

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, March 4, 2020 • 7:00 p.m.

MINUTES—APPROVED

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

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

Staff Present:
Lance S. Brabant, CPESC, Town of Farmington Engineer, MRB Group D.P.C.
Dan Delpriore, Town of Farmington Code Enforcement Officer

Applicants Present:
Scott Benson, Cobblestone Art Center, 1622 State Route 332, Farmington, N.Y. 14425
Max Heagney, LeFrois Builders and Developers, 1020 Lehigh Station Road,
Henrietta, N.Y. 14467
Patrick Laber, P.E., Project Engineer, Schultz Associates Engineers and Land Surveyors PC,
129 S. Union Street, Spencerport, N.Y. 14559
John LeFrois, LeFrois Builders & Developers, 1020 Lehigh Station Road, Henrietta, N.Y. 14467
J. Lincoln (Linc) Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East,
Fairport, N.Y. 14450
Peter G. Vars, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, N.Y. 14450
Timothy R. Voellinger, L.S., Greene Land Surveying PLLC, 403 E. Miller Street,
Newark, N.Y. 14513
Gary and Terry Wright, 573 Yellow Mills Road, Palmyra, N.Y. 14522

Residents Present:
William L. Allen, 5988 County Road 41, Farmington, N.Y. 14425
Gerald A. Bloss, 81 Gannett Road, Farmington, N.Y. 14425
Jim Falanga, 395 Ellsworth Road, Palmyra, N.Y. 14522
Tanner Fox, 388 Prospect Drive, Palmyra, N.Y. 14522
Whitney Wright, 388 Prospect Drive, Palmyra, N.Y. 14522

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. After the Pledge of Allegiance was recited, Mr. Hemminger explained the emergency evacuation procedures. He asked everyone to please sign in and requested that cell phones and other devices be set on silent mode.

Mr. Hemminger said the meeting would be conducted according to the Rules of Procedure approved by the Planning Board on January 15, 2020.

2. APPROVAL OF MINUTES OF FEBRUARY 19, 2020

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the minutes of the February 19, 2020, meeting be approved.

Motion carried by voice vote.

3. PUBLIC HEARING: CONTINUED PRELIMINARY FOUR-LOT SUBDIVISION

PB #1003-18 Continued Preliminary Four-Lot Subdivision Application

Name: Delaware River Solar LLC, 33 Irving Place, New York, N.Y.
10003

Location: 466 Yellow Mills Road

Zoning District: A-80 Agricultural District

Request: Preliminary Subdivision Plat approval for a four-lot subdivision of land, Tax Account #010.00-01-37.110, which contains approximately 136.4 acres of land

These application was reviewed by the Project Review Committee on August 3, 2018; September 7, 2018; September 6, 2019; November 1, 2019; and February 7, 2020.

The Zoning Board of Appeals (ZBA) classified this project as a Type I Action under the State Environmental Quality Review (SEQR) Regulations and established the 30-day SEQR public review and comment period from September 28, 2018, to October 29, 2018. The ZBA opened Public Hearings on four Area Variance applications associated with this project on September 24, 2018. The ZBA Public Hearings were reconvened on November 26, 2018; December 17, 2018; January 28, 2019; April 22, 2019; May 20, 2019; June 24, 2019; July 22, 2019; and August 26, 2019, at which meeting the four Area Variance applications were denied.

On October 3, 2018, the Planning Board declared its intent to be designated Lead Agency under SEQR for making the determination of significance upon these applications. The SEQR Involved and Interested Agencies that were identified by the Planning Board and that participated in the 30-day public review and comment period are:

Involved Agency: New York State Energy Research and Development Authority

Involved Agency: New York State Department of Environmental Conservation

Involved Agency: U.S. Army Corps of Engineers

Involved Agency: New York State Office of Parks, Recreation and Historic Preservation

Involved Agency: Town of Farmington Planning Board

Involved Agency: Town of Farmington Zoning Board of Appeals

Involved Agency: Town of Farmington Highway and Parks Department

Interested Agency: Ontario County Agricultural Enhancement Board

Interested Agency: New York State Department of Agriculture and Markets

Interested Agency: Town of Farmington Agricultural Advisory Committee

Interested Agency: Town of Farmington Conservation Advisory Board

Interested Agency: Town of Farmington Town Clerk

Interested Agency: Town of Farmington Historian

On November 7, 2018, Mr. Hemminger opened the Planning Board Public Hearing on PB #1003-18 (Preliminary Four-Lot Subdivision). The Public Hearing was reconvened on December 5, 2018; January 16, 2019; April 17, 2019; May 15, 2019; June 5, 2019; July 17, 2019; August 7, 2019; September 4, 2019; October 16, 2019; November 20, 2019; December 4, 2019; December 18, 2019; January 15, 2020; February 19, 2020; and was continued to tonight's public meeting (March 4, 2020).

On August 7, 2019, the Planning Board accepted the Complete Part 2 of the Full Environmental Assessment Form and the Complete Part 3 of the Full Environmental Assessment Form. The Planning Board approved the State Environmental Quality Review (SEQR) Determination of Significance (Negative Declaration) on August 7, 2019.

On October 31, 2019, Mr. Compitello of Delaware River Solar provided site plan changes that were made because of the denial of the Area Variances by the Zoning Board of Appeals (*see* Farmington Planning Board minutes, November 20, 2019).

On November 1, 2019, Mr. Compitello provided second revised subdivision and site plan drawings, and the draft Stormwater Pollution Prevention Plan (SWPPP).

On November 6, 2019, the Planning Board accepted the revised State Environmental Quality Review (SEQR) Full Environmental Assessment Form Part 1 (as corrected at the meeting) and referred the second revised materials to the SEQR Involved Agencies and to the Ontario County Planning Board.

On November 12, 2019, the Ontario County Planning Board reviewed the second revised materials (Referral #226-2019) and retained referral #226-2019 as Class 1 (*see* Farmington Planning Board minutes, November 20, 2019).

On December 18, 2019, the Planning Board accepted the Complete Part 2 of the Full Environmental Assessment Form and the Complete Part 3 of the Full Environmental Assessment for the revised applications. The Planning Board approved the State Environmental Quality Review (SEQR) Determination of Significance (Negative Declaration) for the revised applications on December 18, 2019.

Mr. Hemminger reconvened the Public Hearing on the above referenced application.

Mr. Hemminger explained that the Public Hearing is being reconvened this evening as an administrative action to officially close the Public Hearing on the Four-Lot Preliminary Subdivision Plat and to confirm the approval with conditions of the Revised Preliminary Four-Lot Subdivision Plat application that was approved on February 19, 2020

The applicants were not present at the meeting this evening.

Mr. Hemminger asked twice if anyone in attendance wished to speak for or against this application, or to ask questions.

There were no questions or comments from those in attendance.

Mr. Hemminger said that the draft resolution that has been submitted for board consideration this evening by the Town staff includes the provision that the Public Hearing on the Preliminary Four-Lot Subdivision Plat be closed and that the conditions of Preliminary Four-Lot Subdivision Plat approval from February 19, 2020, be restated.

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY FOUR- (4-) LOT SUBDIVISION APPLICATION
ROGER AND CAROL SMITH, 466 YELLOW MILLS ROAD**

PB#1003-18

APPLICANT: Delaware River Solar LLC, 33 Irving Place, New York, N.Y. 10003, on behalf of Roger and Carol Smith, owners of property at 466 Yellow Mills Road.

ACTIONS: Preliminary Subdivision Plat Approval for the subdividing of land (Tax Map Account #010.00-01-37.110) into four (4) Lots, three (3) of which will be unbuildable lots to be used for a Large Scale Solar Operation; and the remaining lot to continue to be used for a single-family dwelling, a barn and agricultural operations; and Subdivision Plat Public Hearing Closed

WHEREAS, the Public Hearing, opened upon the above referenced Action at the February 19, 2020 meeting, was never closed; and

WHEREAS, the adopted 2020 Rules of Procedure for the Planning Board requires every Public Hearing to be closed before taking action upon the pending application; and

WHEREAS, the Planning Board has placed the open Public Hearing on their meeting agenda for tonight's meeting; and

WHEREAS, the Planning Board has received testimony at tonight's Public Hearing upon said Action; and

WHEREAS, the Planning Board as the designated Lead Agency under the State Environmental Quality Review (SEQR) Regulations, has made, on December 18, 2019, a determination of non-significance upon the revised Preliminary Subdivision Plat Application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to close the Public Hearing on the above referenced Action.

BE IT FURTHER RESOLVED that the Planning Board does hereby move to grant Preliminary Subdivision Plat Approval with the following conditions:

1. Preliminary Plat Approval is based upon the drawing prepared by Schultz Associates, Engineers & Land Surveyors, P.C., identified as Project No. 18.023, Sheet No. 1 of 4, having the latest revision date of 01-28-20 and entitled "Preliminary Plat, Delaware River Solar, LLC Solar Energy Facility, Yellow Mills Road." The title of the drawing is to be amended to read . . . "Preliminary Plat, Lots #1 through #4, Roger and Carol Smith Subdivision," and is hereby made subject further to the following conditions.
2. The total acreage in the above referenced Tax Map Parcel of Land is 135.367 acres of land. Of this total, proposed Lot #1 is to have a total of 92.262 acres of land; proposed Lot #2 is to have a total of 14.851 acres of land; proposed Lot #3 is to have a total of 13.008 acres of land; and proposed Lot #4 is to have a total of 15.246 acres of land.
3. There is to be a Note added to the drawing which reads . . . "Lots #2, #3 and #4 of this subdivision plat are defined by the Planning Board as "Non-Buildable Lots. The term Non-Buildable Lot is defined by the Board as a Lot that is not eligible for any Building Permits for Permanent residential dwellings to be located upon until Final Site Plan Approval, based upon Final Site Plan drawings, have been approved by the Planning Board."
4. General Note 1 on the drawing is to be amended. The entire site does not lie within a delineated Zone C Area of Minimal Flooding. Proposed Lot #1 identifies an Un-number A Zone, a designated Area of Special Flood Hazard. The drawing should

identify that proposed Lots #2, #3 and #4 lie within a delineated Zone C Area of Minimal Flooding.

5. The fenced portion of the Un-numbered A Zone shown in the north west portion of the proposed Lot #1 will need to be removed, or a Floodplain Development Permit will need to be issued by the Town Code Enforcement Officer.
6. General Note 8 on the drawing identifies that all utilities to be underground. If any portion of the pending site plan involves utilities that will be visible above ground then this note needs to be amended to reflect what will occur on the sites.
7. All conditions contained in the MRB Letter, dated February 13, 2020, are to be made to the plat map drawing prior to submission for signatures.
8. The revised Preliminary Plat drawing is to have the Revision Box updated to reflect these conditions of preliminary plat approval and the date of such revisions.
9. Once these conditions of Preliminary Subdivision Plat Approval have been made to the revised drawing then one copy of the amended map is to be submitted to the Town's Code Enforcement Officer for his review and acceptance of these conditions being shown. Upon his acceptance, the applicant is to submit five (5) additional paper prints for signing. If additional copies of the Preliminary Subdivision Plat Map are needed by the Applicant, then the additional number is to be provided at the time of signing.
10. Once the Preliminary Subdivision Plat Maps have been signed, then the applicant may submit an application for Final Subdivision Plat Approval. At that time such application will be placed upon the next available planning board agenda.
11. Preliminary Subdivision Plat Approval is granted for a period of 180 days from today and shall expire unless revised preliminary plat maps have been signed by Town Officials.

BE IT FURTHER RESOLVED that the Planning Board does hereby instruct the Clerk of the Board to provide by U.S. Mailing, a certified copy of this resolution to the Involved and Interested agencies and to the Town Clerk.

BE IT FINALLY RESOLVED that the Clerk of the Board is to provide copies of this resolution to: Roger and Carol Smith, 4790 Fox Road, Palmyra, N.Y. 14522; Peter Dolgos, Delaware River Solar, LLC, 33 Irving Place, New York, N.Y. 10003; David Matt, Schultz Associates, P.C., P.O. Box 89 Spencerport, N.Y. 14559; the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; the Town Director of Planning and Development; the Town Code Enforcement Officer; and the Town Engineering Firm, MRB Group, D.P.C., Attn: Lance S. Brabant, CPESC, Director of Planning Services.

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

Motion carried.

4. NEW FINAL SITE PLAN

PB #0203-20 New Final Site Plan Application

Name: Gary Wright, 573 Yellow Mills Road, Palmyra, N.Y. 14522

Location: 573 Yellow Mills Road

Zoning District: A-80 Agricultural

Request: Final Site Plan approval to erect a single-family residence of approximately 2,520 square feet upon Lot #R-2B of the Sub-division Plan of Land owned by Whitney N. Wright (Gary M. and Theresa K. Wright Reserved Life Use)

The State Environmental Quality Review (SEQR) designation for this application (Type II Action) and the Preliminary Site Plan with conditions were approved by the Planning Board on February 19, 2020 (PB #0202-20).

Mr. Voellinger (Greene Land Surveying PLLC) presented this application. Mr. Wright and others also attended.

Mr. Voellinger acknowledged receipt of the Planning Board’s and the Town Engineer’s comments on the Preliminary Site Plan approval. He said that these comments have been addressed and that the revisions are reflected upon the Final Site Plan that has been submitted for board consideration this evening.

Mr. Voellinger said that Whitney Wright is the owner of the property and that Gary and Theresa Wright have Life Use of the property.

Mr. Voellinger requested that the reference to the lot be noted on the resolution as Lot #R-2B, as indicated in the heading of the draft approval resolution.

Mr. Brabant said that MRB Group issued an engineering comment letter for the Preliminary Site Plan application. He said that the comments have been addressed and that he has no additional engineering comments on the Final Site Plan application.

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

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

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN APPROVAL, LOT #R-2B, SEAN O’CONNELL TRUSTEE SUBDIVISION
GARY WRIGHT, YELLOW MILLS ROAD**

PB #0203-20

APPLICANT: Gary Wright, 573 Yellow Mills Road, Palmyra, N.Y. 14522

ACTION: Final Site Plan Approval of Lot #R-2B, Sean O’Connell, Trustee Subdivision, containing a total of 3.333 acres, for a single-family dwelling, a 1,200 square foot barn and related site improvements

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has received an Application from Gary M. Wright for Final Site Plan Approval for Lot #R-2B of the Sean O’Connell, Trustee Subdivision Plat of Lands; and

WHEREAS, the Planning Board has given consideration to the comments contained in Ontario County Planning Board Referral 16-2020, dated February 12, 2020; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board does hereby move to grant Final Site Plan Approval with the following conditions:

1. Final Site Plan Approval is based upon the drawing prepared by Greene Land Surveying, PLLC, identified as Job No. 19-5162, having the latest revision date 2/24/20 and entitled “Final Site Plan of Land, Being Lot #R-2B of the Sean O’Connell, Trustee Subdivision,” prepared for Gary M & Theresa K. Wright” and subject further to the conditions set forth below herein.
2. Final Site Plan Approval is valid for a period of 180 days and must be renewed unless all conditions of approval have been made and a signed Final site plan map has been placed in the file in the Town Development Office. Failure to comply with this time period shall result in this Final site plan approval being made null and void.
3. Once all conditions of Final Site Plan Approval have been made on the revised drawing, a total of two (2) sets of paper prints are to be provided for signatures and will be signed by: the Town Water and Sewer Superintendent; the Town Engineer; and then the Planning Board Chairperson. One set will be filed in the Town Development Office. One set will be returned to the Applicant.

- 4. Prior to issuance of permits, a PDF copy of the signed plans and any supporting materials is to be provided to the Town Development Office with three (3) additional signed prints to be distributed to the Town Highway & Parks Superintendent; the Town Water and Sewer Superintendent; and the Town Engineer.
- 5. Copies of this resolution are to be provided to: Gary M. and Theresa K. Wright, 573 Yellow Mills Road, Palmyra, N.Y. 14522; Timothy R. Voellinger, L.S., Greene Land Surveying, PLLC, 403 East Miller Street, Newark, N.Y. 14513; Don Giroux, Town Highway Superintendent; Lance S. Brabant, CPESC, MRB Group; the Town Clerk; and the Town Development Office.

Mr. Hemminger asked Mr. Voellinger if he received the draft resolution prior to the meeting, if he understood the resolution and he if agreed with the conditions. Mr. Voellinger said that he received the draft resolution prior to the meeting, that he understood the resolution, and that he agreed with the conditions upon the change that the lot reference be noted as Lot #R-2B.

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

Motion carried.

5. NEW FINAL SITE PLAN

PB #0301-20 New Final Site Plan Application

Name: Victor Association of Cultural and Performing Arts Inc.,
630 Crowley Road, Farmington, N.Y. 14425

Location: 1622 State Route 332

Zoning District: GB General Business

Request: Final Site Plan approval to erect a 4,201-square-foot single-story building addition with deck to be used for instruction/lesson space, lectures and cafeteria space for people with disabilities.

This application was reviewed by the Project Review Committee on October 4, 2019.

The State Environmental Quality Review (SEQR) designation for this application (Unlisted Action), the SEQR Determination of Non-Significance and the Preliminary Site Plan

with conditions were approved by the Planning Board on November 20, 2019 (PB #1007-19).

Mr. Laber (Schultz Associates) presented this application. Mr. Benson of the Cobblestone Arts Center also attended.

Mr. Laber distributed color elevation renderings of the proposed building addition. He acknowledged receipt of the MRB Group engineering comments which have been addressed. He said that there have been no major changes to the plans since the Preliminary Site Plan presentation.

Mr. Brabant confirmed that all of the preliminary engineering comments have been addressed and that he has no additional comments on the Final Site Plan drawings.

Mr. Delpriore called the applicant's attention to Condition #7 on the draft Final Site Plan approval resolution that has been prepared by the Town staff for the board's consideration this evening. This condition requires that the damaged sidewalks on the State Route 332 property frontage are to be repaired to the satisfaction of the Town Highway Superintendent prior to the issuance of the Certificate of Occupancy. In an e-mail dated March 2, 2020, Mr. Laber acknowledged that the applicant will repair these cracked sections but would like to do so after the completion of the construction of the building addition to avoid additional damage to the sidewalks by construction equipment.

Mr. Delpriore also discussed Condition #8 on the draft Final Site Plan approval resolution regarding the installation of a sidewalk extension to provide a means of pedestrian access from State Route 332 to the building addition. Mr. Laber said that the applicant has a possible means of pedestrian access to the new building by the use of the paved portion of the Auburn Trail that extends out to State Route 332 on the northern portion of the site. He suggested that a portion of this paved Trail could be extended by a short section to the new building in a similar style as the Auburn Trail to provide pedestrian access.

Mr. Delpriore said that all applicants are required to have a form of pedestrian access from a main sidewalk to their properties. He said that this application is different because of the proximity of the Auburn Trail to the applicant's property. Mr. Delpriore asked for direction from the Planning Board regarding requiring the installation of a sidewalk or the use of a portion of the Auburn Trail instead of a sidewalk.

Mr. Maloy asked if the Auburn Trail is cleared of snow in the winter. Mr. Benson said that he has not seen the Trail cleared in winter. He said that they could use this portion of the Auburn Trail [for pedestrian access to the new building] if the Town would allow permission for him to clear the Trail of snow in the winter.

Mr. Delpriore said that the main sidewalks are maintained by the Town but that access sidewalks [on private property] are the responsibility of the property owners.

Mr. Delpriore said that the portion of the Auburn Trail under discussion this evening is paved. Mr. Benson said that they could use this portion of the Trail for pedestrian access if the Town would permit them to clear the snow in the winter. Mr. Delpriore said that the Town Highway Superintendent is not present at the meeting tonight and that no decision on this can be provided this evening.

Mr. DeLucia asked about having a sidewalk from State Route 332 parallel to the existing driveway. He said that the existing driveway off State Route 332 is always plowed.

Mr. Delpriore said that a pedestrian walk is required.

Mr. Bellis noted that the Town permitted American Equipment on Collett Road to widen an existing driveway and stripe a portion of it for use as pedestrian access. He asked if a similar measure could be implemented for this applicant.

Mr. Bellis said that either the widening of the driveway and striping could be approved this evening, or that the application could be continued until more information about the use of the Auburn Trail from the Town Highway Superintendent could be received. He said that he preferred to just widen the existing driveway and stripe it to create a designated walking area to the new building.

Mr. Laber said that the distance would be the same at about 20 feet to 30 feet from the Auburn Trail to the new building or from the existing driveway to the new building.

Following discussion, it was the consensus of the board, the staff and the applicant to amend Draft Condition #8, as follows:

8. The site plans are to be revised to provide pedestrian access extending from the existing public walkway to the building to provide a means of pedestrian access. The pedestrian access is to be installed prior to the issuance of a Certificate of Occupancy (C of O).

Mr. Bellis then discussed a damaged school bus that has been parked on the property for a period of time. Mr. Benson said that the bus was damaged in an accident and has been used for parts for other vehicles. Mr. Delpriore said that the removal of the bus from the property could be included as a condition of Final Site Plan approval.

Following discussion, it was the consensus of the board, the staff and the applicant to include New Condition #9 in the Final Site Plan approval resolution, as follows:

9. The existing damaged school bus on the property is to be removed from the premises prior to the issuance of a Certificate of Occupancy (C of O).

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

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

**FARMINGTON PLANNING BOARD RESOLUTION
FINAL SITE PLAN ACTION
COBBLESTONE ARTS CENTER BUILDING ADDITION**

PB 0301-20

**APPLICANT: Victor Association of Cultural & Performing Arts Inc.,
1622 State Route 332, Farmington, N.Y. 14425**

**ACTION: Final Site Plan Approval to erect a 4,201-square-foot single
story building addition with deck to be used for instruction/
lesson space, lectures and cafeteria space**

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

WHEREAS, the Board has given consideration to the Ontario County Planning Board’s comments and recommendation contained in County Referral #205-2019.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby grant Final Site Plan Approval with the following conditions:

1. Final Site Plan Approval is based upon the drawings prepared by Schultz Associates, Engineers & Land Surveyors, P.C., Sheet numbers C-1 through C-5, dated September 17, 201, last revised January 21, 2020, and entitled “Final Site & Utility Plan Cobblestone Arts & Education Center—2019 Facility Expansion” and as further amended herein.
2. Final Site Plan Approval is based upon the Photo Simulations of the Building Addition Drawings prepared by Hanlon Architects, dated 11/14/19 and entitled “Cobblestone Arts Center View from southeast and View from east.”
3. A total of two (2) sets of paper prints are to be provided for signatures and will be signed by: the Town Water and Sewer Superintendent; the Town Engineer; and then the Planning Board Chairperson. One set will be filed in the Town Development Office. One set will be returned to the Applicant. Prior to issuance of permits, a PDF copy of the signed plans and any supporting materials is to be provided to the Town Development Office with three (3) additional signed prints to be distributed to the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; and the Town Engineer.

- 4. Final Site Plan Approval shall expire within 180 days unless Final Site Plan drawings have been signed by Town Officials.
- 5. All Site Lighting is to comply with the Town’s Site Lighting Standards contained in Chapter 165 of the Town Code.
- 6. A Public Safety Sign is to be installed on the property prior to issuance of a Certificate of Occupancy (C of O).
- 7. The damaged sidewalks along route 332 in front of this property are to be repaired to the satisfactory of the Town Highway Superintendent prior to issuance of the Certificate of Occupancy (C of O).
- 8. The site plans are to be revised to provide pedestrian access extending from the existing public walkway to the building to provide a means of pedestrian access. The pedestrian access is to be installed prior to the issuance of a Certificate of Occupancy (C of O).
- 9. The existing damaged school bus on the property is to be removed from their premises prior to the issuance of a Certificate of Occupancy (C of O).

Mr. Hemminger asked Mr. Laber if he understood the resolution and if he agreed with the resolution as amended. Mr. Laber said that he understood the resolution and that he agreed with the resolution as amended.

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

Motion to approve the resolution as amended carried.

6. NEW PRELIMINARY SITE PLAN

PB #0302-20 New Preliminary Site Plan Application

Name: Swetman Properties, c/o James Swetman,
1127 Corporate Drive East, Farmington, N.Y. 14425

Location: 1127 Corporate Drive East

Zoning District: LI Light Industrial

Request: Preliminary Site Plan approval to erect a 30,500-square-foot single-story building to be used as flex-light industrial space and 115 parking spaces, to be located upon a newly created lot located along the east side of Corporate Drive East.

The re-subdivision of this property to create Lot #R-6A consisting of 3.413 acres and Lot #R-6B consisting of 3.291 acres was approved by the Planning Board on April 17, 2019 (PB #0403-19).

The Project Review Committee reviewed this application on January 3, 2020.

Mr. Swedrock (BME Associates) presented this application. Mr. Heagney (LeFrois Builders & Developers) also attended.

Project Overview:

The proposal is to construct a ±30,500-square-foot one-story building including four truck bays, three overhead doors, 72 parking spaces and 44 land banked parking spaces along Corporate Drive to the north of the existing Home Power facility. The property is currently zoned LI (Limited Industrial) and MTOD (Major Thoroughfare Overlay District). Access to the site is proposed from a new curb cut near the northern limits of the property. A possible future secondary access point is also shown on the plans near the southern property limits. The proposed development will meet all the setback and bulk standards for lot coverage, access, landscaping and parking requirements.

New utility connections including a sanitary sewer service and combined domestic and fire water main will be extended from the public utilities from the Corporate Drive right of way. The overall preliminary and final plans will include a comprehensive stormwater management plan to meet the current NYSDEC regulations for water quantity and quality, as well as landscaping and lighting improvements proposed with the site development.

Site Notes:

- Project area for Lot R-6B = 3.291 acres
- Existing use: Vacant
- Proposed Use: Office/warehouse/industrial manufacturing
- Applicable development standards proposed are as follows:

	LI Zoning (Required)	Lot R-6B (Proposed)
Minimum Lot Area	60,000 square feet	±143,356 sq. ft
Minimum Lot Width	250 feet	±305 feet

Minimum Lot Depth	200 feet	±470 feet
Lot Coverage	35%	±21.3%
	LI Zoning (Required)	Lot R-6B (Proposed)
Max. Building Area (% of lot)		
Min. Landscaping Space	30%	±31.9% (w/land banked)
Setbacks:		
Building Height	50 ft./3 stories	±24 ft./1 story
Min. Front Setback	80 feet	80 feet
Min. Side Setback	30 feet	30 feet
Min. Rear Setback	30 feet	30 feet
Parking	9 ft. x 20 ft. 72 spaces	9 ft. x 20 ft. 72 spaces + 44 land banked; 6 accessible spaces

Parking Breakdown:

Assumes 30 percent office, 20 percent manufacturing, and 50 percent warehouse.

Proposed Office:	9,162 sq. ft.	1 space/200 sq. ft.	45.8 spaces
Proposed Manufacturing	6,100 sq. ft.	1 space/300 sq. ft.	20.3 spaces
Proposed Warehouse	15,250 sq. ft.	1 space/3,000 sq. ft.	5.1 spaces

Total parking required: 71.2 spaces

- All improvements shall be in accordance with the most recent standards and specifications of the Town of Farmington and the appropriate Ontario County and New York State agencies, unless otherwise noted.
- Highway drainage along Corporate Drive to be maintained.
- All parking spaces (existing and proposed) are to be double striped as per the Town Code.

Mr. Swedrock said that the orientation of the building has been rotated at the request of the Planning Board and the Project Review Committee (PRC) to have the “front” façade of the building facing Collett Road to the north. The views of the building from Collett Road and from Corporate Drive have been considered with proposed landscaping. In response to

PRC comments, driveway access points are shown on the plans and the fire department valve connection will be installed out front.

Mr. Swedrock reviewed the location of the dumpster enclosure and the loading areas for vehicles. No loading docks are proposed.

He said that a new six-inch sanitary sewer main will be installed and that the existing stormwater pond will be enlarged to avoid having two separate stormwater ponds on each of the applicant's properties.

Mr. Swedrock distributed color elevation renderings of the proposed building.

He said that there could be one, two or three tenants in the new structure. Mr. Swedrock said that there is interest among prospective tenants for this type of a building and this type of facility.

He acknowledged receipt of the MRB Group engineering comments and that written responses that have been submitted. He also acknowledged receipt of the draft Preliminary Site Plan approval resolution and that he will be working through the conditions of approval.

Mr. Delpriore said that the Building Department issued a grading permit to the applicant to bring fill onto the property now that the orientation of the building has been adjusted to face Collett Road. He said that no other work will be permitted on the property until the site plan is approved by the Planning Board.

Mr. Delpriore said that an Amended Site Plan for the addition to the Home Power Systems building on the adjacent lot will be required due to the enlargement of the existing stormwater management pond (*see* PB #0404-19, Final Site Plan Amendment, April 17, 2019). He said that the Planning Board must approve an Amended Final Site Plan for the Home Power Systems addition prior to the approval of a Final Site Plan for the new structure.

Mr. Swedrock said that all the stormwater management improvements are depicted upon the site plan for the new building. Mr. Hemminger said that an Amended Final Site Plan for the Home Power Systems addition will be required to be sure that the Town staff has the amended plan for reference.

Mr. Brabant said that all comments on the MRB Group engineering letter have been addressed. He said that the major issue will be the approval of the Amended Final Site Plan of the Home Power Systems addition with the enlarged stormwater management pond that will serve both lots. He said that the plan under consideration by the board this evening is a good one.

Mr. Maloy asked for clarification about the expanded stormwater management pond. Mr. Swedrock that the front portion of the pond has already been extended and that further expansion will occur when construction begins on the new building. He said that it made

sense to combine all the infiltration on the applicant's lots into one infiltration basin. Mr. Brabant confirmed that only minor improvements to the existing stormwater pond have been made to date and that further expansion will take place with the construction of the Home Power Systems addition. He said that the work that has been done is under the disturbance threshold.

Mr. Maloy asked about the location of the main entrance driveway. Mr. Swedrock said that the driveway location avoids a vault to the water service and the location of electric utility service. He said that it made sense to provide a driveway for trucks to enter in one location and avoid coming all the way around the building. Mr. Delpriore said that the driveway plans will be reviewed further by the Project Review Committee.

Mr. Maloy said that the driveways are staggered and that none are directly across from one another. Mr. Swedrock said that the locations of the driveways have been positioned to avoid catch basins and utilities in the road. Mr. Bellis said that one of the driveways is not a main access to the parking lot but that it goes back to a truck unloading area.

Mr. Bellis asked about the number of handicapped parking spaces if there will be multiple tenants. Mr. Delpriore said that the number of parking spaces will be based upon the number of tenants in the building. He said that there is enough space on the property to accommodate all Town Code-required parking spaces. Mr. Swedrock said that the intent is to have parking along the side of the building and that façade of the building will be visible from Collett Road.

Mr. Viets and Mr. DeLucia said that they were pleased with the architecture of the new building. Mr. Bellis asked about the color of the structure. Mr. Swedrock said that the actual colors will be provided at the Final Site Plan stage. He said that the color elevations provided this evening are only renderings.

Mr. Maloy asked about the ownership and responsibility for maintenance of the stormwater pond. Mr. Swedrock said that a reciprocal easement agreement will be provided for the applicant's two properties [to be served by the stormwater pond]. Mr. Brabant said that the Town will require a separate access easement to the stormwater pond for inspections and emergencies. He said that the applicant will be required to provide a Stormwater Maintenance Agreement prior to the issuance of a Certificate of Occupancy. Mr. Delpriore said that the Stormwater Maintenance Agreement will run with the property if the property were to be sold in the future.

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

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

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR DESIGNATION—UNLISTED ACTION**

SWETMAN PROPERTIES LOT R-6B

PB #0302-20

APPLICANT: **Swetman Properties, c/o James Swetman
1127 Corporate Drive, Farmington, N.Y. 14425**

ACTION: **Preliminary Site Plan Approval to erect a +/- 30,500-square-foot building to be used as flex-light industrial space, with associated parking, utilities, and stormwater mitigation located on a Lot R-6B.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an application for Preliminary Site Plan Approval for the above referenced Action; and

WHEREAS, said Action is classified as neither a Type I or a Type II Action under Section 617.5 of the State Environmental Quality Review (SEQR) Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby determine the granting of the above referenced Action to be an Unlisted Action under Section 617.5 of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT the Board in making this Determination has reviewed Part 1 of the Short Environmental Assessment Form (EAF) prepared by the Applicant and Part 2 of the Short EAF prepared by the Town’s Engineer upon this Action.

BE IT FURTHER RESOLVED THAT the Board does hereby accepts Part 2 of the Short EAF as being an accurate evaluation of the anticipated impacts associated with the proposed building addition.

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

Motion carried.

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

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR CRITERIA FOR DETERMINING SIGNIFICANCE**

SWETMAN PROPERTIES LOT R-6B**PB #0302-20**

APPLICANT: **Swetman Properties, c/o James Swetman
1127 Corporate Drive, Farmington, N.Y. 14425**

ACTION: **Preliminary Site Plan Approval to erect a +/- 30,500-square-foot building to be used as flex-light industrial space, with associated parking, utilities, and stormwater mitigation located on a Lot R-6B.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), based upon review of the Criteria contained in §617.2 (a) of Part 617 of NYCRR, Article 8, New York State Environmental Conservation Law, has found the above referenced Action to be an Unlisted Action; and

WHEREAS, the Planning Board has reviewed the completed Part 1 of the Short Environmental Assessment Form; and

WHEREAS, the Planning Board has completed Parts 2 and 3 of the Short Environmental Assessment Form.

WHEREAS, the Planning Board is the only involved agency with said Actions and, therefore, is the designated lead agency for making the required determination of significance.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby accept the findings contained in Parts 1 and 2 of the Short EAF and directs the Planning Board Chairperson to sign and date the EAF Part 3.

BE IT FURTHER RESOLVED that the Planning Board reasonably concludes the following impacts are expected to result from the proposed Actions, 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 FINALLY RESOLVED that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

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

Motion carried.

■ 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 provided by the Town staff:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN
SWETMAN PROPERTIES LOT R-6B**

PB #0302-20

APPLICANT: **Swetman Properties, c/o James Swetman
1127 Corporate Drive, Farmington, N.Y. 14425**

ACTION: **Preliminary Site Plan Approval to erect a +/- 30,500-square-foot building to be used as flex-light industrial space, with associated parking, utilities, and stormwater mitigation located on a Lot R-6B.**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Board) has received an application for Preliminary Site Plan Approval for the above referenced Action; and

WHEREAS, the Board has classified said Action as neither a Type I or a Type II Action under Section 617.5 of the State Environmental Quality Review (SEQR) Regulations, thereby classifying the Action as an Unlisted Action.

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

1. Preliminary Site Plan Approval is based upon the drawings prepared by BME Associates, Sheet numbers 2621A-01 through 2621A-10, dated February 2020 and entitled "Preliminary Site Plan Swetman Properties" as is further amended herein.
2. Preliminary Site Plan Approval is further based upon the Applicant's Engineer preparing written responses to the comments contained in the February 28, 2020, letter, from MRB Group, the Town's Engineering Firm, to the Director of Planning and Development and making necessary revisions to the submitted drawings.
3. Once all amendments have been made to the submitted drawings then two (2) paper prints are to be submitted to the Town Code Enforcement Officer for his review and acceptance and to be signed by: the Town Water and Sewer Superintendent; the Town Engineer; and then the Planning Board Chairperson. One set will be filed in the Town Development Office. One set will be returned to the Applicant.
4. Once all signed drawings have been completed, a PDF copy of the signed preliminary plans and any supporting materials are to be provided to the Town Develop-

ment Office to be distributed to the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; and the Town Engineer. Once the digital copies have been provided, the Applicant may then make application to be placed on a future Planning Board meeting agenda for review and consideration of Final Site Plan drawings.

- 5. All Site Lighting is to comply with the Town’s Site Lighting Standards contained in Chapter 165 of the Town Code.
- 6. A Public Safety Sign is to be installed on the property prior to issuance of a Certificate of Occupancy (C of O).
- 7. The site plans are to be revised to identify that all areas around the parking lot of Lot R-6B are to be fully stabilized and maintained as lawn areas.
- 8. Prior to Final Site Plan approval, an Amended Final Site Plan approval of the Home Power Project Lot R-6A is required to be reviewed and approved by the Planning Board.
- 9. Preliminary Site Plan Approval expires in 180 days from today. All conditions of Preliminary Site Plan Approval must be placed on revised drawings and signatures of the above referenced Town Officials affixed thereto.

Mr. Hemminger asked Mr. Swedrock if he understood the resolution and agreed with the conditions. Mr. Swedrock 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

Motion carried.

7. CONCEPT PLAN DISCUSSION

GLN Farmington Property Real Estate (LeFrois Project):

Mr. Vars (BME Associates) and Mr. LeFrois (LeFrois Builders & Developers) provided the following Concept Plan discussion on the GLN Farmington Property Real Estate project (LeFrois Builders & Developers Project, south side of State Route 96, east of the Farmington Market Center and west of the State Route 332/State Route 96 intersection):

Site area: ±27.18 acres; 650 feet of frontage along State Route 96; small amount of frontage along State Route 332 south of ALDI Food Store.

Existing zoning: General Business in the Major Thoroughfare Overlay District

Proposed Use:

General Business: 35,750 square feet, one-story buildings
 Office/Industrial: ±150,00 square feet, one-story buildings

Lot Standards:

Description	Required	Proposed
MTOD setbacks (§ 165-34):		
Side	30 feet	30 feet
Setback from an access road	50 feet	50 feet
Setback from parking area	N/A	±10 feet
Setback from State Route 96	100 feet	74 feet
Maximum building coverage	35%	±13%

Parking (§ 165-37):

Description	Required	Proposed
General Business:		
35,750 square feet @ 10/1,000 square feet	358 spaces	339 spaces
Office/Industrial:		
150,000 square feet @ 1/200 square feet	750 spaces	866 spaces (± 5.7/1,000)
Total Overall Parking:	1,108 spaces	1,205 spaces

Buildings shown on the concept plan are graphical representations only.

All improvements shall be in accordance with the most recent standards and specifications of the Town of Farmington and the appropriate Ontario County and New York State agencies unless otherwise noted.

Discussion:

Mr. Vars said that the Incentive Zoning proposal that was originally presented for this site for retail and several hundred apartments has been revised. He said that the applicant decided to proceed with the development the property in accordance with the existing General Business zoning; that presentations have been made to the Town staff, the Town Supervisor and the Project Review Committee; and that the plans now include a series of commercial and retail buildings (approximately 36,000 square feet) along State Route 96 and flexible

business/office park uses in the interior portion of the site. Mr. Vars said that a total of 150,000 square feet is planned in four buildings. He said that the applicant has a vast amount of experience with this type of development and has been very successful in the Greater Rochester area.

Mr. Vars acknowledged the State Route 96 street scape concept. He said that this initiative would be carried on along the frontage of the applicant's property and will include pedestrian connectivity and street lighting to comply with the street scape guidelines.

He said that the applicant's intent is to develop a business park that could include single or multi tenants with the ability of attracting high-tech users. Four buildings are shown for graphic representation on the concept plan at this time. Drainage will flow toward the southwest corner of the property.

Mr. Vars acknowledged that the connection to the sanitary sewer cannot go up to State Route 96 and will have to go south.

He said that the development will be phased with one or two buildings in the first phase. SRF Associates is now updating the traffic study. A Town-dedicated road would be constructed to connect Mercier Boulevard to a shared-access road to be dedicated to the Town on the western portion of the applicant's property and east of the Farmington Market Center property. This Town-dedicated shared access road would connect with State Route 96. Mr. Vars said that the plans for this road are being coordinated with the owner of the Farmington Market Center and with the New York State Department of Transportation .

Mr. Vars said that an Area Variance is needed for the setback of 74 feet from State Route 96 (when 100 feet is required). He said that the purpose of the Area Variance will be to assure that the retail and commercial buildings along State Route 96 will align with the proposed outbuildings on the Farmington Market Center site.

Mr. Vars said that approximately 1,200 parking spaces would be required by the Town Code at the full development of the site. He also said that the building coverage on the site will be at only 13 percent with at a total of 186,000 square feet of space. This below the Town Code maximum building coverage of 35 percent.

Mr. Vars said that the applicant's likely intent is to develop the site in three phases. The first phase would include two flexible-use buildings at the west end of the property (approximately 80,000 square feet). Phase 2 and Phase 3 would include retail and other commercial buildings along State Route 96.

Mr. Brabant confirmed that the applicant is aware of the State Route 96 Street Scape Guidelines. He said that he will send a copy of the guidelines to Mr. Vars. Mr. Hemminger noted that the Byrne Dairy Store at the southwest corner of State Route 96 and Mertensia Road was the first development to implement the State Route 96 Street Scape Guidelines. Mr. Vars acknowledged receipt of the plans for the street scape measures at the Farmington Market Center.

Mr. Brabant expressed concern about vehicle stacking at the intersection of the future Town-dedicated shared access road at State Route 96. He suggested that cross connections be provided only to the dedicated road. He said that these details would be further discussed at the Preliminary Site Plan stage.

Mr. Brabant said that the sanitary sewer connection must be made to the main trunk line to the south of the applicant's property instead of to a connection on State Route 96 due to the capacity issues of the sanitary sewer line on State Route 96. Mr. Vars said that he is aware of this.

Mr. Delpriore said that the Town would prefer that parking be provided in the rear of the buildings and not in front of the retail and commercial buildings along State Route 96. He said that the staff understands that the project may be developed in phases and that the staff will emphasize that the State Route 96 Street Scape initiatives should be installed sooner rather than later in the project, including the sidewalks and street lights.

Mr. Viets expressed concern about traffic and left-turns at the intersection of the new Town-dedicated shared access road at State Route 96. He recommended landscaped islands along the State Route 96 frontage to break up the huge mass of pavement and to provide visual appeal. Mr. Vars said that a design to address these issues and to meet the requirements of the New York State Department of Transportation is being considered.

Mr. Viets asked about the area between two of the buildings in the interior portion of the property. Mr. Vars said that this area may be used for truck loading depending upon the needs of the tenants. Otherwise, he said that the area may be converted to conference rooms or parking. He said that the final design will be based upon the specific needs of the tenants.

Mr. Bellis expressed concern about having so much parking and pavement. He asked about green space on the property. Mr. Bellis said that he is not on board 100 percent with so much pavement and parking areas. Mr. Vars said that the total number of parking spaces is based upon the Town Code requirement for the full build-out of the project. Mr. Bellis suggested that land banked parking be considered where it would be appropriate. Mr. Vars said that the applicant practices land banked parking and that the details would be provided at the Final Site Plan stage when tenants are signed. He said that future users may not require as much parking as the Town Code requires and that land banked parking certainly would be considered.

Mr. LeFrois said that the property will be marketed to restaurant-type and smaller retail users. He said that his intention is to phase in the office users based upon demand.

Mr. Brabant said that the applicant must show that the Town Code parking requirements can be met and that there will be a discussion of land banked parking at the Preliminary Site Plan stage. He said that this is a concept plan at this stage.

Mr. Bellis suggested that land banked parking should be considered in the interior portion of the property and not along State Route 96. He said that the goal should be to reduce the amount of impervious surface along the State Route 96 corridor.

Mr. Bellis said that he was pleased that the applicant plans to align the buildings with the proposed outbuildings on the adjacent Farmington Market Center property. He said that he hopes that the Zoning Board of Appeals would not have a problem with granting the Area Variance for this.

Mr. Maloy asked about the percent of open space at the full build-out of the site. Mr. Vars said that he will provide this calculation. Mr. Maloy also expressed concern with how the open space will tie in with landscaping, and snow removal and storage.

Mr. Maloy asked about pedestrian access. Mr. Vars said that pedestrian access will be tied in with the State Route 96 corridor improvements. He said that there will be pedestrian access off Mercier Boulevard and within the internal pedestrian walkways.

Mr. Maloy asked about anticipated pedestrian access along the Town-dedicated shared access road. Mr. Vars said that a sidewalk will be constructed along the Town-dedicated shared access road for connectivity out to the proposed sidewalk along State Route 96. Mr. Maloy said that he will be interested to see how this lays out on the Preliminary Site Plan.

Mr. Maloy asked if the project will encroach upon Beaver Creek. Mr. Vars said that a wetland delineation has been done, that a tributary may be affected and that a Nationwide Permit from the U.S. Army Corps of Engineers may be required. He said that this area ties in with the proposed area for land banked parking.

Mr. Hemminger said that the board assumes that the proposed structures along the State Route 96 corridor are placeholders for now until tenants are acquired and the Final Site Plan is presented.

Mr. Hemminger asked if we know for sure if a traffic signal will be installed at the intersection of the new Town-dedicated shared access road and State Route 96. Mr. Vars said that the traffic study by SRF Associates will vet that out. Taking a long view of the project, he said that the Farmington Market Center project will require installation of highway improvements on State Route 96. He said that the LeFrois project may trigger the need for a traffic signal at this intersection. Mr. Vars said that for now everyone involved is talking, that both applicants are using the same traffic consultant, and that further details on the traffic signal would be available at the Preliminary Site Plan stage.

Mr. Hemminger said that the Planning Board highly encourages the installation of a traffic signal at the intersection. He said that it would be a nightmare without it.

Mr. Hemminger said that the board traditionally approves of land banked parking. He encouraged the applicant to consider means to further reduce the need for parking on the site.

Mr. Hemminger requested that the percentage of green space on the site be calculated with and without the stormwater management facilities.

He also expressed concern about snow storage and the possibility of using the green space between buildings for picnic tables or as a pedestrian area. He said that the concept plan this evening is a much better plan than the original proposal for apartments.

Mr. Delpriore said that the applicant may submit a Preliminary Site Plan application but that it cannot be voted upon by the Planning Board until the applicant's Area Variance has been decided by the Zoning Board of Appeals.

Mr. Hemminger said that the State Route 96 corridor and the vicinity of the State Route 332/State Route 96 intersection is considered the Hamlet of Farmington. He said that aesthetics, landscaping and the State Route 96 Street Scape Guidelines will be important considerations. Mr. Bellis said that the aesthetics and design of the first building on the western portion of the property will be especially important.

Mr. Hemminger suggested that perhaps the Planning Board may wish to send a letter to the Zoning Board of Appeals regarding the applicant's rationale for requesting an Area Variance [to align the applicant's buildings with the proposed outbuildings on the Farmington Market Center site].

There were no further comments or questions on this concept discussion this evening.

7. **PLANNING BOARD ACTION ITEMS**

Auburn Meadows Subdivision, Section 7S: Partial Letter of Credit Release #1

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

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

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board) has received a request from Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers, dated February 25, 2020, to approve a partial release (Release #1) from the above referenced letter of credit for site improvements within Section 7S of the Auburn Meadows Subdivision; and

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

WHEREAS, under the provisions of Chapter 144, Section 32. F. of the Farmington Town Code, the Planning Board is to render recommendations to the Town Board whether or not to honor the requested release from the letter of credit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this subdivision and the recommendations from the Town Department Heads and Town Engineers, does hereby recommend that the Town Board take formal action to approve the request to release a total of \$472,456.88 (Release #1) from this letter of credit. The total amount in the letter of credit is \$647,740.86, with a balance of \$175,283.98 remaining after this first partial release of funds.

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

Motion carried.

8. **OPEN DISCUSSION**

Code Enforcement Officer:

Mr. Delpriore said that Lyons National Bank (now under construction on the northwest corner of State Route 332 and County Road 41) proposes to dig out and insert stone on a 20-foot x 100-foot area on the now-vacant lot that is owned by the bank on the northwest corner of Hathaway Drive and County Road 41 for use as a temporary parking area for contractors' vehicles. He said that this proposal will be discussed at the Project Review Committee meeting on Friday, March 6, 2020, and that he wanted to make the Planning Board aware of this request this evening. Hard-copy drawings of the proposed temporary parking area were distributed to the board members and to Mr. Allen (5988 County Road 41) who lives next door to the now-vacant lot.

Mr. Brabant suggested that the temporary parking area be enlarged to avoid parked vehicles from encroaching upon the road gutter and to provide room for contractors to turn around on the site and avoid having to back out onto Hathaway Drive.

Mr. Bellis asked about the future use of this now-vacant lot. Mr. Delpriore said that the bank is considering some sort of park-like area but that no decisions have been made. He said that the bank must return to the Planning Board with a site plan application for whatever may be proposed for the use of the lot.

Mr. Bellis said that he did not see a problem with using the lot as a temporary parking area for construction workers. He said that it would be safer to have the cars parked there rather than along the road.

Mr. Maloy asked if a larger temporary parking area would encroach upon the right of way. Mr. Delpriore said that the bank owns the lot. He said that they could use as much of the lot as needed. He said that anything that is done on the lot at this time will be temporary and that the bank will need to remove the parking area and restore the lot to its existing condition if the long-range plan is not to use this area for permanent parking.

Mr. Viets said that he preferred that the temporary parking lot be enlarged to avoid having cars backing out onto Hathaway Drive.

Mr. DeLucia referred to the former house that was on this lot. Mr. Delpriore said that the bank owns the lot and that the temporary parking area could be enlarged as deep as they would like.

Mr. Brabant said that a note should be included on the drawing that the lot must be stabilized and seeded upon removal of the temporary parking area.

Mr. Maloy asked about the traffic on Hathaway Drive. Mr. Delpriore said that the bank has been surprised with the amount of traffic on Hathaway Drive, especially with the connection to the Farmington Gardens Apartments and the doctors' offices. Mr. Maloy said that his concern is for safety when construction workers arrive and leave the site. Mr. Delpriore said that the construction workers usually arrive between 6:00 a.m. and 7:00 a.m. and leave at approximately 3:30 p.m. He said that the temporary parking area would be used only for the personal vehicles of the construction workers.

Mr. Delpriore said that the bank does not intend to use the vacant lot as a staging area. He said that there are some light poles stored on the lot at this time to avoid them from being damaged at the construction site across the road.

Highway Superintendent:

Mr. Delpriore reported that Highway Superintendent Don Giroux has been in Albany, N.Y., with other highway superintendents and could not attend the meeting this evening.

9. PUBLIC COMMENTS

Mr. Allen (5988 County Road 41) said that building materials for the Lyons National Bank were delivered today to the vacant lot at the corner of Hathaway Drive and County Road 41. He discussed a sanitary sewer and storm sewer easement that crosses his property, and other utility lines—including a two-inch natural gas line—in the area of his property. He asked if there would be temporary lighting on the proposed parking area on the lot. Mr. Delpriore said that no temporary lighting has been proposed. Mr. Allen said that he was surprised that the bank had not requested this temporary parking area months ago.

10. BOARD MEMBERS' COMMENTS

Mr. Hemminger said that he appreciated that the staff brought the proposed Lyons National Bank temporary parking area to the attention of the board this evening. Mr. Delpriore said that the staff does not wish the board to have any surprises and desires to assure transparency in the Town operations.

Mr. Hemminger said that a draft Special Use Permit resolution for the Delaware River Solar project is being prepared by the Town staff and legal counsel. He said that it may be ready for inclusion in the board packets for the meeting to be held on March 18, 2020. He said that the draft resolution will be posted upon the Town website when it is submitted for the board packets.

Mr. Hemminger said that he will be absent from the meeting to be held on April 15, 2020.

11. TRAINING OPPORTUNITIES

82nd Annual New York Planning Federation Conference

April 19–April 21, 2019

The Sagamore Resort, Bolton Landing, N.Y.

For information and updates: www.nypf.org, (585) 512-5270

Future Training Opportunities Online

Ontario County Planning Department website now lists upcoming training:

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

12. 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 8:30 p.m.

The next regular meeting of the Planning Board will be held at Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425, on Wednesday, March 18, 2020, at 7:00 p.m.

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

Respectfully submitted,

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