

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, March 3, 2021 • 7:00 p.m.

MINUTES—APPROVED

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

In response to the conditions in New York State that were created by the Coronavirus (COVID-19) pandemic and the directives issued by the New York State Governor, the Ontario County Administrator and the Town of Farmington Supervisor, the Planning Board meeting this evening was held in accordance with New York State Governor Andrew M. Cuomo's Executive Order No. 202: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency, dated March 7, 2020, and extended by Executive Order 202.91 through March 28, 2021.

Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit an public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

The meeting was conducted at the Farmington Town Hall and via telephone/video conference format for those not wishing to attend in person. During the meeting, the agenda and each draft resolution was posted upon the video screen for the public, the applicants and the board members who were participating in the meeting via telephone/video format.

The Public Notice of the format of the meeting, the agenda, the draft resolutions, the dial-in telephone number and the conference call identification number were posted upon the Town website and upon the Town Hall entrance doors on February 16, 2021.

This meeting was conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021, with the following revisions per the above reference to the Governor's Executive Order:

- All applications will be introduced by the Planning Board Chairperson.
- The Planning Board Chairperson will ask for comments from the Town staff.
- The Planning Board Chairperson will ask for comments from the Planning Board.
- The applicant(s) will provide responses where needed at the direction of the Planning Board Chairperson.
- The Planning Board members will vote upon the application(s).
- Public comments will be received by the Planning Board Chairperson only during the Public Comment agenda item.
- The meeting will be recorded and later fully transcribed by the Clerk of the Board.

Board Members Present: Douglas Viets, *Acting Chairperson*
 Adrian Bellis
 Timothy DeLucia
 Shauncy Maloy

**Board Member Present
 via Remote Participation:** Edward Hemminger

Staff Present at the Town Hall:

Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.
 Ronald L. Brand, Town of Farmington Director of Development and Planning
 Dan Delpriore, Town of Farmington Code Enforcement Officer
 Don Giroux, Town of Farmington Highway and Parks Superintendent
 John Weidenborner, Town of Farmington Zoning Officer

Applicants Present at the Town Hall:

Jeff Berends, Construction Manager, Meyer's RV Superstore of Farmington,
 c/o 100 Sanford Road North, Churchville, N.Y. 14428
 Todd Campbell, Hanlon Architects, 1300 University Avenue, Rochester, N.Y. 14607
 Suzanne Mandrino, 7310 Shallow Creek Trail, Apt. F, Victor, N.Y. 14564
 Joan Morrissey, 1556 New Michigan Road, Farmington, N.Y. 14425

Applicant Present via Telephone/Video Conference:

Michael Mandrino, 1600 New Michigan Road, Farmington, N.Y. 14425

Others Present at the Town Hall:

Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425
Chief Phil Robinson, Farmington Volunteer Fire Association

Others Present via Telephone/Video Conference:

[Others, unidentified]

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Acting Chairperson Douglas Viets.

Mr. Viets said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 20, 2021.

Mr. Hemminger's attendance via remote video conference was noted as being compliance with the "Town Boards and Committees Remote Participatilon in Public Meetings Policy and Procedures" aadopted by the Farmington Town Board on September 8, 2020 (Town Board Resolution #326 of 2020).

For those attending in person at the Farmington Town Hall, safety measures were implemented in accordance with the Governor's relevant Executive Orders regarding the COVID-19 pandemic. Board members, Town staff and residents who were in attendance at the Town Hall remained at separated distances of at least six feet and used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. Temperature checks were conducted by Town staff at the entrance to the Town Hall. Hand sanitizers were available throughout the building. Guidelines and safety measures were posted on the meeting room door and in the lobby of the Town Hall. Separate entrance and exit locations were used. Public access was restricted to the lobby, the main meeting room and the public restrooms.

2. APPROVAL OF MINUTES OF FEBRUARY 17, 2021

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the minutes of the February 17 , 2021, meeting be approved.

Motion carried by voice vote.

3. CONTINUED PUBLIC HEARING: RE-SUBDIVISION PLAT

PB #0201-21 Preliminary Two-Lot Re-Subdivision Application

Name: Suzanne Mandrino, 7310 Shallow Creek Trail, Apt. F, Victor, N.Y. 14564

Location: West side of New Michigan Road

Zoning District: RR-80 Rural Residential

Request: Preliminary Two-Lot Re-Subdivision Plat approval of land identified as Tax Map Account 41.00-1-57.100, containing a total of 32.256 acres of land; and a total of 3.5 acres of land as further to be identified as Property Line Adjustments, Lots 1 and 2 of the Anthony Mandrino Subdivision. The proposed two-lot re-subdivision action involves creating Lot #R-2A consisting of 14.000 acres and Lot #R-2B consisting of 18.256 acres. Lot #R-2A will remain a vacant non-approved building lot requiring site plan approval before any building permits may be issued. Lot #R-2B will have an existing single-family dwelling located on a total of 18.256 acres.

Mr. Viets reconvened the Public Hearing on this application which was opened on February 3, 2021.

Suzanne Mandrino presented this application. Joan Morrissey also attended in the Town Hall. Michael Mandrino attended via telephone/video conference.

The State Environmental Quality Review (SEQR) determination (the proposed action will not result in any significant adverse environmental impacts) was approved by the Planning Board on February 3, 2021.

The Public Hearing on the Preliminary Two-Lot Re-Subdivision and Lot Line application was continued to the meeting this evening to provide time for the applicant and the Town staff to resolve the concerns expressed in a letter to the Planning Board from Joan (Mandrino) Morrissey on February 16, 2021, regarding the provision of easements on the applicant's property

Ms. Mandrino said that she met with the Town staff following the previous meeting and that she and her family have no concerns with the proposed 30-foot-wide easement for both public water and for a future sidewalk installation across the frontages of all three lots along the west side of New Michigan Road.

Mr. Brand said the Town staff met with Ms. Mandrino and Ms. Morrissey following the meeting on February 17, 2021, and that the draft approval resolution which was discussed at that meeting. Tonight's draft resolution has been revised and reviewed by Ms. Mandrino and her siblings. Mr. Brand said that no objections to the revised draft approval resolution were received from the applicant.

Mr. Delpriore also confirmed that the Town staff met and discussed the revised draft approval resolution with the applicant. He said that the staff is ready to move forward on the application this evening.

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

Mr. Viets then asked if anyone on the telephone/video conference call wished to speak for or against the application, or to ask questions.

Mr. Mandrino (1600 New Michigan Road) said that he was speaking in support of his sisters and this application.

Mr. Viets then asked twice if anyone else on the telephone/video conference call wished to speak for or against the application, or to ask questions. There were no additional comments or questions from those on the telephone/video conference call.

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

■ A motion was made by MR. BELLIS, seconded by MR. DELUCIA, that the Public Hearing on PB #0201-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0201-21 was closed.

Board deliberations:

Mr. Hemminger thanked the Town staff and the applicants for having a meeting to work out the details of the easement and the draft approval resolution.

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

FARMINGTON PLANNING BOARD RESOLUTION TWO (2) LOT RE-SUBDIVISION AND LOT LINE ADJUSTMENT

PB #0201-21

APPLICANT: Suzanne Mandrino, 7310 Shallow Creek Trail, Apartment F, Victor, N.Y. 14564

ACTION: Preliminary Two- (2-) Lot Re-Subdivision and a Lot Line Adjustment of Tax Map Account No. 41.000-01-57.100, containing a total of 35.756 acres of land, located along the

**west side of New Michigan Road, north of the Canandaigua–
Farmington Town Line Road and south of Amber Drive.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has conducted a public hearing upon the above referenced Action at tonight’s meeting; and

WHEREAS, the Board has given consideration to the Ontario County Planning Board’s comments (Referral #19-2021) which were provided in accordance with the provisions of Sections 239-1 & -n of the New York State General Municipal Law; and

WHEREAS, the Board has also given consideration to the comments made at tonight’s public hearing held upon the proposed Action;

WHEREAS, the Board has, under separate resolution, reviewed Parts 1, 2 and 3 of the Short Environmental Assessment Form and has made a determination of non-significance upon the Action to transfer titles to three (3) involved relatives of the Mandrino Estate.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby move to grant Preliminary Re-Subdivision and Lot Line Adjustment Approval of the above referenced Action with the following conditions:

1. Approval is based upon the survey drawing prepared by Greene Land Surveying, PLLC, dated January 6, 2021, Job No. 11-2318R, entitled “Preliminary Plat and Property Line Adjustments Lots 1 & 2 of the Anthony Mandrino Re-Subdivision (2021).”
2. There is to be one (1) thirty-foot (30-foot) wide easement, for both public water and for sidewalk, shown across the frontages of all three lots along the west side of New Michigan Road. The Preliminary Plat Map is to contain a note describing the proposed easement area shown. Prior to the Planning Board Chairperson’s signing the Final Plat Map, the liber and page for the filed easement is to be shown on the drawing.
3. There is to be a Note added to the drawing that reads . . . “Prior to the issuance of any Building Permit involving an additional principal structure on any of the three lots involved with this Action, a Park and Recreation Fee, at the prevailing fee, is to be paid to the Town Clerk.
4. The Note #6 shown on the drawing is to be amended to read as follows . . . “Where appropriate a Charge Back Fee will be required to be paid to the Town of Farmington at the time development occurs on either Lot 2 RA and Tax Map Account No. 41.00-01-30.120.”
5. The Note #7 is to be deleted as the Town Board, not the Planning Board, determines when parkland is to be accepted by the Town.

- 6. There is to be a signature line added to the drawing for the Town Highway and Parks Superintendent, the Town Water and Sewer Superintendent and the Town Engineer.
- 7. Once the drawing has been revised in accordance with the above conditions then one (1) copy is to be submitted to the Town Code Enforcement Officer for his review and approval. Once accepted, then the above referenced Town Officials, including the Town Planning Board Chairperson, will sign the Preliminary Plat Map. Electronic copies of the signed drawings will be returned to the Applicant’s Surveyor, one copy will be provided to the Town Highway and Parks Superintendent, one copy to the Town Water and Sewer Superintendent and one copy provided to the Town Engineer.
- 8. Once final plat drawings have been prepared then the Code Enforcement Officer shall schedule such application for a future planning board meeting.
- 9. Preliminary Plat approval is valid for a period of 180 days from today and shall expire unless the plat map has been signed by all parties.

Mr. Viets asked Ms. Mandrino if she understood the resolution and if she agreed with the conditions. Ms. Mandrino said that she understood the resolution and that she agreed with the conditions.

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

Motion carried.

Following the vote, Ms. Mandrino asked about contacting the surveyor to begin the easement process. Mr. Delpriore advised her to contact the Town Development Office in the morning and that the Town staff would review the process for establishing the easement and for submitting the Final Two-Lot Re-Subdivision and Lot Lot Adjustment application to the Town for signatures and then filing in the County Clerk’s Office.

4. PLANNING BOARD ACTION ITEMS

- A. Main Street Overlay District (MSOD)—
Planning Board Discussion on Draft Local Law:**
- B. Main Street Overlay District (MSOD)—
Discussion on the Guidelines for the State Route 96 Corridor:**

Mr. Viets opened the discussion on the Main Street Overlay District (MSOD) draft local law and the accompanying Guidelines for the State Route 96 Corridor concurrently.

Mr. Brand said that this proposed local law establishes Chapter 165, Article IV, Section 34.2 of the Town Code to be entitled “Main Street Overlay District (MSOD)” and amends a number of current sections of the Town Code for consistency with the new regulations. He said that the draft local law has been referred to the Ontario County Planning Board for review and comments (Referral #46-2021 and Referral #46.1-2021).

The MSOD will include the section of State Route 96 between the Victor–Farmington town line on the west and extending east to the intersection of State Route 96 with Hook Road and Beaver Creek Road, and extending further east along the north side only of State Route 96 to Fairdale Glen. Mr. Brand said that this is considered to be the Town’s “Main Street Corridor” and is based upon the defined Hamlet of Farmington, New York, area established in cooperation with the New York State Thruway Authority and Region 4 of the New York State Department of Transportation.

Mr. Brand said that he appreciates the attention which MRB Group has given to the MSOD guideline reports and to the district map which delineates the involved parcels of land. He said that he recently met with a developer who plans to submit an application for a project on Commercial Drive and who will be affected by the MSOD regulations. Mr. Brand said that the developer said that he has no issues with these regulations.

Mr. Brand acknowledged receipt of comments on the draft local law which have been submitted by Mr. DeLucia and by Mr. Viets. He said that there is still time for comments to be submitted from other board members prior to the Town Board Public Hearing on the draft local law on March 23, 2021.

Mr. Viets asked if additional comments would be incorporated into the final draft prior to the Town Board Public Hearing. Mr. Brand said yes. He said that he would like to prepare a final draft with the inclusion of all relevant comments following the Public Hearing in preparation for adoption of the local law by the Town Board in April.

There were no additional comments or questions on these discussion topics this evening.

**C. Local Law #5 of 2021: Extending Local Law #4 of 2020—
Establishing a Moratorium on Solar Collection Systems and Solar Farms**

Mr. Brand said that the Town Board will hold a Public Hearing on March 9, 2021, to consider Local Law #5 of 2021 to extend Local Law #4 of 2020 which established a moratorium on solar collection systems and solar farms.

Local Law #4 of 2020 will expire on March 9, 2021.

Mr. Brand said that the extension of time to the existing moratorium is being driven by the restrictions imposed upon the Town to conduct public hearings during the recent COVID-19 pandemic, and the time involved while awaiting a decision by a State Supreme Court judge in the matter of an Article 78 Proceeding which has been filed by the Concerned Citizens of Farmington group (Supreme Court Index No. 126079-2019) regarding the Planning Board's approval of the Delaware River Solar Farm application for a parcel of land on Yellow Mills Road.

Mr. Brand said the unknowns surrounding the judge's decision warrant an extension of time to permit the Town time to prepare amendments to the existing Solar regulations (Local Law No. 6 of 2017) which need to be based upon a well-organized and easily understood code, achieving the objectives of the Comprehensive Plan, and encouraging consistent and fair application of laws pertaining to such operations. In regard to the environment, the proposed modifications are felt necessary to permit for careful development that would allow for continued economic development while assuring that such development is compatible with the community and competing land uses.

Mr. Brand said that representatives of Ontario County have asked if a revised draft solar local law is being prepared. He said that the Town has a draft but that it is not ready for public review pending the Supreme Court decision on the Article 78 Proceeding.

Mr. Delpriore said that the board's input and guidance to the Town staff on this, and on other projects such as the Main Street Overlay District which was discussed earlier in the meeting, is important, especially with the continuing pace of development which has been taking place in the Town during the past few years.

Mr. Brabant said that the board's input will help the Town staff to provide a better product in the long run.

Referring to the Main Street Overlay District, Mr. DeLucia said that guidelines for structures do not appear in the Street Scape Design Guidelines. He asked if the Town should consider this. Mr. Brand said that this is a good point and will be addressed. He also said that commercial speech signs were not in the first draft of the local law and have now been added. He said that inclusion of guidelines for

structures is a valid point, that some parcels within the Main Street Corridor will not have new construction, and that some parcels are vacant.

Mr. DeLucia said that the renderings that are included in the draft materials depict a town center. He suggested that some design specifications for structures also be included, especially for those which will front upon State Route 96.

Mr. Viets suggested that perhaps some existing specifications in the Major Thoroughfare Overlay District (MTOD) regulations could be used as examples of design guidelines for the Main Street Overlay District.

Mr. Giroux also suggested that consideration be given to established designs by corporate franchises and by existing business designs.

There were no additional comments or questions on this discussion topic this evening.

D. Swetman Properties Lot #R-6B Project: Partial Letter of Credit Release #1:

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #1
SWETMAN PROPERTIES, LOT #R-6B**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received from the Town Director of Planning and Development (hereinafter referred to as Director) a request to consider a partial release of funds from the established Letter of Credit for site improvements for Swetman Properties Lot #R-6B; and

WHEREAS, the request is based upon a letter to the Director from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, dated February 25, 2021, which requests a partial release of the funds being held in the Letter of Credit for the above referenced project in the total amount of \$31,065.30; and

WHEREAS, the request has been reviewed by the Town Construction Inspector and the Town Engineers with both finding the quantities and prices identified in the document to be consistent with the final site improvements to date; and

WHEREAS, the Town Department Heads have completed their reviews and signed-off on both Letter of Credit/Surety Release Form, Appendix G-1.1; and Letter of Credit Form, Appendix G-2.0; and

WHEREAS, under the provisions of Chapter 144, Section 32. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor partial releases of funds from a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector, the Town Engineer and the Town Department Heads, does hereby confirm this request and recommends that the Town Board take formal action to accept the requested partial release (Release #1) from the Letter of Credit, in the total dollar amount of \$31,065.30.

BE IT FINALLY RESOLVED that the Clerk of the Board is hereby directed to provide copies of this resolution to: James Swetman, Swetman Properties, 1127 Corporate Drive East, Farmington, N.Y. 14425; Tom Danks, P.E., BME Associates, 10 Lift Bridge Lane E., Fairport, N.Y. 14450; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; and the Director of Planning and Development.

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

Motion carried.

E. Home Power Systems: Partial Letter of Credit Release #1:

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PARTIAL LETTER OF CREDIT RELEASE #1
HOME POWER SYSTEMS, 1127 CORPORATE DRIVE EAST**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received from the Town Director of Planning and Development (hereinafter referred to as Director) a request to consider a partial release of funds from the established Letter of Credit for site improvements for property located at 1127 Corporate Drive East; and

WHEREAS, the request is based upon a letter to the Director from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineer, dated February 25, 2021, which requests a partial release of the funds being held in the Letter of Credit for the above referenced project in the total amount of \$6,861.75; and

WHEREAS, the request has been reviewed by the Town Construction Inspector and the Town Engineers with both finding the quantities and prices identified in the document to be consistent with the final site improvements to date; and

WHEREAS, the Town Department Heads have completed their reviews and signed-off on both Letter of Credit/Surety Release Form, Appendix G-1.1; and Letter of Credit Form, Appendix G-2.0; and

WHEREAS, under the provisions of Chapter 144, Section 32. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor partial releases of funds from a Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector, the Town Engineer and the Town Department Heads, does hereby confirm this request and recommends that the Town Board take formal action to accept the requested partial release (Release #1) from the Letter of Credit, in the total dollar amount of \$6,861.75.

BE IT FINALLY RESOLVED that the Clerk of the Board is hereby directed to provide copies of this resolution to: James Swetman, Home Power Systems, LLC, 1127 Corporate Drive East, Farmington, N.Y. 14425; Tom Danks, P.E., BME Associates, 10 Lift Bridge Lane E., Fairport, N.Y. 14450; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Code Enforcement Officer; the Town Construction Inspector; the Town Engineer; and the Director of Planning and Development.

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

Motion carried.

F. Meyer’s RV Superstore of Farmington Amended Final Site Plan:

**PB #1102-20 Meyer’s RV Superstore of Farmington
Amended Final Site Plan – Phase 1**

Name: Meyer's RV Superstore of Farmington, c/o 100 Sanford Road North, Churchville, N.Y. 14428

Location: 6200 State Route 96

Zoning District: GB General Business

Request: Amended Final Site Plan approval, Phase 1, Meyer's RV Superstore of Farmington, located on property at the northeast corner State Route 96 and Mertensia Road (previous reference: PB #1102-18)

This application was presented to the Project Review Committee (PRC) on April 6, 2018; and was discussed at subsequent PRC meetings on July 13, 2018; September 7, 2018; October 5, 2018; March 1, 2019; April 5, 2019; May 3, 2019; June 7, 2019; July 12, 2019; August 9, 2019; September 6, 2019; November 1, 2019; December 5, 2019; January 3, 2020; March 6, 2020; July 2, 2020; August 7, 2020; September 4, 2020; October 2, 2020; November 6, 2020; December 4, 2020; January 8, 2021; and February 5, 2021.

On September 19, 2018, the Planning Board approved the State Environmental Quality Review (SEQR) determination (no significant adverse environmental impacts), the Preliminary Site Plan (PB #0701-18) and the Special Use Permit (PB #0702-18).

On November 7, 2018, the Planning Board approved the Final Site Plan (PB #1102-18).

On January 16, 2019, the Planning Board approved the estimate for a Letter of Credit for site improvements in the amount of \$357,134.72.

On November 18, 2020, the Planning Board approved the Amended Final Site Plan for Phase 1 (PB #1102-20).

On January 20, 2021, Meyer's Construction Manager Jeff Berends submitted an itemized Phase 1 construction schedule.

On February 10, 2021, and on March 3, 2021, Mr. Berends submitted revised Phase 1 construction schedules.

Mr. Berends and Mr. Campbell (Hanlon Architects) presented this application.

Mr. Delpriore said that the importance of the approval of this evening's draft resolution is to guide the staff [to monitor the progress of construction].

Mr. Brand said that the itemized construction schedule which was presented by Mr. Berends was discussed at the Project Review Committee meeting on January

8, 2021, and that the completed work on the stormwater facilities has been removed from the draft resolution which has been prepared for board consideration this evening.

He said that the applicant has moved forward since January with renewed energy to address the Town's concerns, that the Town staff and the Planning Board had requested an itemized construction schedule, and that this evening's resolution includes this schedule.

Mr. Brand said that the draft resolution is a process for tracking improvements to the schedule as the project moves forward to avoid, at the end of this May, being in a corner where the Town has failed to adequately inform the applicant of what the Town expects. He said that the resolution can be, and most likely will be, further amended as the project moves forward with the completion of the identified tasks.

Mr. Delpriore said that the Town staff directed the applicant to attend the next Project Review Committee (PRC) meeting on Friday, March 5, 2021, and that the staff has requested that the applicant submit an updated construction schedule to the Planning Board at the next meeting on March 17, 2021. He said that by this date the applicant should have a much more detailed schedule and that there will still be time to amend the resolution if needed.

Mr. Brand said that there are topics in the draft resolution of concern to the New York State Department of Transportation (DOT) and to the Town Water and Sewer Department. He said that it will be helpful to the applicant to understand what the Town would like in Phase 1 and in Phase 2 (which will be the building construction phase).

Mr. Viets asked if Mr. Berends or Mr. Campbell had any comments. They had no comments on the previous discussion.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN AMENDMENT—PHASE 1**

PB #1102-20

APPLICANT: Meyer's RV Superstore of Farmington, 100 Sanford Road North, Churchville, N.Y. 14428

ACTION: Final Site Plan Amendment, Phase 1, Meyer's RV Superstore of Farmington, located on property at the

northeast corner of State Route 96 and Mertensia Road

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has on November 7, 2018, granted Final Site Plan approval with conditions for the above referenced Action; and,

WHEREAS, the Planning Board at its meeting on Wednesday, February 3, 2021, discussed in detail a revised schedule for completing the identified tasks to be located within the Phase 1 portion of the overall site improvements; and

WHEREAS, the Planning Board has also reviewed the Town and State DOT staff comments that were made as part of the record for the February 5, 2021, Project Review Committee (PRC) meeting; and

WHEREAS, the Planning Board has given consideration to the public comments presented at tonight's meeting.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby direct the applicant and his site contractor to submit to the Town Code Enforcement Officer an updated schedule for completing the remaining tasks identified below herein for Town and State DOT staff review at the next PRC Meeting on Friday, March 5, 2021.

BE IT FURTHER RESOLVED that the Applicant and his site contractor are to participate in the March 5, 2021, PRC Meeting to understand any remaining concerns and to commit to making a revised schedule as may be required.

BE IT FURTHER RESOLVED that said schedule is to include a detailed timeline for the following tasks:

- a. The Applicant's plan for closing off the existing points of driveway access along State Route 96 and to commence work on the installation of the approved points of driveway access which is to be completed on or before May 31, 2021; and
- b. The Applicant's plan for making the necessary drainage improvements within the right-of-way of State Route 96; and
- c. The Applicant's plan for boring underneath Mertensia Road for the installation of the water service to the site; and
- d. The Applicant's plan for using the new gravel base access drive from State Route 96, the remaining on-site drive aisles and on-site parking facilities while waiting for the black top plants to open in the spring and to facilitate the completion of these on-site improvements not later than May 31, 2021; and

- e. The Applicant’s plan to install the Pedestrian Crossing Signal in the area shown on the DOT’s Highway Work Permit, on or before May 1, 2021; and
- f. The Applicant’s plan to install all of the “Main Street Scape” improvements shown on the Phase 1 Drawings on or before May 31, 2021; and
- g. The Applicant’s plan to install all of the on-site lighting and connection to the shared access point with the adjacent Family Dollar Store which are to be completed not later than May 31, 2021; and
- h. An Application for Phase 2 Amendments to the Final Site Plan, including the proposed Building Elevations and Floor Plans Drawings are to be submitted to the Town not later than July 1, 2021.

BE IT FURTHER RESOLVED that following the PRC review of the proposed solution to these tasks, the Applicant is to provide an updated schedule for the Planning Board’s review at the March 17, 2021, meeting.

BE IT FURTHER RESOLVED that all of the Conditions of Final Plat Approval, PB #1102-18, dated November 7, 2018, remain in effect unless otherwise modified by separate Planning Board resolution.

BE IT FINALLY RESOLVED that the Final Phase 1 Site Plan Approval shall remain in effect as long as the Applicant continues to comply with all of the above Conditions. Failure to comply shall render this approval Null and Void.

Mr. Viets asked Mr. Berends if he understood the resolution and if he agreed with the conditions. Mr. Berends said that he understood the resolution and that he agreed with the conditions.

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

Mr. Delpriore then asked Mr. Berends to provide an update on the revised construction schedule which had been submitted electronically to the Town Development Office today.

Mr. Berends said that Mr. Meyer had issues with the original site contractor and that he has now retained the Power and Electric Group to take over the installation of the utilities and the work which is to be done within the DOT right-of-way.

Mr. Berends also said that he is coordinating work with the contractor who has been retained by the Town for the installation of the new water main on State Route 96. He said that the Town's contractor has been retained by Mr. Meyer to also perform the bore under Mertensia Road for the installation of the water service to the Meyer's RV site.

He said that both contractors will mobilize on the site on Monday, March 7, 2021.

Mr. Berends said that he came to this project in December, that he has provided an updated construction schedule as requested by the board, that the new site contractor has made considerable improvements, and that he is trying to show the Town what they are doing, and that they are doing it.

Mr. Bellis asked about the DOT permit for work in the State right-of-way. Mr. Berends said that the permit has been amended by (DOT Assistant Resident Engineer) Greg Trost of the Canandaigua office.

Mr. Delpriore said that Town staff will have a better "feel" for the project's schedule following the PRC meeting on Friday with the staff and the DOT representative. He said that Mr. Berends is moving in the right direction.

Mr. Brand complimented the applicant for his willingness to accept the State Route 96 Street Scape concept, which has been shown on the recently submitted site plan drawings. He said that this is great and that it is one more piece of the puzzle which the Town is trying to put together as it moves forward with implementing the community's Main Street Corridor.

Mr. Bellis asked about the original contractor on this project. Mr. Berends said that he is finishing the stormwater portion of the work.

Mr. Delpriore reviewed the elevation renderings which Mr. Campbell provided prior to the meeting. Mr. Campbell also distributed color hard copies of the proposed amendments to the building renderings at the meeting this evening. Mr. Delpriore said that the applicant has proposed a change in the design of the building. He said that the original design of the structure was approved by the Planning Board with compliance with the State Route 96 Street Scape and Major Thoroughfare Overlay District (MTOD) guidelines, but that several of these design considerations do not appear on the revised building elevations. He said that this is the biggest part of the Phase 2 plans and must be addressed by the board.

Mr. Campbell explained the proposed building design changes which include roof line and overhang differences as part of the pre-engineered metal frame structure, and changes in color from a simulated stone to more of a split-face application (for durability around the overhead doors).

Mr. Campbell said that the roof pitch has been revised as a cost-saving measure from 1:12 to ½ :12.

With the understanding that the board's approved design from 2018 is now being proposed for change by the applicant, Mr. Campbell said that he would like to present tonight both designs side-by-side for comparison and to receive comments.

Mr. Maloy asked about the removal of the overhang. Mr. Campbell said that this has been suggested as a cost-saving measure by the builder. He said that it is cost prohibitive to have overhangs and vertical depths in pre-engineered structures, and that removal of the overhangs simplifies the "look" of the structure.

Mr. Maloy said that the removal of the overhangs gives the structure the "look" of a warehouse or an industrial building, which is not the "look" that the board is going for on the Main Street corridor.

Mr. Bellis said that he does not like the flat façade and that he preferred the overhang which helped to break up the "look" of the building's façade. He said that right now he is not a fan of a flat façade.

Mr. Bellis also asked about the locations of the HVAC units on the roof. He said that he would be looking for this detail on the revised building plans.

Mr. DeLucia said that he prefers the original design [which was approved by the board in 2018]. He also said that he prefers the original pitch of the roof.

Mr. Hemminger said that from a first impression the revised design of the structure resembles a pole barn that belongs in another area of the Town and not along the community's Main Street/Street Scape corridor. He said that the Street Scape guidelines were in place in 2018 when the plan was first presented [to the board] and approved. Mr. Hemminger suggested that the applicant go back, work with the Town staff, and present a design which looks better for the aesthetic of the Town's main street corridor. He said that the front façade is too plain and needs work.

Mr. Hemminger said that he certainly understands cost but that there are ways to "class this up" without costing an absolute fortune.

Mr. Viets referred the applicant to the Major Thoroughfare Overlay District (MTOD) guidelines, which he said have been in effect for a number of years. He said that the guidelines encourage the use of architectural details, roof lines, three dimensional variations and interesting variety. Mr. Viets said that the design of two proposed warehouses which are currently under final site plan application in the Town's industrial district have more architectural features than this [the revised elevation rendering] has.

Mr. Viets requested that the applicant consult the MTOD guidelines which will offer guidance more toward the original design of the structure.

He also said that the screening of the HVAC equipment and other details are discussed in the MTOD guidelines.

Mr. Brand suggested that the applicant understand and incorporate the landscape treatments in front of the building, and parking, to provide an image of what the passing motorist will see. He said that these additional features may help everyone to better understand the design of the site and the new structure. He said that the current elevation rendering does not help with this [overall image].

Mr. Viets suggested that landscaping and the sidewalk be included on a rendering, i.e., what the public will see.

Mr. Bellis referred to the Byrne Dairy Store on the southwest corner of the State Route 96/Mertensia Road intersection. He said that the store has incorporated street trees, street lights and a sidewalk in the exterior design, along with parking. Mr. Bellis said again that the flat front façade will not work for him.

Mr. Viets suggested that varied architectural panels—some horizontal, some vertical—be considered to provide some relief and differentiation to the overall structure. He suggested that these variations be presented at the PRC meeting on Friday (March 5, 2021).

Mr. Delpriore said that the design of the structure will be the major component of Phase 2 of this project, along with landscaping and overall design of the site. He said that this is why this evening's discussion is so important. Mr. Delpriore said that Mr. Hemminger is correct and that the applicant must incorporate MTOD initiatives [in the plan]. He said that the Planning Board must enforce these MTOD guidelines when they approve the final Phase 2 site plan.

Mr. Bellis discussed the window on the east elevation, the block base, and the green stripe on the side of the building. Mr. Campbell said that these features help to bring attention to the main entrance of the building.

Mr. Hemminger asked if the applicant could provide photographs of other Meyer's RV facilities to serve as comparisons to what has been proposed for the Farmington location. He said that it seems as though the other Meyer's facilities are much better looking than this [the revised elevation design]. Mr. Bellis said that the Meyer's Churchville (N.Y) facility has a flat-front façade. He said that this is okay where it is, but that it would not be okay on Farmington's main street corridor.

Mr. Berends said that they are trying to duplicate Mr. Meyer's other facilities but on a smaller scale [in Farmington].

Mr. Viets said that the MTOD guidelines are the Town's vision for the State Route 96 corridor. He said that the board looks to these guidelines for the design of new structures in this area.

Mr. Bellis said that he was glad that Mr. Berends is moving ahead [with the Phase 1 work]. He requested that Mr. Berends look at what will be cost effective [for Phase 2] and what will meet the MTOD guidelines.

Mr. Brand said that he spoke with the applicant's consulting engineer (Patrick Laber, P.E., of Schultz Associates) and that he reminded Mr. Laber that there are new setback requirements than those previously required under the General Business regulations. He said that Mr. Laber may find that compliance with the Main Street Overlay District setbacks [to move the structure closer to State Route 96] may provide additional space on the site.

Mr. Viets said that he would like to see the propane tank and the pump station relocated to the back of the structure if at all possible.

Mr. Brand also said that the proposed commercial speech sign on the front of the new structure may not fit the new guidelines. He said that if the structure is moved closer to the road, then perhaps such a large sign may not be required. He said that a smaller sized sign could save the applicant some money.

Mr. Viets said that some additional room on the site may be available in the area of proposed land-banked parking.

Mr. Bellis requested that the board be provided with a copy of the complete original site plan which depicts the location of the HVAS units and landscaping.

Mr. Viets said that everything may not have been depicted upon the original site plan. Mr. Delpriore said that he will work with the applicant to obtain these details [if they are not on the original plan]. Mr. Brabant said that the board may wish to review the Preliminary Overall Plan.

Mr. Bellis asked why the roof was flattened [in the revised plan]. Mr. Campbell said that a steeper roof is more difficult to service, and that ice and snow may slide into pedestrian walkways and onto vehicles.

Mr. Brabant asked if the structure has been reduced in size [on the revised plan]. Mr. Berends said that the structure is the same size on both the original and the revised plans.

Mr. Bellis said that an electronic file of the complete site plan would be fine.

Mr. Delpriore said that consideration of the Phase 2 site plan would probably be on an April Planning Board agenda at the earliest.

Mr. Delpriore said that the staff is pleased with the leaps and bounds that the applicant has made, and that the staff wants to keep in that direction. He said that the construction schedule would again be reviewed by the board at the meeting on March 17, 2021.

Mr. Bellis asked if this will be enough time for the code enforcement staff [to inspect the work]. Mr. Delpriore said that the Building Department code enforcement staff will not begin inspections until work starts on the building. He said that the site inspections are now being carried out by the Town Construction Inspector.

Mr. Bellis asked how much information would the board have on at the meeting on March 17, 2021. Mr. Delpriore said that the Town Construction Inspector provides regular reports to the Development Office, even though the Building Department staff is not currently involved with the inspections.

Mr. Giroux said that it will take a period of time for the two contractors to begin staging their equipment on the site. He said that it may be near the end of next week before progress on the bore under Mertensia Road will be available.

Mr. Delpriore said that he will be sure that one of the Town's Construction Inspectors will have a construction status report for the Planning Board meeting on March 17, 2021.

To address the three-dimensional façade concern, Mr. Campbell suggested that perhaps a canvas or a modern horizontal awning wrapped with columns and suspended from above could be considered, similar to the main entrance of the Farmington Dental Office on State Route 332. Mr. Brabant suggested that perhaps some photographs of ideas could be presented at the board meeting on March 17, 2021, to avoid making a number of revisions to the drawings. Mr. Campbell said that this, or up-or-down lighting, also could be considered to deal with budget concerns.

Mr. Delpriore said that although it will be great to have more information on March 17, 2021, the applicant would lose two weeks [in the schedule]. He suggested that revised elevation renderings be provided electronically and that he will forward them to the Planning Board Chairperson for distribution to the board. Mr. Delpriore said that the Development Office is in a holding pattern on Phase 2 right now until the elevations are resolved.

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

5. OPEN DISCUSSION

Director of Development and Planning Report:

Mr. Brand discussed the following topics:

- Mr. Brand and Mr. Delpriore met with a developer who plans to submit a site plan for a new building to include an ice cream parlor and a beauty parlor on the first lot on the west side of Commercial Drive (next to the hotel on State Route 96). The developer also plans on a skeleton office building shell on the east side to use for the marketing of the development of the site.
- A landscape plan has been submitted to the Town by the developer of the Redfield Grove Subdivision. Mr. Brand said that this landscape plan meets the Town Board conditions of approval of the Redfield Grove Incentive Zoning project.
- The DiFelice property on the southwest corner of Collett Road and Hook Road has been sold to Farmington CountryMax. The company plans to build a warehouse on the site of the previously proposed DiFelice Industrial Complex. Mr. Brand said that development would enable CountryMax to remain in Farmington. He said that CountryMax is working with Parrone Engineering and that a site plan may be submitted to the Planning Board in the near future.
- Upon receipt of updated maps from Lu Engineers, the draft of the Comprehensive Plan Update will be ready for posting on the Town website for public review and comment.
- The Main Street Overlay District (MSOD) map and guidelines have been posted on the Town website for public review and comment. Notices have been sent to all affected property owners within the State Route 96 corridor.
- The most recent draft of the State Route 332/State Route 96 Corridor Study, in conjunction with Ontario County and the Town of Canandaigua, has been received from Bergmann Associates of Rochester, N.Y. A response from the Town of Farmington is being prepared.
- A meeting will be held on March 8, 2021, with the attorney for Delaware River Solar, regarding the Decommissioning Plan for the solar farm which was approved by the Planning Board in December 2020 for a parcel of land on the southwest corner of Fox Road and Yellow Mills Road. Mr. Brand said that the Town is also awaiting a ruling from a Supreme Court judge on the Article 78 Proceeding which has been filed by the Concerned Citizens of Farmington group regarding the solar farm.
- Plans have been submitted for the 220 townhouses which have been proposed for 48.5 acres at the southwest corner of Collett Road and Mertensia Road. Mr. Brand said that the Town staff has concerns with the plans and will discuss the plans with the applicant at the PRC meeting on Friday, March 5, 2021. He suggested that the applicant appear before the Planning Board to present a revised concept. The Planning Board received an initial concept presentation on September 16,

2020. The project also has been discussed at PRC meetings on September 4, 2020; November 6, 2020; January 8, 2021; and February 5, 2021. Mr. Brand said that the Planning Board could begin the State Environmental Quality Review (SEQR) 30-day coordinated review period if the board is satisfied with the revised concept plan.

Code Enforcement Officer Report:

Mr. Delpriore said that the Mertensia Road townhouse application has been referred to the Ontario County Planning Board (Referral #51-2021) and will be discussed at the PRC meeting on Friday, March 5, 2021. He said that the Town staff has reservations on this project, that the timeframe may change, and that much depends upon the discussion at the PRC meeting. Mr. Brand said that the plans also have been referred to the Town of Victor in compliance with the requirements of New York State General Municipal Law Section 239-nn and the adopted 2021 Rules of Procedure for the Farmington Planning Board.

Mr. Delpriore said that the Development Office workload is increasing with applications for permits and requests for meetings on new projects.

Mr. Delpriore said that GLN Farmington Realty has submitted Preliminary Phase 1A plans for signatures, and that the plans are now being reviewed. He said that separate final plans for the road area, and for the individual sites, are expected to be submitted. Mr. Brabant said that the applicant has addressed all of the conditions of Preliminary Site Plan approval and all of the MRB Group engineering comments. Mr. Bellis asked what a bulldozer was doing on the site last week. Mr. Delpriore said that the contractor was doing some clean-up work on the area which has been cleared. He also said that the contractor may have been preparing a staging area.

Highway and Parks Superintendent Report:

Mr. Giroux said that the Highway Department is still dealing with winter operations. He also reported that work is continuing on the installation of new playground equipment in Farmbrook Park and Pumpkin Hook Park. Contractors are also continuing to work in the structure at Beaver Creek Park with installation of ceilings, heat and wall board.

Town Engineer's Report:

Mr. Brabant said that he may not be able to attend the next meeting of the Planning Board. He said that Collin Sowinski from MRB Group will attend in his place.

Farmington Volunteer Fire Association:

Chief Robinson said that the fire department has responded to a number of vehicle accidents but that no major fires have occurred recently.

Board Members' Comments:

Mr. Bellis asked about the status of the Delaware River Solar Article 78 Proceeding which has been filed on Ontario County Supreme Court by the Concerned Citizens of Farmington group. Mr. Brand said that the Town is awaiting the judge's ruling.

Mr. Bellis also asked about the proposed CountryMax warehouse on the southwest corner of Collett Road and Hook Road, and about the previously approved plans for the DiFelice Industrial Complex on the site. Mr. Brand said that representatives of CountryMax were provided with the approved DiFelice plans and that amendments to the plan may be submitted to the Planning Board. Mr. Brand said that he reminded Frank DiFelice about Condition #9 of the Amended Final Site Plan approval resolution of June 5, 2019 (PB #0602-19), as follows:

9. *Spoil piles on the site are to be removed by June 5, 2021, if the building is not constructed by June 5, 2021.*

Mr. DeLucia asked about the KOA Campground project. Mr. Delpriore said that the campground owners would like to extend sanitary sewer service to 10 additional campsites (which already have water and electric service). He said that the owners would prefer to avoid construction work during the summer months, that the plans are still in engineering, and that work may not commence until the fall

6. PUBLIC COMMENTS

None.

7. TRAINING OPPORTUNITIES

**■ Genesee–Finger Lakes Regional Planning Council
Spring 2021 Local Government Workshop**

Online sessions throughout April and May
Tuesdays and Thursdays from 11:30 a.m. to 1:00 p.m.

Topics include: Planning Board Overview, Clean Energy Communities, Solar Energy Facility Planning and Siting, Invasive Plants, Recognizing Indigenous People in Plan-

ning and Land Use, New York's Quirky System of Local Government, Hot Topics in Planning, and others.

No fee. Registration required.

Website for more information: <http://www.gflrpc.org>
Questions to: Jason Haremza: jharemza@gflrpc.org

■ 2021 Municipal Bootcamp:

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

Thursday, March 25, 2021, 6:00 p.m. to 7:00 p.m.
Session 3: Leave It Better Than You Found It

Thursday, April 22, 2021, 6:00 p.m. to 7:00 p.m.
Session 4: What Not To Say, and What *Really* Not To Do

Thursday, May 27, 2021, 6:00 p.m. to 7:00 p.m.
Session 5: Come One, Come All to the Greatest Show on . . . well . . .

Thursday, June 24, 2021, 6:00 p.m. to 7:00 p.m.
Session 6: Planning From (At Least) Six Feet Away

Thursday, July 22, 2021, 6:00 p.m. to 7:00 p.m.
Session 7: Ask Me Anything

Thursday, September 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 8: From Big to Small

Thursday, October 28, 2021, 6:00 p.m. to 7:00 p.m.
Session 9: Well, Aren't You Special?

Thursday, December 23, 2021, 6:00 p.m. to 7:00 p.m.
Session 10: All the Right Forms in All the Right Places

Questions to:

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

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

Registration link:

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

■ **General Code e-Code**

Daily drop-in lunchtime training Q&A sessions plus webinars in several categories.

Information:

<https://www.generalcode.com/training/>

■ **Future Training Opportunities Online:**

Ontario County Planning Department website now lists upcoming training:

<https://www.co.ontario.ny.us/192/Training>

8. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:20 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, March 17, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

Respectfully submitted,

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