual meeting, is required to review and take action on the “Town of Farmington Major Thoroughfare Overlay District (MTOD) Site Design Guidelines” which are an attachment to Local Law Number 7 of 2009. Once acted upon, a certified copy of the Planning Board Resolution adopting said Site Design Guidelines shall be filed with the Town Clerk, the Town Development Office, the Town Code Enforcement Officer, the Town Engineer and the Town Director of Planning and Development.

Should a need arise during the year to amend these Guidelines, the Board shall direct Town Staff to make such an amendment thereto and then take action to adopt said amended version following a public meeting where said action is documented. Once filed with the Town Clerk’s Office, copies shall be posted on the Town Website and made available to the general public.

31. Comprehensive Plan Maintenance

In accordance with the contents of Chapter 5, Implementation Chapter, *Town of Farmington Comprehensive Plan*, the Board is to prepare a report to the Town Operations Committee in July of each year. Said report is then to be reviewed and submitted by the Town Operations Committee to the Town Board for their acceptance at each year’s organizational meeting. The report will summarize the implementation actions underway and identify those actions to be undertaken during the coming year. Each year’s report, once accepted by the Town Board, will become an amendment to the current comprehensive plan and will be noted by Town Board resolution and entered into Appendix C, Public Participation, of said Plan.

32. Surety

Letter of Credit or Form of Surety Estimate:

The Board shall receive from the Town Director of Planning and Development a packet of information pertaining to the establishment of a Letter of Credit, or some other form of surety, for certain site improvements that ultimately will be dedicated to the Town. The packet is to include the Applicant’s Engineering Estimate of the Letter of Credit describing the materials to be installed and the cost for these materials and a completed Appendix A-2 Form (Town Site Design and Development Criteria Manual). In addition, the packet is to include a cover letter from the Town Engineer citing the Town Construction Inspector’s concurrence with the estimate. The packet shall also contain a memorandum from the Director of Planning and Development requesting this surety matter be acted upon by the Board at a specific meeting. In addition, the packet is to include a draft Board Resolution to accept the Letter of Credit Estimate and to recommend to the Town Board that a Letter of Credit, or an acceptable surety form be established for the referenced project. In addition, the packet shall also include a cover transmittal memo from the Board Chairperson to the Town Board requesting the proposed Letter of Credit be placed upon a Town Board Agenda. Finally, the packet is to include a draft Town Board

Resolution accepting the Letter of Credit Estimate and directing a Letter of Credit be posted with the Town Clerk for the subject action.

Partial or Final Release of Funds from the Letter of Credit or Form of Surety:

The process for a release of surety (either partial or final) shall only be entertained by the Board when the requirements set forth in Chapter 144, Section 32. F. of the Town Code have been satisfied. In particular, the Board receives from the Director of Planning and Development a packet of information pertaining to the release of funds from the Letter of Credit or Surety Form, a completed and signed Appendix A-1 Form (Town Site Design and Development Criteria) and a cover letter from the Town Engineer specifying the requested release. The packet shall also contain a draft Board Resolution, a draft transmittal memo to the Town Board and a draft Town Board Resolution requesting said resolution be acted upon by the Town Board.

Establishment of a Maintenance Bond:

If the request is for the final release of funds in the Letter of Credit or Form of Surety, then the Board Resolution shall recommend that the Town Board first establish a Maintenance Bond for a period of two years from the date of formal dedication of the site improvements. As part of the packet of information to be received by the Board, from the Director of Planning and Development, there is to be a completed and signed Appendix B-1 Form (Town Site Design and Development Criteria). The remainder of the packet received shall include a cover memo from the Director of Planning and Development, a draft Board Resolution, a transmittal memo to the Town Board from the Board Chairperson and a draft Town Board Resolution to establish a Maintenance Bond prior to the final release.

Release of Maintenance Bond:

A request for the release of a Maintenance Bond shall be submitted by the Director of Planning and Development to the Board as part of a packet of materials for the Board's consideration and action. Included in the packet will be a completed and signed Appendix B-3 Release of Final Monies (Town Site Design and Development Criteria), a cover memo, a draft Planning Board Resolution, a transmittal memo to the Town Board from the Board Chairperson and a draft Town Board Resolution. Once the Town Board has acted upon the request to release the final monies, the Town shall then release the Bond being held.

33. Filing

All adopted Rules of Procedure, as may be amended from time to time, shall be filed with the Town Clerk's Office, placed on the Town's website and, otherwise, be made available for public inspection on demand.

34. Effective Date

All adopted Rules of Procedure shall become effective on filing in the Office of the Farmington Town Clerk

35. Distribution

Certified copies of the 2017 Board Rules of Procedure shall be filed with the Town Clerk, all Town Board Members and department heads, and posted on the town’s website. A copy of the 2017 Board Rules of Procedure shall also be kept on file in the Town Development Office.

36. Conflict with New York State Town Law or Town Code

If any of these rules conflict with any provisions of the New York State Town Law or any section of the Farmington Town Code, the New York State Town Law or the Farmington Town Code provisions shall take precedence and that portion of these rules shall be disregarded with the remainder of the rules retaining their effectiveness.

■ The above resolution was offered by MR. HEMMINGER and seconded by MR. BELLIS at the meeting of the Board held on March 1, 2017. Following discussion thereon, the following vote was taken and recorded in the Official Meeting Minutes of the Board.

Adrian Bellis	Aye
Edward Hemminger	Aye
Mary Neale	Aye
Douglas Viets	Aye
Scott Makin	Aye

Motion carried.

I, John M. Robortella, Clerk of the Board, do hereby certify to the above resolution and to its being acted on by the Board at a Meeting held on March 1, 2017.

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

**TOWN OF FARMINGTON BOARD RESOLUTION
MAJOR THOROUGHFARE OVERLAY DISTRICT (MTOD) SITE DESIGN GUIDELINES 2017**

ADOPTED MARCH 1, 2017

WHEREAS, the Town of Farmington Board (hereinafter referred to as Board), in accordance with the provisions of Chapter 165, Section 100. D. (3) of the Town Code, has reviewed the above reference Action; and

WHEREAS, the Board has previously made a determination of significance under Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review [SEQR] Regulations) upon this Action.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby accept with revisions the Site Design Guidelines for the calendar year 2017 as provided for in Local Law #6 of 2009.

BE IT FINALLY RESOLVED that a certified copy of these Guidelines is to be filed with the Town Clerk's Office, posted on the Town's website and distributed to members of the Board, Town Development Staff, Town Engineer and made available to the general public upon request.

1. Adoption by the Board

The creation of this Site Design Criteria Manual is an implementation action identified in the adopted *Town of Farmington Comprehensive Plan*. The following site design guidelines are hereby established by the Farmington Town Board as part of Chapter 165, Section 100, of the Farmington Town Code and the powers provided to the Board as set forth in Sections 271 and 274 b of the New York State Town Law. These guidelines shall remain in effect each year subject to Board review and adoption as part of their annual organizational meeting, or at other times subject to formal Board action. Certified copies of this Manual are on file in the Town Development Office and may be purchased from the Town Clerk's Office during normal business hours. A copy of these Site Design Guidelines is available online at the Town's website www.townoffarmingtonny.com.

2. Authority

These guidelines are provided for in Local Law Number 6 of 2009, adopted by the Town Board on December 22, 2009, and also adopted thereafter annually by Board resolution. When adopted they establish standards for Site Plan approvals as provided for under the established provisions of the Town Code. These guidelines pertain to all applications subject first to Site Plan approval by the Board as provided for in Chapter 165 of the Town Code. The Board reserves the right to modify, waive or request additional requirements depending upon the scope, location or nature of development. It is hereby declared the Board's intent to be consistent in applying the standards of these guidelines throughout the Town where site plan approval is required.

3. Overall Site Design Objectives

The purpose of these Site Design Guidelines is to communicate to applicants the expectations that the Board has for enhancing the appearance of development in Farmington through its site plan approval process by:

- a. fostering attractive building and site designs with enduring aesthetic appeal;
- b. fostering attractive, inviting, pedestrian-friendly designs that are likely to evoke a strong “sense of place;”
- c. fostering designs that have continuity with the best design traditions and values of the community;
- d. fostering designs which are likely to evoke feelings of pride in one’s community;
- e. fostering the preservation and enhancement of significant views and characteristics of the natural landscape including topographic and water course features;
- f. enhancing the use and pedestrian appeal of spaces around and between buildings for the enjoyment of the public;
- g. promoting and enhancing the interconnection of on-site pedestrian walkways with off-site pedestrian access ways;
- h. encouraging opportunities to allow pedestrian accessibility to areas with strong natural features such as wooded areas, wetlands and water courses, by the attainment of public rights-of-access, and
- i. promoting multi-modal travel between adjacent sites.

4. Relationship to Surrounding Neighborhoods and Land Use

The design of buildings and sites should be undertaken by design professionals who are sensitive to the surrounding landscape, views and character of the community. Site and building designs are expected to have cohesive, appealing stand-alone design qualities as well as to have design scale and design continuity that allows them to compliment and enhance the best design traditions of the community.

5. Architectural Design Characteristics

The Board expects that building design professionals will be sensitive to the character of residential areas adjacent to a site that is seeking Site Plan approval. In addition, the Board

expects that building design professionals will be sensitive to the site improvements which will also be attractive and appropriate to the character of adjacent sites.

The Board and its consultants will review the scale and design character of proposed building and site designs, and require design treatments that are appealing to, and in scale with, pedestrian neighborhoods whenever possible. Such design treatments may include, but are not limited to, the following:

- a. *Façades, roof forms and exterior walls.* Façades, roof lines and exterior walls should have three dimensional variations to provide interest and variety. In large buildings, suggested techniques include: organizing large building masses into a series of smaller masses; providing offsets in exterior walls; providing an accent form or forms, and providing a variation in roof lines or heights that are compatible with the design theme. The areas and patterns of glazing used in façades should be interesting and compatible with the three-dimensional design of the building.

Exterior walls above grade that are attached to buildings should appear to be integral to the building, i.e., walls attached to brick building surfaces should be brick. Other above grade screening walls, such as dumpster enclosures or transformer screen walls, should match materials and colors used in the building façade.

- b. *Building entrances.* Building entrances should be interesting, attractive, obvious, in scale with the building façade and have a weather cover that is a permanent component of the building extending outward from and above the entrance and providing shelter from the elements. In no instance will a canvas canopy suffice for adequate covering of a building entrance. In addition, depending upon the orientation of the entrance on the site, additional design considerations shall be required so as to adequately protect persons entering and exiting the building. Individual tenants should have separate entrances.
- c. *Screening of equipment.* Rooftop screening equipment shall appear to be integral with the building design. That is, parapet walls or sloped roof forms integral to the design of the building are preferred. Other equipment located at grade such as compactors, dumpsters, HVAC equipment, electrical transformers and switchgear located on site shall be totally screened from public view in a manner approved by the Board. Screening materials and design should be attractive and compatible with the building design and overall landscape design.
- d. *Color and material of primary building components.* The Board has a preference for the use of brick and clear glass as primary façade materials. Alternative materials may be chosen if they are more appropriate to adjacent residential communities. Where other materials are being proposed, the Board may ask that brick be incorporated as a major component. The use of reflective glass, split face concrete masonry units or metal siding is discouraged. Façade material colors

should be selected to avoid being dreary and also to avoid being excessively bold.

- e. *Character of exterior space.* Exterior space design is an integral component of good site design. Special attention should be taken in the design and coordination of landscape treatments of exterior spaces around and between buildings to allow them to be inviting and attractive to pedestrian users. Well-designed exterior spaces will soften the impact of a building on a site and help it appear to belong there. There should be an exterior design concept on each project and it should complement the building design. Opportunities to embellish pedestrian gathering spaces with compatible landscape accessories are encouraged. Landscape planting, pedestrian paving treatments and landscape accessories will be requested between the parking lot or driveway curb lines and primary building façades. Larger areas of pedestrian walkway pavements should be subdivided by aesthetically arranged control and expansion joint patterns. The Board encourages the use of colored unit pavers for incorporation into the overall hardscape design layout to provide pattern and color variation to other more standard paving materials and to accent the location of landscape accessories such as tree grates, tree guards, planters, plant beds, trash containers and bicycle stands. For additional information, see Section 9 of these Guidelines.
- f. *Building canopies and canopy lighting.* The Board may allow back lighted canopies up to eight (8) feet wide and eight (8) feet in height over the entire main entrance area to a building. Lighting fixtures, lamps or lenses may not project below canopy soffits. Back lighting larger canopies is not recommended. The underside of building canopy heights shall not exceed fourteen (14) feet above grade or pedestrian/vehicular pavement surface below. Canopy colors, excluding signage graphics, should not be bright attention-getting colors. In no event shall a canvas awning be accepted as a suitable canopy covering for a building entrance under these guidelines.
- g. *Gasoline pump canopies.* Canopies covering gasoline pump islands, which are freestanding or attached to buildings, should not be back lighted, except for any approved signage or logo. Any lighting of the area underneath the canopy that covers the gasoline pump islands shall be down ward oriented and fully shielded to reduce glare. Canopies covering gasoline pump islands should not exceed fourteen (14) feet in height above grade or pavement surface below.
- h. *Prototype building designs.* Prototype building designs will be considered if they are consistent in design, material, color and detail with the design intent of these Guidelines. The Board reserves the right to require design alterations to standard building designs that the Board deems to be inconsistent with the general intent of these Site Design Guidelines.

6. Building and Site Lighting

Site and exterior building lighting should be similar in color of light. The Board preference is for LED lamped site lighting (as opposed metal to halide or sodium vapor). Exterior building lighting should have a light color that is compatible with the LED light color. Pedestrian walkway lighting should be appropriate in style with the design character of the space and should not exceed fourteen (14) feet above surrounding grade. Parking lot light poles should not exceed thirty (30) feet mounted on a maximum three (3) foot base and should be located within landscaped islands or on lawn area wherever possible. All building mounted exterior light fixtures must be shown on building elevations and must be approved by the Board for design location and fixture color. All building mounted lighting and site lighting shall be shielded from adjoining properties and public rights-of-way. Light cut-sheets and distribution patterns shall be submitted with all lighting plans.

Subtle landscape lighting shall not glare into vehicular or pedestrian circulation areas. Landscape lighting design components include, but are not limited to the following:

- a. Exterior electrical outlets at building canopies and at tree bases that allow building managers to provide seasonal low wattage mini-lights is encouraged.
- b. Subtle landscape lighting may include lighted bollards along walkways, surface-mounted exterior lighting to highlight or backlight plant materials and subsurface light fixtures that are recessed below finished grade. These should be located to highlight plants and portions of building walls.
- c. Building façade lighting should be subtle in nature and could ideally be accomplished with upward directed landscape lighting that filters through, or backlights, landscape plantings onto building walls.
- d. The use of bright colors, neon or similar materials, motion lighting, strobe lights and similar attention-getting lighting devices is strongly discouraged.

See Section 8.c for additional information.

7. Site and Building Signage

Sign graphics and lighting should be designed to allow for clear communication, but should otherwise not be over lighted. Signs with exterior illumination shall not glare into vehicular or pedestrian traffic areas. Internally illuminated signs should have the sign letters and logos highlighted with dimmer background lighting of the sign. This concept applies to all site and building signage, including traffic control signs. Sign site lighting should not glare to either on-site or off-site locations. The wattage of sign lighting should be submitted for Board review as part of any Site Plan or Sign Site Plan application.

Larger signs that are allowed by Code which are attached directly to buildings should have separate letters with no box or cabinet background.

8. Site Design Characteristics

The natural characteristics (e.g., tree masses, streams, topography, etc.) of each site should be preserved and enhanced where possible.

The Board encourages the incorporation of curved edges and surfaces where possible as accents in the layout of pedestrian walkways, planting beds, finish grade contours, ponds and drainage swales to achieve a more natural appearance. Drainage ponds and swales with straight edges should be avoided wherever possible.

Finish grading plans should incorporate soft, irregular, undulating, landscaped earth forms to enhance pavement and plant locations and to provide an appealing visual transition between parking areas and both streets and neighboring parcels.

Site amenities such as pedestrian walkways and landscape accessories should be included where space allows. This adds to the pedestrian friendly appeal of exterior spaces. See Section 10 for additional information.

The following is a checklist of landscape considerations and features that should be incorporated into the landscape designs for all site plans:

- a. *Preservation of natural character.* Try to preserve all of the best natural resources of the site, such as trees, stream, rock out-croppings, natural topography, view-scapes and wetlands.
- b. *Viewscapes.* Carefully study the site's good, as well as bad, views. Analyze preliminary site views for both positive and negative attributes.
 - 1) Keep attractive views open and framed for greatest landscape value.
 - 2) Screen out unattractive and objectionable views either by constructing structures or by an aesthetically unique landscape design.
 - 3) The landscape design should have unity, harmony and fitness to use. There must be a harmonious landscape relationship with the vertical and horizontal lines of the buildings.
- c. *Landscape lighting design standards.* The Board recommends the use of landscape lighting to create soft night lighting of plants, where appropriate. Lighting designs should incorporate two or more of the following techniques based on available opportunities.

- 1) Down Lighting is the most natural and efficient form of lighting like sunlight or moonlight. The light sources are hidden and directed straight down through plant and tree material.
- 2) Up Lighting is achieved by placing the light fixture in the ground and directing it up through plant material. The internal structure of plants becomes dramatically lighted and large shadows can be produced.
- 3) Back Lighting is the soft wash lighting of a background such as a wall or a fence and is a very subtle form of lighting. The plant material is viewed in silhouette against the lighted backdrop.
- 4) Subminiature lamps on a flexible ribbon or tubular lighting may be appropriate for seasonal displays indoors or out.
- 5) Electrical outlets should be located at the based of designated trees and plants to allow the future use of seasonal lighting.
- 6) Bollards are available with internal illumination. The use of lighted bollards is optimal.
- 7) Flood Lighting on a residential or commercial level is soft, gentle flood lighting used as background lighting to create visual depth. Avoid using discharge mercury and sodium-vapor lighting used as security lighting. These lights should not cause glare.
- 8) Recreational Lighting for small court games (i.e., shuffleboard, or putting greens, etc.) requires special study and selection. The light must be even and general, yet not in the eyes of the players. Large court games, (i.e., volleyball, badminton, or tennis) may require specialized lighting design. These lights should not glare off site.
- 9) Landscape Lighting should be used as a feature of the landscape design to highlight designated design elements such as plants, walkways, walls, building façades or a combination thereof.
- 10) A combination of various lighting techniques such as down lighting, up lighting or back lighting to create a more interesting setting is suggested.
- 11) The source of light should be concealed to enhance the effect rather than the fixture itself.
- 12) Avoid over lighting that can produce glare and limit visibility.
- 13) Use LED lamps as a type of light source to avoid mixing light color on site.

- 14) Fixture colors should be coordinated with building colors. Typical colors available are solid brass, copper or bronze in color; black, white, natural non-corrosive plastic; redwood (clear, all heart, kiln dried); cast aluminum or satin aluminum and glass in combination with flexible ribbon lighting.
- d. *Landscape plant forms.* Plants should be selected to be natural looking and graceful. Plants should be chosen to be as mature as possible to attain their desired shapes in relatively short periods of time. Each shape has its own place in landscape design. For example, deciduous shrubs are usually upright, round or spreading. Deciduous trees are round, weeping, oval, vasselike, erect or columnar, and pyramidal. Evergreens are columnar, narrow pyramidal, broad pyramidal, round, spreading or creeping. Different shapes provide variety and interest by accenting the major type with other forms. This is recommended to avoid monotonous repetition.
- e. *Plant texture and color.* Color and texture are important qualities that should be considered along with the form of plants. The Board expects that landscape architects will take special efforts to include the right balance of plant textures in the overall plant selection process. Texture is a plant feature that offers another chance to add variety and interest to a planting picture. Texture can be defined as the relation between foliage and twig size and the remainder of the plant. Close up, texture comes from the size, surface, and spacing of leaves and twigs at different seasons. At a distance, texture is the entire mass effect of plants and the quality of light and shadow. Patterns created by light and shade are an important part of texture. These patterns vary from season to season and even from hour to hour. The shadows cast by fine-textured plants are weak because of the spacing and size of the mass and because of light filtering through the foliage. The shadows cast by coarse-textured plants are strong because the foliage is large or dense and light is reflected from the surface. This play of light and shadows emphasizes the fineness or coarseness of the plants' texture. Landscape lighting is expected to highlight these features.

The Board expects that the color of plants will be taken into account by the landscape architect to achieve the best overall design results.

The variety and location of landscaping should be appropriate for the environmental conditions, use, purpose and care that it will be subject to.

- f. *Plant material and minimum sizes.* The following is a list of recommended plantings:
- 1) Evergreens (conifers and ornamentals)
 - Abies (fir)
 - Chamaecyparis (cypress)
 - Erica (heath)
 - Juniperus (juniper)

- Picea (spruce)
 - Pinus (pine)
 - Pseudotsuga (fir)
 - Taxus (yew)
 - Tsuga (hemlock)
- 2) Broadleaf Evergreens
- Buxus (boxwood)
 - Calluna (heather)
 - Euonymus (euonymus ever)
 - Ilex (holly)
 - Pieris (andromeda)
 - Rhododendron (rhododendrun)
 - Rhododendron (azalea)
- 3) Deciduous Trees (shade and ornamental flowering)
- Acer (maple)
 - Amelanchier (shadbush-service berry)
 - Betula (birch)
 - Carpinus (hornbeam)
 - Cercis (redbud)
 - Cornus (dogwood)
 - Crataegus (hawthorn)
 - Fagus (beech)
 - Gleditsia (locust)
 - Magnolia (magnolia)
 - Malus (flowering crabapple)
 - Prunus (flowering–cherry)
 - Pyrus (flowering pear)
 - Tilis (linden)
 - Syringa (tree lilac)
4. Deciduous Shrubs
- Aronia (choke cherry)
 - Clethra (summersweet)
 - Cornus (dogwood)
 - Cotoneaster (contoneaster)
 - Deutzia (deutzia)
 - Forsythia (forshythia)
 - Hamamelis (witch hazel)
 - Ilex (holly)
 - Philadelphus (mock organe)
 - Spiraea (spirea)
 - Syringa (lilac)
 - Viburnum (viburnum)
 - Weigela (weigela)

5. Herbaceous Perennials including
Daylilies, Hostas, Sedum and Fern
6. Ornamental Grass, Sedges, Reeds
Calamagrostis (feather reed grass)
Festuca (dwarf clumping grass)
Miscanthus (large clumping grass)
Panicum (switch grass)
Pennisetum (fountain grass)
7. Ground Covers
Ajuga (Bugleweed)
Euonymus (wintercreeper)
Hedera (English ivy, Baltic ivy)
Lonicera (halls honeysuckle)
Pachysandra (pachysandra)
Vinca (myrtle)

The following is a list of minimum sizes for the recommended Plant groups at the time of planting:

- Evergreen (conifer) 6' to 8'
- Evergreen (ornamental) 24" to 48"
- Broadleaf Evergreens 24" to 48"
- Deciduous trees (shade) 3" caliper
- Deciduous trees (ornamental flowering) 2" to 2½" caliper
- Deciduous Shrubs 18" to 48" or 2–3 gal.
- Herbaceous Perennials 1–3 gal.
- Ornamental Grass 1–3 gal.
- Ground Cover 2 year 2½" pot

All landscape plant material must meet the American Standard for Nursery Stock quality. All plant material must be No. 1 or heavy specimen quality grade.

All landscaping shall be installed and maintained to ensure growth. All landscaping materials shall be maintained free from disease, pests, weeds, and litter. The regular maintenance shall also include prompt replacement, where necessary, of any landscaping plantings that die, turn brown or defoliate. The replacement plantings shall be of the same size, species and quantity as shown on the approved plans. Substitutions shall be approved by the Town Planning Department and so noted on the approved drawings. A two-year maintenance bond or cash equivalent may be required to be posted with the town if determined by the Code Enforcement Officer (CEO) to be appropriate.

The following trees/shrubs are considered undesirable in most applications. These plants have a tendency to become over-dominant, also are soft or brittle and tend to break during high winds or heavy snows.

Acer	Box Elder, Amur Maple, Silver Maple
Ailanthus	Tree of Heaven
Populus	White Poplar, Carolina Poplar, Lombardy Poplar
Salix	All willows
Prunus	Purple Leaf Plus
Elaeagnus	Russian Olive, Autumn Olive
Juniperus	Andorra Juniper, Hetzi Juniper
Thuja	All Arbor Vitaes
Juglans	All nut trees

Any changes to the approved landscape design, including variety and size of plants, must be made in writing to the Town CEO for change approval.

9. Applicant Submissions

Both conceptual site and conceptual building designs should be incorporated into the applicant’s plans, beginning with the applicant’s concept, or sketch plan, reviews submission. Subsequent submissions should include sufficient drawings, photos and text to clearly and thoroughly communicate the complete design intent of the project, to the satisfaction of the Board. The applicant is encouraged to have a pre-planning submission conference with the CEO, the Director of Planning and Development and the landscape consultant. Submission information to the Board shall include, but not be limited to the following:

Conceptual/sketch Plan:

- a. All drawings should have a scale that is indicated on the drawing, along with the direction of north and each sheet should be numbered and dated.
- b. The design character of the building(s) should be shown on the plan along with a three-dimensional concept sketch indicating anticipated size, shapes, materials and relationship to the site.
- c. Generic landscape ideas and exterior space concepts should be included.

Preliminary Plan:

- a. Provide building plans and elevation drawings to scale that are numbered and dated. Provide a first-floor plan.

- b. All building elevations must be in color. All colors shown shall be the colors of the building to be constructed and identified by an objective manner, paint identification number or nomenclature, or similar material.
- c. Three-dimensional representations of primary building façades should be included that include roof forms, method of screening visible building equipment, trash and loading areas. These drawings shall indicate color and material representations.
- d. The Board may request: a site profile incorporating a key building profile; an additional three-dimensional rendition or electronic 3-D walkthrough; or even a mass model, if necessary to fully understand the three dimensional characteristics of proposed buildings.

Final Plan:

- a. Provide final design drawings that include final design refinements that incorporate Board comments from prior submissions. Provide colored elevations of all building elevations, screening, light fixtures, roof penetrations, HVAC grilles, building-mounted lights, signs and canopies. Clearly identify all materials and colors, including exterior soffit materials.
- b. Provide colored exterior elevations of all sides of building and provide three-dimensional renditions, if requested by the Board. Provide a first-floor plan and a roof plan. Provide elevations of exterior screen walls.
- c. Provide a “hardscape” plan at least 1/8"–1' 0" in scale indicating: pedestrian paving materials; surface patterns; control and expansion joint locations; key dimensions and location of landscape accessories; and all site accessories. This plan shall include all dimensioning necessary for accurate layout of all paving including control and expansion joint locations.
- d. Final grading plans and landscape planting plans shall be prepared and sealed by a Licensed Landscape Architect.
- e. Provide a written list of all exterior building materials with samples of each material. A sample of glass will be required if anything other than clear glass is being proposed.
- f. Provide catalog cuts with color selections of site lighting fixtures and landscape accessories including: fencing, tables, benches, trash containers, tree grates, tree guards, pedestrian walkway light fixtures, landscape lighting fixtures, bollards, fountains, clocks and bicycle racks, etc. Provide material and color samples of unit paving materials. Lighting fixture submittals shall indicate type of lamp and wattage per fixture.

- g. Provide a signage package including drawings to scale of all site signage, including building-mounted signs, site signage including vehicular traffic control signs. This material shall clearly indicate the graphic layout, dimensions, colors, type of illumination, lamp wattage.
- h. Provide finished grading plans and landscape plans. Finish grading and landscape plans shall be prepared and sealed by a NYS licensed landscape architect. Final landscape drawings shall include a plant schedule that clearly keys each plant type to the site. This schedule shall include the Latin name, common name, plant group, height, ball size, quantity and caliper required. See landscape section for additional requirements.

10. Terminology

For the purposes of these Guidelines, the following shall serve to clarify the meaning of special terminology included in this text:

- a. *Earth Forms*: This term describes the three-dimensional character of subtle earth mounds or depressions which may be used to aesthetically enhance the locations of site plan features such as pedestrian walkways, pedestrian gathering areas, paved parking areas, locations of featured plant groupings, signage or landscape elements, among other things. Irregular earth forms are preferred. This term refers to visually soft, curvilinear earth shapes that undulate in both the vertical and horizontal planes. Earth forms where possible, should be interconnected into groups, the tops of which might vary from 12 inches to 30 inches and in special cases, higher or lower. The slope of grades used in defining earth forms could be gradual enough to allow for the mowing of sloped surfaces.
- b. *Hardscape*: This term describes that portion of a finished landscape design which includes, but is not limited to, the dimensional layout of pedestrian paving materials and patterns; the location of paving score lines and expansion joints; the location of landscape accessories including but not limited to bicycle racks, tables, benches, trash containers, tree grates, tree guards, bollards, trellises, gazebos and decorative walkway lighting; and the location of raised planters, curbed plant beds and decorative fountains. Hardscape elements are any of the above listed landscape accessories that are used to enhance the overall landscape design.
- c. *Pedestrian Friendly*: This term describes the positive aesthetic character of exterior space design that is likely to be inviting, interesting and enjoyable to pedestrians. Design components that impact on the pedestrian friendly and pedestrian scale of spaces include: pedestrian paving materials and their colors, textures and patterns; plant material including seasonal variety and color; subtle earth forming; size and character of pedestrian signage; use of park-like landscape accessories such as plant beds, benches, tree grates, tree guards, bollards and

decorative lighting, to mention a few. It is important to note that pedestrian scale spaces can and should be inviting to passing motorists as well.

- d. *Sense of Place:* This term describes the ambiance of exterior spaces that are designed to have a personality that is inviting and attractive to pedestrians. Such spaces are best located between parking areas and building entrance façades, between buildings or between building wings.

APPENDIX #1

The following products are reprinted courtesy of the manufacturers listed below.

- Victor Stanley, Inc.
- Antique Street Lamps, Inc.
- Jamestown Iron Works, Inc.
- Thomas Lighting
- Architectural Landscape Lighting

The inclusion of products in these Guidelines is not intended to be an endorsement of the products. The intent is to give the reader a few graphic examples of possible walkway lighting and hardscape design elements.

APPENDIX #2

The following pages are photocopies of Chart 1, pages 57 and 58 of the “Route 96/Route 332 Corridor Development Plan (October 1986), prepared by Phoenix Associates, Inc. The information contained in Chart 1 is part of the additional Buffer Areas for certain abutting properties, Chapter 165, Section 57. B. of the adopted Farmington Town Code. The minimum buffer area standards for sites located within the mapped Major Thoroughfare Overlay District (MTOD) shall be approved by the Town Board, as part of these Site Design Guidelines.

■ The above resolution was offered by MR. BELLIS and seconded by MR. VIETS at a meeting of the Town of Farmington Board held on March 1, 2017. Following discussion thereon, the following vote was taken and recorded in the Official Minutes of the Board.

- | | |
|------------------|-----|
| Adrian Bellis | Aye |
| Edward Hemminger | Aye |
| Mary Neale | Aye |
| Douglas Viets | Aye |
| Scott Makin | Aye |

Motion carried.

I, John M. Robortella, Clerk of the Board, do hereby attest to the accuracy of the above resolution and to it being acted upon by the board at a meeting held on March 1, 2017.

John M. Robortella
Clerk of the Town of Farmington Board