

Town of Farmington

1000 County Road 8
Farmington, New York 14425

PLANNING BOARD
Wednesday, May 19, 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 26, 2020, and extended by Executive Order 202.108 through June 16, 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, the available drawings and each draft resolution was posted upon the video screen for the public and the applicants 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 May 17, 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: Edward Hemminger, *Chairperson*
 Adrian Bellis
 Timothy DeLucia
 Shauncy Maloy
 Douglas Viets

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

Applicants Present at the Town Hall:

Alexander H. Amering, P.E., Costich Engineering D.P.C., 217 Lake Avenue,
 Rochester, N.Y. 14608
 Connor Kilmer, The DDS Companies, 45 Hendrix Road, West Henrietta, N.Y. 14586
 Michael Montalto, Costich Engineering D.P.C., 217 Lake Avenue, Rochester, N.Y. 14608
 Robert Winans, The DDS Companies, 45 Hendrix Road, West Henrietta, N.Y. 14586

Applicants Present via Telephone/Video Conference:

Matthew Bragg, Chrisantha Construction Corporation, 4661 Dewey Avenue,
 Gorham, N.Y. 14561
 Robert Marchenese, Auto Wash, P.O. Box 451, Canandaigua, N.Y. 14424

Others Present at the Town Hall:

Joseph Alexander, 6090 Loomis Road, Farmington, N.Y. 14425

Jennifer Allen, 6028 Loomis Road, Farmington, N.Y. 14425

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

Chief Phil Robinson, Farmington Volunteer Fire Association

Others Present at the Town Hall:

[Others, unidentified]

Others Present via Telephone/Video Conference:

[Others, unidentified]

1. MEETING OPENING

The meeting was called to order at 7:00 p.m. by Chairperson Edward Hemminger.

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

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 those who were not fully vaccinated used facemasks at distances of less than six feet. A sign-in sheet was not used to avoid contact with pens, pencils and papers. Hand sanitizers were available throughout the building. Public notices were posted on all entrances to the Town Hall informing the public that face masks were required for anyone not fully vaccinated.

2. APPROVAL OF MINUTES OF MAY 5, 2021

■ A motion was made by MR. DELUCIA, seconded by MR. VIETS, that the minutes of the May 5, 2021, meeting be approved.

Motion carried by voice vote.

3. LEGAL NOTICE

The following Legal Notice was published in the Canandaigua *Daily Messenger* newspaper on May 12, 2021:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT the Planning Board of the Town of Farmington, will conduct a Public Hearing on the 19th day of May 2021 commencing at 7:00 p.m., in the Farmington Town Hall Main Meeting Room, 1000 County Road 8, Farmington, N.Y. 14425 for the purpose of considering the application of:

PB #0506-21: LOOMIS ROAD INDUSTRIAL PARK LLC, 120 LINDEN OAKS, ROCHESTER, N.Y. 14625: Preliminary 10-Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 17.00-1-62.132, containing a total of 32.8103 acres of land; and as further to be identified as Re-Subdivision Plat Approval Lot #R3-A of the Gypsum Systems Subdivision. The proposed Action involves creating Lot #R3-A1 through Lot #R3-K10 consisting of various parcel size ranging from 1.968 acres to 4.884 acres all of which are to remain vacant as non-approved building lots requiring site plan approval before any Building Permits may be issued. The property is located on the northside of Loomis Road between the New York State Thruway and Loomis Road and is zoned GI General Industrial and MTOD Major Thoroughfare Overlay District.

ALL PARTIES IN INTEREST and citizens will be given an opportunity to be heard in respect to such applications. Persons may appear in person or by agent.

Ed Hemminger, Chairman, Planning Board

4. NEW PUBLIC HEARING: PRELIMINARY SUBDIVISION

PB #0506-21 Preliminary Subdivision Application

Name: Loomis Road Industrial Park LLC, 120 Linden Oaks, Rochester, N.Y. 14625

Location: North side of Loomis Road between the New York State Thruway and Loomis Road

Zoning District: GI General Industrial and MTOD Major Thoroughfare Overlay District

Request: Preliminary 10-Lot Re-Subdivision Plat approval of Land, identified as Tax Map Account 17.00-1-62.132, containing a total of 32.8103 acres of land; and as further to be identified as Re-Subdivision Plat Approval Lot #R3-A of the Gypsum Systems Subdivision. The proposed Action involves creating Lot #R3-A1 through Lot #R3-K10 consisting of various parcel size ranging from 1.968 acres to 4.884 acres all of which are to remain vacant as non-approved building lots requiring site plan approval before any Building Permits may be issued.

This application was reviewed by the Project Review Committee on December 4, 2020; January 8, 2021; February 5, 2021; March 5, 2021; April 1, 2021; and May 7, 2021.

Mr. Hemminger opened the Public Hearing on this application.

The Preliminary Re-Subdivision Plat Map was posted on the screens in the meeting room and were visible online for all to view.

Mr. Kilmer and Mr. Winans, both of the DDS Companies, presented this application.

Mr. Kilmer provided the following information:

- The applicant proposes to subdivide the parent parcel of approximately 32.8 acres into 10 industrial lots within the requirements of the General Industrial Zoning District in which the property is located on Loomis Road.
- The entrance road into the property off Loomis Road will be dedicated to the Town.
- A central lot (in which the regional stormwater management facility will be located) will be combined with Lot #4 to eliminate the need for an Area Variance for a lot under the two-acre minimum lot-size requirement in this zoning district.
- The entrance road will be 24 feet wide with concrete gutters.
- Sanitary sewer and water main utilities will be extended from existing services along Loomis Road. Internal stormwater surface drainage will flow to the site's stormwater management facility which will be located within the looped street area.

Mr. Kilmer acknowledged the receipt of comments from MRB Group (engineering comment letter of May 11, 2021) and from the Town Project Review Committee (*see* Project Review Committee minutes, May 7, 2021).

Mr. Hemminger said that the parcel is located in the General Industrial Zoning District and within the Major Thoroughfare Overlay District (MTOD).

Mr. Brand said that he has prepared two resolutions for the board's consideration this evening, i.e., a State Environmental Quality Review (SEQR) resolution which classifies this application as a Type II Action (this is not a reviewable action under SEQR because no alterations of the environment are involved with only a subdivision of property), and a Preliminary Re-Subdivision resolution of approval with conditions. Mr. Brand said that several of the conditions of Preliminary Re-Subdivision approval involve the relabeling of the names of various lots on the subdivision plat.

Mr. Delpriore said that the applicant has received comments from the Town staff and the Town Engineer. He said that the staff also discussed with the applicant the process for the site plan.

Mr. Delpriore said that most of the conditions in the draft re-subdivision resolution this evening involve labeling the lots. The lot which is identified as “Remaining Lands Area—1.968 Acres” will be joined with Lot #4 to avoid an application to the Zoning Board of Appeals for an Area Variance [for a lot which is less than two-acre minimum in this zoning district].

Mr. Giroux said that an 80-foot right-of-way is not absolutely necessary when all other rights-of-way [in the Town] are 66 feet wide.

Mr. Brabant said that the re-subdivision application is straightforward and that Engineering Comment #5 in his letter of May 11, 2021, suggested that the initially proposed Lot #11 (“Remaining Lands—1.968 Acres”) be tied to one of the adjacent lots to eliminate the need for an Area Variance.

Mr. Brabant said that the stormwater management facility must be sized for the full build-out of the development to handle water quantity for the entire project. He said that each lot will be required to handle water quality on the lot and to meet New York State Department of Environmental Conservation (DEC) standards with the understanding that a regional stormwater management facility will handle water quantity for all of the lots.

Mr. Brabant said that the Town will require an easement for emergency access to the stormwater management facility. He said that the Town does not wish to take ownership of the stormwater management facility but will require a Stormwater Management Agreement with the property owner to document the responsibility of maintenance, i.e., whether each individual lot owner will require a separate Stormwater Management Agreement or if a type of owners’ association will be established for this maintenance [similar to a homeowners’ association in a subdivision].

Mr. Giroux asked the applicant to consider the construction of an internal sidewalk system to link the lots for pedestrian and employee access. He said that this consideration would be discussed at the site plan stage.

Mr. Hemminger said that the application this evening is only for the subdivision of the land and is not a site plan application. He said that following the creation of the lots, the applicant would then be able to submit an application for Overall Preliminary Site Plan approval to install the road, utilities and related infrastructure in preparation for the building upon and/or the sale of the lots. Mr. Hemminger said that the re-subdivision application this evening is the first step in the process. He said that the subsequent steps will be the overall site plan and then the site plans for each individual user.

Mr. Hemminger asked if anyone in the meeting room wished to speak for or against this application, or to ask questions.

Mr. Alexander (6090 Loomis Road) asked if the right-of-way [of the proposed new Town-dedicated road] will extend past his property. Mr. Winans said yes, although the drawing does not show any extension onto Mr. Alexander's property. Mr. Alexander said that this area is a 12-foot to a 15-foot embankment off the road. Mr. Kilmer said that they are looking into an advanced grading plan which will be included in the site plan application. Mr. Alexander said that a wall may be required [to stabilize the slope in this portion of the site]. Mr. Hemminger said that he assumes that the right-of-way will have to be flattened out. Mr. Winans said that they have considered cutting it [the embankment] down and sloping it. Mr. Alexander said that he does not want his house to slide in [onto the proposed industrial project site].

Mr. Brabant said that the application this evening is a preliminary re-subdivision of the property. He said that the Town-dedicated road and the design of the lots, in compliance with the Town standards and regulations, will be part of the deliberations prior to the approval of a site plan by the Town staff and the Planning Board.

Mr. Hemminger said that the Preliminary Re-Subdivision application does nothing more at this stage than to establish the location of the Town-dedicated road and the lots. He said that the applicant can do nothing on the property without subsequent site plan approval.

Mr. Alexander said that there is a lot of activity over there [on the applicant's property] already.

Mr. Delpriore said that the applicant has been moving dirt on the property, that the work is within the Town thresholds and that the Town staff has been monitoring the work. Mr. Alexander said that it [the work] will be hard to miss.

Ms. Allen (6028 Loomis Road) said that she feels as though her car has been hit by shrapnel. She said that the workers on the property have been leaving a mess on the road [Loomis Road]. Ms. Allen said that a sweeper arrived after she called the Town about this, but that there are often large rocks on the road, upon which she travels multiple times a day.

Ms. Allen said that she has attempted to reach the applicant's real estate broker about leaving in place the mature trees on the property and about perhaps purchasing a portion of the property. She said that she has been unable to reach anyone to discuss this. Mr. Kilmer said that he will facilitate making a contact for Ms. Allen.

Mr. Hemminger said that this evening's application is only for the subdivision of the land. He said that the applicant is not authorized at this point to remove any mature trees.

Ms. Allen asked if the applicant will be bulldozing the pipeline area. Mr. Delpriore said that they better not.

Mr. Hemminger then asked if anyone on the telephone/video conference call wished to speak for or against this application, or to ask questions. There were no requests from those on the telephone/video conference call.

Mr. Maloy asked about the corner of Lot #10. Mr. Kilmer said that it may have been a drive-up apron and a former [weigh] scale for the previous gravel pit. He said that this would be removed.

Mr. Brand discussed Draft Condition #8 that the plat map “assumes” that the right-of-way for Loomis Road is to be 66 feet (a four-rod road). He said that the applicant may not assume that the right-of-way is 66 feet. Mr. Kilmer said that the tax map confirms that the right-of-way is 66 feet.

There were no further 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 #0506-21 be closed.

Motion carried by voice vote. The Public Hearing on PB #0506-21 was closed.

Board deliberations:

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY RE-SUBDIVISION PLAT**

PB #0506-21

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks,
Rochester, N.Y. 14625**

**ACTIONS: Preliminary Re-Subdivision Plat Approval, for a 10-lot re-
subdivision only of 32.8103 acres of land located on the north
side of Loomis Road, east of the former Finger Lakes Hotel
and Conference Center**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Board finds that the proposed Actions are classified as a Type II Actions under Part 617.5 (c) (23) and (26) of Article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby classify the proposed Actions as Type II Actions under Section 617.5 (c) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

BE IT FINALLY RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.:

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

Mr. Hemminger then requested that the clerk read aloud the conditions of approval from the following complete resolution:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY RE-SUBDIVISION PLAT**

PB #0506-21

**APPLICANT: Loomis Road Industrial Park LLC, 120 Linden Oaks
Rochester, N.Y. 14625**

**ACTIONS: Preliminary Re-Subdivision Plat Approval, for a 10-lot re-
subdivision only, of 32.8103 acres of land located on the north
side of Loomis Road, east of the former Finger Lakes Hotel
and Conference Center**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has received and reviewed the above referenced Action; and

WHEREAS, the Board has under separate resolution classified the above referenced Action as a Type II Action under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has conducted a Public Hearing tonight, received testimony and has given consideration thereto; and

WHEREAS, the Board has received and given consideration to the Ontario County Planning Board's Referral No. 94-2021, a Class 1 with comments only.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant approval of the above referenced Action with the following conditions:

1. The Preliminary Plat Drawing, prepared by DDS Companies, Drawing No. CO2, dated 4/15/2021, Project No. 70200235, entitled "Subdivision Map, Loomis Road Industrial Park Subdivision, Being a Resubdivision of Lot R3-A of the Gypsum Systems Subdivision," is to have its title changed to read . . . "Loomis Road Industrial Park, Preliminary Resubdivision Plat, Lots R3-A-1 through R3-A-10."
2. There is to be a note added to the drawing that states . . . "Site lies within a Zone C Area of Minimal Flooding, Flood Insurance Rate Map, Panel 0004B, dated September 30, 1983."
3. Signature lines are to be added to the drawing for the Town Highway and Parks Superintendent; the Town Water and Sewer Superintendent; and the Town Engineer.
4. The signature line shown on the drawing that reads . . . "Director of Engineering & Planning" is to be removed.
5. The plat map identifies a site that is entitled . . . "Remaining Lands Area—1.968 Acres." This is either a non-conforming lot in that it has less than the two-acre minimum lot size and an area variance will be required; or, it will need to be combined with one of the other proposed lots. Please make one of these two choices and show it correctly on the plat map.
6. There is to be a Note added to the drawing that reads . . . "Before Building Permits may be issued for any of the proposed lots, final site plan approval shall be required by the Planning Board."
7. The Zoning Note on the drawing is to be amended to read . . . "Site lies within the mapped MTOD Major Thoroughfare Overlay District."
8. The Plat Map "Assumes" the right-of-way for Loomis Road to be 66 feet (a 4-road road). This assumption is to be verified with the Town Highway Superintendent and reflected on the revised drawing.
9. The Town Highway Superintendent will need to verify if the Town really needs an 80-foot-wide right-of-way for the proposed street.

- 10. Lot #9 is shown fronting on to Loomis Road which is to be noted on the drawing. If the Applicant intends to have the driveway for Lot #9 from the proposed subdivision street, then they will need to adjust the lot width and lot depth accordingly.
- 11. All revisions to the drawing identified as needing to be made, in the May 11, 2021, MRB Group, D.P.C., letter to the Town Director of Planning and Development, are to be made before submitting to the Town for signatures.

BE IT FURTHER RESOLVED THAT once the Applicant has made all amendments to the drawing, then one (1) amended drawing is to be submitted to the Town Code Enforcement Officer for his review and acceptance before signing by Town Officials. Upon acceptance, a total of five (5) additional sets of drawings are to be submitted for signatures.

BE IT FINALLY RESOLVED THAT once signed Preliminary Plat Drawings have been completed, the Applicant may then submit Final Re-Subdivision Plat Drawings along with an Application for Final Re-Subdivision Plat Approval.

Following the reading of the conditions of approval, Mr. Brand requested that a typographical error in Draft Condition #9 be corrected from “an eight-foot-wide right-of-way for the proposed road” to “an 80-foot-wide right-of-way for the proposed road.” The resolution which is published above includes this correction.

Mr. Hemminger asked Mr. Kilmer if he understood the resolution and agreed with the conditions. Mr. Kilmer said that he understood the resolution and that he agreed with the conditions.

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

5. NEW PRELIMINARY SITE PLAN

PB #0505-21 Preliminary Site Plan Application

Name: Auto Wash 6 LLC, c/o Robert Marcenese, P.O. Box 451, Canandaigua, N.Y. 14424

- Location:** 6124 State Route 96
- Zoning District:** GB General Business and MTOD Major Thoroughfare Overlay District
- Request:** Preliminary Site Plan approval to make architectural upgrades to the existing facility and to continue to operate as an Auto Wash under new ownership. The height will increase with the installation of roof trusses over top of the existing flat roof, but will remain a single-story building.

This application was reviewed by the Project Review Committee (PRC) on January 8, 2021; and May 7, 2021.

Preliminary Site Plan drawings were posted on the screen in the meeting room and were visible to those online.

Mr. Amering (Costich Engineering) presented this application in the Town Hall. Mr. Marchenese (the applicant) and Mr. Bragg (Chrisantha Construction) participated on the audio/video conference call.

Mr. Amering said that the applicant owns other car-wash facilities in the area (on State Route 332, and at the corner of State Routes 5 & 20 and County Road 10, both in the Town of Canandaigua) and recently purchased the existing Country Club Car Wash on the northwest corner of State Route 96 and Mertensia Road. Mr. Marchenese plans to renovate the structure by adding architectural elements and painting, improving sidewalks and drive lanes, repaving, providing new pay stations, adding dumpster locations and generally making the site much more attractive.

Mr. Amering said that new customer pay stations which are automated and which will reduce vehicle stacking will be installed in the double-vehicle queueing lane and that newer-style automated vacuum stations will also be installed.

He said that this application was presented to the PRC and that feedback was received from the Town staff especially regarding the State Route 96 corridor streetscape guidelines and the incorporation into the site plan of improvements which have been included recently in other development projects on State Route 96 to date (i.e., the Byrne Dairy Store and Meyer's RV).

Mr. Amering said that the applicant has been working side by side with Town staff and with the New York State Department of Transportation (DOT) to coordinate the entrance driveway location into the site off Mertensia Road. He said that although the applicant liked the original location of the entrance driveway, it has now been shifted further to the north [from the signalized intersection at State Route 96 and Mertensia Road] based upon comments at the PRC meeting on May 7, 2021. He said that the new location is the best

of the suggested alternatives which will allow for increased vehicle queueing. The pay stations have also been shifted based upon the selected entrance driveway location.

Mr. Amering said that general site improvements will include adding concrete pads to the entrance and exit, minor removal of some pavement which is not necessary, installation of new lighting (LED fixtures) and landscaping (the details of which have been included in the board packets). He said that the main focus of the landscaping, which will be one of the largest revisions [to the existing structure] will include shifting some of the plantings to points along the sidewalk on the State Route 96 frontage and the addition of one additional street tree in the top left corner [of the property].

He also said that existing landscaping along the building will be kept in place if it is in good shape. Mr. Amering said that this will be addressed during the renovation project.

Mr. Amering said that roof trusses will be installed over the flat roof, that the color scheme of the building will be similar to the applicant's other locations, that glass features will be added, that the internal car-wash equipment will be upgraded and that new vehicle dryer blowers will be installed which will address the comments of the Town Highway Superintendent regarding water dripping from cars and freezing during the winter on the driveways and at the State Route 96/Mertensia Road intersection.

Mr. Amering acknowledged receipt of the MRB Group engineering comment letter. He said that most of the comments are technical and that there are no issues regarding addressing them.

Mr. Brand said that the Ontario County Planning Board (OCPB) reviewed this application on May 14, 2021, and determined the Referral #92-2021 as a Class 1 with the following comments:

OCPB Comments:

1. Is signage necessary to safely manage traffic flow to and from vacuum stations and avoid conflicts between vehicles exiting the wash tunnel and those using vacuums?
2. Is the existing access point aligned or appropriately off-set from other driveways on Mertensia Road to maintain safe turning movements?

Ontario County Soil and Water Conservation District Comments:

1. Location of concrete truck washout not specified despite concrete being called out as a material to be installed.
2. If material from landscape is to remain on site for reuse, specify areas where material will be stockpiled.

Mr. Amering said that the site is located in the General Business Zoning District and requires the approval of a Special Use Permit by the Planning Board. He said that the existing car wash apparently pre-dates this requirement and that the applicant will submit a Special Use Permit application.

Mr. Brand complimented Mr. Marchenese and Mr. Amering for addressing the requests of the Town staff which include the relocation of the entrance driveway off Mertensia Road, the installation of additional streetlights to illuminate the pedestrian crossing, and the installation of additional landscaping closer to the sidewalk along State Route 96. He also said that he was pleased with the proposed redesign of the structure.

Mr. Brand requested that a floodlight which had been installed on the site by Rochester Gas & Electric Corporation be removed. Mr. Amering said that the floodlight does not benefit the site and will be removed.

Mr. Brand said that two resolutions have been prepared for the board's consideration this evening, i.e., a State Environmental Quality Review (SEQR) resolution classifying this application as a Type II Action, and a resolution to approve the Preliminary Site Plan with conditions. He said that the relocation of the entrance driveway will allow for additional vehicle stacking on Mertensia Road for southbound traffic at the signalized intersection and that there is a growing need for this service in the community.

Mr. Delpriore said that the Town staff has been working with the applicant, that Mr. Amering presented the application to the PRC, and that the staff's concerns have been addressed and are reflected on the latest plan. He said that the entrance driveway will now be located directly opposite the Meyer's RV entrance driveway [which is located on the east side of Mertensia Road] and that the new driveway location will be a proper distance from the State Route 96/Mertensia Road intersection in compliance with the Major Thoroughfare Overlay District (MTOD) driving spacing requirements.

Mr. Delpriore said that the comments from the Ontario County Planning Board regarding signage and the off-set of the entrance also have been addressed on the latest plan.

Mr. Giroux said that he was glad to see that the entrance driveway has been relocated. He thanked the applicant for this revision and also for the installation of new car-wash equipment which will address the concern of dripping water from vehicles on Mertensia Road and within the intersection.

Mr. Brabant said that MRB Group engineering comments on the latest plan have been addressed. He said that the renovations to the existing structure will be beneficial to this location and that he has no additional concerns with the project.

Mr. Hemminger said that construction of a sidewalk along the Mertensia Road frontage will be required as a condition of approval of the Special Use Permit. He said that the Town already has sidewalk easements in place along this frontage.

Mr. DeLucia said that the building improvements look good and that this will be a great improvement to the property.

Mr. Viets asked if the car wash will be closed during construction. Mr. Bragg said yes.

Mr. Viets said that the submitted color renderings of the new structure may not accurately reflect the actual colors which will appear on the building. He requested that samples of the materials be provided. Mr. Amering said that his internal team is aware of these concerns.

Mr. Viets asked about an existing shed which is shown on the plan. Mr. Amering said that the shed is there and that the applicant may leave it in place. He said that it might now be used for the storage of a lawn mower, and that whether it will remain has yet to be decided [by the applicant]. He said that the shed may not be necessary.

Mr. Bellis said that he was glad to see the upgrades to the property and that the renovation will blend in with the current development in this area.

Mr. Maloy discussed vehicle circulation on the site and asked about customer parking for office visits. Mr. Amering said that there are two parking spaces near the office for those needing assistance and that there are three additional employee parking spaces shown on the site plan for employees.

Mr. Hemminger asked about the use of the driveway along the side of the building for fire equipment. Mr. Amering said that this driveway also would be large enough to accommodate a refuse truck.

Mr. Maloy asked about the number of employees on the site. Mr. Marchenese said that there would be two to four employees on the site. He said that two employees will open the car wash and that a third or fourth employee may come in during busy periods of time.

Mr. Maloy asked about the parking requirements in the Town Code. Mr. Delpriore said that no parking issues came up during the zoning review. Mr. Brabant said that the fire lane has more than enough room for a fire truck. He said that other concerns about the location of parking can be further ironed out when the Special Use Permit is considered.

Mr. Hemminger asked about the next steps in the process regarding the Special Use Permit. Mr. Brand said that the Special Use Permit must be approved prior to the approval of the Final Site Plan and that no building permits can be issued until the Special Use Permit is approved.

Mr. Delpriore said that the Special Use Permit application will be referred to the Ontario County Planning Board for its June meeting if the application is submitted to the Town Development Office by next Wednesday (May 26, 2021). He said that County comments

could then be available for the Planning Board meeting on June 16, 2021, and that the Final Site Plan could be approved at the Planning Board meeting on July 7, 2021.

Mr. Hemminger said again that construction of a sidewalk along the Mertensia Road frontage of the property will be a requirement of the Special Use Permit.

Mr. Bellis asked about a sign application. Mr. Delpriore said that two proposed building-mounted signs are code compliant. He recommended that the signs be shown on the Final Site Plan. Mr. Hemminger said that two square signs are now shown on the plans. Mr. Amering said that he will make sure that the signs also are shown on the Final Site Plan.

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

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
SEQR RESOLUTION—TYPE II ACTION**

PB #0505-21

APPLICANT: Robert Marchese, P.O. Box 451, Canandaigua, N.Y. 14424

ACTIONS: Preliminary Site Plan to operate an Auto Wash Facility located at 6124 State Route 96

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has reviewed the criteria in Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations, for determining the Classification associated with the above referenced Action; and,

WHEREAS, the Board finds that the proposed Actions are classified as a Type II Actions under Part 617.5 (c) (1), (2) and (18) of Article 8 of the New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby classify the proposed Actions as Type II Actions under Section 617.5 (c) of the SEQR Regulations.

BE IT FURTHER RESOLVED THAT Type II Actions are not subject to further review under Part 617.

BE IT FINALLY RESOLVED THAT the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the Town file upon this Action.

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

■ 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:

**FARMINGTON PLANNING BOARD RESOLUTION
PRELIMINARY SITE PLAN**

PB #0505-21

APPLICANT: Robert Marchenese, P.O. Box 451, Canandaigua, N.Y. 14424
**ACTION: Preliminary Site Plan to operate an Auto Wash Facility,
located at 6124 State Route 96**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as the Board) has received and reviewed the above referenced Action; and

WHEREAS, the Board has under separate resolution classified the above referenced Action as a Type II Action under Part 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has conducted a public meeting tonight, received testimony and has given consideration thereto; and

WHEREAS, the Board has received and given consideration to the Ontario County Planning Board’s Referral No. 92-2021, a Class 1 with comments only.

NOW, THEREFORE, BE IT RESOLVED THAT the Board does hereby grant approval of the above referenced Action with the following conditions:

1. Preliminary Site Plan Approval is based upon the revised Preliminary Site Plan Drawings, having revision date of 05/12/2021, Drawings Numbers: VA 100, Sheet 02 of 07; CA 100, Sheet 03 of 07; LA 100, Sheet 04 of 07; CA 500. Sheet 05 of 07; CA 501, Sheet 06 of 07; and CA 502, Sheet 07 of 07, prepared by Costich Engineering, identified as Project Number 8006, entitled . . . “Preliminary Site Plan Auto Wash, N.Y.S. Route 96 & Mertensia Road,” as is further amended below herein.

2. Preliminary Site Plan Approval is based further upon the revised drawings prepared by Hanlon Architects, entitled . . . “Auto Wash, Proposed Renovations, 6124 Route 96, Farmington, New York,” Exterior Elevations, Project No. 20-179, as is further amended below herein.
3. The Preliminary Site Plan Drawing is to be further amended as follows:
 - a. The RG&E 200A flood light located on their pole along the Route 96 frontage is to be disconnected and removed prior to the issuance of a Certificate of Compliance being issued. This light fixture is non-conforming light source under the provisions of the Town Code.
 - b. The existing 20-foot wide “Water and Utility Easement” shown along the Mertensia Road frontage is also to include the term Sidewalk. This easement is to identify the liber and page filing with the Ontario County Clerk’s Office.
 - c. Signature blocks are to be added on every drawing and the elevation drawing.
 - d. Signature block locations are to be in approved locations as shown in Appendix g-13.0 of the Town of Farmington Site Design and Development Criteria.
 - e. All sign details are to be added to the Drawings.
 - f. The sidewalk detail along the State Route 96 frontage is to be added to the Drawings.

BE IT FURTHER RESOLVED THAT the Board directs the Applicant to further amend the site plan drawings as may be required by the Town Engineer, in a letter dated May 14, 2021. All revisions made to the drawings are to be identified in the drawings revision boxes.

BE IT FURTHER RESOLVED THAT the Board identifies a need for the Applicant to apply for a Special Use Permit for the proposed Auto Wash, in accordance with the provisions contained in Chapter 165, Article IV, District Regulations, Section 28. D. (10) of the Farmington Town Code.

BE IT FURTHER RESOLVED THAT the Board directs the Applicant to provide two (2) complete sets of information and a cover letter requesting the Special Use Permit to the Town Development Office for preparing a referral to the Ontario County Planning Board for their June 9, 2021, meeting; and to submit an Application for a Special Use Permit to the Town Development Office on or before noon on Wednesday, May 26, 2021, in order to be placed on the June 16, 2021, Planning Board Meeting.

BE IT FURTHER RESOLVED THAT once the Applicant has made all amendments to the drawings, then one (1) amended set is to be submitted to the Town Code Enforcement Officer for his review and acceptance before signing by Town Officials. Upon acceptance, a total of five (5) additional sets of drawings are to be submitted for signatures.

BE IT FINALLY RESOLVED THAT once signed Preliminary Site Plan Drawings have been completed, the Applicant may then submit Final Site Plan Drawings along with an Application for Final Site Plan Approval. The Board requests submission of the Final Site Plan Drawing to occur simultaneously with the submission of the Special Use Permit application referenced above herein.

Mr. Hemminger then asked Mr. Amering if he understood the resolution and agreed with the conditions. Mr. Amering said that he understood the resolution and that he agreed with the conditions.

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

6. NEW FINAL SITE PLAN

Name: Blackwood Industrial Park: Union Crossing Development LLC, c/o Karl Schuler, 2580 Baird Road, Penfield, N.Y. 14526

Location: North of County Road 41 and west of County Road 8

Zoning District: LI Limited Industrial

Request: Final Site Plan approval to erect two single-story buildings, each building to be 41 feet in height. Each building will be 216,000 square feet in area with the total building area of 432,000 square feet.

This application was reviewed by the Project Review Committee on June 5, 2020 (concept plan presented); July 2, 2020; August 7, 2020; September 4, 2020; October 2, 2020; November 6, 2020; December 4, 2020; January 8, 2021; March 5, 2021; April 1, 2021; and May 7, 2021.

The Public Hearing on a three-lot subdivision and the Preliminary Site Plan was opened on December 16, 2020; and was continued to January 20, 2021, and to February 3, 2021, at which meeting the Public Hearing was closed.

The State Environmental Quality Review (SEQR) determination and the Preliminary Site Plan with conditions were approved by the Planning Board on February 3, 2021.

Mr. Montalto (Costich Engineering) presented this application.

The Final Site Plan drawing was posted on the screens in the meeting room and was available online for the public to view.

Mr. Montalto said that there has been no change in either proposed building since Preliminary Site Plan approval was received in February. Since then, he has been working with the applicant to address comments from the Town staff, the Town Engineer, and Ontario County relative to stormwater management, the final layout of the site and the buffering of the site from the adjacent residential properties.

Mr. Montalto said that the access driveway into the site from County Road 41 has been shifted approximately 15 feet to the east to comply with an Ontario County Department of Public Works request. He also said that the access driveway on County Road 8 was shifted to the south and was narrowed, and that the pavement on the east side of Building #1 was also narrowed to provide a larger buffer to the adjacent residential property.

Mr. Montalto said that significant landscaping has been incorporated into the site design. He said that they have revisited the landscape buffer and that more than 1,200 plantings will be installed and that every part of the plan is Town Code compliant.

He said that he spoke with the Town Engineer regarding nuances on the western side of the pavement and that a depressed area has been increased to deal with stormwater and to assist with the drainage on the property.

The height of all building-mounted site lighting has been reduced to 28 feet. Mr. Montalto said that the project does not support the need for an increase in site lighting.

In response to expressed concerns about pedestrian connectivity on the site, he said that crosswalk connections to Buildings #1 and #2 will be installed and that on-site parking is in compliance with the Town Code. Mr. Montalto also said that parking exceeds ADA requirements.

A compactor and a dumpster location in unobtrusive locations will be provided for each of the two buildings.

Mr. Montalto said that no exceptions were taken with previous comments from the Planning Board, the Town staff or outside agencies in the preparation of the Final Site Plan. He said that MRB Group engineering comments on the Final Site Plan are mostly techni-

cal in nature regarding the Stormwater Pollution Prevention Plan (SWPPP), the concrete washout and the bioretention area. Mr. Montalto said that he worked closely with the applicant and that they did not feel the need for concrete washouts.

Mr. Brand said that he has prepared a draft resolution for the board's consideration this evening for approval of the Final Site Plan with conditions. He said that he is ready to move forward on this application.

Mr. Delpriore said that the Town staff has worked with Mr. Montalto, that all staff issues have been addressed, and that Mr. Montalto has provided a detailed landscape buffer as requested. Mr. Delpriore said that the Town staff is ready to move forward from a code point of view.

Mr. Giroux asked about the narrow emergency entrance off County Road 8. Mr. Montalto said that this was originally proposed to be 50 feet wide. Mr. Brabant said that it has been reduced in width to 32 feet. Mr. Montalto said that this entrance has a decent-size shoulder and will be large enough to accommodate a fire truck.

Mr. Hemminger asked if the buildings will have fire suppression sprinklers. Mr. Montalto said yes.

Mr. Brabant said that Mr. Montalto is addressing the items which are included in the MRB Group comment letter of May 18, 2021. He said that most of the items are technical issues regarding the site and utility plan; the grading and erosion plan; the landscaping and lighting plan; and SWPPP comments. Mr. Brabant requested that calculations are to be provided demonstrating that the sanitary sewer laterals and the proposed storm sewer are adequately sized. He also said that the large amount of landscaping is a good improvement for the project.

Fire Chief Robinson asked about the height of the buildings. Mr. Montalto said that the original height of 39 feet which was shown on the preliminary plan has been clarified to 41 feet. He said that the overall height of buildings has not changed but that the increase in height shown on the plans includes the parapets (i.e., low protective walls along the edge of a roof, bridge or balcony). He said that the figure of 41 feet is a more accurate measure. Chief Robinson said that parapets provide challenges for the fire department regarding the length of the ladders, but that the fire department has an aerial truck [to reach the height of the buildings].

Mr. Maloy asked if any of the green space will include areas of land-banked parking. Mr. Montalto said that all parking areas will be constructed in the full build-out.

Mr. Maloy again expressed a previous concern regarding grading and drainage on the site. He said that this is a difficult site and that the west side of the property will be a swamp. Mr. Maloy said that there are 500 feet between contours and stone check dams, and that nothing is going to flow in there.

Mr. Bellis asked about a drainage easement. Mr. Brabant said that the applicant must provide an easement to the Town for emergency access to the stormwater management facility. He said that is definitely one easement which is required. Mr. Montalto said that the applicant intends to define the individual easements and provide a blanket access easement over each stormwater management facility on the site. He said that the easement process will begin following Final Site Plan approval which will enable the applicant to close on the purchase of the property.

Mr. Delpriore said that building permits will not be issued until all easements have been received and filed. He also said that the internal hydrant system must be a public hydrant system and that the required easements for that system are also needed. Mr. Montalto said that he will provide a separate easement map and description for this.

Mr. Delpriore said again that building permits and Certificates of Occupancy will not be issued until all easements are filed in the Ontario County Clerk's Office.

Mr. Bellis said that he was pleased to see all the landscape buffering and screening [of the adjacent residential properties] which have been proposed, and that he was excited to see that the buildings will have a dimensional design and will not be of a flat-wall warehouse design.

Mr. Viets asked if the architectural renderings are still valid. Mr. Montalto said yes.

Mr. DeLucia said that each of his questions have been answered during this evening's discussion.

Mr. Hemminger said that he, too, was pleased with the amount of landscape screening and buffering. He said that the board's request for this may seem like overkill, but that if the property were to be clear cut, then the amount of screening is not overkill. He said that the Town did the right thing for the [adjacent] residents.

There were no additional 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
BLACKWOOD INDUSTRIAL PARK, LOT #R-2 PROJECT
FINAL SITE PLAN APPROVAL WITH CONDITIONS**

PB #0507-21

**APPLICANT: Union Crossing Development LLC, c/o Taylor, the Builders,
Karl Schuler, 2580 Baird Road, Penfield, N.Y. 14526-2333**

ACTION: **Final Site Plan Approval of two proposed industrial buildings and related site improvements (Tax Map Account #042-01-54.12), an approximately 34-acre lot (Lot #R-2 Blackwood Industrial Park) located along the north side of County Road 41, west of County Road 8 and along the west side of County Road 8, north of the intersection of these two County highways**

WHEREAS, the Town of Farmington Planning Board (hereinafter referred to as Planning Board), has completed its review of the final site plan drawings for the above referenced Action; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board does hereby move to grant final site plan approval for the above referenced Action with the following conditions.

1. Final Site Plan Approval is based upon the revised set of drawings, dated 04/09/2021, prepared by Costich Engineering, identified as Sheet Numbers GA001, GA002, VA100, CA100, CA110, CA120, LA100, LA110, CA500, CA501, CA502, CA503 and CA504, entitled "Lot R-2 Blackwood Industrial Park, County Road 8 & County Road 41," Union Crossing Development LLC, and Final Site Plan Drawing Number T952, CA 100, Sheet 5 of 25.
2. Final Site Plan Approval is granted for a maximum of two (2) building sites, each site containing a total of 216,000 square feet in building area and related site improvements, including proposed Stormwater Management Areas, all of which is located on a total of approximately 34 acres of land known as Lot #R-2 of the Blackwood Industrial Park.
3. Final Site Plan Approval is further granted with the following condition that all comments contained in the MRB Group's May 18, 2021, Letter have been addressed and necessary changes made to the final site plan drawing.
4. The following are Conditions of Final Site Plan Approval:
 - a. There shall be only one construction entrance for this project, which shall be from County Road 41. Final drawings are to identify this condition.
 - b. A six (6)-inch waterline valve is to be installed on the north side of County Road 41.
 - c. If the project is going to be served by a private on-site watermain, the master meter and RPZ should be moved from Building #1 to a hot box.

- d. The reasoning for tapping the watermain along County Road 41, instead of County Road 8, is to be entered into the record and noted on the final drawings.
 - e. Private on-site fire hydrants are not permitted. The drawings are to be revised to reflect this condition.
 - f. All Details shown on the drawings are to state that they are Town of Farmington details, as contained in the Town's Site Design and Development Criteria.
5. The revision boxes on all amended drawings are to reflect the changes made and date of said amendments.
 6. Prior to any Building Permit being issued for any building located within the project site, proper application, engineering report, plans and supporting documentation must be prepared and submitted to the New York State Department of Health, Geneva Regional Office, prior to construction of the public water main extension.
 7. Topsoil stockpile(s) are to be shown on Final Site Plan drawings and shall be kept in a way they can be maintained. Stockpiling of topsoil shall be seeded and mowed around the base of each topsoil pile to keep the grass under the 6-inch height required by Town Code.
 8. Final and Final Site Plan drawings are to have signature blocks on each page of drawings and shall have signature blocks in the approved locations as shown in Appendix G-13.0 of the Town's Site Design and Development Criteria.
 9. Public Safety signs shall be located at all driveway access locations and the Public Safety Sign Detail shown on the Detail Drawing Sheet.
 10. Final Site Plan drawings shall delineate the double stripping of all on-site parking spaces and the double strip detail is to be added to the Detail Sheet for the Final Site Plans.
 11. Once all changes have been made to the above referenced Final Site Plan drawings cited above herein, the applicant's engineer is to provide a mylar and one paper print copy to the Town Code Enforcement Officer for review and acceptance. Once accepted, then all signatures will be affixed to the drawings. The mylar will be returned to the applicant's engineer for making at least four (4) additional paper print copies that are to be returned to the Town Code Enforcement Officer within ten (10) business days.
 12. The Town Code Enforcement Officer shall provide one (1) set of the signed paper print copies to the Town Highway and Parks Superintendent; the Town Water and

Sewer Acting Superintendent; the Town Construction Inspector; and the Town Engineer.

- 13. Final Site Plan Approval is valid for a period of 180 days from today and the revised drawings are to be submitted for signatures within this time period. Failure to obtain signatures on the approved drawings will result in them becoming null and void.

Mr. Hemminger asked Mr. Montalto if he understood the resolution and agreed with the conditions. Mr. Montalto said that he understood the resolution and that he agreed with the conditions.

The following vote upon the above resolution was recorded in the meeting minutes:

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

Motion carried.

7. PLANNING BOARD ACTION ITEMS

A. Hathaway’s Corners Phase 1: Partial Letter of Credit Release #4:

B. GLN Farmington Realty LLC: Final Letter of Credit Release #1 (Site Clearing):

■ A motion was made by MR. DELUCIA, seconded by MR. BELLIS, that the following two resolutions be blocked for concurrent action, that the readings of the following resolutions be waived and that the resolutions be approved as submitted by the Town staff:

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT—PARTIAL RELEASE #4 (UTILITIES)
HATHAWAY’S CORNERS, PHASE 1, UTILITIES**

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 Engineer, dated May 10, 2021, to approve the partial release of funds (Release #4) from the established Letter of Credit for the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the signed Letter of Credit Final Release Form (G-1.1) and the partially completed Town Surety Release Form (G-2.0); and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector, Town Department Heads and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for the first and final release of funds from the established Letter of Credit in the total amount of \$513,775.33.

BE IT FURTHER RESOLVED that the Town Supervisor is to sign the above referenced partially completed Town Surety Release Form (G-2.0) upon the Town Board’s authorization on May 25, 2021.

BE IT FURTHER RESOLVED that copies of this resolution are to be provided to: Peter Ingalsbe, Town Supervisor; Marcy Daniels, Confidential Secretary to the Town Supervisor; Michelle Finley, Town Clerk; the Applicant, Mark Stevens, Hathaway’s Corners, LLC; the Applicant’s Engineers, Ryan Destro, P.E., BME Associates; Don Giroux, Town Highway and Parks Superintendent; Robing MacDonald, Acting Town Water and Sewer Superintendent; Matthew Heilmann, Town Construction Inspector; Dan Delpriore, Town Code Enforcement Officer; Ronald Brand, Town Director of Planning and Development; and Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers.

**TOWN OF FARMINGTON PLANNING BOARD RESOLUTION
LETTER OF CREDIT RELEASE #1 (FINAL)
GLN FARMINGTON REALTY LLC—TREE AND BRUSH REMOVAL**

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 Engineer, dated May 10, 2021, to approve the first and final release of funds from the established Letter of Credit for the above referenced tree and brush removal that has been completed as part of Phase 1A of the above referenced project; and

WHEREAS, the Planning Board has also received and reviewed the signed Letter of Credit Final Release Form (G-1.1) and the partially completed Town Surety Release Form (G-2.0); and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board, after having reviewed the file on this project and the recommendations from the Town Construction Inspector, Town Department Heads and the Town Engineers, does hereby recommend that the Town Board take formal action to approve the request for the first and final release of funds from the established letter of credit in the total amount of \$23,287.50.

BE IT FURTHER RESOLVED that the Town Supervisor is to sign the above referenced partially completed Town Surety Release Form (G-2.0) upon the Town Board’s authorization on May 25, 2021.

BE IT FURTHER RESOLVED that copies of this resolution are to be provided to: Peter Ingalsbe, Town Supervisor; Marcy Daniels, Confidential Secretary to the Town Supervisor; Michelle Finley, Town Clerk; the Applicant; the Applicant’s Engineers, Ryan Destro, P.E., BME Associates; Don Giroux, Town Highway and Parks Superintendent; Robing MacDonald, Acting Town Water and Sewer Superintendent; Matthew Heilmann, Town Construction Inspector; Dan Delpriore, Town Code Enforcement Officer; Ronald Brand, Town Director of Planning and Development; and Lance S. Brabant, CPESC, MRB Group, D.P.C., the Town Engineers.

The following vote upon the above two resolutions was recorded in the meeting minutes:

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

Motion carried.

C. Main Street Overlay District (MSOD) Guidelines for the State Route 96 Corridor:

Mr. Brand requested that final amendments to the Main Street Overlay District (MSOD) Guidelines for the State Route 96 Corridor be provided to him as soon as possible. The Guidelines will be on the Town Board agenda on Tuesday, May 25, 2021, and are expected to be adopted by the Town Board at that time.

Mr. DeLucia asked about a reference regarding the requirement that a landscape “plan note” be included on site plans. He said that this reference appears in several sections of the Guidelines. Mr. DeLucia asked if the word “plan note” should be replaced with a stronger term, such as an “agreement.”

Mr. Delpriore and Mr. Brabant said that the term “plan note” is a standard term for information to be included on a site plan. Mr. Delpriore said that the inclusion of a “plan note” will provide the Town code enforcement staff with the ability to enforce the provisions and compliance of the note requirements.

Mr. Hemminger then asked the members of the board if they had any further comments on these guidelines. It was the consensus of the board members that the amended final document answers their previous concerns. Mr. Viets said that he was pleased with the changes.

8. OPEN DISCUSSION

Director of Development and Planning Report:

Mr. Brand discussed the following topics:

- He requested that board members read the affirmation document which he signed in the most recent court filing regarding the Delaware River Solar project Article 78 Proceeding. From May 3, 2021, to May 11, 2021, 124 documents were filed in Ontario County Supreme Court by the Planning Board’s Special Legal Counsel in answer to the citizens’ case. A total of 534 documents have been filed by both parties since the Proceeding was filed on September 6, 2019. Mr. Brand said that both parties are now awaiting the ruling by Supreme Court Justice Charles A. Schiano Jr. It was noted that Judge Schiano issued an order on May 3, 2021, that both parties are exempt from the word limitations imposed by the recent revision to the Uniform Rules for New York State Trial Courts (codified at 22 NYCRR § 202.8-b).

Mr. Brand said that Planning Board members may receive two hours of their required annual training credit for their the review of the Article 78 Proceeding documents and discussion at a future meeting.

- The final report from the Bergmann Associates consulting firm regarding the State Route 96 and State Route 332 Corridor Study was received today. The goal of the study is to create an infrastructure network which promotes all modes of transportation and which will enhance the safety of this developing corridor. The study was sponsored by Ontario Country and was funded by the Genesee Transportation Council.

Mr. Brand said that there are a number of positive recommendations within the latest draft document, which have been proposed by the consultants, such as traffic-calming measures at the State Route 332/State Route 96 intersection and at the New York State Thruway Exit #44 entrance (when the toll booths are removed). He said that there is also a recommendation to provide additional bicycle lanes along the major highways located within the corridor.

Mr. Brand said that the Town may not agree with some of the recommendations, such as proposal to change the criteria for driveway spacing from a distance standard to a standard based upon the speed limit of a road. Mr. Brand said that this recommendation does not take into consideration a possible future change in a road's speed limit which would then affect the spacing between existing driveways. He said that he advised the study consultant that this recommendation would not be well received in Farmington. He said that this change in the driveway spacing criteria has been implemented in the Town of Victor and that the consultant thought that it also might be implemented in Farmington and Canandaigua.

Code Enforcement Officer Report:

Mr. Delpriore said that beginning today the Town policy on wearing masks (due to the COVID-19 pandemic) has been relaxed. He said that staff and visitors to the Town Hall are no longer required to wear masks if they have been fully vaccinated and if it has been at least two weeks since the vaccination(s).

Mr. Delpriore said that he will work with Mr. Hemminger on the procedure for relaxing the pandemic protocols regarding Planning Board meetings.

Mr. Maloy asked how the new face mask rules would be enforced. Mr. Delpriore said that this will be on the honor system for regular Town Hall business. He said that this recommendation comes from the National Center for Disease Control (CDC). Mr. Delpriore said that private businesses and stores, however, may still require customers to wear masks.

Mr. Delpriore said that this evening's meeting will be the final meeting using the JoinMe audio/video remote program. He said that the Town will switch to the Zoom audio/video program for future meetings. The sign-in instructions and information will be posted on the Town website and will be included on subsequent Planning Board agendas. He said that the audio and video of the Zoom meetings will be recorded and will be posted on the Town's new YouTube channel for viewing by the public at a later date if anyone is not able or does not wish to attend a meeting in person. Mr. Delpriore said that the Comprehensive Plan Committee meeting which was held last night (May 18, 2021) was held via the Zoom platform and will be posted on YouTube.

Mr. Delpriore said that the Development Office has established a new procedure to notify board members in advance of the applications which will be on subsequent Planning Board agendas. He said that this practice will serve as a reference point for the board and for the Town staff of future meetings.

Mr. Delpriore said that a new email subject line convention has been working well for emails which are sent to board members from the Development Office. He said that the email subject line now includes the meeting date. Mr. Viets said that the new system is awesome. Mr. Hemminger said that the new system makes it easier for board members to search their files. Mr. Maloy requested that the clerk also implement the new system for emails which are sent by the clerk to the board.

Mr. Delpriore discussed the dumping of fill dirt, some of which contains building debris, on the remaining Hickory Rise Incentive Zoning property on the southeast corner of Collett Road and Hook Road. Mr. Bellis said that the dumping situation there is getting worse. Mr. Delpriore said that the property owner may dump a small amount of building material and debris (tree limbs, etc.) fill. He said that the Town staff is working with the property owner to determine who is adding fill to this area. Mr. Bellis asked where the materials are coming from. Mr. Delpriore said that it is not coming from the construction in the nearby Hickory Rise Subdivision Tract. That portion of the project is complete and the lawn for the last home site was seeded today (May 19, 2021).

Mr. Brabant said that the property owner has a permit which allows fill to be brought in but that the disturbance area cannot exceed one acre. Mr. Brabant said that the applicant's permit has been kept open to allow this. But Mr. Brabant said that contaminated fill is not permitted. He said that all fill must conform to standards and regulations of the New York State Department of Environmental Conservation (DEC).

Mr. Bellis asked if the dumping of sewer and water pipes is okay. Mr. Delpriore said that they are approved by the DEC.

Mr. Brabant said that any issues [with the dumping] would be issues which the property owner created on his own site. Mr. Bellis said that he did not understand why the property owner wants to bury pipe. Mr. Delpriore said that this is permitted.

Mr. Giroux said that the Town does not want people to stockpile this kind of material all over town.

Highway and Parks Superintendent:

Mr. Giroux said that blacktop paving has been completed at the Beaver Creek Park construction site and that Canandaigua–Farmington Town Line Road will be open during the upcoming Memorial Day holiday.

He also reported that the Route 332 highway medians and the Auburn Trail have been mowed and prepared for the holiday, and that starting next week brush and tree limbs along the Trail will be trimmed.

Town Engineer:

Mr. Brabant said that he is working with the Town on a number of mapping projects.

Farmington Volunteer Fire Association:

Fire Chief Robinson said that volunteers are now doing additional training as the weather improves and as the pandemic restrictions are eased.

Board Members' Comments:

Mr. Hemminger said that Supervisor Ingalsbe has reported that the Planning Board's Special Legal Counsel fee for representation in the Delaware River Solar Article 78 Proceeding has now reached \$465,000 and that the case has not yet been resolved. Mr. Hemminger said that he expects the legal fee to reach \$500,000.

Mr. Bellis asked about the installation of sidewalks on Loomis Road. Mr. Brand said that the Routes 96/332 Corridor Sub-Area Study, just received today, recommends a need for additional sidewalks along both sides of State Route 332, north of Route 96, but that there is not a lot of room for construction of sidewalks in this area because of constraints such as the guardrail for the railroad bridge and the freshwater wetland areas south of Collett Road. He said that without a solution identified, he would not recommend constructing sidewalks that would lead to people having to walk along these areas of State Route 332.

Mr. Delpriore said that the applicant of the proposed Loomis Road Industrial Park has talked about an internal sidewalk loop system (for employees and visitors), and that the Town may want to provide a sidewalk easement along the Loomis Road frontage if sidewalks were ever to be proposed along Loomis Road. Mr. Bellis said that he did not think that the Town already had plans for sidewalks along Loomis Road.

Mr. Viets asked about landscaping along the Empire Pipeline property which is adjacent to the New York State Thruway. He said that a number of the site's landscape plantings have died and that there are a number of bare spots. He said this is not what the Planning Board approved. Mr. Delpriore said that he will follow up on this with the property owner.

Mr. Giroux said that also some of the trees and plantings on the Byrne Dairy Store property along State Route 96 also have died. Mr. Delpriore said that he will also follow up on this with the property owner.

Mr. Bellis said that the work at the Meyer's RV Store on State Route 96 is looking good. He said that the construction fence has been removed and that the streetscape area across the property's frontage has been landscaped. He said that the applicant is going in the right direction. Mr. Delpriore said that the applicant still has some deadlines to meet and that an update will be provided at the Planning Board meeting on June 16, 2021. He said that the Town staff still has issues to address on the site but that overall the Town is pleased with the progress.

Mr. DeLucia said that he will attend the meeting of the Planning Board on June 2, 2021, remotely via Zoom.

9. PUBLIC COMMENTS

None.

10. TRAINING OPPORTUNITIES

■ New York Planning Federation 2021 Clean Energy Information Summit

Online sessions during June.

Wednesdays; sessions begin at 12:00 noon.

Session dates and topics:

Wednesday, June 2, 2021

New York State's Clean Energy Goals and Local Governments

Wednesday, June 9, 2021

Large Scale Renewable Energy Projects in Your Community

Wednesday, June 16, 2021

Local Land Use Regulations of Small Scale Renewable Energy Products

Wednesday, June 23, 2021

Planning for Clean Energy in New York State

Email invites will be distributed prior to each event and will require registration. If you are not currently on the New York Planning Federation email list and would like to be, send an email to:

nypf@nypf.org

New York Planning Federation telephone: (585) 512-5270.

■ **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 MRB Group.

Remaining sessions in 2021:

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>

11. ADJOURNMENT

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

Motion carried by voice vote.

The meeting was adjourned at 8:35 p.m.

The next regular meeting of the Planning Board will be held on Wednesday, June 2, 2021, at 7:00 p.m., at the Farmington Town Hall, 1000 County Road 8, Farmington, N.Y. 14425.

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

Respectfully submitted,

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