

*Town of Farmington*

1000 County Road 8  
Farmington, New York 14425

**PLANNING BOARD**  
**Wednesday, March 21, 2018, 7:00 p.m.**

**MINUTES—APPROVED**

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

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

**Board Member Excused:** Edward Hemminger

**Staff Present:**  
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group, D.P.C.  
David Degear, Town of Farmington Water and Sewer Superintendent  
Don Giroux, Town of Farmington Highway Superintendent  
James Morse, Town of Farmington Code Enforcement Officer

**Applicants Present:**  
Walter S. Baker, D.S.B. Engineers and Architects, P.C., 2394 Ridgeway Avenue,  
Rochester, N.Y. 14626  
Daniel Brocht, Commercial/Residential Project Manager, Costich Engineering,  
217 Lake Avenue, Rochester, N.Y. 14618  
David and Kathy Cooper, 5650 County Road 41, Farmington, N.Y. 14425

**Resident Present:**  
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425

**1. MEETING OPENING**

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

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

**2. APPROVAL OF MINUTES OF MARCH 7, 2018**

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the minutes of the March 7, 2018, meeting be approved.

Motion carried by voice vote.

**3. NEW FINAL 40-LOT SUBDIVISION**

**PB #0301-18                      New Final 40-Lot Subdivision Application**

**Name:**                              D.S.B. Engineers and Architects, P.C., 2394 Ridgeway Avenue, Rochester, N.Y. 14626; representing A&D Real Estate Development Corporation, LLC, 7 Beauclaire Lane, Fairport, N.Y. 14450

**Location:**                              Auburn Meadows Subdivision, Section 9

**Zoning District:**                      Incentive Zoning

**Request:**                              Final 40-Lot Subdivision Plat approval, Auburn Meadows Subdivision, Section 9

Mr. Baker of D.S.B. Engineers and Architects, P.C., presented this application.

He explained that Sections 6N and 6S of the Auburn Meadows Subdivision are now under construction and that Section 9 would be built prior to Sections 7 and 8.

Mr. Baker said that two of the lots in Section 9—Lots 934 and 935—have a smaller width than the other lots in the section. He said that these two are pie-shaped lots which are wider at the front and which converge toward the back. He presented hard copies of color renderings, floor plans and dimensions of the five homes which homeowners may select in this section (these materials were provided to the Planning Board and Town staff in electronic format prior to the meeting). The Aruba model is the only choice to fit on the smaller Lots 934 and 935.

The Plan 1296:                      Footprint maximum 40 feet x 48 feet

The Aruba:                              Footprint maximum 34 feet x 56 feet

The Bahama:                              Footprint maximum 40 feet x 48 feet

The Cayman: Footprint maximum 40 feet x 58 feet

The Dominca: Footprint maximum 40 feet x 62 feet

Following discussions with Mr. Brabant, Mr. Baker said that Plot Plans as determined by surveys would be provided to the Town for the specific home models to be built on specific lots. Mr. Brabant said that this process is typical in some communities and that the Planning Board and the Town staff are receiving templates of the homes at this time and are not reviewing specific footprints of homes as they would be positioned on the individual lots.

Mr. Brabant said that a surveyed Plot Plan would be required to be submitted by the builder for each home as the lots and the home plan are selected by the prospective buyers. He said that each Plot Plan would be reviewed by the Building Department to confirm that there are no substantial changes from the overall Subdivision Plat. Mr. Brabant said that a surveyed Plot Plan would provide the Town with a more accurate representation of the homes to be constructed on the lots. He suggested that perhaps the Planning Board may wish to consider requiring a Plot Plan as a condition of Final Subdivision approval for Section 9.

Mr. Baker said that a surveyor would provide the footprint of the house plan on each lot at the time sale. He said that many communities require a surveyed Plot Plan for every home in a subdivision. He said that the Plot Plan would assure that the selected home would fit on the selected lot.

Mr. Morse confirmed that the Building Department requires a Plot Plan for every home constructed in the Town. He said that the Town staff inspects the survey stakes at each home site to assure accuracy in meeting setbacks and other conditions of approval. He said that it would not be necessary to require a Plot Plan as a condition of Final Subdivision approval because Plot Plans are currently required by the Building Department. He explained that this inspection assures that each home which constructed on a lot meets the required setbacks.

Mr. Baker noted that he has responded to the comments of the Water and Sewer Superintendent, the Town Engineer and the Project Review Committee. He said that the applicant can comply with each of the comments.

Mr. Brabant said that a draft resolution has been provided for board consideration this evening to approve the Final Subdivision Plat for Section 9 with conditions.

He reviewed several of the engineering comments in the MRB Group comment letter of March 16, 2018, including driveway turnarounds to be provided for Lots 923 and 930 to avoid vehicles from backing into the intersection, and the installation of removable bollards at the 30-foot-wide access point to the Town parkland to prevent vehicles from entering the parkland at this location. Mr. Baker reviewed the locations of existing bollards

in the previous sections of the subdivision and agreed with the installation of driveway turnarounds for Lots 923 and 930.

Mr. Brabant suggested that a lighting fixture be installed at the pedestrian crosswalk access to the Town parkland in addition to the standard lighting fixtures similar to those which have been installed in the previous sections of the subdivision.

He also noted that sidewalks and a portion of the stone dust trail would be continued into the Town parkland.

Mr. Morse, Mr. Giroux and Mr. Degear said that each of their concerns regarding this application have been addressed.

Mr. Viets, Ms. Neale and Mr. Maloy had no further comments or questions.

Mr. Bellis asked about a hammerhead turnaround for construction vehicles in Section 9. Mr. Baker said that the radius of the road would be large enough for truck turnaround maneuvers.

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

Mr. Bellis then asked the clerk to read aloud the following resolution:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
FINAL PLAT APPROVAL—SECTION 9, AUBURN MEADOWS SUBDIVISION**

**PB #0301-18**

**APPLICANT: A&D Real Estate Development Corporation, LLC  
7 Beauclaire Lane, Fairport, N.Y. 14450**

**ACTION: Final Subdivision Plat Approval, Section 9, Auburn Meadows  
Incentive Zoning Project**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has under separate resolution determined the above referenced Action will not have a significant adverse impact upon the environment; and

**WHEREAS**, the Planning Board has opened a public meeting in compliance with New York State Town Law with regards to the requested Final Subdivision Plat approval; and

**WHEREAS**, the Planning Board has given consideration to the comments provided upon the above referenced Application.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Board does hereby grant Final Subdivision Plat Approval with the following conditions for the proposed Section 9, Auburn Meadows Subdivision, Incentive Zoning Tract:

1. Final Subdivision Plat drawings prepared by D.S.B. Engineers & Architects, P.C., identified as project number 03-11020, dated February 2018, consisting of drawings numbers 1 of 9 through 9 of 9, as may be further amended below herein.
2. All conditions of approval established by the Town Board, as part of the Incentive Zoning Project for this site, shall continue to govern the development of this portion of the overall site.
3. All lots in Section 9 are to have two street trees planted prior to the issuance of Certificates of Occupancy for a respective lot.
4. Drawing Number 6 of 9, is to add a street light between Lots #926 and #927 as this is a pedestrian entrance to the Beaver Creek Parkland and access point to the trail.
5. All drawings are to identify the 30'-wide piece of land located between #926 & #927 as part of the "Lands to be dedicated to the Town of Farmington" parcel and not the Ackerman Road R.O.W.
6. The strip of Town-owned land shown on the proposed Town-owned parkland, located between Lots #926 and #927 is to have a five-foot-wide concrete sidewalk installed running the entire length of these two lots into the adjacent Beaver Creek Parkland Lot prior to the issuance of a Certificate of Occupancy for either a building on Lot #926 or #927.
7. Drawings Number 3 of 9, 4 of 9, and 5 of 9 are to be changed to show the separate tax map number 041.15-1-65.2 (3.5 Acres) that is owned by the Town of Farmington and not part of the Beaver Creek Parkland.
8. Sheet 5 "Grading and Erosion Control Plan" is to be revised to identify this as Drawing Number 5 of 9 and not 5 of 12.
9. Drawing Numbers 4 of 9, 5 of 9, and 6 of 9 are to be changed to show the lands being dedicated to the Town of Farmington for the Beaver Creek Parkland.
10. Turnarounds are to be installed in the driveways of Lots 923 and 930 to avoid vehicles from backing into an intersection.
11. All comments contained in the Town Engineering Firm's March 16, 2018, letter to the Town Director of Planning and Development are to be addressed in writing and changes made to the Final Subdivision Plat Drawings as may be required in said letter.

12. All comments contained in the Town Water and Sewer Department's February 16, 2018, letter are to be addressed in writing and changes made to the Final Subdivision Plat Drawings as may be required in said letter.
13. No site preparation or construction shall commence until final plans have been signed by the Planning Board Chairperson and filed in the Office of the Ontario County Clerk.
14. The revised set of the Final Subdivision Plat Drawings are to be submitted to the Town Code Enforcement Officer for his review and acceptance with the conditions contained within this resolution prior to signing by the Town Highway and Parks Superintendent, Town Engineer, Town Water and Sewer Superintendent and then Planning Board Chairperson.
15. The applicant is advised that prior to the start of construction a "Pre-Construction Meeting" will be scheduled by the Town Code Enforcement Officer. A prerequisite to the scheduling of the "Pre-Construction Meeting" will be the filing of a Letter of Credit with the Town Clerk for any site improvement that is to be dedicated to the Town. The applicant is further advised to discuss the process for a Letter of Credit with the Town Code Enforcement Officer to avoid any delay in obtaining a Building Permit.
16. No Building Permits are to be issued until the Applicant has filed with the Town Clerk's Office, the necessary letter of credit for site improvements being dedicated to the Town.
17. When ready for signatures, one (1) mylar and two (2) paper prints are to be signed and filed with the Ontario County Clerk's Office. In addition, a total of six (6) copies of the set of Final Subdivision Plan Drawings are to be signed by Town Officials and then distributed to the following: Town Highway and Parks Superintendent; Town Water and Sewer Superintendent; Town Construction Inspector; Town Engineer; and the Town Development Office. One copy of the signed Final Subdivision Plat Drawings is to be returned to the Applicant. The Applicant is to provide the number of additional copies of the Final Subdivision Plat Drawings that they will need for their files.
18. Final Subdivision Plat Approval is valid for a period of 180 days and shall expire unless the drawings have been filed in the Office of the Ontario County Clerk.
19. Once the Final Subdivision Plat has been signed by the Planning Board Chairperson, the applicant shall file in the office of the Ontario County Clerk such approved final plat within sixty-two (62) days from the date of final approval or such approval shall expire (NYS Town Law Section 276-11).

Mr. Bellis asked Mr. Baker if he understood the resolution and agreed with the conditions. Mr. Baker said that he understood the resolution and agreed with the conditions.

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

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

Motion carried.

#### 4. NEW PRELIMINARY SITE PLAN

##### **PB #0302-18            New Preliminary Site Plan Application**

**Name:**                    David and Kathy Cooper, 5650 County Road 41,  
Farmington, N.Y. 14425

**Location:**                5650 County Road 41

**Zoning District:**        General Business and Limited Industrial

**Request:**                 Preliminary Site Plan approval to construct a two-story country store (general goods, picnic tables, Amish-buit furniture and cabinetry) and sales of monuments and storage sheds.

Mr. Brocht presented this application. David and Kathy Cooper also attended.

He explained that the applicants wish to construct a two-story, approximately 2,000-square-foot general store which would be located adjacent to their existing residence. He said that general goods, cemetery monuments and Amish cabinetry and sheds would be sold. Mr. Brocht said that an outdoor display area for the sheds is shown on the plan.

Mr. Brocht said that the initial site plan has been revised to reflect comments from the Project Review Committee meeting held on March 2, 2018; and from the Ontario County Planning Board (OCPB) meeting held on March 14, 2018. He explained that site disturbance has been minimized through the use of an area of grass for the outdoor displays and by a wood-chip trail around the site. Mr. Brocht noted that a binder area which is now being used for parking has been included in the calculations for the limits of disturbance.

Mr. Brabant asked about the outdoor display area which is shown as existing grass on the plan. Mr. Brocht said that this existing grass would be used for the outdoor display area and that no new disturbance is planned. Mr. Brabant said that the OCPB believed that more than one acre of land would be disturbed because of the outdoor display area. He

explained that the applicant's revised plans have identified the outdoor display area as existing lawn or existing gravel and that there would be no new disturbance associated with the display area. Mr. Brabant said that he is pointing this out because the OCPB believed that there would be more than one acre of disturbance due to the display area. He noted that the applicant addressed this on the second submittal of the plans and that the County planning staff may not have noticed this revision.

In response to a comment at the Project Review Committee meeting on March 2, 2018, Mr. Brabant said that Mr. Brocht has revised the plans to show the ability of fire equipment to maneuver on the site. He said that adequate driveway width, an approved turning radius and an emergency vehicle turning template have been provided.

Mr. Brabant said that the limits of disturbance on the current plan are under the one-acre threshold for water quality and quantity measures. But he explained that any future development on the site would trigger the threshold for water quality and quantity measures to comply with New York State Department of Environmental Conservation requirements.

Mr. Morse reported that Mr. Cooper's property is located in two zoning districts, i.e., a portion of the property is in the General Business Zoning District and a portion is in the General Industrial Zoning District. He said that the Town Attorney has provided an interpretation that the requested use is permitted within the General Business Zoning District if it meets the required setback from the zoning district boundary line. He said that Mr. Cooper has indicated that he would like to have the entire parcel classified within the General Business Zoning District at some point in the future. Mr. Morse explained that this would require a rezoning of the General Industrial portion of the property to General Business by the Town Board.

Mr. Morse reported that he spoke with Mr. Cooper concerning a portion of the display area in the front of the parcel. He said that the Town Code refers to display areas to be located in the rear of the parcel. Mr. Morse suggested that the board may wish to see an elevation of the front portion of the site prior to Final Site Plan approval.

Mr. Giroux and Mr. Degear said that their concerns regarding this application have been addressed.

Mr. Viets requested that more detailed elevations of the store and the front display area be provided.

Mr. Viets also noted that he did not see electric utilities labeled on the plan. He asked if electric service would be overhead. Mr. Brocht said that he has not yet contacted Rochester Gas & Electric (RG&E) about this project. He said that plans would be provided to RG&E following Preliminary Site Plan approval. Mr. Cooper said that a new underground electric service is planned from County Road 41 to the new building. Mr. Viets asked if this work would be within the disturbed area of the site. Mr. Cooper said yes.

Mr. Viets asked if a representative of the fire department has reviewed the plans and is comfortable with the fire hydrants. Mr. Giroux said that he could not speak on behalf of the fire department. Mr. Brabant said that the distance from the fire hydrant to the new structure is in compliance with distance requirements. He said that a set of different requirements would have to be met if the building is to be sprinklered. Mr. Brocht reviewed the locations of the fire hydrants on the plans. Mr. Brabant confirmed that the hydrants meet the distance requirements to the new building. Mr. Cooper said that the architect has indicated that the building will not require a sprinkler system. Mr. Morse said that this would be confirmed following review of the construction drawings. Mr. Brabant said the Town is not requiring an extension of the water main or the installation of another hydrant.

Mr. Viets noted that the plans do not indicate double striping of the parking area. Mr. Morse explained to the applicant the Town standard regarding double striping of parking areas. Mr. Brabant will send the Town specifications to Mr. Brocht.

Ms. Neale requested that the applicant provide a better elevation rendering of the proposed two-story structure and the outdoor display area. She also requested an additional discussion and elevation rendering of how the outdoor display will be used. Mr. Morse suggested that the applicant provide an elevation view from County Road 41 depicting the display area and the view of the store from the road.

Mr. Bellis asked about the rendering of the barn which has been provided. Mr. Cooper said that this rendering was a quick mark-up of the structure and that a more detailed rendering would be provided. Mr. Bellis asked if windows would be installed. Mr. Cooper said that 16 windows would be installed. He also discussed the board-and-batten construction with T1-11 plywood siding and a metal roof.

Mr. Bellis asked about the merchandise to be displayed in outdoor front display area. Mr. Cooper said that all sheds would be displayed behind the store and that only cemetery monuments would be displayed in the front. He said that he would like to have some of them in front to attract customers' attention. Mr. Bellis said that the Planning Board would definitely need to see an elevation rendering of what merchandise would be displayed in front of the store. Mr. Morse again noted that the Town Code requires displays to be located in the rear of a lot. Mr. Cooper said that he would like to having a display in front as an option. He explained that most of the display of merchandise would be fixed on the patio of the store and inside the building.

Mr. Brabant summarized the requests of the board, i.e.:

1. That the items to be located in the outdoor display area be labeled on the plans.
2. That more detailed color renderings of building be provided.
3. That an elevation of the front outdoor display area be provided as seen from County Road 41. This is to demonstrate to the Planning Board what will be

displayed in front and will enable the Planning Board to better interpret the Town Code on this matter.

Mr. Bellis asked about signage. Mr. Brabant said that the sign location can be shown on the site plan but that the draft Preliminary Site Plan resolution indicates that a separate signage application for all proposed ground and building signage is to be provided to the Development Office for review and approval. He said that this is a similar process which has been used in other applications, including the most recent Site Plan approval of Dr. Sturn's dental office.

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

■ A motion was made by MS. NEALE, seconded by MR. VIETS, that the reading of the State Environmental Quality Review (SEQR) Determination of Significance resolution be waived.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
CRITERIA FOR DETERMINING SIGNIFICANCE—PRELIMINARY SITE PLAN**

**PB #0302-18**

**APPLICANT: David and Kathy Cooper, 5650 County Road 41,  
Farmington, N.Y. 14425**

**ACTION: SEQR Determination of Significance: David Cooper,  
5650 County Road 41, Preliminary Site Plan**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has determined the proposed Preliminary Site Plan for the proposed construction of a 2-story retail building and related site improvements located at 5650 County Road 41 to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1 and 2 of the Short Environmental Assessment Form.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action;
- (iv) the overall density of the sites is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources on the site, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not be a large number of persons attracted to the site for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

**BE IT FURTHER RESOLVED** that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed action WILL NOT result in any significant adverse environmental impacts.

**BE IT FURTHER RESOLVED** that the Planning Board directs the Planning Board Chairman to sign and date Part 2 of the Short Environmental Assessment Form and to identify on the Form that the proposed Action will not result in any significant adverse impacts.

**BE IT FINALLY RESOLVED** that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

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

Motion carried.

Mr. Bellis then asked the clerk to read aloud the following resolution:

**FARMINGTON PLANNING BOARD RESOLUTION  
 DAVID AND KATHY COOPER, 5650 COUNTY ROAD 41  
 PRELIMINARY SITE PLAN  
 ACCEPTING THE SHORT ENVIRONMENTAL ASSESSMENT FORM PARTS 1, 2 AND 3**

**PB #0302-18**

**APPLICANT: David and Kathy Cooper, 5650 County Road 41, Farmington, N.Y. 14425**

**ACTION: Accepting the Short Environmental Assessment Form Parts 1, 2 and 3 for the following application: Preliminary Site Plan**

**WHEREAS**, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria, under Part 617.4 (b) and Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, determining the proposed Action to be an Unlisted Action Classification; and,

**WHEREAS**, the Board has reviewed Part 3 of the Short Environmental Assessment Form for the proposed Action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board does hereby accepts Parts 1, 2 and 3 of the Short Environmental Assessment Form, dated March 21, 2018, prepared

by the Town Engineer, as being a complete and reasoned elaboration of the proposed Action.

**BE IT FINALLY RESOLVED THAT** the Board has satisfied the procedural requirements set forth under the State Environmental Quality Review (SEQR) Regulations.

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

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

Motion carried.

Mr. Bellis then asked the clerk to read aloud the following resolution. Following the reading, Mr. Brabant offered an amendment to Draft Condition #8 and three additional conditions (#12, #13 and #14). The resolution which appears below includes the amendment and the additional conditions:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
ACTION RESOLUTION—PRELIMINARY SITE PLAN**

**PB #0302-18**

**APPLICANT: David and Kathy Cooper, 5650 County Road 41,  
Farmington, N.Y. 14425**

**ACTION: Preliminary Site Plan Approval**

**WHEREAS,** the Town of Farmington Planning Board (hereinafter referred to as Planning Board) as the designated Lead Agency under Part 617 of the State Environmental Quality Review (SEQR) Regulations has under separate resolution determined the above referenced Action will not have a significant adverse impact upon the environment; and

**WHEREAS,** the Planning Board has given consideration to the packet of information and drawings that have been submitted by the applicant dated February 15, 2018, last revised March 6, 2018, prepared by Costich Engineering; and

**WHEREAS,** the Planning Board has received and given consideration to the Ontario County Planning Board’s Referral #26-2018.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Board does hereby grant Preliminary Site Plan Approval with conditions for the proposed 2-story retail building that is to be located upon the site at 5650 County Road 41, based upon the following drawings and with the following conditions:

1. The set of Preliminary Site Plan Documents prepared by Costich Engineering, having revision date of March 6, 2018 consisting of Sheet Numbers 1 of 3 through 3 of 3, as may be further amended below herein. These drawings are entitled “David and Kathleen Cooper, 5650 County Road 41, Town of Farmington, Ontario County, New York.”
2. All site lighting is to comply with the Town Lighting Standards contained in Chapter 165 of the Farmington Town Code. A note to this effect is to be placed on the Site Plan.
3. Preliminary Site Plan Approval is based upon the Applicant’s Engineers, providing responses to the Town Engineer’s comments identified within the comment letter dated March 16, 2018, and discussed at tonight’s meeting and recorded in the meeting minutes.
4. Preliminary Site Plan Approval is based upon the Applicant’s Engineers, providing responses to the Town of Farmington Water and Sewer Department’s comments identified within the comment letter dated March 13, 2018, and discussed at tonight’s meeting and recorded in the meeting minutes.
5. A total of six (6) copies of the set of Preliminary Site Plans, once revised to address these conditions of approval, are to be signed by Town Officials and then distributed to the following: Town Water and Sewer Superintendent; Town Construction Inspector; Town Engineer; Ontario County Office; and the Town Development Office. One copy of the signed Preliminary Site Plan Drawings is to be returned to the Applicant. The Applicant is to provide the number of additional copies of the Preliminary Site Plan drawings that they will need for their files.
6. Once the Preliminary Site Plan drawings have been reviewed and signed by the above referenced Town Officials, then the applicant may make application for Final Site Plan. Once complete sets of the Final Site Plan drawings have been reviewed by the Code Enforcement Officer, the application may be placed upon the next available planning board agenda. The applicant is encouraged to work with Town Staff on meeting the filing deadlines.
7. Preliminary Site Plan Approval is valid for a period of 180 days and shall expire unless Final Site Plan Drawings have been signed and filed.
8. No Building Permits may be issued until Final Plan drawings have been filed with the Town and the applicant has provided the Town with copies of any Ontario

County Department of Public Works Highway Work Permits, if such Public Works Highway Work Permits are required by Ontario County.

- 9. The title of the cover sheet should be revised to “Preliminary Site Plan David & Kathleen Cooper.” The Preliminary Site Plans are to be revised prior to signatures being affixed to the drawings.
- 10. A separate signage application for all proposed ground and building signage is to be provided to the Town Development Office for review and approval.
- 11. The applicant is advised that after receiving Final Site Plan Approval from the Town Planning Board and prior to the start of construction a “Pre-Construction Meeting” will be scheduled by the Town Code Enforcement Officer. A prerequisite to the scheduling of the “Pre-Construction Meeting” will be the filing of a Letter of Credit with the Town Clerk for any site improvement that is to be dedicated to the Town. The applicant is further advised to discuss the need for a Letter of Credit with the Town Code Enforcement Officer to avoid any delay in obtaining a Building Permit.
- 12. An elevation of the proposed front-yard display area is to be provided as part of the Final Site Plan submission for review and approval by the Planning Board.
- 13. The site plans are to be revised to depict double striping of all parking areas. The Town-approved double striping details are to be provided on the plans.
- 14. A public safety sign is to added to the plans. The Town-approved details are to be provided on the plans.

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

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

Motion carried.

**5. OPEN DISCUSSION**

***Town Engineer:***

**Pintail Crossing Subdivision, Phase 1: Letter of Credit Establishment**

Mr. Brand said that a resolution has been prepared for board consideration this evening for establishment of a Letter of Credit for the Pintail Crossing Subdivision, Phase 1.

■ A motion was made by MS. NEALE, seconded by MR. MALOY, that the reading of the resolution be waived.

Motion carried by voice vote. The reading of the Pintail Crossing Subdivision, Phase 1, Letter of Credit Establishment resolution was waived.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION  
SURETY ESTABLISHMENT**

**PB #0207-18**

**APPLICANT:**                   **Conifer Realty LLC, c/o Michael Birkby, Project Director,  
1000 University Avenue, Suite 500, Rochester, N.Y. 14607**

**ACTION:**                       **Pintail Crossing, Phase 1—Surety Establishment**

**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 dated March 21, 2018 (hereinafter referred to as Memo); a March 21, 2018 cover letter from Lance S. Brabant, CPESC, Director of Planning Services; a copy of the applicant's Engineer's Estimate of Value, dated March 12, 2018; and a draft resolution to accept the engineer's estimate of value for the establishment of a form of surety for improvements to be made within Phase 1 of the Pintail Crossing Development; and

**WHEREAS**, the total amount of said Surety to be established and filed with the Town Clerk is \$1,290,184.00; and

**WHEREAS**, upon the filing of a Letter of Credit is for the entirety of approved site improvements in Phase 1 of the Pintail Crossing Development; 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 that the requested Suety be established.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Water and Sewer Superintendent, the Town Engineer, the Town Construction Inspector and the Town Director of Planning and Development does hereby recommend that the Town Board take formal action to accept a letter of credit from the Developer, in the total amount of \$1,290,184.00 and direct the filing thereof with the Town Clerk's Office.

**BE IT FURTHER RESOLVED** that the Planning Board does hereby direct the Chairperson to submit a copy of this resolution to the Town Board for its consideration at the March 27, 2018, Town Board Meeting.

**BE IT FURTHER RESOLVED** that the Town Code Enforcement Officer is hereby directed to schedule a preconstruction meeting with the Developer and others, upon the filing of a letter of credit, as a form of surety, for the overall site improvements within Phase 1 of the Pintail Crossing Development.

**BE IT FINALLY RESOLVED** that the Clerk of the Board is hereby directed to provide certified copies of this resolution to: the Town Board; the Town Code Enforcement Officer; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Construction Inspector; the Town Engineer; the Developer's Engineer, Matt Tomlinson, Marathon Engineering; the Town Principal Account Clerk; and the Developer, Michael Birkby, Conifer Realty, LLC.

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

Motion carried.

***Code Enforcement Officer:***

Mr. Morse reported on several new projects including an automobile doll-up business which has been proposed for an existing vacant building on Mertensia Road and a recreational vehicle sales business proposed on the northeast corner of State Route 96 and Mertensia Road.

He also noted that AP Plumbing of Rochester, N.Y., has purchased property on the east side of State Route 332 south of the existing KFC Restaurant. He said that it has been determined that the property is located on two zoning districts, i.e., General Business and Incentive Zoning.

***Highway Superintendent:***

Mr. Giroux said that Highway Department staff has cleared the right-of-way for the Town's portion of Ivory Drive which will serve as the connection between the Auburn Meadows Subdivision and the future Carmen's Way. This will provide access from the Auburn Meadows Subdivision to the future signalized intersection at Carmen's Way and State Route 332.

***Water and Sewer Superintendent:***

Mr. Degear reported on several issues which have occurred regarding the work at the Farmington Gardens II site on the west side of State Route 332. These have included issues with field changes, sewer laterals, fire hydrants having been installed outside the Town right-of-way, and installation of water mains. He said that many of these issues could have been avoided by the developer having agreed to regular progress meetings with the Town staff. Mr. Degear said that the developer has finally agreed to attend a progress meeting on Friday, March 23, 2018.

Mr. Degear said that the Town construction inspector and additional staff have been monitoring work at the Hickory Rise Subdivision and at the Cerone Incentive Zoning Project, both which are also now in progress.

He also reported that the Town Hall low-pressure sewer will be connected now that a new road within the Hickory Rise Subdivision has been completed and dedicated to the Town, and that work is proceeding on the repair of a water line in the vicinity of State Route 332 and Canandaigua–Farmington Town Line Road.

**6. PUBLIC COMMENTS**

None.

**7. ADJOURNMENT**

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

Motion carried by voice vote.

The meeting was adjourned at 8:10 p.m.

The next regular meeting of the Planning Board will be held at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, April 4, 2018, at 7:00 p.m.

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

Respectfully submitted,

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